

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 21, 2022

Start: 12:14 p.m.

Recess: 12:40 p.m.

HELD AT: COMMITTEE ROOM, CITY HALL

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

COUNCIL MEMBERS:

- Joseph C. Borelli
- Erik D. Bottcher
- Selvena N. Brooks-Powers
- Kamillah Hanks
- Shekar Krishnan
- Farah N. Louis
- Darlene Mealy
- Francisco P. Moya
- Kevin C. Riley
- Carlina Rivera
- Pierina Ana Sanchez
- Lincoln Restler
- Julie Won

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

2 CHAIRPERSON SALAMANCA: [GAVEL] Alright. Good
3 afternoon, and welcome to the Committee on Land Use.
4 I am Councilmember Rafael Salamanca, Chair of this
5 Committee. I would like to welcome our esteemed
6 colleagues, who are joining us today. We have been
7 joined by Councilmembers Rivera, Chair Louis, Brooks-
8 Powers, Bottcher, Krishnan, Borelli, and we have
9 on... uh, via Zoom, we have Councilmembers Sanchez
10 and Hanks, and we have also been joined by
11 Councilmember Julie Won. I would also like to thank
12 Chair Louis and Riley for their work on our two
13 subcommittees. But before we begin today's meeting,
14 I would like to recognize the Committee Counsel to
15 review the hearing procedures.

16 COMMITTEE COUNSEL: Thank you Chair Salamanca. I
17 am Arthur Ha, Counsel to this Committee.
18 Councilmembers who are physically present and would
19 like to ask questions, should indicate so verbally,
20 while Councilmembers joining remotely who like to ask
21 questions or make remarks should use the Zoom raise-
22 hand function. Chair Salamanca will recognize
23 members to speak. We ask all participants for your
24 continued patience should any technical difficulties

2 arise, and Chair Salamanca will now continue with
3 today's agenda.

4 CHAIRPERSON SALAMANCA: Thank you Counsel.

5 Today, we will vote to approve the pre-considered LUs
6 related to applications numbers G220024SCR, the 252
7 seat Early Childhood Center site selection in
8 Councilmember Hanks's district in Staten Island. We
9 will also vote to approve, with modifications, LUs
10 126 through 134 for the Innovation QNS Redevelopment
11 Proposal related to property in Councilmember Won's
12 district in Queens. As originally proposed, the
13 application requested approval of a number of related
14 actions, including the zoning map amendment, a zoning
15 text amendment, and a number of special permits
16 establishing a large-scale general development
17 pursuant to various bulk use signs, parking, and
18 loading regulations. A modification will facilitate
19 the conversion of office and community facility space
20 into additional housing, and lower the density on
21 parcels within the rezoning area and adjacent to, but
22 not part of the Innovation QNS Large Scale
23 Development. These adjustments will result in
24 transitional areas that take into account existing
25 patterns of lower and medium density residential uses

2 in the neighborhood. These actions will facilitate
3 the development of a series of mixed-use buildings
4 and publicly accessible open space with over 3100
5 housing units. As negotiated by the Council, the
6 project is comprised of approximately 55% market rate
7 residential units, and 45% affordable units, as the
8 applicant and administration have agreed to
9 incorporate the development of HPD Finance Affordable
10 Housing Buildings and CITYFEPS vouchers in addition
11 to the requirement of MIH Option 1.

12 We will also vote to approve the modifications
13 pre-considered LUs 135 through 138 for the Livonia 4
14 Redevelopment Proposal related to property in
15 Councilmember Barron's district in Brooklyn. As
16 proposed on the application, requested approval for a
17 zoning map amendment, zoning text amendment, UDAAP
18 approval, and related disposition approval, and an
19 amendment to the Brownsville 2 Urban Renewal Plan.
20 Together, these applications will facilitate the
21 development of 4 mixed-use building with
22 approximately 499 affordable housing units, ground-
23 floor commercial space, and community facility space
24 along Livonia Avenue in Brooklyn. A modification

2 will be to strike MIH Option 2, while retaining
3 Option 1, and to add the Deep Affordability Option.

4 We will also vote to approve LUs 141, 142, 145,
5 and 146 for the Innovative Urban Village Development
6 Proposal related to property in Councilmember
7 Barron's district in Brooklyn. As originally
8 proposed, the application requested a... the
9 applicant requested a zoning map amendment, zoning
10 text amendment, and large-scale special permit, and
11 parking special permit. Regarding the 1571 McDonald
12 Avenue item on today's agenda, under pre-considered
13 LUs 139 and 140, I noted that the application related
14 to these items were withdrawn by written
15 correspondence from the applicants today, November
16 21st. Therefore, pursuant to Council Rules 11.60B,
17 the applications are void. The Council may vote to
18 file these items at a later date. I make a motion
19 recommending that we do so remove them from our
20 calendar.

21 Finally, regarding the 280 Bergen Street items on
22 today's agenda, I note that in accordance with
23 Section 11.10F of the Council Rules, I am calling up
24 the Committee LUs 143 and 144 related to the 280
25 Bergen Street Rezoning Proposal in Councilmember

2 Restler's district in Brooklyn. These items were
3 heard in our zoning subcommittee on October 25th and
4 are called up today to enable the Committee and the
5 Council to ACT within the time limits for council
6 action prescribed by law. The 280 Bergen Street
7 Rezoning Proposal seeks approval for a rezoning map
8 amendment to rezone existing M1-2 zoning district to
9 an R7D/C2-4 and R7A zoning district and a related
10 zoning text amendment to map an MIH program area. A
11 modification will be to strike MIH Option 2 while
12 retaining Option 1 and to add a Deep Affordability.

13 So before we vote, I would like to take a moment
14 to recognize any of my colleagues who wish to ask
15 questions or make remarks.

16 I will recognize first Councilmember Julie Won.

17 COUNCILMEMBER WON: Good morning, everybody.

18 We've got a full house in here. Such great to see...
19 so great to see so many friends in the room. So good
20 morning, my name is Julie Won. I'm the local
21 Councilmember for Lawn City, Sunnyside, Woodside, and
22 Astoria, which Innovation QNS has proposed to be set
23 in.

24 From day one, I have stood with my community in
25 demanding deeper affordability from Innovation QNS.

2 Then the developer certified this project, it was
3 majority luxury development, and offered the minimum
4 25% affordability. The original plan offered only
5 the minimal affordability for the neighborhood and
6 threatened to displace our immigrant and working
7 class residents who have lived, worked, and spent
8 their entire lives here. But because we held the
9 line, the Innovation QNS project has doubled the
10 number of affordable units it initially offered from
11 711 to 1436 affordable units.

12 In our neighborhood, I never once compromised on
13 the level of affordability at MIH Option 1, as these
14 homes have to be accessible to the current residents
15 of the neighborhood. And despite all of the pressure
16 to switch to MIH Option 2 or Option 3, I did not,
17 because I have heard the voices of the residents who
18 have been advocating to ensure that they can remain
19 in the neighborhood that they love.

20 As a result, we have secured a project that with
21 unprecedented private investment will deliver 1436
22 permanent affordable apartments including 657 deeply
23 affordable units for formerly homeless and extremely
24 low income, including 142 supportive housing units,
25 157 rental voucher units specifically for our

2 unhoused neighbors. In addition to this historical
3 level of deeply affordable housing, I am proud to
4 have negotiated other immense gains for our community
5 including a \$2 million anti-harassment and anti-
6 displacement fund to provide legal protections for
7 local tenants, relocation assistance for current
8 residents and businesses, multilingual application
9 assistance for affordable housing, and much more.

10 To tackle our city's affordable housing crisis
11 systemically, we must implement comprehensive city-
12 wide planning, which prioritizes the New Yorkers we
13 have excluded from the process far too long. But
14 until then, I will continue to look at my district
15 holistically when it comes to land use to ensure that
16 I am having district-wide, comprehensive planning for
17 my district, pushing for neighborhood rezonings, and
18 neighborhood planning, and neighborhood studies, as
19 well as continuing to build community power with the
20 coalitions that exist today for housing organizing.

21 The Council, in partnership with The Mayor and
22 The Speaker must make afford... solving the
23 affordable housing crisis their top priority and put
24 real investments into repairing and preserving NYCHA,
25 developing and operating more social housing,

2 expanding community land trusts, and pushing the
3 state to grow successful limited-equity co-op
4 programs such as the Mitchell-Lama co-op that we have
5 in Woodside.

6 In District 26, we will always prioritize
7 community needs over profit, and as a community, we
8 have set a new precedent for building affordable
9 housing on private land. And I comment and thank
10 each community member and elected official for
11 remaining steadfast and standing with us. I thank
12 Congresswoman Nydia Velázquez, Congresswoman Carolyn
13 Maloney, Congresswoman Alexandria Ocasio-Cortez,
14 State Senator Michael Gianaris, State Assemblymember
15 Zohran Momdani, State Assemblymember Jessica
16 Gonzalez-Rojas, Public Advocate Jumaane Williams,
17 Councilmember Tiffany Cabán, Councilmember Shekar
18 Krishnan, Councilmember Kristin Richardson Jordan,
19 Councilmember Sandy Nurse, Councilmember Shahana
20 Hanif, Committee Christopher Marte, as well as all my
21 other Council colleagues, who hauled the line with
22 me, which allowed me to negotiate to the best of my
23 abilities, despite so many others being critical,
24 telling me to stop negotiating when I had time on the
25 clock.

2 And without the community power and the community
3 advocacy from our local organizations under the
4 coalition of Astoria Not For Sale, none of this would
5 have been possible. So I want to thank the local
6 advocates, CALVE, for organizing, Woodside On The
7 Move, Youth On The Move, Western Queens Community
8 Land Trust, Muslim Organizing Collective, Astoria
9 Welfare Society, Astoria Tenants Union, Malukah,
10 Justice For All Coalition, and all the other
11 neighbors who came out to push and push for greater
12 affordability levels, as well as former elected
13 officials, former Borough President, Sharon lee,
14 former City Councilmembers Ben Kallos, Carlos
15 Menchaca, and Costa Constanides for all of their
16 support during our fight. We know that as part of a
17 negotiation that this is a compromise, but we have
18 fought the best of our abilities in tandem with all
19 of our community members to get the best in the
20 parameters that we can get, and I am proud to day
21 that 1436 affordable units, specifically for
22 supportive housing as well as extremely-low-income
23 housing, as well as a historical win for getting
24 commitments for project lead vouchers for the
25 formerly homeless is something that we cannot say no

2 to, because we need to make sure that we are housing
3 our most vulnerable neighbors, and I am proud to say
4 today that, in partnership with everybody in this
5 room, from the Council to The Speakers office, to The
6 Mayor's office and the developer team, that we have
7 come to a place where we are seeing on private land,
8 we are... we are going to be able to house formerly
9 unhoused neighbors in this new development.

10 So thank you so much for all of your support, and
11 I look forward to continuing, and I am hopeful that
12 the Carpenters will continue to be a part of this
13 conversation, so that we can all end with not just
14 jobs but also for affordable housing for our formerly
15 homeless neighbors. Thank you.

16 CHAIRPERSON SALAMANCA: Congratulations,
17 Councilmember Won. Are there any other members who
18 wish to speak?

19 Alright, seeing none, I now call for a vote with
20 support of the local Councilmembers to approve the
21 modifications, LUs 126 through 134, LUs 135 through
22 138, and LUs 143 and 144 to adopt a motion to file
23 LUs 139 and 140, and to approve the pre-considered
24 LUs related to applications G220024SCR and LUs 141,

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2 142, 145, and 146. Will the Clerk please call the
3 roll.

4 COMMITTEE CLERK: Good afternoon. William
5 Martin, Committee Clerk, roll call vote, Committee on
6 Land Use. All items are coupled. Chair Salamanca?

7 CHAIRPERSON SALAMANCA: Aye on all.

8 COMMITTEE CLERK: Moya?

9 COUNCILMEMBER MOYA: I vote aye.

10 COMMITTEE CLERK: Thank you. Rivera?

11 COUNCILMEMBER RIVERA: I vote aye.

12 COMMITTEE CLERK: Louis?

13 COUNCILMEMBER LOUIS: Aye.

14 COMMITTEE CLERK: Brooks-Powers?

15 COUNCILMEMBER BROOKS-POWERS: Aye on all.

16 COMMITTEE CLERK: Bottcher?

17 COUNCILMEMBER BOTTCHEER: Aye.

18 COMMITTEE CLERK: Krishnan?

19 COUNCILMEMBER KRISHNAN: Aye on all.

20 COMMITTEE CLERK: Sanchez? Councilmember
21 Sanchez?

22 COUNCILMEMBER SANCHEZ: Aye on all. Can you hear
23 me?

24 COMMITTEE CLERK: Yes, thank you Councilmember.
25 Thank you.

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2 COMMITTEE CLERK: Borelli?

3 COUNCILMEMBER BORELLI: Aye.

4 COMMITTEE CLERK: By a vote of 9 in the
5 affirmative, zero in the negative, and no
6 abstentions, all items have been adopted as indicated
7 by the Chair.

8 CHAIRPERSON SALAMANCA: I would like to thank
9 members of the public, my colleagues, Land Use Staff,
10 Council Staff, and the Sergeant at Arms for attending
11 today's hearing. We will leave the roll open for 5
12 minutes.

13 Actually, so we are just going to open up again.
14 I am going to allow Councilmember Lincoln Restler,
15 who wants to make a statement on his project.

16 COUNCILMEMBER RESTLER: Firstly, I want to
17 congratulate Councilmember Won on negotiating a truly
18 impressive outcome in Innovation QNS. This was one
19 of the harder land use issues to wrestle down, and
20 you did a really impressive job and delivered for
21 folks in Queens and across New York City, and I
22 think, inspired us all to push harder.

23 I want to just take a moment today to celebrate a
24 rezoning in District 33. We have 450 units of
25 housing coming to Brownstone Boerum Hill. We need to

2 maximize opportunities for new housing across New
3 York City, but especially affordable housing. And in
4 this development with 450 units, fully half of these
5 units, close to 225 units, are going to be
6 affordable, and truly affordable to our community.
7 The vast majority of these 225 affordable units are
8 going to be at 60% AMI and below. This is the first
9 ULURP application that is certified after taking
10 office for me, and I think we have developed a new
11 model that I really hope to be able to replicate
12 across our district. And, you know, in this ULURP,
13 we brought together community leaders and
14 stakeholders to meet consistently with the
15 development team, so two of our NYCHA TA presidents,
16 two our or representatives from Community Board 2,
17 the Boerum Hill Civic Association President, all met
18 on a recurring basis with the developer to give our
19 feedback and ensure that the real priorities in our
20 community were incorporated into this project, and I
21 am proud to say that they have been.

22 When the developer approached me about this
23 project last fall, we realized that there are 2
24 parking lots that the developer controls for the next
25 41 years, but these 2 parking lots are actually city-

2 owned property, and I said to the developer, "If you
3 want to rezone your property, then you need to
4 relinquish control of these 2 city-owned lots, so
5 that we could see them redeveloped for 100%
6 affordable housing," and that is exactly what
7 happened. The city has retaken control of these 2
8 parking lots, and we are turning them into 150 units
9 of deeply affordable housing, senior housing, and
10 housing for families in our community. We all... We
11 also got the developer to agree to go above MIH in
12 their contributions at the site, so there will be
13 additional units that are a part of this development
14 project at 80% AMI for our community. We have
15 ensured the community preference for the affordable
16 housing will go to both residents of Community Board
17 2 and Community Board 6. We have 3 large public
18 housing developments in CB6 that otherwise would not
19 have benefitted from any of the affordable housing
20 that is located just across the street from those
21 public housing developments.

22 One of the things though that I'm most proud of,
23 and this is unfortunately one of... this was one of
24 the biggest vulnerabilities of the Gowanus
25 neighborhood rezoning is that the supermarket that

2 serves the 2000 NYCHA apartments in the Gowanus
3 area... the supermarket was a soft site in the
4 Gowanus rezoning, so we were going to lose the CTown
5 Supermarket as a result of Gowanus neighborhood
6 rezoning, which, you... for those who know Boerum
7 Hill, this deeply gentrified area, there is no other
8 place for these low-income neighbors to be able to
9 buy their basic necessities, and in this new rezoning
10 at 280 Bergen, we have ensured that a supermarket of
11 comparable size to the CTown supermarket, and that
12 will also be deeply affordable is going to be built
13 as a part of this project, so that residents of
14 Gowanus and Wycoff Gardens, and Warren Street will
15 have an affordable place to shop for years and years
16 to come.

17 And something else that I'm very proud of in this
18 project: Not only are we turning these 2 parking
19 lots into 100% affordable housing, but we have gotten
20 the developer to submit a parking waiver so that zero
21 new parking spots will be built as a part of this
22 project. This is among the most transit-rich
23 locations in the city of New York. It is a 5-minute
24 walk from a dozen train lines, and we are not
25 building one additional parking spot in this 450 unit

2 development. This was also the first project that
3 was subject, by law, to the racial impact... to the
4 new racial impact study law, and it showed that we
5 need to build affordable housing at lower AMIs to
6 better address the socioeconomic and racial
7 disparities in our district, and that is why we went
8 with MIH Option 1 and ensured that overwhelmingly,
9 the affordable housing that is built here, about 75%
10 of the units, will be at 60% AMI and below. There is
11 going to be great community facility space. We
12 included priorities around local hiring, commitments
13 on green infrastructure.

14 All of this is reflected in the community
15 benefits agreement. We are not taking the developer
16 at their word. We never do. We are signing a
17 contractual agreement between the Fifth Avenue
18 Committee, the Boerum Hill Association, and the
19 developer to ensure that each and every one of these
20 promises are absolutely kept. And I really want to
21 thank the community leaders who have been a part of
22 this process with us. Wycoff Gardens NYCHA Tenants
23 Association President, Valerie Bell, Warren Street
24 Tenants Association President, Joanne Brown, The
25 Boerum Hill Civic Association President, Howard

2 Kolins, the Fifth Avenue Committee's Sabine and
3 Michelle De La Uz, representatives from Community
4 Board 2, Daughtry Carstarphen, who is the co-chair of
5 the Land Use Committee, and Sid Meyer, who chairs the
6 Transportation Committee. They have all made this
7 project so much better. And I really want to thank
8 my staff, who did a phenomenal job here. Arvin
9 Sinwani is our Land Use Director, and is, like, the
10 smartest 22-year-old I have met in a very long time.
11 He guided this project and did a terrific job, our
12 chair of staff, Miriam Alexander guides us through
13 everything that happens in our office, and I am
14 profoundly appreciative to her. I want to thank
15 Brain and Julia and the team at Castle Land Use and
16 Parris for putting up with me when I can be a pain in
17 the ass. You guys are all great, and I appreciate
18 you. And from the development site, Mark Wheperin,
19 Jay Segal, Rich Dillon: I appreciate all of your
20 help. I especially want to thank the Fifth Avenue
21 Committee, Adam helped negotiate the CBA for us, and
22 Michelle guided that process. You know, these
23 projects often feel like... (crosstalk)

24 CHAIRPERSON SALAMANCA: Councilmember, I'm sorry.
25 We have to move on.

2 COUNCILMEMBER RESTLER: Okay. I'll just... last
3 sentence. I'm sorry. This was an important project
4 for our community. But these projects often feel
5 like they are a... everybody is losing, and this is
6 one where the priorities of our community have
7 actually been incorporated into the development
8 process, and I'm really proud to support it.

9 Thank you Chair Salamanca.

10 CHAIRPERSON SALAMANCA: Thank you and
11 congratulations on your project, Councilmember.

12 Um, I'm going to open up the roll again, Clerk?

13 COMMITTEE CLERK: Yes, um, Councilmember Riley?

14 COUNCILMEMBER RILEY: Aye on all. Aye on all.

15 COMMITTEE CLERK: Thank you. The co... excuse
16 me, the vote is now currently at 10 in the
17 affirmative.

18 CHAIRPERSON SALAMANCA: Thank you. Uh, we will
19 leave the roll open for 5 minutes for Councilmember
20 Mealy. Thank you.

21 COUNCILMEMBER LEE: Um, I would also like to
22 thank my team, Carolina, Chief... Carolina Gill, my
23 Chief of Staff, Isaac Levenstein, my Land Use
24 Director, Jenna Lane, my Comms Director, Kevin
25 Kaprolski, our Deputy Chief of staff, and all of the

2 central staff who have been so patient with me,
3 answering all of my questions from the crack of dawn
4 until 6 a.m., Parris Strouder, Brian Paul, James
5 Cottone, and I also want to give a shout... a shout
6 out to Annie Stih, Chris Walters, and Alex Fennel.
7 Lincoln... Councilmember Restler reminded me to thank
8 my team. Thank you.

9 [TWO MINUTES OF SILENCE]

10 CHAIRPERSON SALAMANCA: Alright, we're opening up
11 the roll now.

12 COMMITTEE CLERK: Councilmember Mealy.

13 COUNCILMEMBER MEALY: Vote... may I explain my
14 vote?

15 CHAIRPERSON SALAMANCA: Yes, Councilmember Mealy
16 can explain her vote.

17 COUNCILMEMBER MEALY: I just want to take a
18 minute to... Yes, I just want to congratulate my
19 colleagues for getting the best that they could
20 possibly get out of these land use proposals, and I
21 want to vote Aye on all.

22 COMMITTEE CLERK: Thank you. Final vote now on
23 all items on today's land use agenda are stopped 11
24 in the affirmative, zero in the negative, and no
25 abstentions.

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2 CHAIRPERSON SALAMANCA: Thank you. This meeting
3 is hereby adjourned.

4 [GAVEL]

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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 11/26/2022