

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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December 16, 2020

Start: 11:10 AM

Recess: 11:32 AM

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: RAFAEL SALAMANCA, JR. CHAIR

COUNCIL MEMBERS: Adrienne E. Adams
Diana Ayala
Inez D. Barron
Joseph C. Borelli
Chaim M. Deutsch
Ruben Diaz, Sr.
Vanessa L. Gibson
Barry S. Grodenchik
Peter A. Koo
Stephen T. Levin
I Daneek Miller
Francisco P. Moya
Antonio Reynoso
Carlina Rivera
Mark Treyger

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

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3 SERGEANT-AT-ARMS: PC recording has started.

4 Okay. Good morning and welcome to New York City
5 Council remote hearing on for the Committee on Land
6 Use. At this time we ask that all Council Members
7 and staff turn on their video for verification
8 purposes, which has...to minimize disruptions,
9 please place your cell phone on silent or vibrate.
10 We thank you for your cooperation. Mr. Chair, we are
11 ready to begin.

12 CHAIR SALAMANCA: Thank you. Good morning. I
13 am Council Member Rafael Salamanca. I'm the Chair of
14 the Committee on Land Use. I am joined remotely
15 today by my colleagues. Today we have Chair Adams,
16 Council Member Reynoso, Grodenchik, Rivera, Deutsch,
17 Ayala, Chair Moya, Miller, Barron, Borelli, Diaz and
18 Gibson. Today we will vote on a number of
19 applications referred out of our subcommittees.
20 Before I, before we begin, I would like to recognize
21 the Committee Counsel to review the remote meeting
22 procedures.

23 COMMITTEE COUNSEL: Thank you Chair
24 Salamanca. I am Julie Lubin Counsel to this
25 committee. Council Members who would like to ask

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2 questions or make remarks should use the Zoom Raise
3 Hand function. The Raise Hand button should appear
4 at the bottom of the participant panel. I will
5 announce Council Members who have questions or
6 remarks in the order that they raised their hands
7 and Chair Salamanca will then recognize members to
8 speak. We ask that you please patient with all that
9 arises today. Chair Salamanca will now continue with
10 today's agenda items.

11 CHAIR SALAMANCA: Thank you Counsel. Today
12 we will vote to approve Preconsidered LU 7703 the
13 Land Mark Preservation Commission designation of
14 Public School 48 now known as P75Q, the Robert E.
15 Peary School as an historic landmark. The landmark
16 site is located in the northwest corner of 155th
17 Street and 108th Avenue in South Jamaica New York,
18 Queens represented by Council Member Adams. We will
19 also vote to approve Preconsidered LU 704 an
20 application submitted by the New York City Health
21 and Hospital Corporation pursuant to section 73856
22 of the HHC Enabling Act for approval to enter into
23 an 89-year lease for land for a Woodhull Council
24 Member Cornegy's district in Brooklyn. With this
25 approval, communal life will develop an eight story

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2 residential building to provide affordable and
3 supportive housing. Pursuant to Council Rules
4 11.10-(f), we will call up to the committee
5 preconsidered LUs 693 the DeKalb Commons project
6 submitted by the Department of Housing Preservation
7 and Development pursuant to Article 16 of the
8 General Municipal Law, and 197-c of the New York
9 City Charter. The application requests the
10 designation of an Urban Development Action Area. The
11 approval of the Urban Development Action Area
12 project and approval of the disposition of city-
13 owned property to a developer selected by HPD for
14 property located at 633-639 DeKalb Avenue, 648-654
15 DeKalb Avenue and 1187 Fulton Street in Council
16 Member Cornegy's district in Brooklyn. Our approval
17 of the requested actions would facilitate the
18 construction three residential developments
19 containing approximately 84 affordable rental units
20 and 1,4070 square feet of commercial space, which
21 would be developed under the HPD's Ella Program. We
22 will also vote to approve the modifications LU 705
23 and 706 the 1501-1555 60th Street rezoning. The
24 application requests a zoning map amendment to
25 replace an existing M1-1 District with an R7A/C2-4

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2 District and a zoning text amendment to establish an
3 Mandatory Inclusionary Housing Area with MIH Option
4 1 and 2 for property in Council Member Yeger's
5 district in Brooklyn. These actions are intended to
6 facilitate the development of three new buildings
7 two on the north side and one on the south side of
8 60th Street between 15th and 16th Avenue. The
9 buildings on the north side of the street would each
10 be seven stories with ground floor commercial and
11 residential uses above including 23 and 39 units in
12 each building. However, the R7A district allows
13 development up to 85 feet in height and up to a
14 maximum FAR of 4.6. The building on the south side
15 of the building would be eight stories with a ground
16 floor commercial approximately 40 apartments. Our
17 modifications will be to reduce the rezoning area by
18 excluding certain areas that front along 15th
19 Avenue. By implementing this rezoning with
20 modifications, we are creating more affordable
21 housing through MIH that would otherwise would not
22 be able to be developed here. At the same time
23 through our modifications to reduce the rezoning
24 area new growth will be balanced with preserving the
25 longstanding business, which employs approximately

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2 35 people and protects the existing residents in
3 approximately 18 units that are not rent regulated
4 from displacement. Through this...though this is not
5 the intent, the significant upzoning could cost
6 displacement of these active businesses and
7 therefore, jobs which are most important to maintain
8 in this time of economic stress due to the Covid 19
9 pandemic as well as the small residents, which do
10 not have the protection of rent regulation. In
11 addition, the modification to reduce the rezoning
12 area will ensure that building on an R7A scale do
13 not overrun the adjacent R5 zoning district where
14 the prominent character is two to three-story homes.
15 We will also modify the proposed zoning text
16 amendment so that the proposes MIH area is
17 consistent with the modified rezoning area.
18 Regarding LU 707 and 708 the 265 Front Street
19 Rezoning, I note that the Council is in receipt of a
20 written statement dated December 15, 2020 for the
21 applicant stating that the application has been
22 withdrawn: Pursuant to Council Rules 11.60-B, LU 707
23 and 708 are filed to be removed from our calendar.
24 We will also vote to approve with modifications
25 Proposed Resolutions No. 1445-A the Information

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2 Services Franchise Authorizing Resolution submitted
3 by the Mayor to the Council pursuant to Charter
4 Section 363. Our approval will authorize the
5 granting of the non-exclusive franchises for the
6 installation of cable, wire, and/or optical fiber
7 and associated equipment and in the inalienable
8 property of the city including through pipes and
9 doing and several improvements thereto to be used in
10 providing one or more telecommunication services.
11 The telecommunication services that such franchises
12 would provide would be the information services as
13 such in turn is defined in the Federal Law, and
14 which does not include cable television services.
15 The proposed authorizing resolution occurs from the
16 prior information services authorizing resolution
17 from 2003 and that among other changes minimal
18 criteria shall be used by DOITT to elevate the RFP
19 responses and franchise will be required to provide
20 data to the city. The Council's modifications would
21 require future franchise to report compliance or
22 labor transparency regulations. It would encourage
23 the provision of affordable high speed broad band
24 services to residential commercial customers and
25 would require compliance with any federal, state or

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local law requiring net neutrality. Members of the committee and members representing a second district who have questions or remarks about today's items should use the Raise Hand button now. Counsel, will you announce members in the order they have their hands up?

LEGAL COUNSEL: Yes, Chair Salamanca I thought Council Member had his hand raised but perhaps not. So, I don't see any hands raised at this time.

CHAIR SALAMANCA: Council Member Miller did you want to give a statement?

COUNCIL MEMBER MILLER: No, thank you Chair Salamanca. I did have some questions about the DOITT piece and Section 383 and whether or not that, this new policy meets the labor threshold considering that we've had a lot of, you know over the past five years a lot of contention with cable providers and, the Labor Movement, whether it's what we've seen most maybe was more of the earlier years with some of the other providers. There has been some ongoing labor strike. We want to make sure that we were able to tighten that up and not sure if the cue was very vague what you mentioned about the labor

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2 provisions. If you could drill down on that a little
3 bit more so that we can know that, um, that there is
4 some protections for men and women that deliver
5 these services.

6 CHAIR SALAMANCA: I'm here. Give me one
7 second Council Member Miller so that I can get you
8 that answer. It is my understanding that the CWA is
9 good with our proceeding of this.

10 COUNCIL MEMBER MILLER: Okay.

11 CHAIR SALAMANCA: And also the language that
12 I received from the Council is that there shall be
13 provisions to fund the franchise, the franchisee to
14 provide maps and other information including
15 resiliency information regarding the locations of
16 facilities in the inalienable property of the city
17 and in accordance with applicable law, labor
18 transparency and reports.

19 COUNCIL MEMBER MILLER: Okay, thank you.

20 (bells)

21 CHAIR SALAMANCA: Are there any other
22 questions from members of the Committee?

23 LEGAL COUNSEL: I see none. I see no other
24 questions.

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CHAIR SALAMANCA: Alright, well seeing none I will now call for a vote in accordance with the recommendations of the Subcommittee and local members to approve LUs 693, 703, 704, and to approve with modifications I have describe Resolution 1445-A and LU 705 and 706, (bell) and to file LU 707 and 708 to remove them from our calendar. Wil the Clerk please call the roll and we can start with Chair Adams.

WILLIAM MARTIN: I'm here. Good morning.
William Martin Committee Clerk roll call vote
Committee on Land Use. All items are coupled.

COUNCIL MEMBER

COMMITTEE ON LAND USE

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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 <INSERT TRANSCRIPTION DATE>