

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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April 17, 2024
Start: 10:11 a.m.
Recess: 11:17 a.m.

HELD AT: 250 Broadway - Committee Room, 16th
Floor

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

COUNCIL MEMBERS:
Shaun Abreu
David M. Carr
Kamillah Hanks
Francisco P. Moya
Yusef Salaam
Lynn C. Schulman

A P P E A R A N C E S

Jay Segel
Attorney with the Law firm of Greenberg Traurig

Lisa Orrantia
Applicant AA Atlantic LLC

Sanjana Gupta
Project Manager at Paths Development

Sung Kim
Magnusson Architecture and Planning

Cody Erhart
Landscape Architect at Terrain NYC

Anna Weiss
Senior Vice President at Paths Development

2 SERGEANT AT ARMS: SERGEANT AT ARMS: Check,
3 check, check, check on the Subcommittee on Zoning and
4 Franchises on the 16th Floor on April 17, 2024,
5 recorded by Patrick Kay. Check, check.

6 SERGEANT AT ARMS: Good morning and welcome to
7 the New York City Council Hearing with the Committee
8 on Zoning and Franchise. At this time, can everybody
9 please silence your cellphones. If you wish to
10 testify, please come up to the Sergeant at Arms desk
11 to fill out a testimony slip. At this time and going
12 forward, no one is to approach the dais. I repeat,
13 no one is to approach the dais. Chair, we are ready
14 to begin.

15 CHAIRPERSON RILEY: [GAVEL] Good morning
16 everyone and welcome to the meeting of the
17 Subcommittee on Zoning and Franchises. I am Council
18 Member Kevin Riley, Chair of this Subcommittee. This
19 morning, I am joined remotely by Council Member Moya,
20 Council Member Abreu, Council Member Schulman,
21 Council Member Carr, and Council Member Ossè. Today,
22 we are scheduled to hold four votes and then three
23 hearings. The first vote concerns LU's 57, which
24 consists of the Gaming Facility Text Amendment. The
25 second vote concerns LU's 41, 42, 43, 46, and 47,

2 which consists of the 341 10th Street Rezoning
3 Proposal. The third vote concerns LU's 58, which
4 consists of the 41 Richard Street Rezoning Proposal.
5 The fourth and final vote concerns LU 61, which
6 consists of the 80-01 Broadway Commercial Overlay
7 Rezoning Proposal. Switching to the hearings, we
8 will first hear a proposal that concerns then hear a
9 text amendment to decrease parking requirements to
10 facilitate new residential buildings in Harlem. We
11 will then hear a proposal that concerns a mixed-use
12 residential development proposed at 282-311, Marcus
13 Garvey Boulevard in Bed Stuey Brooklyn. The third
14 and final hearing concerns a mixed-use residential
15 development at 1289 Atlantic Avenue also in Bed
16 Stuey. I will now go over hearing procedures.

17 This meeting is being held in hybrid format.
18 Members of the public who wish to testify, may
19 testimony in person or via Zoom. Members of the
20 public wishing to testify remotely may register by
21 visiting the New York City Council website at
22 www.council.nyc.gov/landuse to sign up and for those
23 of you here in the Chambers or in Room 16, please see
24 one of the Sergeant at Arms to prepare and submit a
25 speakers card. Members of the public may also view a

2 live stream broadcast of this meeting at the
3 Council's website. When you are called to testify
4 before this Subcommittee, if you are joining us
5 remotely, you will remain muted until recognized by
6 myself to speak. When you are recognized, your
7 microphone will be unmuted. Please take a moment to
8 check your device and confirm that your mic is on
9 before you begin speaking.

10 We will limit public testimony to two minutes per
11 witness. If you have additional testimony, you would
12 like the Subcommittee to consider or you have written
13 testimony you would like to submit instead of
14 appearing in person, please email it to
15 landusetestimony@council.nyc.gov. Written testimony
16 may be submitted up to three days after the hearing
17 is closed. Please indicate the LU Number or the
18 project name in the subject line of your email.

19 We request that the witnesses joining us remotely
20 remain in the meeting until excused by myself as
21 Council Members may have questions. Lastly, for
22 everyone attending today's meeting, this is a
23 government proceeding and that the quorum must be
24 observed at all times. Members of the public are
25 asked not to speak during the meeting unless you are

2 testifying. The witness table is reserved for people
3 who are called to testify and no video recording or
4 photography is allowed from the witness table.

5 Further, members of the public may not present audio
6 or video recordings as testimony but may submit
7 transcripts of such recordings to the Sergeant at
8 Arms for inclusion in the hearing records.

9 Starting with today's vote, the first is to
10 approve LU's 57, which concerns the Gaming Facility
11 Text Amendment. In 2022, the state authorized the
12 issuance of up to three licensed to operate a gaming
13 facility downstate, including New York City. As part
14 of the authorization, the state specified a detailed
15 application and review process that includes a
16 mandatory local review.

17 Presently, casinos are not allowed in the city.
18 The proposed text amendment would allow applicants to
19 submit development proposals located in the city and
20 compete for one of the three authorized gaming
21 license to be issued by the state. Only an applicant
22 awarded in the gaming license would be able to
23 actually build a casino under the proposed text
24 amendment.

2 If an applicant located in the city is awarded a
3 gaming license, the underlining zoning regulations
4 would not apply. It is the site planned approve as
5 part of the local review process that will govern
6 what the selected applicant can build. It is
7 important to remember that we are not voting today to
8 allow any specific proposal to be built but simply
9 providing applicants with proposed sites in the city
10 the ability to compete for one of the three license
11 that the state is seeking to issue in the city and
12 surrounding counties.

13 The second vote is to approve LU's 41, 42, 43,
14 46, and 47, concerning a proposal known as the 341
15 10th Street. This is a mixed-use residential
16 development proposal located in Council Member Avilés
17 district in Park Slope Brooklyn. The development is
18 anticipated to create approximately 300 new units,
19 preserve 154 units and include ground floor
20 commercial space as well as open space. This is a
21 complicated project that involves five actions
22 because it includes an existing building and the site
23 is located over subway tracks.

24 The first proposed action involves rezoning a
25 residential area from an R6A to an R7-3 residential

1 district with a C2-4 commercial overlay. The second
2 proposed action is to map two different MIH areas,
3 one for workforce housing at a higher area median
4 income and another area at the lower area median
5 income. Although we do not use the map to workforce
6 option, here is warranted due to the high
7 construction cost associated with building above
8 subway tracks.
9

10 And also, because applicants have committed to
11 both provide one of the new buildings for senior
12 housing and to preserve the current rents in the
13 existing building. The third and fourth action are
14 special permits that modify the applicable bulk and
15 the parking regulations given the unusual site
16 conditions.

17 The fifth action is to approve a property tax
18 exemption that will facilitate the preservation of
19 the existing building and creation of the senior
20 housing. Council Member Avilés supports this
21 proposal. The third vote is to approve LU's 58
22 concerning the proposal known as the 41 Richard
23 Street. This is a mixed-use manufacturing
24 development proposal located in Red Hook Brooklyn.
25 That is also in Council Member Avilés district. This

2 is an unusual proposal as well in that the developer
3 is proposing to develop a building predominantly for
4 manufacturing uses, specifically targeting small
5 businesses. This is the type of project that the
6 city needs to retain its manufacturing base.

7 The proposal consists of rezoning an existing M1-
8 1 manufacturing area to an M1-5 manufacturing area,
9 which has higher density. Council Member Avilés
10 supports this proposal.

11 The fourth and final vote is to approve LU 61,
12 which concerns that proposal known as the 80-01
13 Broadway Commercial Overlay. This proposal is
14 located in Elmhurst Queens in Council Member
15 Krishnan's District. The proposal seeks to legalize
16 existing commercial uses along a section of Broadway
17 that is presently an active commercial corridor.
18 Council Member Krishnan supports this proposal.

19 Council, are there any Council Members with
20 questions or remarks at this time?

21 COMMITTEE COUNSEL: No Chair.

22 CHAIRPERSON RILEY: Okay, I now call for a vote
23 to approve LU's 57 relating to the - oh and before I
24 do, we are joined by Council Member Hanks. Sorry
25 about that.

2 I now call for a vote to approve LU 57 relating
3 to the Gaming Facilities Text Amendment Proposal to
4 approve LU's 41, 42, 43, 46, and 47 relating to the
5 341 10th Street Rezoning Proposal to approve LU's 58,
6 relating to the 41 Richard Street Rezoning Proposal
7 and to approve LU 61 relating to the 80-01 Broadway
8 Commercial Overlay Proposal.

9 Counsel, can you please call the roll?

10 COMMITTEE COUNSEL: Chair Riley?

11 CHAIRPERSON RILEY: Aye on all.

12 COMMITTEE COUNSEL: Council Member Moya?

13 COUNCIL MEMBER MOYA: I vote aye.

14 COMMITTEE COUNSEL: Council Member Abreu?

15 COUNCIL MEMBER ABREU: Aye.

16 COMMITTEE COUNSEL: Council Member Hanks?

17 COUNCIL MEMBER HANKS: Aye on all.

18 COMMITTEE COUNSEL: Council Member Schulman?

19 COUNCIL MEMBER SCHULMAN: Aye on all.

20 COMMITTEE COUNSEL: Council Member Carr?

21 COUNCIL MEMBER CARR: Permission to briefly
22 explain my vote.

23 CHAIRPERSON RILEY: Permission granted.

24 COUNCIL MEMBER CARR: Thank you Chair. I just
25 wanted to say that crucial for me in this decision-

1 making process is the Sunset Provision which was
2 added by the Commission before it came to the Council
3 because while I respect the wish of others to perhaps
4 consider casino applications for their areas and
5 there's a great local stakeholder structured group
6 that will be making the decision on each application.
7 It is not something that I'd like to see in my
8 community but given that there is a Sunset, there's
9 no danger of that and that's why I'm comfortable
10 voting aye on the Gaming Text Amendment as well as
11 the other items. So, aye on all. Thank you.

12 CHAIRPERSON RILEY: Thank you.

13 COMMITTEE COUNSEL: Council Member Salaam who
14 will be appearing but I believe – Council Member
15 Salaam? Council Member Salaam, how do you vote or
16 would it be helpful just to repeat the project that
17 we're voting on?

18 COUNCIL MEMBER SALAAM: Oh yes please repeat.

19 CHAIRPERSON RILEY: We are voting to approve LU's
20 57 relating to the Gaming Facilities Text Amendment
21 Proposal to approve LU's 41, 42, 43, 46, and 47,
22 relating to 341 10th Street Rezoning Proposal to
23 approve LU's 58 relating to 41 Richard Street
24
25

2 Rezoning Proposal and to approve LU 61 relating to
3 80-01 Broadway Commercial Overlay Proposal.

4 COMMITTEE COUNSEL: How do you vote Council
5 Member Salaam?

6 COUNCIL MEMBER SALAAM: I vote yes on all.

7 COMMITTEE COUNSEL: By a vote of 7 in the
8 affirmative, 0 opposing and 0 abstention, the items
9 are approved and referred to the full Land Use
10 Committee.

11 CHAIRPERSON RILEY: Thank you. I now open the
12 first public hearing on Preconsidered LU's relating
13 to the 15-21 124th Street Text Amendment Proposal in
14 Council Member Salaam's District. The proposal seeks
15 to facilitate the construction of new housing in
16 certain parts of Harlem by lowering the required
17 amount of parking in R6A zoning district within the
18 special 125th Street District in Harlem. For anyone
19 wishing to testify on these items remotely, if you
20 have not already done so, you must register online
21 and you may do that now by visiting the Council's
22 website at council.nyc.gov/landuse. And once again,
23 for anyone with us in person, please see one of the
24 Sergeants to prepare and submit a speakers card. If
25 you would prefer to submit a written testimony, you

2 can always do so by emailing it to us at
3 landusetestimony@council.nyc.gov. Council Member
4 Salaam, would you like to give remarks on this
5 project?

6 COUNCIL MEMBER SALAAM: Well, I wanted to ask the
7 Applicant some questions.

8 CHAIRPERSON RILEY: Alright, no problem. Uh, I
9 will now call the applicant panel for this item,
10 which consist of Jay Segel? Counsel, can you please
11 administer the affirmation?

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

14 JAY SEGEL: My name is Jay Segel.

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

19 JAY SEGEL: I do.

20 CHAIRPERSON RILEY: Thank you. For the viewing
21 public, if you need an accessible version of this
22 presentation, please send an email request to
23 landusetestimony@council.nyc.gov. And now the
24 application team may begin. Please remember to

2 reinstated your name and organization for the record.
3 You may begin.

4 JAY SEGEL: My name is Jay Segel, I'm an Attorney
5 with the Law firm of Greenberg Traurig and I
6 represent the applicant. Can we put a presentation
7 on the screen please? As you said Chair Riley, this
8 is an application to construct a new residential
9 building in an R6A district that would complete 124th
10 Street between 5th and Lenox Avenue right across from
11 Marcus Garvey Park that we comply with all aspects of
12 the Zoning Resolution except for parking and we seek
13 a text amendment of the Zoning Resolution so that the
14 33 units in this building will not have to have a
15 garage with 17 parking spaces. The purpose of the -
16 can we change the image please? Next.

17 This is showing what I already said the site,
18 it's slightly over 10,000 square feet in the R6A
19 District. Next please. Again, it's right across
20 from Marcus Garvey Park. Next. And the Text
21 Amendment would say that R6A Zoning Districts, which
22 have a 50 percent parking requirement would be
23 treated in the special hodge in 25th Street District
24 as if they were in R7 Districts which has a much
25 lesser parking requirement of 30 percent so that in

1
2 site to size with 33 units, the parking would wave
3 out and we would not have to construct the garage.
4 Next please.

5 And our site is in CB10. There are other 6A
6 sites that would be subject to this amendment in
7 theory that are both in Community Board 10 and
8 Community Board 11 but in practice, we don't think
9 any of them would benefit from them because they are
10 already built up. We're the only site that's
11 unimproved and we'd be the only site that we think
12 would benefit from this Text Amendment. Next please.

13 What we're showing is the reason we think we do
14 not need a parking garage is that we're very near a
15 railroad. We're very near at least five subway
16 lines. Many bus lines and four city bike stations.
17 So, we think that the people who would be living in
18 our 33 apartments, almost all of them would take mass
19 transit and a garage with 17 spaces would be
20 unnecessary. Next please.

21 This just shows the outline of our building which
22 would be complying with zoning resolutions, it must.
23 It would be 70 feet high. It would have about 30,000
24 square feet and it would have about 33 units. Next
25 please.

2 Well, these are the details but this is the
3 language in the Text Amendment that would effectuate
4 what I describe. It would treat new buildings in an
5 R6A as if they were in an R7 and they would benefit
6 from the R7 provisions, which have only a 30 percent
7 parking requirement and then wave out a low amount of
8 parking spaces, which here would amount to no spaces.
9 It would be a complete waiver. Next please.

10 Again, this is explaining what I just said. Next
11 please. These are some images of community
12 facilities in the area. Next please. Again, in the
13 park across the street. I mean I suppose one of the
14 reasons of showing the park across the street is that
15 we would not have a curb cut right across the street
16 from the park, which is generally a good thing not to
17 have cars going in and out right across from a park.
18 Next please. And this is again, an illustration of
19 the building. That's my presentation. Questions?

20 CHAIRPERSON RILEY: Thank you so much Jay. So,
21 you kept reiterating all parking will be waived.
22 What do you mean by that?

23 JAY SEGEL: Right, is that the parking
24 requirement in an R7 is 30 percent of the units and
25 that would mean 33 times 30 percent we would need 10

2 spaces and 10 spaces is below the amount that
3 requires a parking garage in an R7, so we wouldn't
4 have to provide any spaces. That's how the Text
5 Amendment would work.

6 CHAIRPERSON RILEY: Can you explain why you
7 expect the residents of this building to have lower
8 car ownership even though you did mention that it's
9 surrounded by several transportation and alternatives
10 but do you expect no one to have any car ownership.

11 JAY SEGEL: No, it means out of 33 units there
12 will be probably be a couple of people who will have
13 cars but we anticipate very few because of the access
14 to mass transit. And there are plenty of garages in
15 the area that could absorb a couple of extra cars.
16 We don't think that would warrant building a 17-space
17 garage for a couple of people that might have cars.
18 We really only anticipate 1, 2, 3 people might have
19 cars out of the building.

20 CHAIRPERSON RILEY: Can you describe the size of
21 units that would be proposed in the building?

22 JAY SEGEL: They think they'll mostly be
23 families, 2 bedrooms, 3-bedroom units.

24 CHAIRPERSON RILEY: 2 and 3 bedrooms?

25 JAY SEGEL: Yes.

2 CHAIRPERSON RILEY: So, currently right now, it's
3 33 units right?

4 JAY SEGEL: Out of 30,000 square feet. So,
5 that's uhm close to 1,000 square feet. The 1,000
6 square feet wouldn't be any in a unit because there's
7 hallways and elevators but it's probably an average
8 size of 850 or so.

9 CHAIRPERSON RILEY: Per unit?

10 JAY SEGEL: Yeah, which is a lot bigger than a
11 studio or one bedroom.

12 CHAIRPERSON RILEY: Yeah, alright. Council
13 Member Salaam.

14 COUNCIL MEMBER SALAAM: Yes, thank you Chair.
15 Uhm, in the original land use filing for this
16 project, 797 square feet of space was proposed as
17 community space, as community facility space. Can
18 you explain what prompted the applicant to change the
19 application so that it no longer includes that
20 community space?

21 JAY SEGEL: Right, the initial thinking was that
22 in an R6A with a community facility in the ground
23 floor, you got an overall height of the building of
24 75 feet and initially the applicant thought that that
25 would be an important thing for the building.

2 Without the community facility space, you don't
3 lose any floor area. You make it additional
4 residential space that you need. You get a maximum
5 height of only 70 feet and the applicant decided that
6 it was more beneficial to have extra residential
7 space than it was to have the extra 5 feet in height.

8 COUNCIL MEMBER SALAAM: Is the applicant amenable
9 to including community facility space for seniors in
10 the ground floor of the building? And if so, how
11 much space could be made available for that purpose?

12 JAY SEGEL: Yeah, you did raise that subject with
13 us and I'd prefer to chat with you about that, which
14 we're in the hearing today and between the vote of
15 the Committee. In part, because my client is out of
16 town and I want him to be part of the conversation,
17 so hopefully we can start talking about it very soon
18 and communicate with him and he's due back next week.
19 And try to reach an agreement as to what makes sense
20 to you and what we can do.

21 COUNCIL MEMBER SALAAM: How has the applicant
22 responded to Community Board 10 and Community Board
23 11's concern about coordination with Harlem Village
24 Academy's west lower elementary school during
25

2 construction and also, prioritizing local hiring for
3 construction?

4 JAY SEGEL: Again, I would prefer to chat with
5 you about that after the hearing. We have not yet
6 communicated with them in part because as you know,
7 they voted against the application. Although the
8 Borough Board voted in favor and the Manhattan
9 Borough President voted in favor and although the
10 Land Use Committee of Community Board 10 voted in
11 favor, overall they voted against so there hadn't
12 been any follow up conversations about some of the
13 details of what they asked for. But of course, we'd
14 be happy to chat with you about that.

15 COUNCIL MEMBER SALAAM: And also, what is the
16 breakdown for the units in this project in regards to
17 market rate versus affordable units?

18 JAY SEGEL: It's totally market rate and I don't
19 know how much above affordable market rate will be in
20 this area. When it's market rate, there's no MIH.
21 There's no upzoning. There's no relief. We're in a
22 - just for the clarification, we're in a zoning
23 district. I know you understand this Councilman
24 Salaam but for the other Council Members, we're in
25 the zoning district that doesn't require affordable

2 housing and it may be that there will be some
3 affordable housing if the state actually does what
4 we're reading about and there's a 420, 4- what is it?
5 485X something that I'm reading in the newspapers
6 that actually gets enacted. There might be some
7 affordable housing in a building but up until we've
8 heard about this, with no tax exemptions available
9 that the applicant - the owner was going to build
10 with the zoning resolution allowed, which is market
11 rate.

12 COUNCIL MEMBER SALAAM: Uhm, given that we don't
13 know yet like you said in terms of the tax exemptions
14 that are coming down the pike, if it's going to be
15 yes or no. I'm wondering, is there room to have
16 affordable units made available?

17 JAY SEGEL: Not without a tax exemption, no.
18 This is a small project and it is going to be built
19 and the question is whether we need a garage that we
20 don't think makes sense. There's no room to turn it
21 into a partially affordable project unless there's
22 some tax relief that the state is going to grant.

23 COUNCIL MEMBER SALAAM: That's all I have.

24 CHAIRPERSON RILEY: Thank you. Thank you Council
25 Member Salaam. Are there any members of the

2 Subcommittee that have questions for this applicant
3 panel?

4 There being no questions, this applicant panel is
5 excused. Council, are there any members of the
6 public who wish to testify regarding the Special
7 Permit Application relating to 15-21, 124th Street
8 Text Amendment Proposal?

9 COMMITTEE COUNSEL: No one has signed up to
10 testify in person and no one has signed up online
11 either to testify. So, we can proceed with closing
12 this hearing.

13 CHAIRPERSON RILEY: Thank you. There being no
14 members of the public who wish to testify on
15 Preconsiderers LU's regarding the 15-21, 120th Street
16 Text Amendment Proposal, the public hearing is now
17 closed and the item is laid over. Please hold one
18 second.

19 Uhm, there's going to be a little change, we're
20 actually going to hear 1289 Atlantic Avenue second
21 and we're going to hear 281-311 Marcus Garvey
22 Boulevard after. So, I will now open -

23 COMMITTEE COUNSEL: Chair, if I may just
24 interrupt you, sorry for that. It appears that the

2 applicant – we’re also waiting on the applicant for
3 1289 Atlantic Avenue, so we’ll need to pause. Oh –

4 CHAIRPERSON RILEY: You’re hear for 1289?

5 COMMITTEE COUNSEL: Yes. Okay, my apologies
6 Chair.

7 CHAIRPERSON RILEY: Alright, good alright. I
8 would now like to open up the public hearing for
9 Preconsiders LU’s relating to the 1289 Atlantic
10 Avenue Rezoning Proposal located in Council Member
11 Ossè’s District in Bed Stuey Brooklyn. The proposal
12 is to develop a mixed-use residential development
13 with approximately 112 units that will be subject to
14 mandatory inclusionary housing.

15 For anyone wishing to testify on these items
16 remotely, if you have not already done so, you must
17 register online and you may do that now by visiting
18 the Council’s website at council.nyc.gov/landuse.
19 And once again for anyone with us in person, please
20 see one of the Sergeants to prepare and submit a
21 speakers card. If you would prefer to submit written
22 testimony, you can also do so by emailing to
23 landusetestimony@council.nyc.gov.

24 I would now like to give Council Member Ossè the
25 floor to give any remarks.

2 COUNCIL MEMBER OSSÈ: Thank you Chair Riley and
3 good morning to all colleagues on this Committee and
4 thank you again for giving me the opportunity to
5 speak regarding the applications for 281-311 Marcus
6 Garvey and 1289 Atlantic Avenue. As you know, my
7 name is Council Member Chi Ossè, I represent the 36th
8 District. The two aforementioned applications are in
9 my district and I am here today to talk about the
10 importance of both of these projects.

11 There is no question, as we all know that New
12 York City is going through a housing crisis,
13 primarily thanks to the dire shortage that we are
14 seeing across all of our districts or most of our
15 districts. It truly has a significant impact on the
16 communities of Bed Stuey in North Crown Heights and
17 this is an emergency that we have to tackle,
18 especially in terms of the shortage that we are
19 seeing.

20 Over the past ten years, my district has seen the
21 largest displacement or demographical shift of Black
22 people out of every other community within New York
23 City and this is primarily due to lack of affordable
24 housing and housing in general. It is crucial that
25 we ensure our neighbors are able to remain in the

1
2 communities they were raised in and to do that, we
3 must increase any and all affordable housing
4 opportunities when we can.

5 Now, I'm going to speak about both of these
6 projects. The first is 281-311 Marcus Garvey and the
7 application seeks a rezoning to facilitate the
8 construction of two mixed use buildings with a total
9 of 154 dwelling units. I'm very excited about this
10 project because it will be 100 percent affordable
11 housing. Targeting units to those who were formerly
12 homeless and those with AMI's in the 30 percent to 80
13 percent range. Just to give a breakdown of what
14 those rents would look like in this development, they
15 will be as low as \$215 per month for a studio for
16 those who were formerly homeless and as high as
17 \$2,665 for a three-bedroom unit for those in the 80
18 percent AMI level. I'm not sure if anyone's been
19 looking for an apartment in Bed Stuey any time
20 recently but that is crazy low rents for a three
21 bedroom.

22 The development will bring in more affordable
23 units to the 36 District, which will provide more
24 opportunities for residents to remain in their
25 communities and I am in full support of this project.

1 The 1289 Atlantic Avenue application seeks a rezoning
2 to facilitate the construction of a 14-story mixed
3 use building with ground floor, retail space, 112
4 dwelling units and 41 residential parking spaces. I
5 know that ears of my constituents perk up when they
6 hear that. The applicant has also proposed creating
7 a pedestrian plaza adjacent to the northern entrance
8 to the Atlantic Avenue LIRR Station. I'm very
9 pleased to see the applicant propose a development
10 that goes further than MIH by making use of HPD's Mix
11 and Match program. 62 of the proposed 112 units of
12 housing, which is more than half in this development
13 would be affordable to households making less than 60
14 percent AMI, and the remainder would be available to
15 households making 90 and 130 percent AMI.

17 As we review this particular application, I
18 continue to urge the applicant to commit to the
19 proposal to use the Mix and Match program.
20 Commitment to the term sheet is an incredibly
21 important element of this project. Using the Mix and
22 Match program will expand the number of affordable
23 housing opportunities for the project, which may not
24 be possible under the traditional MIH options.

2 With the Mix and Match program, we are going to
3 see more than half of the dwelling units targeted for
4 those making less than 60 percent AMI. If there are
5 ways for the applicant to make more units affordable
6 in this project and to expand affordability levels, I
7 urge them to do so and finally, I want to thank Chair
8 Riley and to my colleague from the Subcommittee and I
9 look forward to hearing from the applicants on this
10 proposal.

11 CHAIRPERSON RILEY: Thank you Council Member
12 Ossè. I will now call the applicant panel, which
13 consists as Lisa Orrantia. Counsel, please
14 administer the affirmation.

15 COMMITTEE COUNSEL: Please raise your right hand
16 and state your name for the record.

17 LISA ORRANTIA: Lisa Orrantia.

18 COMMITTEE COUNSEL: Do you affirm to tell the
19 truth and nothing but the truth in your testimony and
20 in response to Council Member questions?

21 LISA ORRANTIA: I do.

22 COMMITTEE COUNSEL: Thank you.

23 CHAIRPERSON RILEY: Thank you. For the viewing
24 public, if you need an accessible version of this
25 presentation, please send an email request to

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 28
2 landusetestimony@council.nyc.gov. And now, the
3 applicant team may begin. Please just reinstate your
4 name and organization for the record.

5 LISA ORRANTIA: Thank you Chair Riley and good
6 morning Council Members. My name is Lisa Orrantia on
7 behalf of the Applicant AA Atlantic LLC. This
8 application is for a Zoning Map Amendment changing an
9 M11 District to a C45X and R6B Districts and a text
10 amendment to map an MIH area for Options 1 and 2 to
11 facilitate the development of a site in Bed Stuey in
12 Community District 3. Next slide please.

13 The project area is on Atlantic Avenue between
14 Nordstrom and New York Avenues, next to Nordstrom
15 Avenue LIRR station. Next slide.

16 The project area has approximately 550 feet of
17 frontage on Atlantic Avenue and 167 feet along New
18 York Avenue. The development site comprises about
19 27,000 square feet of lot area. Next slide.

20 The proposed rezoning in MIH area would help
21 mitigate the housing crisis by allowing new transit
22 oriented affordable housing, facilitate investment in
23 community amenities and growth of local services,
24 strengthen and improve the streetscape and safety
25 along the Atlantic Avenue corridor, and allow a

1 maximum building height compatible with nearby zoning
2 districts. Next slide.

3
4 Under the proposed rezoning, a proposed
5 pedestrian plaza will replace a former hardware store
6 currently used as an event space at the corner of
7 Atlantic and New York Avenues and six residential
8 buildings on New York Avenue will become conforming.
9 Next slide.

10 Along Atlantic Avenue, the new building will
11 replace commercial vehicle storage and parking lots,
12 a vacant warehouse, a former contractor shop used as
13 a house of worship. The event space and church
14 tenants have been offered space to rent in the new
15 building. Next slide.

16 For existing uses in the project area under the
17 proposed rezoning, a tire and woodworking shop can
18 continue as nonconforming uses, unoccupied warehouses
19 can be developed for new as of right uses and
20 residential and commercial buildings and open parking
21 lots can continue as of right. Next slide.

22 The proposed development is a 14-story mixed-use
23 building with about 20,000 square feet of commercial
24 uses on the first floor, 17,000 square feet of
25 community facility space on the 2nd floor and 112

1
2 apartments on upper floors with 41 residential
3 parking spaces in the cellar. A 2,500 square foot
4 landscaped seating area, including an MTA clear path
5 easement will adjoin the LIRR stairway. Next slide.

6 All apartments will be rented to households
7 earning a range of affordability tiers under the Mix
8 and Match program including 28 units under MIH Option
9 1. Next slide.

10 Community Board 3 and the Borough Presidents
11 Office recommend approval of the application with
12 conditions and with regard to these recommended
13 conditions, we'd like to note that a separate
14 application for certification of a transit volume
15 will establish a permanent clear path easement with
16 MTA to support accessibility around the LIRR
17 stairway.

18 Prior to demolition and construction adjoining
19 owners are able to negotiate access and license
20 agreements with specific terms providing for property
21 protection. Instead of an MX District, which is what
22 the Borough President recommended, we believe a new
23 zoning district should support a mixed commercial and
24 residential neighborhood for several reasons. The
25 Atlantic Avenue corridor is no longer a manufacturing

1 corridor because site access is constrained by the
2 adjacent seat of residential uses and the elevated
3 rail and as a result a majority of the property areas
4 comprised of shuttered warehouses, closed shops and
5 parking lots.
6

7 Lastly, existing industrial uses, light
8 industrial uses in small maker spaces can continue as
9 nonconforming uses under the rezoning and may even
10 become allowed as of right under the proposed text
11 City of Yes for Economic Opportunity.

12 Lastly, regarding parking, community members
13 reacted positively to the proposed parking but we
14 will reevaluate the parking requirement under the
15 Housing Opportunity Text Amendment and we're also
16 waiting for HPD's review of our program design for a
17 definitive dwelling unit count. The next slide shows
18 a site plan and that concludes the presentation.

19 Thank you.

20 CHAIRPERSON RILEY: Thank you so much. I just
21 have a few questions and then I'm going to pass it
22 over to Council Member Ossè. Are there existing
23 commercial manufacturing businesses that are
24 operating within the rezoning area that you
25 mentioned? Have any of these businesses shown

1 interest in returning to the site once they're
2 redeveloped and if so, which businesses and what are
3 the relocation plans pending construction?
4

5 LISA ORRANTIA: Yeah, so as I mentioned, the
6 tenants of the event space and the House of Worship
7 have been offered space in the new building. The
8 tire and woodworking shops can continue as
9 nonconforming uses and to the extent that they become
10 as of right uses under the rezoning, they are also
11 welcome to use space in the new building.

12 CHAIRPERSON RILEY: Why did you select a C4-5X
13 District for this site and not a C4-5D, which has an
14 equivalent residential R7D District that is usually
15 mapped along elevated trainlines such as here?

16 LISA ORRANTIA: The C4-5X allows the additional
17 height for the building, which we thought was
18 appropriate. We were able to provide with that
19 additional height, we were able to achieve the 112
20 dwelling units and also set the building back from
21 the sidewalk by 5 feet to allow additional room along
22 at the street level while also providing significant
23 setback at the rear lot line.

24 CHAIRPERSON RILEY: If this application isn't
25 approved, what would the applicant do with this site?

2 LISA ORRANTIA: The site would remain as is.

3 CHAIRPERSON RILEY: And what's currently right
4 there?

5 LISA ORRANTIA: Right there now is the uhm, the
6 former contractors building used as an event space,
7 open parking lot, uhm, the House of Worship in a
8 closed contractor's store and open parking commercial
9 vehicle storage.

10 CHAIRPERSON RILEY: Thank you. Council Member
11 Ossè.

12 COUNCIL MEMBER OSSE: Yeah, thank you Chair Riley
13 and can you give us an idea of how the conversations
14 have been going with HPD in terms of ensuring that
15 this project is a Mix and Match project rather than
16 an MIH project?

17 LISA ORRANTIA: Sure, we've been in continued
18 conversations with HPD and have prepared an
19 application form with them and will continue
20 conversations to comply with the Mix and Match term
21 sheet.

22 COUNCIL MEMBER OSSE: Had there been any
23 obstacles or barriers within those conversations?

24 LISA ORRANTIA: Not that I'm aware of.

2 COUNCIL MEMBER OSSÈ: Great and what is your
3 level of commitment to ensuring this will be a Mix
4 and Match project?

5 LISA ORRANTIA: Uhm, well, we do our best to
6 comply with the requirements of HPD and you know we
7 look forward to having further conversations with
8 them.

9 COUNCIL MEMBER OSSÈ: Thank you and thank you
10 Chair.

11 CHAIRPERSON RILEY: Thank you Council Member
12 Ossè. Are there any members of the Subcommittee that
13 have questions for this applicant panel? There being
14 no questions, this panel is now excused. Counsel,
15 are there any members of the public who wish to
16 testify on 1289 Atlantic Avenue Rezoning Proposal
17 remotely or in person?

18 COMMITTEE COUNSEL: There is no one who has
19 signed up online to testify to this proposal and
20 there is no one in the room also who has signed up to
21 testify, so we can go forward and close this hearing.

22 CHAIRPERSON RILEY: There being no members of the
23 public who wish to testify on the Preconsiderers LU's
24 relating to the 1289 Atlantic Avenue Rezoning
25

2 Proposal, the public hearing is now closed and the
3 item is laid over.

4 We're going to just be on pause real quick. I
5 will now open the last hearing on Preconsiders LU's
6 relating to 281-311 Marcus Garvey Boulevard Rezoning
7 proposal located in Council Member Ossè's District in
8 Bed Stuey Brooklyn. The proposal consists of two
9 mixed use buildings that will contain approximately
10 155 residential units. Both buildings would be
11 subject to mandatory inclusionary housing. For
12 anyone wishing to testify on these items remotely, if
13 you have not already done so, you must register
14 online and you may do that now by visiting the
15 Council's website at council.nyc.gov/landuse. Once
16 again, for anyone with us in person, please see one
17 of the Sergeants to prepare and submit a speaker
18 card. If you prefer to submit written testimony, you
19 can always do so by emailing it to
20 landusetestimony@council.nyc.gov.

21 Council Member Ossè, you want to give remarks?

22 COUNCIL MEMBER OSSE: I think I spoke about both
23 of the projects before but thank you Chair.

24

25

1
2 CHAIRPERSON RILEY: I will now call on the
3 applicant panel for this item, which consists of
4 Sanjana Gupta, Sung Kim, and Cody Erhart.

5 COMMITTEE COUNSEL: And Chair, we've also been
6 joined just now by Anna Weiss in fact.

7 CHAIRPERSON RILEY: And Anna Weiss. Okay,
8 Counsel can you please administer the affirmation?

9 COMMITTEE COUNSEL: Please raise your right hand
10 and state your name for the record starting from left
11 to right.

12 CHAIRPERSON RILEY: Please press the button to
13 please. Thanks.

14 SUNG KIM: Sung Kim, I'm the Director of Dooley
15 and Planning and Magnusson Architecture and Planning.

16 ANNA WEISS: Senior Vice President at Paths
17 Development.

18 SANJANA GUPTA: Sanjana Gupta, Project Manager at
19 Paths Development.

20 CODY ERHART: Cody Erhart, Landscape Architect at
21 Terrain NYC.

22 COMMITTEE COUNSEL: Okay, so if you can then all
23 raise your — keep your right hand raised. Do you
24 affirm to tell the truth and nothing but the truth in
25

1
2 your testimony today with the Council Members and in
3 response to their questions?

4 PANEL: Yes.

5 CHAIRPERSON RILEY: Thank you. For the viewing
6 public, if you need an accessible version of this
7 presentation, please send an email request to
8 landusetestimony@council.nyc.gov. And now the
9 applicant team may begin. I'll just ask that you
10 please reinstate your name and organization for the
11 record before you begin. You may begin.

12 ANNA WEISS: Hi, good morning. Thank you so much
13 for having us here today. My name is Anna Weiss, I'm
14 a Senior Vice President of Development at Paths
15 Development and today we want to introduce you to our
16 proposed new construction project which is 100
17 percent affordable comprised of 155 apartments across
18 two buildings, tentatively titled Marcus Garvey
19 Boulevard Apartments and in addition to those 155
20 affordable apartments, we are also proposing
21 commercial and community facility uses along the
22 ground floors and second floors.

23 As part of the rezoning, we will also be
24 improving over 27,000 square feet of open space on
25

2 these parcels and in the adjacent neighborhoods.

3 Next slide.

4 So, as part of the rezoning requests we would be
5 rezoning to R7A C24 along Marcus Garvey Boulevard.

6 This would require us to amend Appendix F to
7 establish Mandatory Inclusionary Housing area over
8 the rezoning area and then we would also be – we are
9 also requesting special permits pursuant to ZR74 743
10 to allow for distribution of floor area and pursuant
11 to ZR74 532 to allow for a reduction of previously
12 required parking spaces uhm, that are an accessory to
13 the existing buildings and moving that to 118 spaces.

14 Next slide.

15 Thank you. So, here you can see the zoning map
16 with our area, the proposed project area highlighted
17 in a yellow circle. Next slide.

18 Thank you and on the left-hand side, you can see
19 the current zoning map and on the right-hand side of
20 this you can see the proposed zoning map, the area
21 being rezoned is outlined with dotted lines and go to
22 the next slide please. Thank you.

23 So a bit about Paths, we are an affordable, a
24 vertically integrated affordable housing firm. We
25 have been developing and acquiring property since

2 2004 and in addition to our development team, we also
3 have a property management company, a maintenance
4 company, construction company and security company.

5 The majority of our projects historically have
6 been in New York, specially New York City, although
7 we do operate nationally and at present we have
8 12,000 apartments under management. On the right-
9 hand side of the screen, you can see an exterior
10 photograph of one of our recent new construction
11 projects. This is Archer Green Apartments. It's
12 comprised of 387 apartments with commercial and
13 community facility along the first two floors. This
14 is located in Jamaica Queens.

15 The upper right-hand photograph is an image from
16 the interior living room of one of the Archer Green
17 apartments and below that is another interior living
18 room, kitchen photos from a prior new construction
19 project that we completed. Along the bottom, you can
20 see for some our acquisition and rehab projects -

21 CHAIRPERSON RILEY: I'm sorry to interrupt you.
22 We just have to swear him in real quick.

23 ANNA WEISS: Okay, thank you.

24 CHAIRPERSON RILEY: Just raise your right hand.

2 COMMITTEE COUNSEL: Hello, Brock. Please state
3 your name for the record.

4 BROCK: Brock.

5 COMMITTEE COUNSEL: Do you swear to tell the
6 truth and nothing but the truth in today's testimony
7 before Council Members and in response to questions
8 to Council Members?

9 BROCK: Yes.

10 COMMITTEE COUNSEL: Thank you.

11 CHAIRPERSON RILEY: Thank you. Sorry about that.

12 ANNA WEISS: No, that's fine. Thank you.
13 Welcome Brock, so along the bottom you can just see
14 some photographs of before and after images of
15 kitchens and bathrooms specifically in previous
16 rehabs that we have completed. You can see that we
17 have a tendency to take deeply distressed properties
18 and turn them into something that are very nice.

19 Uhm, next slide please. And it's worth
20 mentioning that we have already a longstanding
21 commitment in this neighborhood. We have owned Betty
22 Shabazz Apartments and Medgar Evers Apartments for
23 over a decade and it's on a portion of these
24 properties that we are proposing to construct the new
25

1 project Marcus Garvey Boulevard Apartments. With
2 that, I'll turn it over to Sung.

3
4 SUNG KIM: Next slide please. So, my name is
5 Sung Kim, I am the Director of Zoning and Planning in
6 Magnusson Architecture and Planning. We are an
7 architecture firm specializing in affordable housing
8 including senior and supportive housing. Over the
9 past 30 years, we've developed and built over 100
10 ground up buildings consisting of over 13,000 new
11 dwelling units. Here you see images of indoor,
12 outdoor amenity spaces for the tenants. We put
13 priority in providing common areas that are equitable
14 to all the tenants in the building. Next slide
15 please.

16 So, here are some more images of exterior shots
17 of our completed affordable housing projects. You
18 know we are dedicated to improving lives and
19 promoting more equitable communities through creation
20 of safe, healthy and dignified place to life. Next
21 slide please.

22 So, I'll go now into the project site. The image
23 here is an area view of the project sites. There are
24 two project site one, which is highlighted in yellow.
25 The red shaded area is the project site. Currently

1 there is a two-story commercial building. It also
2 contains three six-story apartment buildings known as
3 the Medgar Evers. The second site is to the bottom
4 of your image. The project site is shaded in pink.
5 Currently improved with one-story commercial building
6 and also contains two six-story apartment building
7 known as Betty Shabazz Apartments. Next slide.

9 So, here is an illustration of a completed
10 project showing two new buildings along Marcus Garvey
11 looking east. Next slide please.

12 So, in addition to new buildings as Anna
13 mentioned, there would be over 27,000 square feet of
14 new and improved outdoor areas. Next slide please.

15 So, we'll go a little deeper into each building.
16 This is building A on site 1 again the key plan on
17 the upper right corner, this is shaded in yellow.
18 This will be - this building will replace existing
19 two-story outdated, underutilized commercial
20 building. This will be a 10 story, totaling
21 approximately 81,000 square feet, containing 84
22 units. Again, 100 affordable. The ground floor will
23 be a boxing facility and on the second floor will be
24 over 10,000 square feet of a community facility
25 space. Next slide please.

2 Here is a view of the second building, Building
3 B. To keep plan on the upper right, it's shaded in
4 pink. This building is to replace existing one-story
5 commercial building. This building will be a 10
6 story approximately a 59,600 square foot building,
7 containing 71 dwelling units. It will also contain a
8 retail space on the ground floor. Next slide please.

9 So, here are two site plan diagram outlining
10 where the new and improved over 27,000 square feet of
11 open space will be located. On your left-hand side
12 is the key plan noted as in letters open space
13 letters A and B will be new open space created along
14 with two new buildings. Open space C will be an
15 improved outdoor rec space above an existing parking
16 structure. Open spaces E and D will be an improved
17 landscape outdoor area. The image on the right is an
18 illustration of what they may look like. Next slide.

19 And lastly, here is an image of open space C
20 above the existing parking structure. There will be
21 improved recreational space with basketball courts,
22 exercise equipment and children's play area. Next
23 slide.

24 With that, I'll pass it on to Sanjana who will
25 discuss more about the project.

1 SANJANA GUPTA: Hi everyone. I'm Sanjana Gupta
2 from Paths Development. As we can see on the slide
3 the unit mix and that this is a 100 percent
4 affordable project. That project will be financed by
5 the HPD ELLA program and it will serve AMI ranges
6 from 30 to 80 percent and there will be apartments
7 set aside for formerly homeless households through
8 the Our Space Initiative. Rents range from \$486 for
9 the least expensive apartment and up to \$2,665 for a
10 three bedroom, which is our largest unit type and
11 this is at the highest income level. Next slide
12 please.

13
14 Now, to discuss community benefits. Our project
15 offers many to the neighborhood. We will be first to
16 re-tenanting the boxing gym, which we understand is a
17 major anchor within the community and this will now
18 be home to a warm and beautiful space for the next 50
19 years. Additionally, the project will include a new
20 class A space, a commercial space and we hope to re-
21 tenant this with our existing grocery store tenant.

22 Furthermore, residents of Medgar Evers and Betty
23 Shabazz Apartments, which are located on the same
24 land as the proposed new construction projects will
25

1 also be able to access the 27,000 square feet of open
2 space.
3

4 The project will also lead to the creation of a
5 multitude of jobs, ranging from operational to
6 construction roles and the proposed new construction
7 will be monitored by cameras, security, and will have
8 access control added for the safety of our tenants,
9 which is our highest priority.

10 And last but not least, we must note the green
11 initiatives that will be provided through the
12 building which includes sustainable materials, heat
13 pumps, increased insulation, energy efficient
14 appliances and fixtures just to name a few and these
15 are just the main community benefits of the many that
16 will be brought out to the neighborhood by the
17 project. Next slide please.

18 And I believe that concludes our presentation.
19 We would like to open for any questions that you may
20 have. Thank you.

21 CHAIRPERSON RILEY: Thank you so much. So, how
22 do the current residents feel about this project?

23 ANNA WEISS: So, we've had uhm, a number of
24 conversations with the Tenant Association Leaders of
25 Betty and Medgar and kept them apprised of the

1 project as we've progressed the design, we'll
2 continue to do so. I think that they are generally
3 supportive of the project. They have come out for
4 our community board meetings and they're looking
5 forward to the open space improvements that would
6 benefit the Medgar and Betty existing residents as
7 well.

9 I would note the boxing gym is something that is
10 very important to the community. We've had multiple
11 conversations with that with both the boxing gym and
12 with our residents to understand that importance and
13 to make sure that we can implement a plan moving
14 forward that keeps them re-tenanted in the
15 neighborhood long term.

16 CHAIRPERSON RILEY: What is the regulatory status
17 of the existing 335 units in the 5 existing
18 buildings?

19 ANNA WEISS: Can you - when you say the
20 regulatory status, they are currently in their lihtc
21 period and they have not yet reached year 15.

22 CHAIRPERSON RILEY: How are they affordable?
23 Under which program are they affordable under?

24 ANNA WEISS: Uh, these, I think they have, well,
25 they're affordable under the low-income housing tax

1 credit program federally and I believe we have many
2 portable vouchers within the individual apartment
3 units and then there's also just to support that, an
4 Article 11 on both of the properties that currently
5 exist.
6

7 CHAIRPERSON RILEY: Regarding the open space, how
8 is the open space that is above the parking garage
9 part of this Application?

10 ANNA WEISS: So, we went through multiple
11 iterations of potential landscaping, open space and
12 plans when we were in the precertification period
13 with DCP and it was important to them that along
14 Gates Avenue, there would be also improvements, not
15 just along Marcus Garvey Boulevard Apartment but
16 something that would also benefit all of the
17 neighborhood in terms of sightliness and particularly
18 our residents in terms of usage.

19 So, for that parking garage that is an existing
20 parking structure, at present, there is some
21 recreation you know up top but our goal would be to
22 really bring that to the next level. As you may have
23 seen in that rendering, what we are proposing is a
24 new basketball court, turf space, seating space with
25 some shade structures, you know umbrellas and tables,

1
2 an outdoor fitness area, a new playground, something
3 that would just make this a real draw for the
4 community overall but again, that would just be on
5 the top of that existing structure, which is still
6 part of you know the existing building.

7 CHAIRPERSON RILEY: And where is the current
8 boxing gym at?

9 ANNA WEISS: So, the boxing gym, if we could go
10 back to let's see, the areal rendering of existing
11 conditions, that is along Marcus, it's part of
12 Marcus, sorry. Medgar Evers Apartments along Marcus
13 Garvey Boulevard between Quincy and Gates and we are
14 proposing in this presentation, we are proposing that
15 they would be you know that same location. I think
16 as we're going down the line and having conversations
17 with both the boxing gym and the grocery store, you
18 know we can see where the best fit between these two
19 buildings would be for their space and their future
20 plans.

21 CHAIRPERSON RILEY: And what's going to happen
22 during construction to the program that's at the
23 boxing gym?

24 ANNA WEISS: So, this is still under sort of
25 review and consideration but we understand that a

1
2 fixation of services would not serve the neighborhood
3 well and so, what we would be looking to try to do
4 would be to create a temporary location for them for
5 the duration of construction, so that they can
6 continue to serve the community and then be re-
7 tenanted into this new class A space, bringing them
8 forward for the next you know 40-50 years.

9 CHAIRPERSON RILEY: Thank you. Council Member
10 Ossè.

11 COUNCIL MEMBER OSSÈ: Just to – thank you Chair.
12 Just to follow up off of the Chairs point. What does
13 that agreement look like between you all or the new
14 management and the owner of the boxing gym in terms
15 of making sure that they are the new tenants or the
16 same tenants when development is done?

17 ANNA WEISS: Yes, this is something that we
18 haven't yet codified but we have talked about how we
19 could memorialize that. Nothing has been set in
20 stone but you know they certainly have expressed that
21 they would like assurances that we're going to build
22 this and then they will have that long-term right to
23 use that space. And so, how that will ultimately be
24 papered is still to be determined between our teams

2 but we certainly want to provide that assurance to
3 them.

4 COUNCIL MEMBER OSSÈ: Do you have a rough idea of
5 when that will come into existence or is that?

6 ANNA WEISS: I'm guessing, you know as we
7 continue to develop the plans and we are able to
8 pinpoint exactly what their space would look like and
9 you know how we can best serve them moving forward,
10 we would be hammering that out as part of our
11 preclosing process.

12 COUNCIL MEMBER OSSÈ: Oh great. Can you describe
13 the size of the dwellings or the size of the units
14 that will be built in terms of square footage?

15 ANNA WEISS: Let me see if I can pull that up.
16 Sung, I don't know if you have that handy.

17 SUNG KIM: Yes, so all the dwelling units will be
18 built you know in accordance with HPD's minimum
19 design standards. So, typically studio, you know
20 we're ranging between 451 and 500 square feet. One
21 bedroom between 550 and 600 square feet. Two-bedroom
22 units are around 800 square feet. Three-bedroom
23 units 950 to 1,000 square feet.

24 COUNCIL MEMBER OSSÈ: Thank you. I mean I'm
25 relatively supportive of this project as I shared in

1 prior statements. I don't know how you guys have the
2 money to build affordable housing like this in Bed
3 Stuey but really appreciative that you're going down
4 this route.
5

6 ANNA WEISS: Thank you. That support is
7 appreciated and we continue to discuss this with HPD.
8 You know we've penciled this out under the ELLA
9 program using subsidy and are contemplating some
10 potential tweaks to that in order to make sure that
11 this could get into the ground sooner rather than
12 later and we can provide this to the neighborhood.

13 COUNCIL MEMBER OSSÈ: Thank you.

14 ANNA WEISS: Thank you.

15 CHAIRPERSON RILEY: One more question. Can
16 Council Member Ossè and I come to the boxing gym when
17 it's ready?

18 ANNA WEISS: I am sure that they would welcome you
19 with open arms.

20 CHAIRPERSON RILEY: Oh, I love it. Thank you.
21 Uhm, are there any other questions for this applicant
22 panel? There being no questions, this applicant
23 panel is excused. Thank you so much.

24 ANNA WEISS: Thank you for your time.
25

2 CHAIRPERSON RILEY: No problem. Counsel, are
3 there any members of the public who wish to testify
4 on 281-311 Marcus Garvey Boulevard Rezoning Proposal?

5 COMMITTEE COUNSEL: No Chair, there is no one who
6 is signed up online to testify and no in-person. We
7 may proceed with closing this hearing.

8 CHAIRPERSON RILEY: There being no members of the
9 public who wish to testify on Preconsiders LU's
10 relating to 281-311 Marcus Garvey Boulevard Rezoning
11 Proposal, the public hearing is now closed and the
12 item is laid over.

13 That concludes today's business. I would like to
14 thank the members of the public, my colleagues,
15 Subcommittee Council, Land use and other Council
16 staff and the Sergeant at Arms for participating in
17 today's meeting. This meeting is hereby adjourned.
18 Thank you. [GAVEL]

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25

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 May 15, 2024