

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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March 12, 2018
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HELD AT: 250 Broadway-Committee Rm, 16th Fl.

B E F O R E: FRANCISCO P. MOYA
Chairperson

COUNCIL MEMBERS:

COSTA G. CONSTANTINIDES
BARRY S. GRODENCHIK
RORY I. LANCMAN
STEPHEN T. LEVIN
ANTONIO REYNOSO
DONOVAN J. RICHARD LOBELS
CARLINA RIVERA
RITCHIE J. TORRES

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

William Macklowe
Developer of 21 East 12th Street

Robert Flahive
Member of Kramer Levin Firm

Gordon Hamm
Garage Operator for 40 Years

Raymond Perez
Building Service Worker SEIU 32BJ Union Member

David Soto
SEIU 32BJ Union Member

Matthew Bruccoleri
Business Manager of Teamsters Local 272

Richard Lobel
Zoning and Land Use Attorney at Sheldon Lobel,
P.C.

[gavel]

CHAIRPERSON MOYA: Good morning. Welcome to the Subcommittee on Zoning and Franchises. I am Francisco Moya, the Chair of the Subcommittee and today we are joined by Council Members Donovan Richards and Council Member Barry Grodenchik. I know Council Member Lancman was, was here as well. Today we will be holding hearings on two items, LU 36, the 20... 21 East 12th Street Parking Garage and LU 3534, Underhill Rezoning. After our public hearing we will be laying over both of the items for consideration at our next meeting but before we start our hearing I would like to acknowledge Deputy Council for Land Use Division, Dillon Casey who will be leaving the council at the end of the week, he's going to start a new chapter out in sunny California and he will be working on Fair Housing and related policy issues and we want to thank him for his excellent work during his tenure here and he will be greatly missed and we want to wish him all the best and in the short time that I've been the chair and, and been here at the council he has been a vital, vital individual that has helped guide this committee to doing the great work that we do in the city council. So, Dillon to

1
2 you we, we thank you for your excellent work and wish
3 you very much success in your new endeavors.

4 DILLON CASEY: Thanks.

5 [applause]

6 CHAIRPERSON MOYA: We will start with the
7 21 East 12th Street Parking Garage application, this
8 is an application for a special permit under sections
9 13-45 and 13-451 of the zoning resolution to allow
10 for an attended parking garage with a maximum
11 capacity of 187 spaces. The garage will be located on
12 the ground floor cellar and sub-cellar of a proposed
13 21 story mixed use building to be located at 21 East
14 12th Street in Council Member Rivera's district in
15 Manhattan. I will now open the public hearing on LU
16 36 and we have... we have William... is it Macklowe,
17 Macklowe?

18 WILLIAM MACKLOWE: Yeah...

19 CHAIRPERSON MOYA: Robert Flahive, did I
20 say it correctly? Gordan Hamm, yeah...

21 [off-mic dialogue]

22 CHAIRPERSON MOYA: Okay, good morning,
23 thank you, please.

24 WILLIAM MACKLOWE: [off-mic] Good
25 morning, I am Billy Mack... good morning, wow, okay. I

1
2 am Billy Macklowe, I am the Developer of 21 East 12th
3 Street and I would like to thank the council for the
4 time to let us speak this morning and the
5 consideration. So, good morning and thank you. As I
6 mentioned I'm the, the developer of 21 East 12th
7 Street and as you can see on the monitor in front of
8 and behind me that was what existed on the site at
9 the time when we acquired it and set about our plans
10 to demolish that structure and begin construction of
11 what is nearing completion today. That was for close
12 to a hundred years specifically the last 40 years as
13 well a garage, a garage that had the capacity to
14 mount 200 cars and four curb cuts, two on 12th Street
15 and two on University Place. We have developed and
16 planned and built our building as an as of right
17 structure with the exception of the garage. We have
18 53 residential units, we are currently 77 percent
19 pre-sold and we seek the council's approval to
20 replace the parking that was there albeit for 187
21 cars less than the 200 that have been there for the
22 proceeding 40 years and in the process of our
23 development we've also cleaned up the streetscape by
24 getting rid of three of those four curb cuts. So,
25 we've enhanced University Place we think from a

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2 safety perspective as it's a very high-volume
3 pedestrian area, University Place will now be safer.
4 We've put our curb cut, our proposed curb cut and
5 garage on the Northwest most corner of our site on
6 12th Street and we have a great hope that this will
7 be passed by the council and I will turn it over to
8 Mr. Flahive and Mr. Hamm to my left, Gordon has
9 operated this garage as I said before for 40 years
10 prior and it is his desire to continue. So,
11 gentlemen.

12 ROBERT FLAHIVE: Thank you, Billy, good
13 morning Chairman Moya and committee members. My name
14 is Bob Flahive, I'm with the firm Kramer Levin, we
15 represent the applicant for the special permit. As
16 Mr. Macklowe indicated the 200-car public parking
17 garage with curb cuts on East 12th and University had
18 existed since 1921, it also had been operated by
19 garage management corporation, it's a union shop and,
20 and, and that operator had operated the previous
21 garage for 40 years and is the prospective operator
22 of this new garage as well. However, the current
23 zoning regulations governing parking in Manhattan
24 core does not provide an as of right mechanism for
25 replacement garage and therefore we had to file an

1
2 application seeking a special permit pursuant to
3 Section 13-451 that permit additional parking for
4 residential growths in the neighborhood. In creating
5 the special permit its called additional parking for
6 residential growth, in 2013 the Planning Commission
7 and the city council established specific standards
8 for what's called neighborhood parking demand, quote
9 unquote, its basically a two part test that measures
10 residential parking demand in the area and the
11 parking supply within the designated area, I mean...
12 move along... in, in terms of residential parking
13 demand our application documents that a total of 769
14 new residential units were developed in the a study
15 area since 2006. At the 20 percent target level these
16 769 dwelling units generated demand for 154 new
17 residential parking spaces however only three of the
18 41 new buildings that have been built in this area
19 actually provide parking and those three parking
20 garages provide only 21 parking spaces, you know
21 therefore on the demand side there's a, a significant
22 parking deficit. In terms of parking supply which is
23 now shown behind me, we've documented that 1,259
24 spaces in ten parking facilities within the study
25 area have been demolished since 2016 to make room for

1
2 new development. As you can see on the map our site
3 is highlighted in red and on that block alone, our
4 block alone, three garages with a total of 735 spaces
5 were demolished all convert, converted to residential
6 use that's just on our block. The... within the study
7 area shown in the black circle includes all 1,260
8 spaces that have been demolished. The combination of
9 increased residential demand and the reduction in
10 parking supply translates to an existing parking
11 ratio, it's a zoning term, for the study area of
12 minus 92 percent, minus 92 percent which is well
13 below the target of plus 20 percent, these are kind
14 of zoning terms so let me put in layman's terms. The
15 current parking deficit for the neighborhood totals
16 843 spaces, this deficit includes the 113
17 attributable to new residential developments that
18 have not provided any parking plus 730 residential
19 parking spaces that have been demolished. The
20 proposed 187 car garage will only address a small
21 fraction, about 22 percent of this parking deficit.
22 Zoning resolution Sections 1345 and 13-451 provide
23 the City Planning Commission and city council with
24 authority to grant special permits for additional
25 parking spaces to serve residential growth in the

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2 Manhattan core subject to specific findings. We
3 believe that the material submitted with this
4 application provides sufficient documentation to make
5 each of the required findings and allow you to
6 approve this special permit for the proposed garage
7 with 187 spaces. Thank you.

8 GORDON HAMM: My name is Gordon Hamm, I
9 operate the garage and did for 40 years. As a past
10 Councilman in New Jersey I appreciate everyone's time
11 today and this is a more emotional I think for a lot
12 of people in the neighborhood. We just talked about
13 the facts of what it is over there but to give you a,
14 a, a guideline I, I always thought that being there
15 40 years we were kind of a fabric of the community to
16 begin with, we service most... almost 90 percent of our
17 business was from the neighborhood residents so we
18 watched people have kids, raise kids, bring them
19 through, parked their cars, next generation come
20 through all the time. I always thought we provided a,
21 a healthy, safe environment for people in the
22 neighborhood that wanted to come down and unload
23 stuff, we know how long it is... takes with kids and
24 stuff and strollers and things and, and bad weather
25 to have a place to be able to go to in the

1 neighborhood without traveling too far away. It was a
2 sad day when we closed the garage but we thought
3 maybe when we're closing the garage its no different
4 than someone renovating their apartment, they get...
5 they may take a couple of years to renovate the
6 apartment but they'd be allowed to come back so we're
7 kind of hoping, we're kind of like that... part of that
8 neighborhood and still to be able to come back and
9 service the neighborhood with everybody. You, you
10 heard already testimony about the number of spaces
11 lost on that block, we're trying to get the same
12 number of spaces we had before because we think that
13 there is a definite need. I know that when we had to
14 displace those monthlies we could only take about 50
15 of them and those were... we had to move to our
16 locations over by Washington Square Park, a number of
17 them are... just been waiting and waiting even though
18 they have to walk a long distance all the time for
19 the garage to re-open. We only see it as a positive
20 obviously and you'll hear testimony I'm sure from the
21 other side saying negative but as you see with Citi
22 Bike taking more space on the street, the off street
23 parking is getting less, a number of people do love
24 to park off street, it's cheaper obviously and, and
25

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2 it serves them, they find a space and other people
3 prefer to be able to just drive in, drop their car
4 off, keep it out of the weather and keep it safe and
5 some, some... many people like to have their car washed
6 or cleaned by the men which is, you know another
7 service they add always but we, we always felt like
8 we were part of that community and stuff. So, we're
9 asking everyone to consider us to come back into our
10 house, let us be part of the fabric again and, and
11 let us put the men back to work that we had, we had a
12 union shop, all our shops are union, we had to
13 displace seven men and we're... you know those seven
14 men are hoping to come back and have a job again and
15 be part of the community also. So, I want to thank
16 you for your time and thank you for listening.

17 CHAIRPERSON MOYA: Thank you gentlemen,
18 thank you for your testimony and today I also want to
19 acknowledge that we are joined by Council Member
20 Reynoso and Council Member Rivera.

21 COUNCIL MEMBER RIVERA: Hi, thank you,
22 sorry I'm... [cross-talk]

23 CHAIRPERSON MOYA: That's alright...

24 COUNCIL MEMBER RIVERA: ...late, I know
25 that we've gotten a chance to connect before the

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2 hearing and thank you everyone for being here. So,
3 just a couple of very quick questions, I, I wanted to
4 know whether... is... on the timeline and I'm sorry if
5 you answered this but on the timeline of things is
6 it... is it done, is the garage completed?

7 ROBERT FLAHIVE: The building as under
8 construction today is almost complete, it provides
9 what's called the as of right parking garage in the
10 second cellar, the sub-cellar for 15 spaces. If the
11 special permit application is approved the same ramp
12 system will provide service to the proposed garage as
13 it does to the as of right garage. The difference
14 would be instead of having on the first cellar below
15 grade retail and storage we will convert that to
16 parking that's how we will increase it up to the
17 proposed 187. So, yes, the ramps are in place for the
18 as of right garage.

19 COUNCIL MEMBER RIVERA: Okay and then for
20 the other spaces if, if, if you were given more
21 spaces what is the anticipated timeline of
22 completion?

23 WILLIAM MACKLOWE: I think the timeline
24 for the completion is the same. We're, we're, we're
25 under construction now, we're just about fully

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2 enclosed, we're anticipating making application for
3 our first temporary certificate of occupancy mid to
4 late fourth quarter of this year and that first TCO
5 would be for sub-basement through the fifth floor.

6 COUNCIL MEMBER RIVERA: So, I want to
7 talk... thank you. I want to talk a little bit about
8 the community board resolution that was passed, and I
9 want to know where the... was there anything that your
10 team did in anticipation of the resolution so for
11 example was there anything that you tried to address
12 that they pointed out in one of their 19 whereas?

13 ROBERT FLAHIVE: I have the resolution,
14 there is actually a... I'll call it a robust discussion
15 that occurred over a two-month period. We met with
16 the committee twice, we also met with a, a small
17 subcommittee, a two-member subcommittee twice, so a
18 total of four times. Up until the night of passing
19 the resolution we had discussed at the committee's
20 request they wanted a commitment that we would give
21 preference for residential parking and that
22 preference would be in the form of a reduction that...
23 for some period, a 15 percent reduction we agreed to,
24 we were offering a one-year period, they were
25 offering a five... they were requesting a five year

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2 period, the purpose of that reduction would be to
3 draw residential parkers back into our garage...

4 [cross-talk]

5 COUNCIL MEMBER RIVERA: Can I... can I...

6 [cross-talk]

7 ROBERT FLAHIVE: ...which is their intent...

8 [cross-talk]

9 COUNCIL MEMBER RIVERA: ...just speak, I'm
10 so sorry to interrupt you but I just want to... in a
11 reduction like a discount?

12 ROBERT FLAHIVE: Yes.

13 COUNCIL MEMBER RIVERA: Okay.

14 ROBERT FLAHIVE: They also asked that we
15 would make a commitment to provide a certain amount
16 of shared vehicles. Mr. Hamm can speak further to
17 this but quickly the, the previous garage had 30 zip
18 car type operations and we would be prepared to go as
19 high as 50 on, on the belief that that provides
20 another service to the community, it also is good
21 business because that model, the parking model is
22 changing. We also agreed that within the 600 foot
23 area if any resident looks for a space in our garage
24 we would provide such a space on 30 day notice, this
25 was to address the community's concern that how did

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2 they... how could they be assured this wouldn't become
3 a transient parking to serve tech center and other,
4 other projects in the area and we had told them that
5 we have a 40 year history of being a residential
6 garage. The garage is laid out for monthlies, we have
7 53 stackers, so our hope is people come leave their
8 car and take it the next weekend, you know not... we're
9 not looking for in and out transient parking. So, we
10 agreed that we would provide a preference to any
11 resident within 600 feet to, to get a space on a
12 monthly basis. Oh, I thought my time was up.

13 COUNCIL MEMBER RIVERA: No, no, no.

14 ROBERT FLAHEVE: We also said we would
15 make that discount available to anyone within a 600-
16 foot area again emphasis on residential parking.
17 Finally, the... we also agreed to increase the number
18 of bike parking, double it actually from what's
19 required. They also asked that we discount the rate
20 by 50 percent which we agreed to although the
21 operator did feel we should put a caveat in there if
22 there is a demand because his experience has been
23 with Citi Bike, it's much easier for the person not
24 to own a bike and just starting it on the street than
25 to actually own a bike and then have to pay 50, 100

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2 dollars a month to store it, you know a block or two
3 away. And then we also agreed that we, we would post
4 those regulations in the garage so that there'd be an
5 ongoing, you know set of commitments. That night
6 there was a lot of discussion by, by the community
7 board and then to be honest for the first time they
8 raised the issue that in 2013 they disagreed with the
9 zoning and came up with the idea that reverting back
10 to their own resolution they would cap it at 53
11 spaces which completely took us by surprise and, and
12 then they went ahead with their resolution that
13 includes, you know a, a mix of, of I, I guess our
14 response as well as their belief about parking as a
15 policy, you know we really felt that our application
16 being a replacement garage and in view of the parking
17 data is... makes the findings the committee resolution
18 focuses a lot on parking which is... you know they feel
19 as parking is not a contributing element to the
20 community and to those commuters, we do not believe
21 that and our experience for the last 40 years does
22 not reflect that.

23 COUNCIL MEMBER RIVERA: So, you felt that
24 leading up to the final vote that at first you
25 thought that the board would be comfortable with the

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2 150 plus spaces or were you trying... were they looking
3 for you to meet in the middle or just to provide 55
4 for the number of units in the building?

5 ROBERT FLAHIVE: There had been no
6 discussion up until that night of reducing 187.

7 COUNCIL MEMBER RIVERA: Okay.

8 ROBERT FLAHIVE: We were trying to
9 provide everything we could to encourage them to
10 support the full application. So, to answer your
11 question there was no discussion of a reduced number.

12 COUNCIL MEMBER RIVERA: So, you're still
13 willing to provide the local discount to residences,
14 correct?

15 GORDON HAMM: Yes, yes, we are and we're...
16 and we also want to continue with the rideshare
17 programs we had because it was, you know used a lot
18 over there. In fact, it was a, a big turnaround, when
19 they were talking about being busy it was mostly due
20 to the, the zip cars or Hertz car going in and out
21 and stop people from the neighborhood using it and as
22 of late we've had a, a good number. we've talked
23 about this before putting in a charging station
24 Tesla's been giving them to pretty much every
25 operator that they can to... its where they sell Tesla,

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2 they tell you where to go to plug it in, we had one
3 on 7th and West 10th that in fact he brought his own
4 in and installed it with his own electrician and put
5 a meter on it so that its his and no one else can use
6 it, you don't have to worry about anybody else
7 charging his stuff so... we, we want to continue.
8 Again, this is kind of a give back we've always had
9 with the community.

10 COUNCIL MEMBER RIVERA: Well I want to go
11 back to... because I, I mean I'm not sure the garage is
12 going to bring lots of Tesla's into Central Village
13 but I... [cross-talk]

14 GORDON HAMM: We'll get two or three...
15 [cross-talk]

16 COUNCIL MEMBER RIVERA: ...can see what
17 you're saying. So, I just want to go back to the
18 local discount, are you providing a local discount to
19 people in the area for one year or five years?

20 GORDON HAMM: We, we were talking with
21 the one year, we were open to negotiate somewhere in
22 the middle and you know if it was two or three years
23 we were fine with that. I think what happened was it
24 kind of stalled a little bit on the back and forth
25 and it kind of got rigid and we didn't have the

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2 ability really to go back and forth with that but as,
3 as the operator I can tell you at least I would do
4 three years.

5 COUNCIL MEMBER RIVERA: And the bike
6 spaces, how many?

7 ROBERT FLAHIVE: With the... your required
8 number is 19 which is in our plans, we have developed
9 a layout that can accommodate double that number, 38.

10 GORDON HAMM: And we would continue the
11 50 percent on them for the neighborhood, we don't
12 need to have a time limit on that.

13 COUNCIL MEMBER RIVERA: Okay, a 50
14 percent discount in perpetuity...

15 ROBERT FLAHIVE: Yep.

16 GORDON HAMM: You can put that down.

17 COUNCIL MEMBER RIVERA: I just want to
18 talk a little bit about some of the people that are
19 here today. So, you mentioned there are seven... with
20 the previous garage there were seven positions,
21 correct?

22 GORDON HAMM: That's correct.

23 COUNCIL MEMBER RIVERA: And they're 32BJ
24 and teamsters?

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2 GORDON HAMM: The garage is actually the
3 teamsters.

4 COUNCIL MEMBER RIVERA: Okay... [cross-
5 talk]

6 GORDON HAMM: ...the, the building will be
7 32BJ... [cross-talk]

8 COUNCIL MEMBER RIVERA: Of course,
9 building workers, okay. How many jobs in, in... for
10 building workers do you anticipate providing?

11 GORDON HAMM: I honestly don't remember,
12 I'm sorry we're, we're, we're concluding our
13 negotiations with, with, with local 32B... [cross-talk]

14 COUNCIL MEMBER RIVERA: Okay... [cross-
15 talk]

16 GORDON HAMM: ...to staff the building and
17 I wish not to, to misquote a number but it's, it's an
18 appropriately staffed and a fully operated building
19 that's 100,000 square feet.

20 COUNCIL MEMBER RIVERA: I'm sure they'll
21 let me know.

22 GORDON HAMM: They can remind us, yes.

23 COUNCIL MEMBER RIVERA: Okay. Alright, so
24 seven teamsters in the garage and 32BJ you're still
25 working on the contract, okay. So, I know that we,

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2 we've checked in about this and the reason why I ask
3 about the resolution is because, you know it's, it's
4 pretty extensive, I realize there's some things
5 mentioned in there that are related to the
6 neighborhood at large and what they're going through
7 as, as, as a neighborhood in terms of development, in
8 terms of changes and there, their desire for
9 preservation for what's left so I just wanted you to
10 address some of those things. I, I think that there's
11 probably room for us to, to keep talking about what,
12 what we can do in terms of the garage and working
13 with the community, so I wanted to thank you for
14 answering my questions and if there's anything else
15 I'm sure I can follow up with you, that's okay?

16 WILLIAM MACKLOWE: Great.

17 GORDON HAMM: Thank you for your time and
18 consideration.

19 WILLIAM MACKLOWE: Yes, thank you very
20 much.

21 CHAIRPERSON MOYA: Council Member
22 Grodenchik.

23 COUNCIL MEMBER GRODENCHIK: The space
24 was... obviously you have a basement, what would you do
25 with this space if it doesn't become a garage?

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2 WILLIAM MACKLOWE: I think we would look
3 to expand our retail program. Currently our, our hope
4 for the building was to populate the retail we've
5 developed or are developing with some units more
6 neighborhood and consistent with the surroundings. If
7 we have to rent the basement for a different economic
8 aim than the garage, then we'll expand retail.

9 COUNCIL MEMBER GRODENCHIK: Okay, thank
10 you Mr. Chairman.

11 CHAIRPERSON MOYA: We're also joined by
12 Council Member Steve Levin. The Councilwoman had an
13 additional question.

14 COUNCIL MEMBER RIVERA: Yes, so before
15 you tore down the garage to start construction was..
16 were the 200 spaces fully occupied?

17 GORDON HAMM: Yes, they were.

18 COUNCIL MEMBER RIVERA: Okay. Okay and so
19 you said you might expand your retail program but
20 there was also I believe discussion as to creating
21 storage as well, right, storage and retail?

22 WILLIAM MACKLOWE: Correct.

23 COUNCIL MEMBER RIVERA: And so one thing
24 I'd say about retail is because of our unfortunately
25 our vacancy problem if, if whatever you decide for

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2 the ground floor if you do go with the retail program
3 that you try to make it as affordable as possible or
4 not as large so that way we can see more individual
5 retail mom and pops that, that are a little bit more
6 unique than the average corporate chain that has been
7 going into the larger spaces but I'm sure... [cross-
8 talk]

9 WILLIAM MACKLOWE: We, we agree with that
10 point of view and that's how we've designed the
11 retail currently. We're, we're hopeful that that
12 basement sees cars not handbags and shoes but
13 currently we're, we're, we're hopeful to, to be more
14 considerate of neighborhood consistency.

15 COUNCIL MEMBER RIVERA: Thank you.

16 CHAIRPERSON MOYA: I'd, I'd like to thank
17 you for coming in today and, and testifying and wish
18 you all the best.

19 WILLIAM MACKLOWE: Thank you.

20 CHAIRPERSON MOYA: I'm going to call the
21 next group; Raymond Perez, David Soto and Matthew...
22 how do you say that... Bruccoleri, thank you. Thank
23 you.

24 RAYMOND PEREZ: [off-mic] My name is
25 Raymond Perez... good morning, my name is Raymond Perez

1
2 and I'm a building service worker SEIU 32BJ union
3 member. I am here today to testify, testify on behalf
4 of my union. 32BJ is the largest property service
5 worker union in the country. We represent 85,000
6 building service workers in New York City. Over
7 three... 33,000 of us work in the residential building
8 like the one Macklowe is proposing to develop at 21
9 East 12th Street. I work at 4011 East 10th Street in
10 the same district where this project is nearby. 32BJ
11 SEIU supports responsible developers who are
12 committed to supporting working families, I am here
13 today to offer our support for Macklowe's proposal
14 where the development team has committed to creating
15 high quality permanent building service jobs. These
16 jobs will pay family sustaining wages that will allow
17 workers at 21 East 12th Street to continue to call
18 New York home. The project will also create good jobs
19 in the parking garage operated by our brothers of the
20 teamster's union. Our union applauds the, the
21 development team at this project for productive
22 conversations and commitment to good jobs. 32BJ
23 believes that this project will contribute to the
24 continued success of the area by providing stable
25 well-paying jobs. The good jobs created at this

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2 development can help New Yorkers out of poverty and
3 allow workers at the site to support their families
4 and continue to call New York home for these reasons
5 we encourage the council to approve this project.

6 Thank you.

7 DAVID SOTO: Good morning, my name is
8 David Soto, I'm also SEIU 32BJ union member and I
9 would also like to echo our union in support
10 Macklowe's proposal, the development in 21 East 12th
11 Street. I live around in the neighborhood too.
12 Macklowe has history as responsible development
13 through the city... throughout the city and the median
14 are building one... largest building. 32BJ represents
15 the cleaning workers those members have a good family
16 standing job that's providing the privilege wage and
17 benefits package because we have working is Michael,
18 Michael is the best and because they have
19 demonstrated to the community that... to raise
20 industrial standing for building service workers in
21 the city. We are a city that supports this
22 development team as the impact one creating another
23 one... several projects. We believe this community will
24 improve the life of working family and for those

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2 reasons we encourage the council to approve this
3 project. Thank you.

4 MATTHEW BRUCCOLERI: Good morning... okay,
5 there it goes... there we go. Good morning, my name is
6 Matthew Bruccoleri, I'm the Business Manager of
7 Teamsters Local 272 that represents over 8,000
8 parking attendants and rental car employees. Thank
9 you, Commissioner... thank you Chairperson and members
10 of the Zoning and Franchises Committee for allowing
11 me to testify this morning. Teamster Local 272 prides
12 itself on building and maintaining good union jobs
13 with members from the community who receive full
14 health and pension benefits. We are here today to
15 strongly support 21 East 12th Street parking garage
16 application. Additionally, I, I also want to voice my
17 Teamster's support for good responsible jobs in the
18 building and maintenance operation body, SEIU Local
19 32BJ. Over the past couple of years three garages
20 that were closed within one square block from East
21 12th Street and University to East 13th and University
22 to up to 50 Avenue there was over, over a thousand
23 parking spots lost and also 25 teamster jobs. I'd
24 like to close by making new... I'd like to... hold on one
25 second... close to make a way of a of the 21 East 12th

1
2 Street development project, we lost 25 of those jobs
3 and we have a commitment from GMC to bring back eight
4 teamster jobs once the development was completed.

5 Some of the community have raised concerns that the
6 parking garage will increase congestion from people
7 from outside of the neighborhoods. As history has
8 shown nothing could further from the truth. During
9 the operation of the prior garages they were all most
10 full time local businesses and residents. On behalf
11 of my hard-working members I strongly urge the
12 committee to vote in support of this application.

13 Thank you for your time and consideration.

14 CHAIRPERSON MOYA: Thank you very much
15 gentlemen, thank you. We are also joined by Council
16 Member Constantinides. Are there any members of the
17 public who wish to testify on this item? Seeing none
18 I will now close the public hearing on this item. Our
19 next hearing will be on LU 37 and 35, Underhill
20 Avenue Rezoning. This application would change an
21 existing R6B zoning district to an R6A C2-4 district
22 on property located on 35 Underhill Avenue in
23 Brooklyn. The change in zoning district would allow
24 the existing six story building on the site to
25 convert its ground level parking spaces into

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2 commercial space fronting on Washington Avenue. This
3 application is in Council Member Cumbo's district and
4 I will now open the public hearing on LU 37. Richard
5 Lobel.

6 RICHARD LOBEL: Hi Chair Moya, how are
7 you?

8 [off-mic dialogue]

9 RICHARD LOBEL: Good morning, once again
10 my name is Richard Lobel from the Law Firm of Shelton
11 Lobel PC representing the applicant and I'm joined by
12 Amanda Iannotti from my office as well. And I see
13 that we're loading the presentation. By way of
14 background while the presentation is loading this is
15 the 35 Underhill Avenue rezoning, it's a relatively
16 minor rezoning, there is a, a block bounded by
17 Underhill Avenue, Dean and Pacific Streets and
18 Washington Avenue and the block currently is
19 primarily zoned R6A with a C2-4 overlay and so the
20 rezoning seeks solely to rezone a triangular portion
21 of the block which would allow the entirety of the
22 block to be R6A C2-4. So, the tax map is up there
23 right now, the development site is highlighted in
24 red, it's 35 Underhill Avenue, it is a four and six
25 story residential building and the rezoning is solely

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2 to allow for the ground floor parking area which
3 currently houses 15 spaces on the ground floor to be
4 used for a retail store. So, the building right now
5 is a legally built building, it is a complying
6 building, there will be no new development that will
7 be engendered by the rezoning however in order to
8 allow for the conversion of ground floor parking area
9 to commercial use the building would be required to
10 have additional square footage and the rezoning would
11 accomplish that so I think if we want to fast forward
12 you can see this is just a land use map which
13 demonstrates that along Washington Avenue you have a,
14 a lot of commercial use along that corridor. So, the
15 zoning map... the zoning change map as you can see on
16 the board now above you currently has an R6A C2-4 on
17 the majority of that block and there's a tiny little
18 corner on the Northeast corner of Underhill Avenue
19 and Dean Street which is currently R6B. The proposal
20 would as pursuant to the map on the right over that
21 to R6A C2-4. Can you just... want to fast forward...
22 alright, so that's the... would... that would be the
23 proposed zoning after the change and so you can keep
24 going... the current zoning is R6B on, on that small
25 portion, the property was rezoned in the 1994

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2 Prospects Heights rezoning and has remained with this
3 flood zoning district through today's date. The R6A
4 C2-4 by covering the entire block again will allow
5 for a commercial use to occupy the space that fronts
6 on both Washington and Dean and this has been a
7 proposal which has had widespread support among the
8 community, so we went through community board eight,
9 land use and full board and received an approval in
10 community board eight without conditions. The
11 Brooklyn borough President has supported this
12 application and in fact one of the conditions in the
13 Brooklyn borough President's resolution was that
14 they'd like us to actually expand the space to make
15 it bigger if we can which we are attempting to do by
16 gaining additional development rights from adjacent
17 parcels. Can you keep going... and so this is just the
18 existing and proposed floor out... area calculations.
19 The eventual approval would result in about a 4,000
20 square foot space on the ground floor which could
21 again with additional square footage be up to 5,000
22 square feet to be allowed for, for commercial use.
23 The building importantly at the site, the residential
24 tenants support the application and would get
25 eventual approval rights over whatever commercial use

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2 went in there. There's been a lot of interest in
3 having a food store and while it would fall under the
4 threshold for a fresh food store that's still
5 something that would be welcomed by the community and
6 has been... has had a lot of local support. So, in
7 essence again to, to recap, just want to go to the
8 last slide, the rezoning here would result in no
9 proposed new development, it would have the added
10 benefit in addition to our site in creating
11 conforming spaces along, along Dean Street there's a...
12 currently a commercial build... commercial use on the
13 ground floor on one of those two properties on the
14 Southwestern portion of the block that would now
15 become conforming commercial use and so we're, we're
16 hoping that the subcommittee and the full council
17 eventually proceeds to approve the application in its
18 entirety and we're happy to answer any questions.

19 CHAIRPERSON MOYA: Okay, thank you very
20 much.

21 RICHARD LOBEL: Thank you Chair.

22 CHAIRPERSON MOYA: Thank you. If they
23 could all be like that. Are there any members of the
24 public who wish to testify on this item? Seeing none
25 I will now close the public hearing on this item and

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2 that concludes our meeting for today. Thank you all
3 for attending this meeting, this meeting is now
4 adjourned.

5 [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

March 31, 2018