

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

----- X

February 11, 2021
Start: 10:09 a.m.
Recess: 10:28 a.m.

HELD AT: Remote Hearing, Virtual Room 2

B E F O R E: Rafael Salamanca, Jr.
Chairperson

COUNCIL MEMBERS: Rafael Salamanca, Jr.
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
Kevin Riley
Carlina Rivera
Mark Treyger

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

1
2 SERGEANT AT ARMS BIONDO: Recording to
3 the computer is begun.

4 SERGEANT AT ARMS POLITE: Recording to
5 the cloud all set.

6 SERGEANT AT ARMS PEREZ: Backup is
7 rolling.

8 SERGEANT AT ARMS BIONDO: And good
9 morning and welcome to today's remote New York City
10 Council hearing on the Committee on Land Use. At
11 this time would all panelists please turn on their
12 video. All staff and panelists please turn on your
13 video. To minimize any disruptions, please place
14 electronic devices on vibrate or silent mode. Thank
15 you for your cooperation. Chair Salamanca, we are
16 ready to begin.

17 CHAIRPERSON SALAMANCA: Thank you, ah,
18 thank you, Sergeant at Arms. Ah, good morning. I
19 am, ah, Council Member Rafael Salamanca. I'm the
20 chair of this committee. Ah, I would like to, ah,
21 welcome my colleagues who have joined us today. We
22 have been joined by Chair Moya, ah, Council Member
23 Adams, Grodenchik, Perkins, Rivera, Deutsch, Ayala,
24 Barron, Borelli, Powers, Chair Riley, Treyger, Koo,
25 ah, Council Member R. Diaz, Ruben Diaz, Sr., and

1
2 Vanessa Gibson. Today we will vote on several
3 applications referred on from our subcommittees. But
4 before we begin I would like to recognize the
5 committee counsel to review the remote meeting
6 procedures.

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

19 CHAIRPERSON SALAMANCA: Ah, thank you,
20 Counsel. From our land, Landmarks Subcommittee,
21 today we'll vote to approve LU 711, an application
22 for the 110 Lenox Avenue ANCP cluster, submitted the
23 Department of Housing Preservation and Development.
24 In addition to the Urban Development Action Area
25 request and waiver of the requirements of Sections

1 197-C and 197-D of the charter. An Article 11
2 Private Housing Finance Law tax exemption is
3 requested for properties located at 110 Lenox Avenue,
4 128 West 116th Street, and 1971 7th Avenue in the
5 Manhattan council district represented by Council
6 Member Perkins. Our [inaudible] will facilitate the
7 renovation of four city-owned buildings for the
8 preservation of 55 affordable units of housing,
9 including 37 cooperative home ownership units. We
10 will also vote to approve preconsidered LU 717, the
11 Landmarks Preservation Commission historic landmark
12 designation of the Angel Guardian Home located at
13 6301 12th Avenue in Dyker Heights section, borough of
14 Brooklyn, in Council Member Menchaca's district. The
15 Angel Guardian Home was built in 1899 as an orphanage
16 and was operated by the Sisters of Mercy as a branch
17 of their convent in Clinton Hill. It was, it was
18 designated by George H. Streeton, a prominent
19 architect of Catholic churches in New York City. The
20 Angel Guardian Home's design was intended to express
21 the importance of a social service mission. The
22 building is a brick and limestone structure with
23 details that [inaudible] European architecture. Its
24 grand civic scale and blend of style makes it stand
25

1 out from the surrounding residential streetscapes.
2 From our zoning subcommittee we will vote to approve
3 with modifications LU 712 and 713, the Cort Theatre
4 Rehabilitation Project, relating to a property in
5 Council Member Powers' district in Manhattan. The
6 application seeks a zoning text amendment and a
7 special permit for property and special midtown
8 district. Approval will facilitate the
9 rehabilitation and expansion of the existing Cort
10 Theatre on West 48th Street. It would also
11 facilitate the development of a new hotel building on
12 the zoning lot, which would front on West 47th
13 Street. The proposed text amendment would modify the
14 theater rehabilitation provision for certain eligible
15 zoning lots to allow bonus floor area to be used
16 anywhere within the zoning, within such zoning lots.
17 And a special permit would facilitate a comprehensive
18 modernization of the Cort Theatre. The improvements
19 include a range of operational and accessibility
20 upgrades through the addition of a new structural
21 annex as well as interior preservation work
22 throughout the existing landmark theater. A
23 modification to zoning text would be to clarify and
24
25

1 narrow the provision of the special permit. And with
2 that I will allow Council Member Powers for comments.

3
4 COUNCIL MEMBER POWERS: Thank you, Chair
5 Salamanca, and good morning, everyone. Um, I want to
6 say thank you for, to Chair Salamanca and also Chair
7 Moya for their, ah, leadership and help with regard
8 to the application we're discussing here and voting
9 on today. Ah, the Cort Theatre in my district is,
10 ah, planned to go under a rehabilitation and it's a
11 project that since I've in the council they've been
12 looking at and talking about, and today it's an
13 opportunity to actually bring this for a vote and,
14 ah, help out a Broadway theater at a time where
15 Broadway's lights are off and they certainly need our
16 help the most. This project would allow for to
17 create an additional, ah, FAR bonus, ah, based on a,
18 ah, a provision of the zoning resolution related to
19 the theater district and to allow them to transfer
20 those developmental rights in exchange for, ah, to
21 allow for the rehabilitation of their theater. Um,
22 this project, as I noted, I, I think I first visited
23 this theater three years ago, maybe it was four years
24 ago at this point, right when I came into the
25 council, and have been working on this project for

1
2 the last few years and, ah, really think it's going
3 to be a good project for the city and a good project
4 for Broadway and part of our obligation to invest in
5 the Broadway and our tourism sector here in New York
6 City. Um, I want to say thank you again to Chair
7 Salamanca and Chair Moya who both, who were helping
8 me as we got to the sort of last legs of this project
9 to make sure that we got it, ah, to the finish line,
10 and I want to say thank you and congratulate the
11 folks at the Shubert organization for their work here
12 and how important this project is to them, and they
13 have worked diligently over the last few weeks to get
14 this project to the finish line, and so, um, I think
15 in just a matter of time we'll be able to turn the
16 lights back on on Broadway, but also be making here
17 today an investment in one of the important
18 organizations and the important theaters here in the
19 theater district. So thank you, I encourage you all
20 to vote aye, I'm very proud of where we are today on
21 this project and, ah, hope you all will support it.
22 Thank you. Back to Chair Salamanca.

23 CHAIRPERSON SALAMANCA: Thank you,
24 Council Member Powers, and congratulations again on,
25 on your hard work on this project. Ah, we will also

1
2 vote to approve with modification preconsidered LUs
3 720 and 721, the 42-01 28th Avenue rezoning related
4 to property in Council Member Constantinides'
5 district in Queens. The application as proposed
6 seeks a rezoning map amendment and related zoning
7 text amendment to facilitate the development of a new
8 mixed use building with approximately 54 dwelling
9 units, approximately 16 of which would be affordable,
10 as well as ground floor commercial use. A
11 modification will be strike, will be to strike MIH
12 option 2 while retaining option 1. Members of the
13 committee and members representing affected districts
14 who have questions or remarks about today's items
15 should use the raise hand button now. Counsel, will
16 you announce members in the order the hands are
17 raised?

18 COMMITTEE COUNSEL: Yes, Chair Salamanca.
19 I'm looking for, ah, hands. I see no members with
20 raised hands.

21 CHAIRPERSON SALAMANCA: OK. Well, seeing
22 now, I will now call for a vote in accordance with
23 the recommendations of the subcommittees and the
24 local members to approve LUs 711 and 717, and to
25

1 COMMITTEE ON LAND USE

10

2 approve with modifications LUs 712, 713, 720, and
3 721. Will the clerk please call the roll.

4 COMMITTEE CLERK MARTIN: Good morning.
5 William Martin, committee clerk, roll call vote,
6 Committee on Land Use. All items are coupled. Chair
7 Salamanca.

8 CHAIRPERSON SALAMANCA: Um, again, I
9 would like to congratulate Council Member Powers on,
10 on your hard work on this project, and I would like
11 to vote aye on all.

12 COMMITTEE CLERK MARTIN: Gibson.

13 COUNCIL MEMBER GIBSON: My warmest
14 congratulations to Council Member Keith Powers and
15 your district on a great land use item today. I vote
16 aye on all. Thank you.

17 COMMITTEE CLERK MARTIN: Thank you.
18 Barron.

19 COUNCIL MEMBER BARRON: Ah, request
20 permission to explain my vote?

21 CHAIRPERSON SALAMANCA: Council Member
22 Barron to explain her vote.

23 COUNCIL MEMBER BARRON: Thank you, Chair
24 Salamanca. Ah, I vote aye on all with the exception
25 of two of the projects and the reason that I'm

1
2 abstaining on those two is because I think we're
3 still not doing enough as a city to provide for
4 housing that's affordable to those people who are at
5 60, 70, 80 percent of the AMI, which is where the
6 bulk of the people in New York City are. So I vote
7 aye on all with the exception of 711 and 720 and 721.
8 Thank you.

9 CHAIRPERSON SALAMANCA: Thank you,
10 Council Member.

11 COMMITTEE CLERK MARTIN: Thank you, my
12 apologies. OK. Ah, Council Member Deutsch.

13 COUNCIL MEMBER DEUTSCH: Aye on all.

14 COMMITTEE CLERK MARTIN: Koo.

15 COUNCIL MEMBER KOO: Aye on all, and
16 congratulations to Council Member Powers.

17 CHAIRPERSON SALAMANCA: I'm sorry, um,
18 Mr. Clerk, um, can you please call Council Member
19 Treyger next?

20 COMMITTEE CLERK MARTIN: Sure. Council
21 Member Treyger.

22 COUNCIL MEMBER TREYGER: Thank you very
23 much, Chair, for your help. I vote aye.

24 COMMITTEE CLERK MARTIN: Thank you.
25 Grodenchik.

1 COMMITTEE ON LAND USE

12

2 COUNCIL MEMBER GRODENCHIK: Aye.

3 COMMITTEE CLERK MARTIN: Adams.

4 COUNCIL MEMBER ADAMS: Aye.

5 COMMITTEE CLERK MARTIN: Ayala.

6 CHAIRPERSON SALAMANCA: Council Member

7 Ayala? We'll come back to her.

8 COMMITTEE CLERK MARTIN: Sure. Ruben

9 Diaz.

10 COUNCIL MEMBER AYALA: Am I being called?

11 CHAIRPERSON SALAMANCA: Oh, she's on.

12 COMMITTEE CLERK MARTIN: Ah, yes, Council

13 Member Ayala.

14 COUNCIL MEMBER AYALA: I vote aye.

15 COMMITTEE CLERK MARTIN: Thank you.

16 Ruben Diaz.

17 COUNCIL MEMBER R. DIAZ: I vote aye.

18 COMMITTEE CLERK MARTIN: Thank you, sir.

19 Moya.

20 COUNCIL MEMBER MOYA: Congratulations to,

21 ah, Council Member Powers on his work here today.

22 It's a great project and he worked tremendously hard

23 to make this happen. Um, so congratulations to you.

24 Ah, I'll be voting aye, Mr. Chair.

25

2 COMMITTEE CLERK MARTIN: Thank you.
3 Rivera.

4 COUNCIL MEMBER RIVERA: Aye.

5 COMMITTEE CLERK MARTIN: Thank you.
6 Riley.

7 COUNCIL MEMBER RILEY: Ah, thank you.
8 Congratulations to my birthday twin, Council Member
9 Powers. Ah, I would like to vote aye on all.

10 COMMITTEE CLERK MARTIN: Borelli.

11 COUNCIL MEMBER BORELLI: I vote aye.
12 Thank you.

13 COMMITTEE CLERK MARTIN: Council Member
14 Miller.

15 COUNCIL MEMBER MILLER: I vote aye.

16 COMMITTEE CLERK MARTIN: Thank you. One
17 moment. Council Member Reynoso.

18 COUNCIL MEMBER REYNOSO: I vote aye on
19 all, thank you.

20 COMMITTEE CLERK MARTIN: Thank you. And
21 I don't see Council Member Levin, so, OK. By a vote
22 of 16 in the affirmative, zero in the negative, and
23 no abstentions, all items are adopted by the Land Use
24 Committee, with the following Land Use items 711,
25 720, and 721 which are adopted by a vote of 15 in the

2 affirmative, zero in the negative, and one
3 abstention. Thank you.

4 CHAIRPERSON SALAMANCA: Thank you. I
5 would like to thank the members of the public, my
6 colleagues, counsel and land use staff, for attending
7 today's hearing. We will leave the vote open for
8 five minutes. Thank you.

9 COMMITTEE CLERK MARTIN: Good morning,
10 Council Member Levin.

11 COUNCIL MEMBER LEVIN: Good morning. I
12 apologize. I was on another call. Ah, is there...

13 COMMITTEE CLERK MARTIN: The vote is open
14 for you.

15 COUNCIL MEMBER LEVIN: OK, I vote aye on
16 all.

17 COMMITTEE CLERK MARTIN: Thank you, sir.

18 COUNCIL MEMBER LEVIN: Thank you.

19 COMMITTEE CLERK MARTIN: Final vote,
20 Committee on Land Use, LUs 717, 712, and 713 are
21 adopted by the committee, 17 in the affirmative, zero
22 in the negative, and no abstentions. And land use
23 items 711, 720, and 721 are adopted by the committee,
24 16 in the affirmative, zero in the negative, and one
25 abstention. Thank you.

2 CHAIRPERSON SALAMANCA: Thank you all.
3 Thank you, Clerk. I would like to thank the members
4 of the public, my colleagues, and land use staff for
5 attending today's hearing. This meeting is hereby
6 adjourned. Thank you.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

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 February 28, 2021