

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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November 26, 2012
Start: 9:52 a.m.
Recess: 12:25 p.m.

HELD AT: Hearing Room
250 Broadway, 16th Floor

B E F O R E:
MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:

Mark S. Weprin
Leroy G. Comrie, Jr.
Daniel R. Garodnick
Robert Jackson
Jessica S. Lappin
Diana Reyna
James Vacca
Albert Vann
Vincent M. Ignizio
Letitia James
Stephen Levin

A P P E A R A N C E S

Dave Lambino
Two Trees Management

Lish Whitson
Project Manager
NYC Department of City Planning

Purnima Kapur
Director of Brooklyn Office
NYC Department of City Planning

Doug Steiner
Principal
Steiner Studios
Steiner NYC

Paul White

Sarah Watson
Citizens Housing and Planning Council

Tucker Reed
President
Downtown Brooklyn Partnership

Christopher Young

Andrew Steininger
VP of Economic Development
Brooklyn Chamber of Commerce

Paul Travis
Managing Partner
Washington Square Partners

Carol Von Guilder
Real Estate Board of New York

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

Melissa Roman Burch
Senior VP for Commercial and Residential Development
Forest City Ratner Companies

Tom Montvel-Cohen
Chairman
Dumbo Business Improvement District

Alexandra Hanson
New York State Association for Affordable Housing

Roger Fortune
Stahl Organization

Martin Piazzola
Senior Vice President
Avalon Bay Communities

Albert Laboz
Principal
United American Land

Tory Linford

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2 CHAIRPERSON WEPRIN: Good morning,
3 everyone. I know we're in a new room here. This
4 room is much more spacious than the other room,
5 but it's a little chilly, so it'll keep up all
6 awake. What can I say?

7 Thank you all for being here. My
8 name is Mark Weprin. I'm the chair of the Zoning
9 and Franchise Subcommittee. I am joined this
10 morning, by the following members of the
11 subcommittee: to start, Council Member Jimmy
12 Vacca, Council Member Vincent Ignizio, Council
13 Member Diana Reyna, Council Member Dan Garodnick,
14 and the chair of the Land Use Committee, Leroy
15 Comrie. We are also delighted to have Tish James
16 here, as she represents one of the items on our
17 agenda.

18 We're going to get started. The
19 first item we have to dispense with is Land Use
20 708. This is Juicerie. This was an unenclosed
21 sidewalk café that we had previously heard and
22 approved, with amendments, of this subcommittee.
23 However, due to the hurricane and the delays in
24 the Stated Meeting, the time to act by the Council
25 actually expired. So it is back on the calendar

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2 today, just to make a motion to file pursuant to
3 the expiration of the time to act. The first time
4 I've had that happen. The Consumer Affairs
5 approval then will stand, and we will put that as
6 our motion later on today.

7 The next item is going to be Land
8 Use 725, which is Mercedes House. It's a zoning
9 text amendment. David, is it Lambino, is here?
10 Okay. You're already prepared at your seat there,
11 that's very good. I want you to please just state
12 your name again for the record and discuss the
13 application that you have before us today.

14 DAVE LAMBINO: Sure, thanks,
15 Council Member Weprin. I'm Dave Lambino
16 [phonetic] at Two Trees. We're a development
17 company based in Dumbo Brooklyn. I know there are
18 other things on the agenda today that are going to
19 take up a lot of time. Quickly, we came before
20 you in 2009 for rezoning on the Far West Side of
21 Manhattan. As part of that rezoning, which has
22 resulted in the Mercedes House, which is on 54th
23 Street--on 11th Avenue between 53rd and 54th,
24 which is nearing completion now.

25 As part of that rezoning,

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2 responding to community requests that I understand
3 have been around for decades, Two Trees sought to
4 accommodate a community request to house the NYPD
5 Mounted Unit which now resides in Hudson River
6 Park, within our building. As far as we knew,
7 this was something that had only once been done in
8 any city that we could find. I believe it was in
9 Hong Kong, where you could accommodate a municipal
10 or a police department mounted unit within a
11 residential high-rise.

12 So wanting to comply with those
13 requests, we set out and began to design the
14 structure. The ULURP was approved, and as part of
15 that ULURP, we were required to build that
16 structure. We set out to do so and spent two
17 years and lots of money building it. As the
18 building went up, we actually built the space. We
19 built a double floor space that's uniquely
20 designed to house something like a riding ring and
21 showers for horses, not your normal residential
22 uses.

23 We were very far along in the
24 process of building out that stable, and
25 unfortunately, a couple of years ago Deputy Mayor

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2 Goldsmith, at the time, reached out to us and told
3 us, based on fiscal issues, the city would no
4 longer be interested in purchasing this
5 condominium that we were going to sell to them to
6 house the horses.

7 So that created a situation that is
8 the reason why we're here now. The way the zoning
9 text was written at the time, that space needed to
10 be occupied by this particular NYPD Mounted Unit
11 in order for us to be able to access all of the
12 residential envelope that was foreseen at the
13 site.

14 So to make a longer story short, we
15 are now here before you to seek to amend that
16 text. Our building is very close to complete. It
17 was an 80/20 building. It's already delivered
18 dozens of affordable units to the market.

19 Generally, the building has been very well
20 received by the community. In order for us to get
21 our Certificate of Occupancy on the final portion
22 of the building that is being completed, which
23 also contains affordable units, we need to amend
24 the text so that other uses could be permitted in
25 the space that we built and design for the NYPD

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stable.

Basically, we've talked to the community; we've talked to the borough president's office. We're now before the Council. Folks have been sympathetic with our case, basically, because we have proceeded under the assumption that the city at the time would continue with their commitment.

I have some good news to share. A couple of months ago, Deputy Mayor Holloway came back to us and said that the city would reconsider moving the NYPD unit to that space. As this ULURP has progressed, we have also progressed with those negotiations and we're optimistic that ultimately we will be able to house that stable there, which will be a great victory for everyone. It's something I know the community has wanted for many, many years.

So while we're here before you, it's a little bit of an awkward spot, because we're hoping to conclude those negotiations and site the stable at that location, but we're also very close to completing the building. We will do so before the end of the year, and we will not be

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2 able to obtain a Certificate of Occupancy for the
3 last phase of the building.

4 CHAIRPERSON WEPRIN: David, you had
5 conversations with the local Council Member who
6 happens in this case to be Speaker Quinn's Office.
7 Could you just describe what those discussions
8 were?

9 DAVE LAMBINO: Her office was
10 obviously interested in trying to fulfill this
11 long-term community desire to see the stable at
12 that site. I gave them our assurances to the
13 extent we could make them that we're very
14 optimistic that the stable will exist at that
15 site.

16 CHAIRPERSON WEPRIN: In the end,
17 from what I understand, they were okay with going
18 ahead with this plan as you're representing it.

19 DAVE LAMBINO: That's right.

20 CHAIRPERSON WEPRIN: Okay. I did
21 speak to a member of the Speaker's staff today and
22 she told me that, that they were okay with this
23 application at this point. Are there any
24 questions from other members of the panel? Mr.
25 Comrie?

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2 COUNCIL MEMBER COMRIE: So what is
3 it, you're asking for a Certificate of Occupancy
4 for the entire building? I'm unclear what--

5 DAVE LAMBINO: [interposing] We're
6 asking for a text amendment to the existing zoning
7 for that site that would allow uses other than the
8 very specific NYPD Mounted Unit to exist in the
9 space that was designated for this stable. That
10 will allow us to get a Certificate of Occupancy
11 for the last portion of the building, which we're
12 completing construction for now.

13 COUNCIL MEMBER COMRIE: How many
14 stories is that building?

15 DAVE LAMBINO: I think it's 30, 32
16 stories, 30 stories.

17 COUNCIL MEMBER COMRIE: The stable
18 was on the ground floor, in the basement area?

19 DAVE LAMBINO: It's two floors, on
20 53rd Street, on the ground floor, on the side
21 street.

22 COUNCIL MEMBER COMRIE: Okay. So
23 you're doing this so that even though you're
24 negotiating, you can still have an alternative
25 option to build out or just to get the Buildings

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Department to do the necessary sign-off?

DAVE LAMBINO: You know, it puts us in a risky position. It threatens our financing for the building. It will mean that some of the affordable units that exist in this final phase of construction could be delayed to come to market or won't come to market until we can resolve this very issue.

COUNCIL MEMBER COMRIE: Okay. All right, thank you.

CHAIRPERSON WEPRIN: Thank you. Any other questions from the panel? Seeing none, thank you. Thank you, sir.

DAVE LAMBINO: Thank you.

CHAIRPERSON WEPRIN: We're going to move to close this hearing.

[Pause]

CHAIRPERSON WEPRIN: What we're going to do is we're going to--we were hoping to vote on these items now, but we're going to wait on that. We may have to have a break in the proceedings in order to start a vote. There are a couple of hearings going on at the same time as this, so some members are in and out, and we do

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need a quorum here in order to vote.

So we're going to move on to, I guess it's the main event of the day, no offense to the other items. Land Use 726, the Downtown Brooklyn parking text amendment.

COUNCIL MEMBER: [off mic] Yay.

CHAIRPERSON WEPRIN: Yay. This is a presentation by the City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York relating to Article 10 Chapter 1, to modify the parking regulations of the Special Downtown Brooklyn District. The following people will be coming up, I believe, to testify on behalf of the Department of City Planning. That's Lish Whitson and Purnima Kapur. Are they here? Yes, they are, right in the front row.

[Pause]

CHAIRPERSON WEPRIN: Whenever you settle in. Do you have a PowerPoint to go with this?

PURNIMA KAPUR: Yes, we do.

CHAIRPERSON WEPRIN: Okay.

PURNIMA KAPUR: Thank you.

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2 CHAIRPERSON WEPRIN: Try to be
3 gentle. What we'll be doing after City Planning
4 makes their presentation and answers questions, I
5 know there are a number of people who are
6 testifying on this item. We will call you up as
7 panels. What we'd like to do is try to limit
8 people's testimony to three minutes a piece. So,
9 in your mind, if you have testimony, if you could
10 try to sum it up in three minutes, you could
11 practice in your heads while you're waiting.
12 Okay? Without further ado, whenever you're ready.

13 PURNIMA KAPUR: Good morning. My
14 name is Purnima Kapur. I am the Director of the
15 Brooklyn Office of City Planning. With me is Lish
16 Whitson, our Project Manager, who will do a
17 detailed presentation.

18 We are very pleased to be here
19 today to present the Downtown Brooklyn parking
20 proposal to all of you. We undertook this effort
21 at the strong request and urging of the Downtown
22 Brooklyn Partnership and the residential
23 developers in Downtown Brooklyn.

24 The issue they brought to us is
25 that the residential parking requirements in the

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2 Downtown Brooklyn Special District are onerous in
3 the sense that the parking that is required is not
4 really being used by the residents of those
5 buildings.

6 The Special Downtown Brooklyn
7 District was adopted in 2005, and there have been
8 a number of residential developments pursuant to
9 that text. The parking requirements for Downtown
10 Brooklyn were not touched during that process.
11 These are the parking requirements that have been
12 in place for a long time and the issue appears to
13 be that the residential parking garages are not
14 being used by the residents of that building.

15 Downtown Brooklyn, as you know, is
16 a large mixed-used business district. It's the
17 third largest business district in the city. It
18 has close to 10,000 parking spaces. So there's a
19 large parking supply here. The residential
20 accessory parking that we are talking about is a
21 very small subsection of that. It is about 10
22 percent of that total. The parking regulations
23 that we are speaking about today, in terms of the
24 reduction, apply only to that very small
25 subsection of the larger parking.

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2 We are also proposing other
3 measures here to encourage parking that is
4 available in Downtown Brooklyn to be used by
5 everyone who needs it, especially the daytime
6 population of visitors and office goers and
7 others, where the parking seems to be well
8 utilized.

9 We believe strongly that the larger
10 parking requirement makes production of housing in
11 Downtown Brooklyn more expensive for everyone.
12 Part of our proposal today is to try to encourage
13 more affordable housing as well, by eliminating
14 parking requirement for affordable housing
15 production in Downtown Brooklyn, reducing it for
16 the market rate housing and then liberalizing
17 parking provisions throughout the district so that
18 the daytime visitor, office and shopper population
19 can have access to as much parking as possible.

20 With that, I'm going to hand it
21 over to Lish to give a detailed presentation.
22 Actually, before I do that, I also want to say
23 that both the borough president and the community
24 board approved this application. There are
25 conditions, but both of them agree that there is

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2 excess parking here and that reduction in parking
3 is a positive mode here.

4 I also wanted to say a couple of
5 years ago we adopted text amendments that required
6 bicycle parking throughout the city. Bicycle
7 parking is required in all residential accessory
8 parking garages as well as in the commercial
9 parking garages in Downtown Brooklyn for
10 residential uses, one and two households needs to
11 have access to a bicycle parking spot. It's 50
12 percent parking. That will remain untouched and
13 that'll continue to be provided.

14 LISH WHITSON: Good morning. My
15 name is Lish Whitson, with the Department of City
16 Planning. As Ms. Kapur touched on, there are
17 three main goals for the Downtown Brooklyn parking
18 text amendment. The first is to better match our
19 requirements to actual use of parking in Downtown
20 Brooklyn, to encourage affordable housing and to
21 provide additional opportunities for public
22 parking, which is the best use parking in Downtown
23 Brooklyn and most flexible to meet changing needs
24 in the area.

25 The Downtown Brooklyn Special

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2 District runs basically from Tillary Street on the
3 north to Atlantic Avenue on the south, Clinton
4 Street in Brooklyn Heights on the west and
5 approximately Ashland Place near Fort Greene on
6 the east. It's composed primarily of high density
7 commercial districts, C-5 and C-6 zoning
8 districts.

9 Our proposal would apply across the
10 entire special district, with the exception of
11 State Street, which has a row house character
12 that's very different than the rest of the special
13 district, and Atlantic Avenue, which has had its
14 own parking requirements since the 1970s.

15 Downtown Brooklyn is very well
16 served by transit, with multiple subway lines and
17 stations, multiple bus lines and the Long Island
18 Railroad at Atlantic Terminal.

19 Currently, there are approximately
20 10,000 off-street parking spaces in Downtown
21 Brooklyn. There are also 10,000 on-street parking
22 spaces that will not be affected by this proposal.
23 Ten percent of those spaces are in parking garages
24 that were built accessory to residential uses.
25 Two-thirds of the spaces are in public parking

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2 garages, and those will remain as public parking.
3 About a quarter are in public parking lots.

4 The city has plans to build up to
5 1,000 parking spaces in two public garages: one at
6 Willoughby Square and the second at BAM South in
7 the BAM Cultural District.

8 This map shows you the extent of
9 the parking supply. The dark gray, again, are the
10 parking garages. Red are accessory garages. The
11 lighter gray are public lots.

12 We generally only require parking
13 for residential buildings in Downtown Brooklyn.
14 Commercial buildings, community facility buildings
15 like the universities in Downtown Brooklyn are not
16 required to provide parking. We do require,
17 currently, 40 percent of units to have parking
18 spaces in new residential development. That's
19 dropped to a quarter of the units in affordable
20 housing buildings.

21 In addition to that requirement, we
22 allow parking to be built that's accessory to the
23 building. Just to clarify, accessory parking is
24 parking that is tied to a specific use. So it's
25 parking that's built for the use of residents. We

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2 allow up to approximately 225 additional parking
3 spaces in Downtown Brooklyn to be built. We
4 generally allow that parking to be used by the
5 public as well as by the residents of the
6 building. If residents of the building want an
7 accessory parking space, they can ask for it, and
8 the building is required to provide it. If no one
9 in the building wants the use of parking, then the
10 public can use it.

11 In C-6 districts, that can be
12 rented to the public hourly or daily, weekly or
13 monthly. In C-5 districts, that's limited to only
14 weekly or monthly parking. So in C-5 districts,
15 it's more limited than in the C-6.

16 We also allow some public parking
17 to be built, but our rules are different,
18 depending on whether you're building a public
19 parking lot or a public parking garage. Public
20 parking garages require a special permit. It's a
21 ULURP approval, so it's a lengthy process. Public
22 parking lots can be built as-of-right, up to 150
23 spaces.

24 As Ms. Kapur mentioned, we also
25 require bike parking for most residential, office

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2 and retail uses in Downtown Brooklyn. We allow
3 car sharing to be located in the public and
4 accessory garages in Downtown Brooklyn.

5 We started this study because we
6 heard that parking that was required to be
7 available for residential buildings wasn't
8 actually being used. The Downtown Brooklyn
9 Partnership commissioned a study by Phil Habib
10 Associates to test that anecdotal evidence. What
11 they found was basically that half the parking
12 spaces that we required to be built are not being
13 used in the evenings and weekends when residents
14 are the most likely parkers. They are well used
15 in the weekday, which means that there is still
16 demand for parking by the public during the
17 weekday, but the residents are not using the
18 parking that we're requiring developers to build
19 for the residents.

20 That data from the Phil Habib study
21 was corroborated by Census data, which shows that
22 Downtown Brooklyn residents have much lower car
23 ownership rates than residents of other areas.
24 It's lower than the residents of Manhattan core,
25 lower than the rest of Community District 2, and

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2 it's about half of the car ownership rate of
3 Brooklyn as a whole or the city as a whole.

4 So our proposal has three parts.
5 The first is to match residential parking
6 requirements for new buildings to that 20 percent
7 car ownership rate that you saw in the previous
8 chart, reducing the requirement from 40 percent to
9 20 percent.

10 So for the Avalon Fort Greene,
11 which is a market-rate rental building with 630
12 units, they were required to provide 252 parking
13 spaces to serve those units. When the study was
14 done, only 88 of those spaces were being used in
15 the evenings. Under our proposal, they would
16 still have to provide 126 spaces, which is more
17 than was being used when the study was done, but
18 much less than they were required.

19 Community Board 2, Council Member
20 James, Council Member Levin, and many residents of
21 Downtown Brooklyn have advocated for a long time
22 for additional opportunities and tools to
23 encourage affordable housing. We don't think
24 parking is going to be the primary determinative
25 whether someone includes an affordable unit in

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2 their building, but by removing the parking
3 requirement for affordable units, we can lower the
4 construction costs of affordable buildings and
5 make it easier to finance those affordable units.
6 So our proposal would remove requirements for
7 affordable units in Downtown Brooklyn.

8 We have also proposed a number of
9 changes to encourage or allow more flexibility for
10 public parking in Downtown Brooklyn. Public
11 parking is the most flexible parking. It can meet
12 the needs of the wide range of people who drive to
13 Downtown Brooklyn. We have three different
14 proposals to encourage more public parking.

15 The first is to allow accessory
16 garages to be used for short-term parking by the
17 public in all zoning districts consistently across
18 Downtown Brooklyn. Currently, in C-6 districts,
19 this is the rule, but in C-5, it's not. It works
20 pretty well in the C-6 districts to provide
21 flexibility so that parking can be used when it's
22 not needed by residents, by the general public.

23 Our second proposal is to allow
24 accessory spaces to be located offsite in new
25 public garages. This would allow for the

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2 development of sites with below grade
3 infrastructure like subway lines that become very
4 expensive to build if they need to provide their
5 parking onsite. Allowing offsite parking will
6 allow for the development of some of the sites in
7 Downtown Brooklyn that have laid undeveloped for
8 many years.

9 Finally, our proposal would allow
10 new below grade public garages, up to 225 spaces
11 as-of-right. This would allow for additional
12 public parking to be built, if there's demand for
13 parking in the future.

14 We have some other proposals to
15 make sure that parking in Downtown Brooklyn fits
16 into the area well. The first part is to reduce
17 conflicts at the entrances and exits of parking
18 garages, requiring reservoir spaces in garages so
19 that cars queue up inside the garage rather than
20 outside on the street, requiring stop signs and
21 speed bumps for cars that are exiting the garage
22 to reduce conflicts there.

23 The text takes some standard
24 components from the Department of Buildings' rules
25 and applies them in Downtown Brooklyn. So

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2 stackers, if they're in a garage on a floor, that
3 counts as floor area, there would be a consistent
4 rule about how the stackers would be measured.
5 They'd be measured at 145 feet. This compensates
6 for the fact that they're very different than a
7 regular parking space and would provide a
8 consistent way of counting them.

9 We also have new rules for how to
10 treat automated garages, which are starting to be
11 built more frequently in Downtown Brooklyn and the
12 city as a whole.

13 Community Board 2 voted to support
14 this recommendation with two modifications. They
15 proposed allowing existing buildings to use the
16 reduced parking ratios as well s new buildings.
17 Our proposal had originally only applied to new
18 buildings. They proposed requiring the building
19 include affordable units in order to access the
20 reduced parking ratios.

21 The Brooklyn Borough President
22 supported the recommendation, and he had a number
23 of changes. The first, which he recognized was
24 probably out of scope, was before any other
25 changes be made, increase the bicycle parking

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2 requirement by 50 percent. If the bike parking
3 requirement is increased, then reduce the parking
4 requirement for cars. He had two different
5 thresholds, depending on the zoning district
6 you're in and depending on whether or not the
7 building has affordable housing or not.

8 He also recommended applying the
9 proposal retroactively to existing buildings, but
10 wanted to limit that to buildings built since
11 2001, which would exclude approximately two
12 buildings.

13 He also proposed allowing offsite
14 parking to be located anywhere within the Special
15 Downtown Brooklyn District. Our current rules
16 require offsite parking to be within 1,000 feet of
17 the residential building that the parking is being
18 provided for.

19 He recommended allowing above grade
20 public parking through a chair certification
21 rather than a special permit. That would reduce
22 the amount of review and review time for a public
23 parking garage. He recommended simplifying the
24 reservoir space requirements that were proposed.

25 He also had two recommendations

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2 that he recognized were out of scope, but thought
3 should be follow-up actions. The first is to map
4 a new inclusionary housing designated area in
5 Downtown Brooklyn. The second is to establish a
6 zoning bonus to encourage housing for persons over
7 55 years of age.

8 In response to the recommendations
9 from the community board and borough president,
10 two changes have been made. The first would allow
11 existing buildings to use the new parking
12 requirements. The second would be to allow
13 offsite parking to be located within the Special
14 District within 2,500 feet or half a mile.

15 This is the current 1,000-foot
16 radius. The yellow building is a parking lot
17 that's currently a development site. This is a
18 1,000-foot radius from that site. The black dots
19 are places where they could provide their parking
20 offsite. This is the 2,500-foot radius. It would
21 be limited to only parking garages and residential
22 buildings that are both located within the Special
23 District.

24 That's our proposal. I'm happy to
25 answer any questions. Thank you.

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2 CHAIRPERSON WEPRIN: Thank you very
3 much. Before we get to the questions from the
4 panel, and I know there's a number of them, first
5 I want to acknowledge the following members of the
6 committee who are here: Council Member Al Vann and
7 Council Member Jessica Lappin. We're also joined
8 by Steve Levin, who represents part of the area in
9 question.

10 I do want to move to call a vote on
11 those first two items that we heard, which was,
12 remember, Land Use 708, which is Juicerie, which
13 is motion to file pursuant to an expiration of
14 time to act, and then Land Use 725, which we heard
15 the presentation on for Mercedes House, a zoning
16 text amendment.

17 So I'm going to couple those into
18 one vote, and I'll call on counsel to please call
19 the roll on these items. The recommendation is an
20 aye vote.

21 COUNSEL: Chair Weprin?

22 CHAIRPERSON WEPRIN: Aye.

23 COUNSEL: Council Member Reyna?

24 COUNCIL MEMBER REYNA: Aye.

25 COUNSEL: Council Member Comrie?

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COUNCIL MEMBER COMRIE: Aye.

COUNSEL: Council Member Vann?

COUNCIL MEMBER VANN: Aye.

COUNSEL: Council Member Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

COUNSEL: Council Member Lappin?

COUNCIL MEMBER LAPPIN: Aye.

COUNSEL: Bye a vote of six in the affirmative, none in the negative and zero abstentions, Land Use Item 708, motion to file is approved and referred to the full Land Use Committee. Land Use Item 725 is approved and referred to the full Land Use Committee.

CHAIRPERSON WEPRIN: These rolls will be left open for members coming here. Since we will probably be recessing this meeting, we can hold that open.

Do any members of the panel want to start off with questions? I know Council Member James who's here with us today had some questions she wanted to ask. Tish, are you ready or do you want to wait?

COUNCIL MEMBER JAMES: I'll defer to your members first.

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2 CHAIRPERSON WEPRIN: Okay. Mr.
3 Garodnick? Council Member Dan Garodnick from
4 Manhattan.

5 COUNCIL MEMBER GARODNICK: Thank
6 you very much, Mr. Chairman. Just very quickly,
7 starting at 40 percent is a high number to begin
8 with. That's higher than other parts of the city.
9 Is that correct?

10 PURNIMA KAPUR: It's consistent
11 with those districts in other parts of the city.

12 COUNCIL MEMBER GARODNICK: Those
13 districts being?

14 PURNIMA KAPUR: C-6 and C-5
15 districts. However, there are special districts
16 throughout the city where parking regulations have
17 been applied differently. When we adopted the
18 special district in Downtown Brooklyn, we did not
19 modify the parking requirements of the underlying
20 districts. So these are the underlying district
21 requirements.

22 COUNCIL MEMBER GARODNICK: Okay.
23 The percentage that we ordinarily see, at least
24 certainly in my area, is a 20 percent number.

25 PURNIMA KAPUR: Right.

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2 COUNCIL MEMBER GARODNICK: So I was
3 trying to gauge why that was the case there and 40
4 percent here.

5 PURNIMA KAPUR: Right. I think
6 when we did the overall downtown special district,
7 parking at that point wasn't really addressed.
8 There were a bunch of other things that were being
9 done, and this is an issue that has come up since
10 then. Given the mass transit options here, you
11 know, Downtown Brooklyn really functions more like
12 a central business district in that sense, more
13 akin to some of the Manhattan areas rather than
14 the lower density or even the Brownstone context
15 of the rest of Brooklyn.

16 COUNCIL MEMBER GARODNICK: So what
17 you're saying is that in other areas it was
18 changed as part of the zoning--

19 PURNIMA KAPUR: [interposing] Yes.

20 COUNCIL MEMBER GARODNICK: --from
21 40 down to 20 at some point. It was not done here
22 in this particular area, is that right?

23 PURNIMA KAPUR: Right.

24 COUNCIL MEMBER GARODNICK: What
25 areas still, aside from Downtown Brooklyn, still

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have a 40 percent requirement for parking?

PURNIMA KAPUR: All of Brownstone Brooklyn, the contextual districts, R-6A, R-7A districts all have 40 percent requirement, all around, Park Slope, Downtown Brooklyn, Fort Greene, all of those areas do.

COUNCIL MEMBER GARODNICK: You believe those are distinct from this because of the absence of the same type of mass transit connections?

PURNIMA KAPUR: Two things. There is good mass transit access in many parts of Brooklyn, including Fort Greene, Downtown Brooklyn, Brooklyn Heights, certainly, but the housing context is different. This is really a high-density apartment house housing context. It's not smaller apartments or two or three-family homes or brownstones. So it's the combination of the two things. It's really that these are really high-density high-rise apartments we are talking about.

COUNCIL MEMBER GARODNICK: Then this is my last question. Let me just modify my question a little bit. Are there other contexts

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2 in other parts of the city where you have high-
3 density large apartment buildings and access to
4 mass transit where there are still 40 percent
5 requirements, other than the one that you all have
6 flagged and applied for here today?

7 PURNIMA KAPUR: I could not speak
8 for other boroughs. In Brooklyn, I think this is-

9 COUNCIL MEMBER GARODNICK:
10 [interposing] This is the one in Brooklyn.

11 PURNIMA KAPUR: Right.

12 COUNCIL MEMBER GARODNICK: Is City
13 Planning looking at this question more broadly?

14 PURNIMA KAPUR: There have been
15 studies that have been done for areas that may not
16 be exactly the same context. I think what we've
17 realized is that parking utilization and parking
18 provision varies widely in the city. I think each
19 area sort of needs a study to determine what the
20 parking utilization is and whether those parking
21 requirements are adequate or not. That study is
22 going on throughout--

23 COUNCIL MEMBER GARODNICK:
24 [interposing] And lastly, this a change for new
25 development?

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2 PURNIMA KAPUR: Well, at this
3 point, the way the project has been modified, this
4 would apply to all of the residential buildings
5 within the boundaries you saw of the Special
6 Downtown Brooklyn District in the C-5/C-6
7 districts that--

8 COUNCIL MEMBER GARODNICK:
9 [interposing] So new and exiting buildings?

10 PURNIMA KAPUR: And existing. It's
11 a handful of buildings that preceded the Downtown
12 Brooklyn text. So it's all the buildings there
13 today.

14 COUNCIL MEMBER GARODNICK: An
15 entity that had built with 40 percent
16 accommodation for cars and they suddenly see the
17 change for them for an existing building down to
18 20 percent and they have allocated that physical
19 space for cars, what are their options at that
20 point?

21 PURNIMA KAPUR: Those options will
22 vary from building to building. Most of the
23 buildings that have the parking have parking in
24 areas that do not count towards the floor area.
25 So if a building has parking that's above ground

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2 and can be used for other uses and if they haven't
3 maxed out their floor area, they may be able to
4 utilize it for something that generates floor
5 area, such as retail or additional housing. Most
6 of these buildings have parking in areas that
7 don't count towards floor area and most of them
8 are built to their full FARs. So in that case,
9 that parking becomes available for either public
10 parking or for another building that may be
11 looking to satisfy its accessory parking
12 requirement.

13 COUNCIL MEMBER GARODNICK: Got it.

14 Thank you very much.

15 PURNIMA KAPUR: Sure.

16 CHAIRPERSON WEPRIN: We have a
17 number of people with questions. I had one quick
18 question. You said 22 percent of the people in
19 Downtown Brooklyn are car owners. How does that
20 compare? Is that as low as it is anywhere in the
21 city, outside of Manhattan, to your knowledge?

22 LISH WHITSON: It's lower than
23 Midtown Manhattan.

24 CHAIRPERSON WEPRIN: It is?

25 PURNIMA KAPUR: Yeah.

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LISH WHITSON: It's very low, yeah.

PURNIMA KAPUR: We did not compare it to everything else. We looked at the Downtown Brooklyn area, Brooklyn as a whole and Manhattan and city. Those are the--

CHAIRPERSON WEPRIN: [interposing] So I would assume it's probably lower than almost anywhere else--

PURNIMA KAPUR: [interposing] It is probably on the lower end.

CHAIRPERSON WEPRIN: --outside of Manhattan, I would guess. It's certainly higher than Council Member Comrie's district, I'm sure of that. Lower than that, I should say. Let me call on Council Member Comrie, who has questions, followed by Council Member Reyna. So Council Member Comrie?

COUNCIL MEMBER COMRIE: Can you just go into more detail about the reasons why you don't think you need to have more parking to deal with the increased commercial and retail area down there? So you can explain to the public that. I know we talked about that when we met independently but I'm concerned about the

1
2 transient shopper that wants to pick up something
3 quickly in that area or stop at the stores, where
4 would the parking be available to them.

5 PURNIMA KAPUR: There is a lot of
6 public parking in the area, as we sort of showed
7 through this presentation. That parking remains
8 available and by liberalizing the rules for using
9 the accessory parking for public parking use,
10 there is a very large supply of parking that is
11 available, in Downtown Brooklyn.

12 I mean many transient shoppers when
13 they come, they look for on-street parking. Part
14 of the reason that the parking remains sort of not
15 utilized as heavily is that you have to pay to
16 park there and also the additional time that a
17 transient shopper might need to spend into going
18 into a garage, parking, coming back for the car.
19 I think most of that parking is used for people
20 who are using it more than transient parking. The
21 parking lots tend to serve that purpose, or that
22 on-street parking does.

23 With 10,000 parking spaces in
24 Downtown Brooklyn, I don't think there is any
25 dearth of parking for people who are looking for

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parking there.

COUNCIL MEMBER COMRIE: I notice
the area takes in the hospital, Brooklyn Hospital-

PURNIMA KAPUR: [interposing] It's
the edges of Brooklyn Hospital.

COUNCIL MEMBER COMRIE: Right.

PURNIMA KAPUR: The hospital itself
is not part of the proposal.

COUNCIL MEMBER COMRIE: It's not
part of it then.

PURNIMA KAPUR: Yeah.

COUNCIL MEMBER COMRIE: Is there
enough parking for their employees and the people
that work there, I mean employees and the people
that have to visit or do servicing there?

PURNIMA KAPUR: So hospitals are
required to provide parking. They are one of the
community facilities that are not except from
parking. I know that Brooklyn Hospital has some
parking facilities of their own. They also have
some on-street parking that is dedicated for use
by hospital employees.

COUNCIL MEMBER COMRIE: Was that
looked at? No, it wasn't look at as part of this-

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2 PURNIMA KAPUR: [interposing] It
3 wasn't looked at. We are not touching their
4 requirement or the parking that exists for them.

5 COUNCIL MEMBER COMRIE: But it was
6 included in your schematic for the accessory
7 garages and public parking lots. That's why I got
8 confused.

9 PURNIMA KAPUR: Right.

10 COUNCIL MEMBER COMRIE: Okay.
11 Also, do you have the courthouse and OEM is within
12 that configuration also, but they were not
13 included in the parking for there. Had you looked
14 into placard parking and reducing that as well?

15 PURNIMA KAPUR: We have not, as
16 part of this effort. I know that DOT has
17 conducted studies at the request of the community,
18 off and on, on that issue.

19 COUNCIL MEMBER COMRIE: Okay.
20 Primarily, this will give those folks with parking
21 garages an opportunity to open it up for public
22 parking on a wider basis--

23 PURNIMA KAPUR: [interposing]
24 Right.

25 COUNCIL MEMBER COMRIE: --which is

1
2 the impetus of this--or be able to convert that
3 public parking to retail or commercial use.

4 PURNIMA KAPUR: Is there any
5 building that we've studied that has floor area
6 available at this point?

7 LISH WHITSON: No.

8 PURNIMA KAPUR: In order to convert
9 it to a more productive use, you need to have
10 floor area available, and most of these buildings
11 have already maxed out their floor area.

12 COUNCIL MEMBER COMRIE: They've
13 maxed out. But what if they wanted--

14 PURNIMA KAPUR: [interposing] So
15 the likely outcome would be that they would make
16 it either available to the public or make it
17 available to another residential building that
18 cannot satisfy its own accessory requirement.

19 COUNCIL MEMBER COMRIE: Right.
20 What if they wanted to do community space or a
21 nonprofit?

22 PURNIMA KAPUR: They're still
23 governed by the total floor area.

24 COUNCIL MEMBER COMRIE: Okay. Just
25 one other thing that I wanted you to talk about

1
2 for the public, you talked about the reservoir
3 spaces and how you would have the configuration,
4 would that apply to the existing garages to be
5 altered as well? Or that would just be any new
6 garages that would be--

7 PURNIMA KAPUR: [interposing] It
8 would apply to new garages. However, if a garage
9 were to expand or to make changes, then those
10 provisions kick in. But they don't otherwise.

11 COUNCIL MEMBER COMRIE: Okay. All
12 right, thank you. That's all the questions I
13 have. Councilman Garodnick asked a lot of the
14 earlier questions. I know that Council Member
15 James will have some questions as well. I
16 appreciate you going through this in detail with
17 me earlier. I also appreciate that you have
18 increased or considered the bike sharing and car
19 sharing amendments, which we've done earlier in
20 this committee, to make sure that that was
21 included also.

22 PURNIMA KAPUR: Thank you,
23 Councilman.

24 CHAIRPERSON WEPRIN: I first want
25 to acknowledge that Council Member Jackson has

1
2 joined us, a member of the subcommittee. I'd like
3 to call on Council Member Reyna for questions.

4 COUNCIL MEMBER REYNA: Thank you so
5 much, Mr. Chair. I just wanted to take a moment
6 to ask, as far as the Barclays Center is
7 concerned, if you could just refer to a map that
8 can be used to point at to where it is in relation
9 to these boundaries.

10 LISH WHITSON: So, it is located
11 down here in the southeast corner of the area.

12 COUNCIL MEMBER REYNA: Okay. The
13 impact of what would be vehicles driving to
14 utilize the arena, how does this proposal affect
15 that? In a positive or negative way? I'm just
16 trying to understand.

17 PURNIMA KAPUR: It's neutral. It
18 does not really affect the parking for the
19 Barclays Center in any significant way. As you
20 may know, Barclays conducted its own study of the
21 parking availability. Their parking numbers show
22 similar utilization. Parking for the events at
23 Barclays--

24 COUNCIL MEMBER REYNA:
25 [interposing] I'm sorry. Commissioner, I wanted

1
2 to understand as far as their study similar to
3 this study, that was when there was a 40 percent
4 accessory parking?

5 PURNIMA KAPUR: Right now there is
6 a 40 percent.

7 COUNCIL MEMBER REYNA: Correct, so-

8 PURNIMA KAPUR: [interposing] We
9 haven't yet changed it.

10 COUNCIL MEMBER REYNA: Correct.

11 PURNIMA KAPUR: That is still the
12 requirement. What Barclays found was they were
13 proposing to do 1,100 parking spaces as accessory
14 spaces near the arena and then they had these off-
15 site parking spaces they had looked at. They are
16 really encouraging people to use mass transit.
17 There are 11 subway lines that actually take you
18 there.

19 So far, the experience has been
20 that people are using the mass transit. They have
21 reduced their onsite parking from 1,100 to I
22 believe 550 spaces and they have other parking
23 garages they've utilized that are offsite from
24 where they're shuttling people to the garage. But
25 they've set into place a system where people who

1
2 are coming in call ahead and sort of know where
3 they're going to park so that they're not, you
4 know, looking for a parking garage.

5 There are clearly people who come
6 looking for street parking, on-street parking, and
7 there are three or four parking garages at the
8 southern end of the special district that are
9 within walking distance to the arena. Those would
10 be the ones utilized. But experience with most
11 event parking is that people don't walk beyond,
12 you know, a quarter mile distance or so to get to
13 parking.

14 Also, I mean all of this parking
15 requires payment, so it's not free parking.

16 COUNCIL MEMBER REYNA: Okay. There
17 are no current municipal parking lots that exist
18 in this boundary.

19 PURNIMA KAPUR: There are public
20 parking garages. There are no municipal parking
21 garages existing. There is proposal for two
22 parking garages. One is at the Willoughby Street
23 area--

24 COUNCIL MEMBER REYNA:
25 [interposing] Square.

1
2 PURNIMA KAPUR: --the Willoughby
3 Square parking that is being developed by the city
4 and will be a public parking garage. Another
5 parking garage would come up as part of a mixed
6 used development in the BAM area.

7 COUNCIL MEMBER REYNA: As far as
8 the Community Board 2 recommendation, is the
9 commission in support of the provisions that were
10 shared by Community Board 2 regarding--the first
11 point was allow all existing buildings to use the
12 reduced parking ratios, and number two, require
13 that a building include affordable units in order
14 to use the reduced parking ratios. So this is all
15 ready--

16 PURNIMA KAPUR: [interposing] So
17 the first one is part of our proposal. The second
18 one is not. We amended our proposal to apply it
19 to all existing buildings. We believe that tying
20 the reduction of parking to the provision of
21 affordable housing is not really conducive to the
22 main point of this effort, which is that we have
23 excess parking requirement here.

24 Our approach to affordable housing
25 has been to provide a set of incentives that make

1
2 it more attractive for developers to provide
3 affordable housing. The inclusionary zoning floor
4 area, the 421A tax deductions and now the
5 elimination of the parking requirement we think,
6 together, will produce or encourage developers to
7 produce affordable housing. We don't think
8 parking in and of itself is going to create the
9 incentive needed to provide affordable housing.
10 By tying it, we would not really address the fact
11 that there is this lot of parking and it's making
12 housing production more expensive for everyone,
13 market as well as non-market housing units.

14 COUNCIL MEMBER REYNA: Can you
15 point to anywhere in the city where similar
16 district zoning requirements have been applied
17 where the package of incentives has worked to
18 produce affordable housing?

19 PURNIMA KAPUR: The affordable
20 housing program is relatively new, so I mean the
21 areas where we've mapped it in a special district
22 context are Greenpoint-Williamsburg.

23 COUNCIL MEMBER REYNA: Which has
24 not been effective as far as new construction is
25 concerned.

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2 PURNIMA KAPUR: Well, all along the
3 waterfront everyone has done 20 percent affordable
4 housing, so it has--

5 COUNCIL MEMBER REYNA:
6 [interposing] As part of the 421A.

7 PURNIMA KAPUR: We think that the
8 tax incentives play a very significant role in
9 someone's decision to provide or not provide
10 affordable housing. This is in the 421A exclusion
11 zone. What the parking reduction is doing is to
12 add to that sort of pot of incentives and make it
13 easier to produce housing while also addressing
14 the fact that that parking is not being used by
15 the residents. So why--

16 COUNCIL MEMBER REYNA:
17 [interposing] No, and I completely understand. So
18 what I'm trying to understand is in the City of
19 New York as far as the five boroughs are
20 concerned, because there's a limited study area of
21 the same provisions that would be applicable, have
22 you seen where there has been the demonstration
23 that the incentives packaged has produced
24 affordable housing?

25 PURNIMA KAPUR: The tax incentives

1
2 definitely have played a role in the provision of
3 affordable housing, as has the inclusionary
4 zoning.

5 COUNCIL MEMBER REYNA: But included
6 with that, the parking reduction.

7 PURNIMA KAPUR: Well, we are doing
8 it for--

9 COUNCIL MEMBER REYNA:
10 [interposing] For the first time.

11 PURNIMA KAPUR: This is a new
12 initiative here.

13 COUNCIL MEMBER REYNA: This is the
14 first time.

15 PURNIMA KAPUR: I mean, there are
16 areas where there is no parking requirement. Long
17 Island City Special District does not require
18 parking at all. In Manhattan, the R-10
19 inclusionary zoning has been in place for a long
20 time and that added to the 421A tax abatements has
21 produced affordable housing, and there's no
22 parking requirement there.

23 COUNCIL MEMBER REYNA: That's above
24 the 20 percent?

25 PURNIMA KAPUR: No.

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COUNCIL MEMBER REYNA: Okay.

PURNIMA KAPUR: No.

COUNCIL MEMBER REYNA: As far as the signage is concerned, is there any required signage? How do people understand where you're going to be able to access what would be the short-term parking, the offsite accessory spaces in new public garages or the below grade? Obviously, a parking garage below grade would be more visible to the driver as far as looking for parking spaces. The signage within the Downtown Brooklyn area to look for where there is accessory parking, how is that going to be addressed?

LISH WHITSON: We don't have special signage rules here. If anyone is providing parking to the public, they provide signage.

PURNIMA KAPUR: On the cover sheet you have it.

LISH WHITSON: Within the garage, if they're providing public parking they're required to provide signage laying out the rates and have standard rates.

PURNIMA KAPUR: Visible as you

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enter.

COUNCIL MEMBER REYNA: Right.

PURNIMA KAPUR: On the cover, you have a picture of one of the parking garages that has a sign there.

COUNCIL MEMBER REYNA: Thank you very much. Sorry about that.

Just the last question, if this particular issue is raised where now we've gone so low to the point where there's a need to go back in time, ten years from now, because all of the development that's proposed in the future is still to be determined, what then happens?

PURNIMA KAPUR: So this is just addressing requirements for parking. It's not saying you cannot do more parking if there's market demand. In fact, we are making it easier to do public parking now. Below ground would not require a ULURP process, you can do it as-of-right, up to a number of spaces. However, I mean this district really is a high-density district with apartment buildings, and generally these areas tend to attract a population that doesn't own cars, because it's very livable without a car,

1
2 with mass transit options. You'll continue to
3 have the parking supply of the public parking
4 here.

5 COUNCIL MEMBER REYNA: Thank you
6 very much. I appreciate that.

7 CHAIRPERSON WEPRIN: Thank you,
8 Council Member Reyna. Now, I'd like to call on
9 Council Member James.

10 COUNCIL MEMBER JAMES: Thank you.
11 Mr. Chairman, I hope you give me some indulgence.
12 I have a number of questions, and I will try to
13 get to them quickly. I understand there are a
14 number of witnesses, and I'll try to be very
15 brief.

16 First, let me just say that I
17 support the recommendation with respect to
18 eliminating parking requirements for affordable
19 housing. I support that wholeheartedly. I hope
20 that it would promote more affordable housing in
21 Downtown Brooklyn. Like Council Member Reyna,
22 Downtown Brooklyn, the rezoning that we did in
23 2003, I believe it was, has not resulted in any
24 affordable housing. If any, the amount has been
25 de minimus, to the point where I can barely find

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it.

I've been told that there is some affordable housing. And at some point in time I look forward to someone from the Downtown Brooklyn Partnership identifying it for me. Because the residents in my district as well as in central Brooklyn overall, unfortunately, believe that the rezoning in Downtown Brooklyn has resulted in nothing more than market rate housing and not enough to meet the demand in Brooklyn, which is for affordable housing. Which is why tonight 50,000 individuals in the City of New York will be living homeless, and it's really as a result of the policies of this administration.

Let me go on to say that I also support the stackers and the street bumps and the reserve spaces for queuing and the stop signs. So that part of the application I do support.

Let me tell you about--there are specific recommendations of Community Board 2, you mentioned them. Community Board 2 said the following, they voted, the vote was 6 to 1 with 1 absentia, to support the application. What they said is that the parking minimums be reduced only

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2 for those buildings with affordable housing and to
3 recommend that the reduction be made retroactive.
4 So that's somewhat different from what was
5 mentioned. They supported it only for those with
6 affordable housing. That what the Community
7 Board's recommendations.

8 PURNIMA KAPUR: [off mic] We stated
9 that.

10 COUNCIL MEMBER JAMES: Okay. Two,
11 the borough president made a number of
12 recommendations. The borough president
13 specifically focused on bicycles, which I support,
14 obviously, but he also talked about affordable
15 housing as well. He indicated that the zoning
16 text that you establish an inclusionary housing
17 designated area for certain parts of the district
18 in Downtown Brooklyn, that we consider a study for
19 those 55 and over and that the City Planning
20 certify within one year some of these
21 recommendations.

22 In addition, he had a number of
23 modifications. In fact, his recommendations went
24 on for two pages, but his focus was primarily on
25 affordable housing.

1
2 Again, the community board, the
3 borough president, myself and other elected
4 officials who represent this district and beyond
5 central Brooklyn, our focus and our mission and
6 our cry have been for affordable housing. I will
7 continue to demand more affordable housing in
8 Downtown Brooklyn. I'm happy that the mayor will
9 be announcing today a plan, along with my office,
10 for an affordable housing development in Downtown
11 Brooklyn.

12 In addition to that, as you know,
13 we are in the process of negotiating City Point,
14 which will be the tallest building in Brooklyn. I
15 believe it will be 40 stories, if I'm not
16 mistaken, or maybe taller. There's BAM South,
17 there's BAM North, there's another building, which
18 is being organized by Mr. Steiner in Council
19 Member Levin's district, which is also going to be
20 40-50 stories tall.

21 I know that you indicated that in
22 this district--and I agree with you--we have a low
23 car ownership, however, there are a number of
24 residents who register their cars outside of New
25 York State. We uncovered that as a result of

1
2 Barclays. As you know, there was some critique of
3 the study that was done. We discovered that in
4 fact the car ownership rate is higher, because a
5 significant number of my constituents, as well as
6 Council Member Levin's register their cars outside
7 of the State of New York. So that number is
8 deceiving. So what do you say to that issue?

9 LISH WHITSON: So the 22 percent is
10 based on Census data. It's not based on the car
11 licensing data. So it's based on people saying,
12 "We have a car" when they fill out the American
13 Community Survey.

14 COUNCIL MEMBER JAMES: Okay. I
15 agree that most of the parking spaces or the
16 parking garages in Downtown Brooklyn are
17 underutilized but I also know that during the day
18 you have an 80 percent use. That's primarily as
19 the result of individuals who work in the court
20 system, business district, the commercial
21 district, as well as individuals who come to shop.
22 So there's an 80 percent usage during the day.

23 I'm just really concerned that if
24 we further reduce it, it will have an impact on
25 parking spaces in my district as well as Council

1
2 Member Steve Levin. I'm sure Council Member Levin
3 will already tell you that his constituents are
4 complaining about individuals who park and ride on
5 his streets, and they do mine as well. They're
6 not taking advantage of these garages, partly
7 because, you know, it's a market-based economy and
8 these garages are raising their rates, and so
9 individuals are parking on our streets.

10 So here we are reducing the parking
11 requirements. I'm concerned that they are going
12 to use more and more of the parking spaces on the
13 street.

14 PURNIMA KAPUR: I mean, the study
15 did show, as you point out, that the daytime
16 parking and the public parking needs in Downtown
17 Brooklyn are fairly significant and are well
18 served today. The parking reductions we are
19 talking about is only for accessory parking for
20 residential uses, which we sort of went through
21 earlier, is a very small subset of the larger
22 parking supply in Downtown Brooklyn. So of the
23 10,000 or so parking spaces, we are talking about
24 10 percent of those parking spaces that are
25 accessory to residential use. The remaining

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2 parking will continue to be there, available, as
3 will these spaces.

4 With the text changes we are
5 proposing, all of the accessory parking can be
6 utilized during the day for public parking
7 purposes. So it's making parking more flexible
8 throughout the district. We don't see this as
9 impeding the needs or the utilization of the
10 daytime parking population throughout the
11 district.

12 What happens is if we don't reduce
13 this parking requirement what you're basically
14 asking the residential developers to do is to
15 carry the parking for the daytime users and you're
16 making the housing that gets produced as a result
17 more expensive. We are proposing two public
18 parking garages, the city is doing that at
19 Willoughby Square and at BAM. That adds an
20 additional 1,000 or so spaces to the already
21 significant number of parking spaces.

22 We think that the set of proposals
23 as a whole addresses the needs both of the daytime
24 parkers as well as the residential buildings that
25 have all these spaces that they are being forced

1
2 to produce that are not being used by their
3 residents but are making the housing more
4 expensive.

5 COUNCIL MEMBER JAMES: So one of
6 the developments that you and I and others are
7 negotiating is BAM South, BAM North--

8 PURNIMA KAPUR: [interposing]
9 Right.

10 COUNCIL MEMBER JAMES: --where
11 we're building actually on a parking lot.

12 PURNIMA KAPUR: Right.

13 COUNCIL MEMBER JAMES: You just
14 mentioned you were going to replace that building--
15 -BAM is going to build a parking lot. Where is
16 that location?

17 PURNIMA KAPUR: In the building,
18 below ground.

19 COUNCIL MEMBER JAMES: Below
20 ground. Even though notwithstanding the fact that
21 there is a subway line and it raises some
22 complicated issues.

23 PURNIMA KAPUR: They are going to
24 build it. It's part of the proposal.

25 COUNCIL MEMBER JAMES: Okay.

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You're sure about that?

PURNIMA KAPUR: You will see it very soon. It's being certified this afternoon hopefully.

COUNCIL MEMBER JAMES: Okay, because the other development that we were planning years ago was put on hold because of the complications related to the subway line.

PURNIMA KAPUR: Right. Those lines vary from site to site. So the BAM North sites are more encumbered by the subway lines than the BAM South is.

COUNCIL MEMBER JAMES: The other question that I have is Barclays. You mentioned that there was a study done by the developer way back when. As you know, the community had some strong issues with respect to Barclays Arena. Just last week, in fact, there was a community meeting and a number of residents were complaining about individuals who are coming to the event, a game or any event, and they were parking on streets in Fort Greene and in Clinton Hill and in Prospect Heights.

Individuals have been calling me,

1 asking me, obviously, for the residential parking
2 permit, which this City Council, we passed a
3 resolution; it was forwarded to Albany.
4

5 Unfortunately, it was blocked in the State Senate,
6 by Republicans, specifically Senator Golden. That
7 bill, unfortunately, has not passed and I'm hoping
8 that the Democrats take over the Senate so we
9 could pass that. That is the reason why we do not
10 have residential parking permit in the City of New
11 York. It was primarily a pilot program in this
12 district as well as in the Bronx.

13 So, again, individuals who are
14 patronizing the Barclays Arena and for those who
15 are attending the Knicks/Nets game tonight,
16 including some of my colleagues, I hope that they
17 take the subway. That's just a dig to some of
18 them.

19 CHAIRPERSON WEPRIN: For the
20 record, I mentioned the game tonight. I don't
21 have tickets, but if you do have any.

22 COUNCIL MEMBER JAMES: No, you
23 weren't alone. Others have mentioned it to me,
24 Council Member Weprin. I wasn't pointing to you,
25 but others mentioned it.

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2 So, again, the issue is they're
3 parking on the streets. They're taking up parking
4 spaces. They're not parking in the garages. What
5 can we do to get them to park in some of those
6 garages? Can we build a municipal garage? Can we
7 force the developer to build a garage? He only
8 built 550 units, most of those are going to first
9 responders and to employees, not to individuals
10 who are patronizing the arena. What can we do?

11 PURNIMA KAPUR: We can force the
12 developer to build the parking but we can't force
13 them to not charge for parking. I think that's
14 really the issue. I mean in the evenings, half of
15 those parking garages are sitting there vacant.
16 It's not because of lack of structured parking
17 that people are not parking there.

18 COUNCIL MEMBER JAMES: No, it's
19 because of the cost.

20 PURNIMA KAPUR: It is the cost.
21 It's expensive to build parking. Structured
22 parking costs money. It's anywhere from \$50,000
23 and up per space is what we understand it costs to
24 build. So anyone who builds that has to recoup
25 their cost and they charge people who park there.

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2 COUNCIL MEMBER JAMES: So we are
3 giving an added value to developers in Downtown
4 Brooklyn as a result of this proposal.

5 PURNIMA KAPUR: We are creating a
6 parking requirement in Downtown Brooklyn that
7 actually addresses the needs of the residents of
8 those buildings--

9 COUNCIL MEMBER JAMES:
10 [interposing] No, I understand.

11 PURNIMA KAPUR: It's not an added--

12 COUNCIL MEMBER JAMES:
13 [interposing] But it is an added value. You know,
14 it's an added value. It's an additional benefit.
15 Why are we not giving that added value to these
16 garage owners so we can subsidize the costs so
17 that the costs come down, so that these
18 individuals can park in these garages?

19 PURNIMA KAPUR: I mean parking
20 policy and cost is way beyond my level of sort of
21 understanding here. I'm not sure that you want to
22 subsidize provision of, you know, parking so more
23 people are driving and parking there.

24 COUNCIL MEMBER JAMES: I understand
25 that. Obviously, we should provide disincentives,

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2 but the point is that they are driving and they're
3 parking on our city streets, taking the place of
4 parking spots for local residents. It's causing a
5 major, major issue. I mean that meeting that was
6 held last week, unfortunately a significant number
7 of individuals in Park Slope, Prospect Heights,
8 Fort Greene and Clinton Hill came out and they
9 were demanding that something be done.

10 PURNIMA KAPUR: I understand that
11 and I understand the issue, but I'm not sure that
12 seeking higher parking requirements in the Special
13 Downtown Brooklyn District is going to address
14 that issue. I mean there are probably other
15 solutions to that, but requiring that more parking
16 be built in structured parking when you're
17 producing housing is not the answer to that.

18 COUNCIL MEMBER JAMES: The borough
19 president requested that instead of 40 percent
20 that the number be reduced to 30. What is your
21 position with regards to that?

22 PURNIMA KAPUR: We think that the
23 20 percent number is well supported by the data
24 that we have seen and the studies we've conducted
25 and that it addresses the need that is there in

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Downtown Brooklyn.

CHAIRPERSON WEPRIN: Council Member James, if you could just try to wrap up.

COUNCIL MEMBER JAMES: Last two questions. The idea of sunseting this proposal, what is your thought about that?

PURNIMA KAPUR: Sunseting it based on? I mean what would be the--

COUNCIL MEMBER JAMES:
[interposing] The idea that if there are changes in the future and there is a demand for parking garages that we could revisit this issue sometime in the future.

PURNIMA KAPUR: I think if there is a dramatic change in the parking patterns in this area or in the city, there is nothing stopping us from undertaking another study at that point. But at this point, it seems like the trend really is away from more cars and more parking and more towards mass transit in this area. The housing type here really doesn't lend itself to larger car ownership.

COUNCIL MEMBER JAMES: The last two points is that a number of residents, particularly

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2 new residents, along Flatbush Avenue, and Oro,
3 Avalon, Forte, all of the new developments in
4 Downtown Brooklyn want a school. I have been
5 pushing for a school. Is it possible that one of
6 these developers can convert some of this space to
7 a community facility to build a school?

8 PURNIMA KAPUR: We would have to
9 look at what their floor areas are. I mean most
10 of these buildings, as you know, have maximized
11 their floor areas. But to the extent there is--I
12 mean if there is a site you want to discuss, if
13 there's a particular building, we could talk about
14 that. Generically, I don't know that that's
15 something that--

16 COUNCIL MEMBER JAMES:
17 [interposing] Why is bicycling parking and further
18 affordable housing incentives out of scope?

19 PURNIMA KAPUR: Bicycle parking is
20 already required in Downtown Brooklyn, one and two
21 households has bicycle parking spot in all new
22 buildings.

23 COUNCIL MEMBER JAMES: Right.

24 PURNIMA KAPUR: I mean we haven't
25 studied the bicycle parking issue to see if a

1
2 greater need is justified here. So that would
3 need to be conducted to do that.

4 COUNCIL MEMBER JAMES: The
5 affordable housing?

6 PURNIMA KAPUR: The affordable
7 housing, you know the question of mapping a new
8 inclusionary zoning district here is clearly out
9 of scope of this application.

10 COUNCIL MEMBER JAMES: Do you plan
11 on doing any such mapping in the near future?

12 PURNIMA KAPUR: We think that the
13 existing inclusionary zoning, in addition to the
14 421A tax exemptions, actually, is the way to
15 produce affordable housing here, and has produced
16 affordable housing. I know that you're in
17 disagreement of that.

18 COUNCIL MEMBER JAMES: Oh, totally,
19 but I thank you.

20 PURNIMA KAPUR: But, I mean, we are
21 happy to sit down with you and go through the
22 numbers that we have, if you want to discuss that.

23 COUNCIL MEMBER JAMES: So your
24 definition of affordable housing and the
25 definition of affordable housing for the vast

1
2 majority of residents in Brooklyn, we obviously
3 are at odds. So the residents, again in all of
4 Brooklyn, need affordable housing and, again, it
5 speaks to the issue as to why there is so much
6 homelessness in the City of New York. Thank you.

7 CHAIRPERSON WEPRIN: That's a
8 rhetorical question. Thank you, Council Member
9 James. I'd like to call on Council Member Levin
10 now.

11 COUNCIL MEMBER LEVIN: Thank you
12 very much, Mr. Chairman. I'll keep my questions
13 brief. A lot of the issues have been asked
14 already by my colleagues. Just to give me some
15 kind of context here, with affordable housing,
16 with regard to affordable housing, because one
17 thing that strikes me about this issue and I think
18 that there's compelling reason why we should be
19 looking at the parking issue in terms of how
20 development has played out since the rezoning.
21 There's some logic to it.

22 This is the first time that we are
23 reopening the Downtown Brooklyn rezoning. There
24 are a number of issues that at this point, from
25 this vantage point, ought to be addressed, and so

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2 parking is just one of those issues. It's
3 certainly my hope, and I know that Council Member
4 James shares this feeling, is that we could
5 address some of the other issues that are actually
6 kind of a higher priority to Council Member James
7 and myself and a lot of the people that we
8 represent, those issues about affordable housing
9 and education.

10 So I just want to ask, with regard
11 to the development that has taken place thus far
12 as part of this rezoning, has each of those
13 developments, have they all included affordable
14 housing?

15 PURNIMA KAPUR: Not all of them,
16 but several of them have. The issue with
17 inclusionary zoning here is that we have the older
18 inclusionary zoning district that was mapped here,
19 which is the R-9, R-10 zoning, inclusionary zoning
20 that's mapped in most parts of Manhattan in those
21 districts as well.

22 In order to do the inclusionary
23 zoning, as we adopted in Green Point-Williamsburg
24 and other areas, which provides a 20 percent
25 affordable units, 33 percent bonus for provision

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2 of 20 percent of affordable housing is that the
3 residential densities here are already high and
4 state law, multiple dwelling law, would not allow
5 the residential density to be more than 12 FAR.
6 So in order to go to the system that we've done in
7 other places, it would actually require a down
8 zoning of the existing residential zoning to get
9 up to the maximum bonus.

10 COUNCIL MEMBER LEVIN: That's why
11 you have to leave a little room for incentives. I
12 mean if they're already allowed to build--

13 PURNIMA KAPUR: [interposing]

14 However--

15 COUNCIL MEMBER LEVIN: --then
16 that's--

17 PURNIMA KAPUR: [interposing]

18 However, the 421A tax exemptions require 20
19 percent affordable. So there is a--

20 COUNCIL MEMBER LEVIN:
21 [interposing] Right, but only if they take them.
22 I mean I don't know which ones broke ground when
23 exactly, but if they didn't--there was a certain
24 period of time, I think it was like June 2007 to
25 2008, where you had to break ground. If they had

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already broke ground by that point, then they got in.

PURNIMA KAPUR: That's correct.

But moving forward that this is the exclusion zone and if a developer is not going to be doing affordable housing with 20-year tax deduction, you know the parking is not going to incentivize that any more.

COUNCIL MEMBER LEVIN: Okay. I was

going back and looking at the EIS and the EIS actually assumes that--it says that an 80/20 component is assumed for all new residential development under the reasonable worst case scenario in the EIS. So, you know, as facts played out over the last eight years that actually did not go according to the EIS.

PURNIMA KAPUR: Federal buildings

did. What are the numbers that--

COUNCIL MEMBER LEVIN:

[interposing] But not for all--

PURNIMA KAPUR: [interposing] Not

for all of them, yes.

COUNCIL MEMBER LEVIN: --and that

what the EIS--

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2 PURNIMA KAPUR: [interposing] Yes.

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3 LISH WHITSON: Right.

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4 COUNCIL MEMBER LEVIN: My point in

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5 all of this is that these are things that are

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6 areas that need to be addressed. Council Member

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7 James and I would like to see these issues

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8 addressed sooner rather than later and see this as

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9 a particular opportunity to have that conversation

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10 to bring up those issues. I hope that before we

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11 take a vote, and I don't think we're going to be

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12 taking a vote today, that we could continue that

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13 conversation to see how we can work out ways to

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14 further incentivize what is right now becoming--

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15 it's just an even more and more of a problem in

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16 terms of affordable housing. And the constituents

16

17 that we represent not being able to access housing

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18 not only in Downtown Brooklyn but throughout our

18

19 districts, where the rents are going sky high and

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20 we both have to talk to senior citizens that are

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21 being evicted and that kind of thing.

21

22 The other issue that I wanted to

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23 talk about, and I've brought it up numerous times

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24 in the last couple of months, is the issue of an

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25 elementary school in this area.

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2 Going back through the EIS, I think
3 that the EIS predicted that there were going to
4 be--as a result of this zoning--979 units of
5 residential, that's 783 market rate and 196
6 affordable, but only 979. Then it uses--I was
7 just looking at kind of--it uses this schematic
8 where it's within a half mile of the zoning area,
9 there are 14 elementary schools. As it turns out,
10 they're all zoned for one elementary school. All
11 of the developments that happened are all zoned
12 for a single elementary school. There are 2,000
13 units already built, another 2,500 on the way.

14 It's clear that the EIS predicted a
15 quarter of the residential units and there was no
16 elementary school that was every provided for in
17 the rezoning. That's another frustration here is
18 that we're looking at this issue but we haven't
19 taken this opportunity to look at whether or not--
20 and I think that it's obvious on its face--that
21 there should be an elementary school in this
22 zoning area, considering that it's 2,000 units
23 plus another 2,600. It's 4,600 units.

24 If we want to attract families to
25 the Downtown Brooklyn area, not just single people

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2 that never want to have any kids, we should have--
3 I mean that's one thing that would add value, real
4 community value to the area, is having an
5 elementary school that's within the area itself.

6 I've brought it up with you and
7 your office. I've brought it up with the
8 development community. I've brought it up with
9 the Department of Education and SCA. I would like
10 to be able to receive a commitment from City
11 Planning that that conversation can continue and
12 can continue between the agencies, between City
13 Planning and DOE and SCA, because they look at
14 your numbers. The other thing is that the census
15 numbers in 2010 don't necessarily accurately
16 reflect because some of the buildings, people
17 hadn't moved in by the time the census was taken.

18 I would very much like to get a
19 commitment from City Planning that we can have
20 that conversation in a broader context an
21 inclusive conversation with DOE and SCA, so we can
22 try to move the ball forward on that.

23 PURNIMA KAPUR: We would be happy
24 to have a conversation with you and SCA. Just to
25 clarify, we do provide SCA with new residential

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2 development numbers on a yearly basis. So
3 regardless of whether the EIS projected
4 development there or not, they are aware of all of
5 the new units that have come into place since the
6 rezoning. This is something we do on a yearly
7 basis to help them in figuring out the school
8 seats need and the actual requirements.

9 COUNCIL MEMBER LEVIN: Okay.

10 PURNIMA KAPUR: I mean, you know,
11 for better or for worse, the way the schools are
12 sited is based on what their numbers show, whether
13 there is capacity in a school in the area or not
14 and whether there is need for a new school or not.
15 But we've been giving them these numbers
16 continuously each year. We are more than happy to
17 share that with you and sit down with you, and the
18 Department of Education or SCA, and figure out
19 something.

20 COUNCIL MEMBER LEVIN: I think it
21 might require a little bit more of an intensive
22 conversation moving forward. One thing that SCA
23 does is they look at the utilization rates
24 throughout the entire district. You know, the
25 school districts are vastly diverse in varying

1
2 geographical area. The school district for the
3 most part is not subject to a gigantic residential
4 upzoning in last five or ten years. Again, I
5 think it's something that needs to be stepped up
6 in terms of our effort and in terms of the level
7 of conversation. Again, it's good city planning
8 to have good education planning.

9 CHAIRPERSON WEPRIN: Thank you, Mr.
10 Levin.

11 COUNCIL MEMBER LEVIN: Thank you
12 very much, Mr. Chairman.

13 CHAIRPERSON WEPRIN: You weren't
14 planning on leaving the single persons without any
15 kids status anytime soon were you?

16 COUNCIL MEMBER LEVIN: No, no, no.

17 CHAIRPERSON WEPRIN: Okay, all
18 right. I just want to allow Council Member Vacca
19 to please so. So if counsel could please call the
20 Council Member's name.

21 COUNSEL: Council Member Vacca?

22 COUNCIL MEMBER VACCA: [off mic] I
23 vote aye.

24 CHAIRPERSON WEPRIN: That was easy.

25 COUNSEL: The vote now stands on

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2 Land Use 708 and 725 at seven in the affirmative,
3 zero in the negative and no abstentions.

4 CHAIRPERSON WEPRIN: Okay, thank
5 you. You guys okay now? We have questions,
6 Council Member Reyna. We're going to excuse this
7 panel. Thank you very much.

8 PURNIMA KAPUR: Thank you.

9 CHAIRPERSON WEPRIN: Very well
10 done.

11 PURNIMA KAPUR: Thanks.

12 CHAIRPERSON WEPRIN: Now, we have a
13 number of panels. I apologize for the delay.
14 We're going to call them four at a time. Like I
15 said, I'd like to try to limit the testimony to
16 three minutes, sergeant-at-arms, if possible
17 There's four seats up there, so we're going to
18 call them four at a time, four comfy seats. I'd
19 like to call the first panel and that would be
20 Doug Steiner, Paul White, Sarah Watson from the
21 Citizens Housing and Planning Council and Tucker
22 Reed from the Downtown Brooklyn Partnership. Some
23 of those people who had been mentioned earlier in
24 questions and answers.

25 If that panel could please head on

1
2 up, and we'll try to get through this as quickly
3 as possible, while allowing everyone to have their
4 voices heard. You guys can choose up who goes
5 first. Again, try to keep it to three minutes
6 each. Eeny, meeny, miny, works sometimes if you
7 want to go that--moe, that was. Mr. Steiner is
8 going to start. Please state your name again for
9 the record though. I think it's off.

10 DOUG STEINER: Doug Steiner.

11 CHAIRPERSON WEPRIN: Perfect.

12 DOUG STEINER: I'm just going to
13 read from my prepared comments. Good morning,
14 Councilman Weprin and other members of the Land
15 Use Committee. My name is Doug Steiner and I'm a
16 principal of Steiner Studios and Steiner NYC.
17 Steiner NYC develops residential, commercial,
18 retail and special purpose real estate focused
19 primarily in Brooklyn.

20 We strongly support the proposed
21 parking amendment because it establishes realistic
22 accessory parking requirements for Downtown
23 Brooklyn, which will spur the development of
24 additional market rate and affordable housing and
25 also significantly improve the quality of life in

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the neighborhood.

This would further the cause of getting people out of their cars and instead using mass transit, whether subway, bus or ferry or bikes and their feet. This would enhance the transformation of Downtown Brooklyn into a desirable, dense, urban, 24/7 neighborhood, as was originally envisioned when City Planning and the City Council voted to rezone this area in 2004.

Our current project in Downtown Brooklyn is a planned 50 plus story residential tower on a retail base. We named our project The Hub, both because it is at the nexus of 12 subway lines and the LIRR and because it is at the confluence of so many great Brooklyn neighborhoods: Boerum Hill, Park Slope, Prospect Heights, Fort Greene and others.

Our site is bound by Flatbush, Third Avenue, Schermerhorn, Nevins and Livingston. Upon completion, The Hub will contain approximately 750 rental apartments, of which 80 percent will be market rate and 20 percent affordable. That's 150 affordable units, plus about 42,000 square feet of new retail.

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2 Under current zoning, our project
3 would be required to provide 278 accessory parking
4 spaces. This penalizes us in two ways. Firstly,
5 it means we would have to excavate down another
6 level, which is an expensive proposition.

7 Secondly, digging deeper to create
8 car parking spaces when we literally sit on top of
9 multiple subway lines is problematic, difficult
10 and very expensive and profoundly ironic.

11 Our tenants are not expected to
12 have cars. I'm going to stray from my prepared
13 comments and just say none of the developers here
14 would build and expect to lease up if we thought
15 that the parking would not meet the needs of the
16 tenants of that building. I think, you know, the
17 most important thing here also is by freeing up
18 what is limited to the residents of those
19 buildings to commercial parking generally, you're
20 helping the parking situation that your
21 constituents are complaining about.

22 As I say, our tenants are not
23 expected to have cars for the most part. We
24 expect their leasing decision to be driven by
25 subway convenience and the quality of our

1
2 building, not car parking. The excess car parking
3 that's presently required will likely sit vacant.
4 Studies by the Department of City Planning and
5 Downtown Brooklyn Partnership show that
6 utilization rates for existing residential parking
7 lots are typically below 50 percent and that only
8 20 percent of residents own a car.

9 We strongly support the proposed
10 zoning text amendment to lower accessory parking
11 requirements. This amendment reflects actual
12 market demand. Further, we echo City Planning's
13 argument that lower requirements would reduce
14 construction costs and spur more projects like The
15 Hub, which contain a significant amount of
16 affordable housing.

17 We also urge retroactive
18 application of this action to give accessory
19 parking lots the flexibility to operate as
20 commercial parking facilities.

21 We urge your support and thank you
22 for your time.

23 CHAIRPERSON WEPRIN: Thank you, Mr.
24 Steiner. Next? You got lucky, we didn't have the
25 clock going, but I think you might have broken the

1
2 three minutes anyway. That was good. You could
3 do disclaimers at the end of drug commercials you
4 were so good.

5 PAUL WHITE: Thank you, Chair
6 Weprin. I'll be very brief. I have my prepared
7 remarks but I think it's best to illustrate my
8 point with an analogy, if you'll allow.

9 Let's assume a few years ago, you
10 were required, Chair Weprin, to bring 100 donuts
11 to these meetings, because someone had decided
12 that demand in this room for donuts was such that
13 100 were necessary.

14 COUNCIL MEMBER: [off mic] He would
15 be popular.

16 PAUL WHITE: He would be popular.
17 Over time it turns out, because of changing eating
18 habits or whatever, only 50 of those donuts are
19 taken, when you're providing 100. So then the
20 powers that be decided, okay, we're going to
21 provide 50 donuts at these meetings.

22 Other cities have eliminated the
23 donut requirement. Some are providing bran
24 muffins or fruit or vegetables. My point is that
25 it's really not appropriate for the city to be

1 dictating what developers should do with parking.
2 The market will decide. If anything, the city
3 should do what Buffalo, Seattle, San Francisco,
4 Cambridge are doing, which is turn minimums into
5 maximums.
6

7 The underlying assumption with all
8 of this, in terms of trying to match parking
9 requirements to demand is that demand is absolute
10 and immutable. It's not. It's very dependent on
11 the very supply that we're talking about. Because
12 the city has required developers to supply all of
13 this parking, the cost is artificially low, and
14 many more people get the idea that owning and
15 operating a car is the thing to do. As these
16 minimums are turned into maximums or eliminated
17 entirely, we are preserving and encouraging the
18 very transit and pedestrian nature of our city
19 that is so valuable.

20 So we support this but we think it
21 doesn't go far enough and that the city should
22 look towards eliminating these requirements
23 altogether and/or adopting minimum--I'm sorry--
24 maximums in the place in the place of parking
25 minimums. Thank you.

1
2 CHAIRPERSON WEPRIN: Thank you. I
3 just want to be clear: no one is getting any
4 donuts today. This isn't Oprah, okay? Nobody
5 gets any prizes.

6 SARAH WATSON: Good morning, Chair
7 Weprin.

8 CHAIRPERSON WEPRIN: Please.

9 SARAH WATSON: I'm Sarah Watson of
10 Citizens Housing and Planning Council. The zoning
11 committee of Citizens Housing and Planning Council
12 has reviewed the proposed text, and we fully
13 support this revision and applaud the vision of
14 City Planning to set a parking framework that
15 reflects the real needs of a 21st century
16 neighborhood in New York, reduces the cost of
17 residential construction, allows space to be used
18 more efficiently and flexibly and supports the
19 wider sustainability goals of the city.

20 We're delighted this amendment
21 reduces residential minimum parking requirements.
22 As the parking inventory and utilization study
23 demonstrates, there's a significant oversupply and
24 underutilization of accessory parking in Downtown
25 Brooklyn, especially in the evenings and weekends.

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2 By reducing the minimum requirements and allowing
3 accessory residential garages to be used more
4 flexibly, this change will better reflect the real
5 parking demands of the population and will allow
6 valuable space to be used more efficiently and in
7 a manner that supports the needs of a 24 hour
8 city, with differing needs throughout the day and
9 the week.

10 These new requirements do not mean
11 that parking provision is unable to evolve with
12 emerging needs in the future. Instead, it allows
13 developers to better follow real market demand.
14 If the residential market reveals a renewed demand
15 for accessory spaces, developers can still respond
16 to this. But at the same time, the city has a
17 number of crucial sustainability goals that must
18 be reflected in the zoning resolution.

19 In addition, the zoning committee
20 fully approves of the elimination of minimum
21 parking requirements for affordable housing. The
22 high costs of building structured parking cannot
23 be easily passed on to the resident of affordable
24 units. Therefore, minimum requirements act as a
25 financial burden on affordable and mixed income

1
2 buildings. Every attempt to facilitate the
3 development of affordable housing should be fully
4 embraced.

5 This is also an imperative
6 consideration for market rate housing, where
7 additional construction costs can be passed on to
8 residents. Reducing minimum parking requirements
9 can also contribute towards lower market rent
10 levels, again an objective that should always be
11 considered in policy wherever possible.

12 Finally, we would add that the CHPC
13 zoning committee believes this approach should be
14 applied more frequently throughout the city. Any
15 effort to reduce the cost of construction of
16 residential units, encourage public transport use
17 and allow the housing industry to respond to
18 market demand for parking in a more realistic way
19 should be applied in the zoning resolution.

20 CHAIRPERSON WEPRIN: Thank you,
21 well done. Last member of the panel?

22 TUCKER REED: Thank you, Council
23 Member Weprin, and the rest of the committee here
24 this morning. My name is Tucker Reed. I'm the
25 president of the Downtown Brooklyn Partnership.

1
2 I'm going to stray from my prepared remarks here
3 in the interest of time and all these fine people
4 that are here today.

5 CHAIRPERSON WEPRIN: Just don't
6 mention donuts.

7 TUCKER REED: Donuts are out. I
8 just want to make four quick points on why I
9 think, you know, this action, it's rare I think
10 for a land use action to take into account so many
11 competing needs from so many different
12 constituencies. To see them all kind of addressed
13 here in one action is a rare occurrence and I
14 think something that should be celebrated here
15 first. I don't need to tell anyone in this room
16 or members of the committee, we have some of the
17 greatest transportation access in the entire city
18 here in Downtown Brooklyn, with 15 bus lines, 13
19 subway lines. The last thing we should be doing
20 is incentivizing people to not ride that
21 infrastructure that is in place.

22 Second, because of that great
23 infrastructure, the subterranean conditions in
24 Downtown Brooklyn are very challenged, as we've
25 all mentioned here today, requiring developers to

1
2 often build their parking on the first, second,
3 third levels of their buildings, which deadens our
4 streetscapes, precludes retail development,
5 creates unsafe conditions with dark streets and
6 very little foot traffic. And it disincentivizes
7 jobs to be coming to the area. So thinking more
8 rationally about whether we want to be developing
9 more parking on our first and second floors or
10 more retail community benefit uses that better
11 serve the needs of our community.

12 Third, this action is meant to
13 address the parking oversupply that we've seen in
14 downtown, but it's one of those rare occasions
15 that you also see additional community benefits
16 coming from this. You reduce parking construction
17 costs. You incentivize developers when they're
18 developing their pro formas and their economics to
19 consider including affordable housing, consider
20 including some of the other community uses that
21 have been mentioned here today, most specifically
22 a school.

23 Finally, increasing the parking
24 supply, obviously there's a simple supply and
25 demand quotient here. Increasing the parking

1
2 supply decreases costs, encourages more people to
3 drive to downtown. Council Member James has
4 mentioned many times the high asthma rates that we
5 have in the downtown community, as a result of the
6 number of cars and parking that comes to the
7 neighborhood. The last thing we should be doing
8 is incentivizing more people to drive to the area,
9 particularly when we have this great
10 transportation infrastructure.

11 Thank you for your time. If there
12 are questions, I'm happy to answer them.

13 CHAIRPERSON WEPRIN: Council Member
14 James has a question.

15 COUNCIL MEMBER JAMES: Sure, thank
16 you. So I agree and thank you for everyone's
17 testimony. As you know, obviously there's a high
18 rate of asthma in Downtown Brooklyn. We've talked
19 about the air quality rate. At the same time, the
20 last time we voted for a rezoning in Downtown
21 Brooklyn, the promises were jobs and affordable
22 housing, and unfortunately, we were hoodwinked.
23 The affordable housing is de minimus and the jobs,
24 there's, you know, a couple of jobs.

25 Everyone was convinced that this

1
2 was going to result in a significant and a robust
3 amount of affordable housing in Downtown Brooklyn
4 and it's nonexistent. We were also convinced that
5 it would result in more jobs in Downtown Brooklyn.
6 It did not happen.

7 Now, here, everyone is telling me
8 that this is going to promote more affordable
9 housing. I'm not convinced of that. Although
10 this will go a long way in reducing in attracting
11 cars to Downtown Brooklyn and having an impact in
12 children suffering from asthma, which is a good
13 thing, I'm just not convinced that this is going
14 to result in the demand in Downtown Brooklyn,
15 which is for affordable housing and a school. I'm
16 not convinced of that at all.

17 I know Mr. Steiner is doing
18 affordable housing at his development. But I do
19 know that in all of the other developments, again,
20 the affordable housing is minimal. So there's
21 nothing wrong with arguing that this is really
22 going to reduce costs for developers in Downtown
23 Brooklyn and I think that's really the objective
24 of this, and I'm okay with that. I just want
25 people to be honest. This is not going to result

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2 in any additional affordable housing; it's just
3 not.

4 What Paul mentioned, you know
5 trading this for perhaps increasing the demand for
6 more cyclists, that would be good but there's no
7 effort towards that either. So trading donuts for
8 fruit is not happening.

9 PAUL WHITE: Can I respond to that?

10 CHAIRPERSON WEPRIN: Okay. Mr.
11 Travis wanted to answer first and then we'll get
12 to you.

13 TUCKER REED: Mr. Reed. I think
14 you're selling yourself a little short here,
15 Council Member.

16 COUNCIL MEMBER JAMES: Okay.

17 TUCKER REED: The point that
18 Council Member Levin and the Council in general
19 have been fierce advocates for Downtown Brooklyn
20 affordable housing development. You know, I think
21 there's a myth here that there's been no
22 affordable housing development. Sine the year
23 2000, we have 1,000 units of affordable housing
24 that have been developed in Downtown Brooklyn. Of
25 the 13 projects that are in the pipeline now, 12

1
2 of which are either including an affordable
3 housing component or have bought 421A certificates
4 that add to the development of affordable housing
5 citywide.

6 So I think you're right, in the
7 immediate wake of the rezoning or before it, there
8 was a number of market rate projects that were
9 built that were a sign of the times in which they
10 were built. I think because of the work that you
11 all have been doing in putting together incentive
12 packages that make affordable housing development
13 attractive to the development community in
14 downtown, you are starting to see now a pipeline
15 of a significant number--400 units in the
16 pipeline--of affordable housing units coming
17 online.

18 There's no reason to think that the
19 economics the way they stand today are not going
20 to encourage further affordable housing
21 development here in downtown. You'll hear from
22 other panelists here today, but I would be shocked
23 that anyone is going to build a new construction
24 residential project in Downtown Brooklyn over the
25 next five years that does not take advantage of

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2 the inclusionary housing program because the
3 economics make total sense.

4 COUNCIL MEMBER JAMES: So, again,
5 you and I are going to have a discussion--

6 CHAIRPERSON WEPRIN: [interposing]
7 That was Mr. Reed, by the way.

8 COUNCIL MEMBER JAMES: Yes.

9 CHAIRPERSON WEPRIN: I said the
10 wrong name.

11 COUNCIL MEMBER JAMES: It's Tucker
12 Reed, yeah. You and I are going to have a
13 discussion about this 1,000. I guess in terms of
14 defining affordable housing is the new normal. So
15 affordable housing now is at \$100,000. In my
16 mind, that's not the new normal. Affordable
17 housing is for working families--

18 CHAIRPERSON WEPRIN: [interposing]
19 Mr. White, you wanted to add something. Try not
20 to inspire Council Member James to respond though,
21 okay?

22 [Laughter]

23 PAUL WHITE: It's not about
24 bicycling, it's about transit and walking.

25 COUNCIL MEMBER JAMES: Right.

1
2 PAUL WHITE: You know, other cities
3 with sparser transit than Downtown Brooklyn are
4 not trying to arbitrarily set a parking
5 requirement. They are using parking limitation
6 and the elimination of the requirement as a tool
7 to encourage more transit, more walking. By
8 providing parking when it's not being used, the
9 only thing the city is doing is eroding the
10 valuable nature that makes New York great in the
11 first place, which is people are moving here to
12 ride the bus, to ride the subway, to walk.

13 COUNCIL MEMBER JAMES: Mr. White, I
14 would agree with you. If we would eliminate it in
15 exchange for affordable housing, I would be with
16 you 100 percent.

17 DOUG STEINER: Not as important as
18 affordable housing, but being market driven, we
19 are building more than 600 bicycle parking spots
20 in our building and also not burying them in a
21 dungeon.

22 COUNCIL MEMBER JAMES: And
23 affordable housing?

24 DOUG STEINER: 150 units--

25 COUNCIL MEMBER JAMES:

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[interposing] Thank you.

DOUG STEINER: --that were not there before.

CHAIRPERSON WEPRIN: Thank you, Mr. Steiner. Okay, are we good on this panel? Thank you very much, gentlemen and lady. I'm going to move to the next panel. Before I do so, I'm going to call on Council Member Jackson to vote on the other items. He has been here but we haven't had time to find him.

COUNSEL: Council Member Jackson, on Land Use 708, motion to file pursuant to expiration of time and Land Use 725 to approve?

COUNCIL MEMBER JACKSON: Aye on both.

COUNSEL: The vote now stands at eight in the affirmative, zero in the negative, zero abstentions.

CHAIRPERSON WEPRIN: Thank you, Robert Jackson. I'd now like to call the next panel. That'll be Chris Young. Actually, Chris Young I think is in opposition. He's the only one. But I'm going to call the other people up as well in favor. David Lambino, again, is still

1
2 here? Yes, okay. Andrew Steininger from the
3 Brooklyn Chamber, and Paul Travis from the
4 Washington Square Partners. I was staring at your
5 name when I called on Mr. Reed.

6 Please, gentlemen, don't be shy.
7 Let's get started as quickly as possible. I'd
8 like you to try to limit it to three minutes
9 please. Then we will get to the next panels as
10 soon as possible. I know people have been waiting
11 a long time. It just takes a while. So, again,
12 whoever wants to start. State your name for the
13 record when you start speaking, because this will
14 be transcribed and we need to know who is
15 speaking. Whenever you're ready. Go ahead.

16 DAVE LAMBINO: Good morning, again,
17 Council Member Weprin, Subcommittee on Zoning and
18 Franchise. I'm Dave Lambino at Two Trees
19 Management in Dumbo. We have developed several
20 properties in and around Downtown Brooklyn,
21 creating high quality housing and affordable
22 units. We hope to continue to do so in the very
23 near future.

24 We're here this morning to
25 enthusiastically support the text amendment

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2 proposed by the Department of City Planning to
3 reduce the accessory residential parking
4 requirements in the Downtown Brooklyn Special
5 District. We're also happy to see that this
6 amendment now will make this action retroactive
7 and allow unused garages in the district to be
8 reprogrammed to more productive uses.

9 The reality is that the current
10 parking requirements, while good intentioned, have
11 had the negative effect of generating just too
12 many parking spaces for the neighborhood and
13 adding costs to developers that can make the
14 creation of affordable housing units prohibitively
15 expensive.

16 In some cases, such requirements,
17 combined with weak market demand and the expense
18 of doing construction below grade have resulted in
19 some developments built with parking at grade.
20 This is not only unsightly, but it also inhibits
21 the long-term development of neighborhood-based
22 retail uses, which might otherwise provide
23 amenities, and a greater sense of safety for the
24 neighborhood. The buildings along Flatbush Avenue
25 near the Manhattan Bridge, several projects along

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2 Fourth Avenue and a building at Water and Adams
3 Street in Dumbo are examples of these kinds of
4 developments.

5 Both data and anecdotal evidence
6 suggests that developments built under the current
7 requirements have created over-built parking
8 garages. Because of a concentration of mass
9 transit options, residents of the area have low
10 car ownership rates and less than half of the
11 accessory residential spaces are used on nights
12 and weekends, when residential demand is at its
13 highest. Given that the majority of users of the
14 district's 10,000 off-street parking sites are
15 being used by nonresidents or transient users,
16 flexibility should be added to turn some accessory
17 parking in C-5 districts to public parking.

18 We support reducing the parking
19 requirements from 40 to 20 percent for market rate
20 units and eliminating them for affordable housing.
21 For future developments, this will reduce the cost
22 of development and encourage the use of
23 inclusionary housing programs. Furthermore, the
24 construction of parking lots often limits the
25 amount of ground, basement and second floor retail

1 in areas of the district that are now underserved.

2 Approving this action will allow
3 residential parking garages that now sit vacant to
4 be transformed into retail, housing or commercial
5 office space. More retail will better activate
6 the street, provide neighborhood services and
7 fulfill the dream of transforming this
8 neighborhood into a true 24/7 live and work
9 community. Thank you.

10
11 CHAIRPERSON WEPRIN: Thank you.

12 Next please?

13 CHRISTOPHER YOUNG: Yeah, hi, I'm
14 Christopher Young. I'm a resident of Downtown
15 Brooklyn, Bridge and Willoughby, right in the
16 heart of the densest high-rise area of the
17 neighborhood. I'm also a parent and I've recently
18 started a group: Downtown Brooklyn School
19 Solutions, which now represents more than 50
20 parents that are concerned about the situation
21 downtown.

22 There is no school in Downtown
23 Brooklyn. Most of the schools surrounding are
24 over capacity. The one that's under capacity is
25 located near the Navy Yard, across the BQE, across

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2 Tillary, across Flatbush. That school will fill
3 up eventually. The population boom has just
4 started and it really is just getting underway.
5 There are tens of thousands of people going to
6 move to this area.

7 The parking minimums is a good idea
8 on some sense that it's good urban planning. You
9 know affordable housing is good urban planning.
10 You know, building a 24-hour live/work
11 neighborhood is good urban planning. What's bad
12 urban planning is not taking into account of what
13 the residents need and they need a school.

14 My concern with not taking this
15 into account is that you're allowing the
16 developers to move some of their development
17 costs--they can offsite their parking spaces,
18 which means that they can enrich their bottom line
19 and not necessarily enrich the community. I think
20 that, you know, there should be an incentive that
21 if they're going to be able to benefit from this
22 measure that there should be a move to try to push
23 them to give back.

24 There are still dozens of future
25 developments in the planning stages and a school

1
2 needs to be part of this process moving forward,
3 in terms of what is planned next. That's my
4 concern about this.

5 CHAIRPERSON WEPRIN: Thank you,
6 sir. Next please?

7 ANDREW STEININGER: Good morning.
8 My name is Andrew Steininger and I serve as Vice
9 President of Economic Development for the Brooklyn
10 Chamber of Commerce. I'm delivering this
11 testimony on behalf of our chamber president,
12 Carlo Scissura. He sends his regards and regrets
13 that he could not attend this hearing.

14 Thank you to the New York City
15 Council Subcommittee on Zoning and Franchises and
16 Committee Chair Mark Weprin for your great work.

17 The Brooklyn Chamber of Commerce is
18 Brooklyn's leading business assistant and economic
19 development organization. We have over 1,000
20 members and operate a vast array of business and
21 economic development services.

22 We are proud to support the
23 Downtown Brooklyn Partnership and believe that
24 reducing the parking requirements in Downtown
25 Brooklyn will support a healthy and robust

1
2 business climate in this neighborhood. The
3 current parking requirements result in a high
4 number of vacant spaces in the downtown area.
5 This limits the amount of ground, basement and
6 second floor retail space on major streets. This
7 space should not sit vacant just to meet zoning
8 requirements. Instead, we should make this space
9 a vibrant streetscape that allows for 24/7
10 live/work environment.

11 Additionally, we believe easing
12 these requirements will encourage affordable
13 housing development. I don't have to tell you how
14 important affordable housing is to the Brooklyn
15 economy. Reducing the parking requirements from
16 40 to 20 percent for market rate units and
17 eliminating the parking requirement for affordable
18 housing will encourage developers to continue to
19 build homes that Brooklynites can afford. This is
20 critically important as the cost of real estate in
21 Brooklyn continues to rise.

22 Simply put there is a great deal of
23 parking in Downtown Brooklyn that is
24 underutilized. The majority of Downtown Brooklyn
25 residents don't own a car and live in Downtown

1
2 Brooklyn for its access to 15 bus lines, 13 subway
3 lines and numerous bike paths. This neighborhood
4 has robust public transportation options and the
5 current amount of parking is superfluous.

6 We believe easing these parking
7 requirements will further this neighborhood's
8 renaissance and revitalization. For this reason,
9 the Chamber of Commerce supports the reduction of
10 accessory parking. Thank you for your time and
11 your consideration.

12 CHAIRPERSON WEPRIN: Thank you.
13 Please tell Carlo we said hello.

14 PAUL TRAVIS: Thank you,
15 Councilman. My name is Paul Travis. I am
16 managing partner of Washington Square Partners and
17 project executive for the City Point Project on
18 Fulton Street and Flatbush Avenue.

19 I am appearing today to urge your
20 approval of the proposed modification of the
21 Downtown Brooklyn Special District parking
22 regulations.

23 My company was involved in the
24 rezoning that led to the creation of the Downtown
25 Brooklyn Special District. At the time, the

1 rezoning was fashioned to permit a wide range of
2 uses, including residential uses, which had been
3 subject previously to a cap under 4 FAR. We
4 thought perhaps one or two residential buildings
5 would result. Instead, we have seen a wave of new
6 rental and condominium buildings constructed.
7

8 Downtown Brooklyn is emerging as a
9 mixed used 24-hour downtown, at a pace none of us
10 could have imagined. With the parallel
11 development of new hotels, new cultural
12 facilities, new public spaces, a new arena, and
13 new retail, Downtown Brooklyn has the potential to
14 become one of America's great downtowns.

15 However, the growth has also had a
16 second, undesired consequence. Since we had not
17 expected the growth in housing, the parking ratios
18 were not addressed in the rezoning. The result
19 has been construction of vastly more parking than
20 is needed by residents and the scourge of
21 buildings which have no other physical option but
22 to build above grade parking garages, deadening
23 street activity and creating blank walls.

24 I urge you to amend the district to
25 allow lower ratios for all residential buildings.

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2 While I believe strongly in incentivizing
3 affordable housing in our neighborhood, not
4 changing the ratios for market rate housing will
5 not solve any of the issues being addressed today.
6 Thank you for considering this important step
7 forward for Downtown Brooklyn.

8 CHAIRPERSON WEPRIN: Council Member
9 James has some brief questions.

10 COUNCIL MEMBER JAMES: Just
11 comments. Mr. Young?

12 CHRIS YOUNG: Yes.

13 COUNCIL MEMBER JAMES: So,
14 obviously, I thank you for coming, thank you for
15 standing alone amongst a group of individuals.
16 I'm proud of you for that. I, too, obviously want
17 a school and recognize that there is a need for a
18 school. The school that you're referring to is
19 P.S. 287, which is not geographically desirable.
20 It's not desirable for a wide range of issues.
21 Obviously, the residents in Downtown Brooklyn, the
22 new community which has formed requires a school.

23 I would hope that the forces that
24 are in this room, the individuals who are within
25 the sound of my voice would work with us and all

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2 the developers that are in this room would hear
3 the demand for a school. I am so glad that there
4 are so many developers in this room, because part
5 of the reason why I have my concerns is because
6 oftentimes it falls upon deaf ears.

7 So now that I have a captive
8 audience, you're going to hear my refrain for
9 affordable housing and a school every time that
10 there's a panel called to this table. A school
11 and affordable housing. So, Mr. Young, I stand
12 with you and look forward to working with your
13 group.

14 Mr. Travis, I love you dearly but
15 there has also been a third undesired consequence
16 and that is the lack of affordable housing in
17 Downtown Brooklyn. Yes, we did not anticipate all
18 of this residential development, but as you
19 indicated, it is primarily all market rate and
20 high end. Everyone in Brooklyn, not just in Fort
21 Greene and Clinton Hill, but all of Brooklyn loves
22 Downtown Brooklyn and they want to stay in
23 Brooklyn. What we need is to create a mix of
24 units for all Brooklynites and for all city
25 residents to come to Downtown Brooklyn to see what

1
2 you and others have created in Downtown Brooklyn.

3 That is, I think, the best outcome
4 in the City of New York. The most successful
5 projects have been where there's been a range and
6 a mix of individuals in buildings.

7 Lastly, I'm blanking on your name
8 from the Brooklyn Chamber of Commerce.

9 ANDREW STEININGER: Andrew
10 Steininger.

11 COUNCIL MEMBER JAMES: Steininger.
12 I would like to know, and I don't know if you
13 know, what it Oro, Avalon, Toren, 80 DeKalb and
14 others going to do with their underutilized
15 parking space? What are the plans? I don't know
16 if you have the answer to this. If not, if
17 someone in the audience can answer that, are they
18 going to build a school? Are they going to
19 convert it to more affordable housing? Is it
20 going to be retail or is going to be luxury? At
21 the zoning committee, when that question was
22 asked, most of them said they're going to turn it
23 to market rate housing. That's why I came out
24 strongly in opposition to this.

25 ANDREW STEININGER: I don't think I

1
2 could venture to speak for the developers
3 themselves. What I would do is say that we could
4 work together and find out better uses for this
5 parking. I think that's something that us, the
6 Partnership and the developers in the area could
7 all work towards.

8 PAUL TRAVIS: I think, in fact, all
9 the buildings that you mentioned are built to
10 their full FAR, so they would be unable to turn
11 that parking into anything other than as is
12 permitted in this new proposed zoning, that
13 parking would become public parking. So it would
14 move from accessory parking to public parking.
15 Since they're now at their full FAR they wouldn't
16 be allowed to build any more space.

17 COUNCIL MEMBER JAMES: So it would
18 be public.

19 CHAIRPERSON WEPRIN: We can't
20 actually take answers from the audience. I know
21 someone raised their hand. If you are testifying
22 later, you can answer it when you testify. I'll
23 lose complete control, and some might say I
24 already have done that but who knows. Thank you.
25 Thank you, Council Member James. Anybody else?

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Council Member Diane Reyna?

COUNCIL MEMBER REYNA: Thank you.

CHAIRPERSON WEPRIN: I'm too close.

The three members are too close to home, that's the problem.

COUNCIL MEMBER REYNA: Thank you very much, Mr. Chair. I just wanted to understand. So that was a very interesting point. So the accessory parking will only be turned into and can only be turned into public parking. So no small business can be created. No small pre-k to third grade concept of a school is what I'm referring to. There's no other possibility that's factored into what would be a use other than parking.

PAUL TRAVIS: There are really two different issues here. One is whether an existing structure can turn parking spaces into a different type of space. That's really governed by the Building Department not by zoning. So if that building was built already to the full FAR, it cannot turn space that is not allowed to be turned into space. It needs to remain as parking.

Going forward, which I think is

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2 really the issue no one here has talked much
3 about.

4 COUNCIL MEMBER REYNA: I think
5 that's exactly--

6 PAUL TRAVIS: [interposing] The
7 really important issue is we now have above grade
8 space throughout Downtown Brooklyn being used for
9 parking.

10 COUNCIL MEMBER REYNA: Correct.

11 PAUL TRAVIS: That is not a good
12 thing. It's not good for affordable housing, it's
13 not good for market rate housing, it's not good
14 for creating a neighborhood. It's a bad thing.
15 It needs to change.

16 I will give you an example. I know
17 of several buildings in the Downtown Brooklyn core
18 where in that case a private school looking to
19 build a new private school in Downtown Brooklyn
20 was trying to find space. In almost every case,
21 that space ended up being used for parking
22 instead. So it's just a bad thing to have above
23 grade space used for parking. These insane--and I
24 really would use that word--insane current parking
25 ratios that have no relationship to demand are

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really causing that to happen.

COUNCIL MEMBER REYNA: So what is the solution? I understood and appreciated your explanation but I'm not hearing what the alternative would be. What do you as an advocate for reducing or eliminating this type of requirement suggesting to capture all this space that is wasted to be able to turn it into good use.

PAUL TRAVIS: I think the answer, as it has been for the Downtown Brooklyn core, for many years, we really have a unique neighborhood I think in New York City in that the business community, the nonprofit community and the government community in Downtown Brooklyn have really worked as a single force to make really good things happen. I think the next thing we need to work on is getting a good public school in the Downtown Brooklyn core.

COUNCIL MEMBER REYNA: That's not what I was asking. I was referring to the above grade street level space that is now parking that will become public space as opposed to accessory to be able to be utilized other than parking. Is

1
2 there a proposal that those particular parties of
3 interest have begun discussions with the Zoning
4 Commission and/or the Buildings Department?

5 PAUL TRAVIS: I can't answer that.

6 COUNCIL MEMBER REYNA: It's very
7 interesting. I went to school Downtown Brooklyn
8 at St. Joseph High School, a single sex school,
9 and so I'm very familiar with what was there in
10 the 90s and what it is today. It would be
11 phenomenal to be able to see what would be a
12 live/work community 24/7 which I know my old nuns
13 say--not old as in age, but rather my teachers
14 from then do not appreciate. It's taken a lot of
15 life out of the downtown area in that aspect. So
16 I just wanted to understand. I don't know if the
17 City Planning Commission is beginning those
18 discussions to understand a lot of that.

19 CHAIRPERSON WEPRIN: I think you're
20 neighbor Council Member Levin wanted to add
21 something on that topic.

22 COUNCIL MEMBER LEVIN: Thank you,
23 Mr. Chairman. The issue is that for the existing
24 accessory parking, is there any way to be able to
25 use that for a community facility. I know that

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2 for a lot of the buildings, the FAR has been
3 totally maxed out, but if it's a community
4 facility perhaps there's a way in which it does
5 not then count against the FAR if it's used for a
6 community facility as opposed to parking.

7 PAUL TRAVIS: I think, and I'm
8 certainly not the expert. I think you would need
9 to have a separate action. You would need a
10 special permit or something like that to allow
11 that to happen.

12 COUNCIL MEMBER LEVIN: That's
13 something I think we should probably work towards.
14 I there's a way to incentivize that to happen,
15 that would be another win/win.

16 CHAIRPERSON WEPRIN: Great. Thank
17 you. Thank you all. Thank you, panel. I'm going
18 to call the next panel: Carol Von Gilder
19 [phonetic], Melissa Burch [phonetic], Tom Montwel
20 Cohen [phonetic], Alexandra, is it Heron.
21 Alexandra, you know who you are, right? My eyes
22 don't read the end of that last name. I
23 apologize. Welcome. Remember parking bad,
24 affordable housing and schools, good. That's the
25 theme of the day so far. Just to sum up for those

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watching at home.

COUNCIL MEMBER JAMES: And value good.

CHAIRPERSON WEPRIN: And added value, yes. So whenever you're ready, ladies and gentleman. Just start and again try to keep to the three minutes.

MELISSA ROMAN BURCH: Hi, good morning. Good morning, Council Member Weprin and members of the Land Use Committee. My name is Melissa Roman Burch and I am a Senior Vice President for Commercial and Residential Development at Forest City Ratner Companies.

As a developer with a diverse portfolio, including residential development in Downtown Brooklyn, I am here to speak in support of this important zoning initiative.

Downtown Brooklyn is one of the areas in the city best served by public transit, with 13 subway lines and 15 bus routes. You can get anywhere from here. It is precisely the reason why Downtown Brooklyn is such a desirable place to live. I know this firsthand through the development of our flagship residential Brooklyn

1
2 rental building, 80 DeKalb Avenue, which opened
3 for occupancy in late 2009.

4 80 DeKalb is comprised of 365
5 apartments, 292 of those market rate and 73 of
6 those low income. One hundred twenty-six parking
7 spaces were required to be built to meet zoning
8 regulations. Despite the residential apartments
9 being over 98 percent occupied, the 80 DeKalb
10 parking garage is over 50 percent vacant. Simply
11 put, residential apartment construction in
12 Downtown Brooklyn is not a significant demand
13 generator for parking.

14 Of the 126 parking spaces, only 45
15 of those spaces are rented to residents in the
16 building. That's a meager 12 percent, meaning
17 that 12 percent of the units in the building have
18 created a demand for parking.

19 This is not Forest City's problem
20 alone. It is consistent with the experiences of
21 the other various new construction developments
22 that have been built in Downtown Brooklyn and is
23 also consistent with the June 2012 study by the
24 New York City Planning which found that only 22
25 percent of Downtown Brooklyn residents own cars.

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2 Our experience is clearly that it's less than 22
3 percent.

4 The preponderance of mass transit
5 in Downtown Brooklyn is attracting residents to
6 the area, not the availability of parking. In
7 2010, we conducted a detailed survey, filled out
8 by residents of the building. Residents were
9 asked to detail their decision making process for
10 living at 80 DeKalb. Proximity to the subway was
11 among the most important reasons for choosing to
12 rent in the building. Parking in the building was
13 the top response to the question "least important
14 influencer in decision to rent."

15 The current 40 percent parking
16 requirement is a burden on buildings. Not only
17 does it unnecessarily drive up the cost of
18 construction, but more importantly it creates
19 unproductive and underutilized space in buildings
20 by creating parking spaces for car owners that do
21 not exit.

22 Forest City supports a 20 percent
23 parking requirement for Downtown Brooklyn
24 residential projects because we believe the
25 requirements should match the actual demand for

1 parking. Thank you all very much for your time.

2
3 CHAIRPERSON WEPRIN: Thank you, Ms.
4 Burch. Next please?

5 CAROL VAN GUILDER: Hi, my name is
6 Carol Van Guilder. I am representing the Real
7 Estate Board of New York. We're a trade
8 association of over 13,000 real estate
9 professionals active in all five boroughs. We
10 support the parking plan for Downtown Brooklyn.
11 We do have one modification that we recommend to
12 the section on automated garages, which I will get
13 to.

14 The city has been undertaking a
15 review of off-street parking regulations in
16 several areas in the city. The zoning amendment
17 for Downtown Brooklyn is the right policy for this
18 transit-rich neighborhood, since it reflects the
19 actual parking needs and usage of residents,
20 workers and visitors to the area. The goal of the
21 proposal is to make the best use of all the
22 parking resources in the neighborhood, while
23 removing requirements that aren't needed, and it
24 succeeds in that goal.

25 Zoning requirements for parking

1
2 that isn't used is an added expense. It makes all
3 housing more expensive and it definitely
4 negatively impacts the finances of affordable
5 housing. In new buildings, going forward,
6 additional space can be better used.

7 The zoning plan is also innovative
8 in that it addresses automated garages. Automated
9 garages use new and evolving technologies to park
10 more cars in less space. It's more efficient.
11 The text here in Section 101-545 calls for each
12 tray on which a vehicle is stored to be considered
13 153 square feet of floor area. According to those
14 in the industry of automated garages, the actual
15 trays have an outside dimension of 8.5 feet by 16
16 feet, or 136 square feet, and the actual surface
17 is only 118 square feet. We are submitting an
18 architectural drawing that displays these
19 measurements.

20 It's important that the zoning text
21 count floor area properly and it's also important
22 that the zoning text is consistent throughout.
23 The Manhattan core parking text, which will be
24 coming to the Council next year, will also address
25 automated garages. We believe both the Downtown

1
2 Brooklyn text and the Manhattan text should
3 provide the same rules and both should direct the
4 Department of Buildings to use the actual
5 measurements of the equipment. Thank you.

6 CHAIRPERSON WEPRIN: Thank you.

7 TOM MONTVEL-COHEN: Hi, I'm Tom
8 Montvel-Cohen. I am Chairman of the Dumbo
9 Business Improvement District. I was also
10 involved in the creation of the downtown plan and
11 also in the structuring of the Tech Triangle
12 Initiative which is going forward now.

13 I'm going to not bother pounding
14 into the ground everything that you guys have
15 heard about wastefulness of building extra spaces.
16 I really want to talk about the 24/7 downtown, the
17 economy of Brooklyn and the street level
18 experience. I think that following up on some of
19 the things that Paul Travis mentioned, I'm going
20 to mention five specific locations where street
21 level parking interrupts the streetscape and the
22 fabric of street life in Downtown Brooklyn.

23 You can take the entire stretch of
24 Schermerhorn Street, which were the back doors of
25 the various department store warehouses. You can

1
2 take the Macy's garage and the Bond Street garage
3 on Schermerhorn Street. You can take the Brooklyn
4 House of Detention on Atlantic Avenue. You can
5 take almost all of the new stretch of Fourth
6 Avenue. You can take--and here's a project, which
7 hasn't been built--but the old rules would create
8 a similar situation for the Avalon Willoughby
9 project.

10 These are giant gaps in the
11 streetscape where there is no street activity,
12 where it is dark at night, where there is no jobs,
13 where there is no investment. Every single civic
14 residential group will tell you how destructive
15 they are to their local quality of life. This is
16 an opportunity to at least prevent more of those
17 things from happening and to hopefully bring some
18 focus in to try to redress the conditions that
19 exist now.

20 For many, many years, the only
21 people talking about this were the residential
22 groups, the Atlantic Avenue Betterment
23 Association, Cobble Hill, Brooklyn Heights, many
24 of those civic groups dominated by residential
25 interests were very focused on this.

1
2 One of the things that we found in
3 the Tech Triangle work that is so interesting,
4 when you talk to people that are new and investing
5 in Brooklyn and locating their businesses in
6 Brooklyn. Not because it's cheaper, because they
7 actually want to be here, which is a new
8 phenomenon, that how important this neighborhood
9 quality of life and the feel of the--the
10 pedestrian feel and the bicycle feel of these
11 neighborhoods are to these people who are
12 preparing to move their businesses into Brooklyn.

13 Brooklyn still has unemployment
14 higher than the citywide average. It's a terrible
15 thing. This tech and creative sector is the
16 growth engine of private sector activities in
17 Brooklyn. It's not healthcare, it's not
18 manufacturing, it's not financial services. We
19 know where the jobs are coming from, and we are
20 hearing from the people who are moving or
21 considering moving about why certain areas are
22 desirable and certain areas are not. It's very,
23 very clear.

24 This is going to be probably the--

25 CHAIRPERSON WEPRIN: Just finish

1
2 up. You can finish up.

3 TOM MONTVEL-COHEN: This is going
4 to be probably the single greatest conclusion of
5 the Tech Triangle study, which we're just
6 starting, but it's already clear from hearing from
7 the constituencies what it is that they want to
8 see. This proposal here is a significant step to
9 accomplishing that.

10 CHAIRPERSON WEPRIN: Thank you.
11 Alexandra, I apologize for your last name being
12 butchered, sorry about that.

13 ALEXANDRA HANSON: I apologize for
14 my poor writing. Council Member Weprin, Council
15 Members, thank you very much for the opportunity
16 to testify today. My name is Alexandra Hanson and
17 I am with the New York State Association for
18 Affordable Housing or NYSFAFH.

19 NYSFAFH strongly supports the City
20 Planning zoning resolution related to the
21 reduction of accessory parking in Downtown
22 Brooklyn and encourages the City Council to adopt
23 the proposed changes. This resolution would
24 enable developers to better serve New York City
25 residents by lifting burdensome parking

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2 requirements that drive up costs and often go
3 unused by residents, freeing up space and
4 financial resources for uses that better reflect
5 community needs.

6 NYSAFAH supports the proposed
7 elimination of parking requirements for affordable
8 housing in Downtown Brooklyn. Affordable housing
9 is one of New York City's most pressing issues.
10 Parking requirements draw valuable space and
11 subsidy away from the production of affordable
12 units and drive up development costs. These
13 requirements are particularly inconsistent with
14 the needs of low, moderate and middle income
15 households that New York City's affordable housing
16 seeks to serve, as is evidenced by the large
17 number of spaces that regularly go unused in
18 affordable developments throughout the city.

19 NYSAFAH commends the city for its
20 efforts to eliminate this unnecessary burden on
21 affordable housing development in Downtown
22 Brooklyn and encourages the Department of City
23 Planning and the City Council to adopt similar
24 measures throughout the city to ensure that
25 limited affordable housing resources are used most

1
2 efficiently to address the urgent need for
3 affordable housing and not for parking spaces.

4 In addition, NYSAFAH is committed
5 to building strong communities throughout New York
6 City and supports the parking requirement
7 reduction from 40 percent to 20 percent for all
8 dwelling units, regardless of the inclusion of
9 affordable housing. This reduction will bring
10 parking requirements in line with current
11 household car ownership rates in the Downtown
12 Brooklyn area and will further its growth as a
13 sustainable, walkable, and transit-oriented
14 neighborhood.

15 Developers should be given the
16 flexibility to design building uses such as ground
17 floor retail, community facilities or open green
18 space that respond to community needs and
19 positively impact the quality of life for
20 residents of both market rate and affordable units
21 in the neighborhood. Thank you.

22 CHAIRPERSON WEPRIN: Thank you.
23 Ms. James? I want to be clear, you don't have to
24 talk to each one of these panel members, okay?

25 [Laughter]

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2 COUNCIL MEMBER JAMES: Did I tell
3 you you're doing a fabulous job?

4 So with regards to 80 DeKalb, Ms.
5 Burch, what does Forest City Ratner plan on doing
6 with its underutilized space at this point in
7 time? If in fact this proposal were to go
8 forward, what are the plans?

9 MELISSA ROMAN BURCH: If this
10 proposal were to go forward, we would need to do a
11 very intensive study to see what could actually be
12 done with this space. As has been mentioned, we
13 have capped out on the amount of developable
14 square footage on that zoning site. So I do
15 believe the options would be limited. We would
16 absolutely want to undertake a study to see if it
17 could be redeployed for community use, for a
18 school, for retail. Those would be priorities for
19 us.

20 I do not believe that the space
21 would be able to be converted to residential use.
22 But again, we would want to undertake a very
23 thorough review, because having the opportunity to
24 redeploy that space to fulfill a community need or
25 to make a productive space is certainly better

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than having it sit vacant.

COUNCIL MEMBER JAMES: So you are open to the idea of converting it to a community facility, such as a school?

MELISSA ROMAN BURCH: We would absolutely want to take a look at that as well as the other development alternatives.

COUNCIL MEMBER JAMES: Thank you. I neglected to ask the head of the Downtown Brooklyn Partnership about programming for all of the spaces, and so I guess I'm going to ask each of the developers as they testify.

With regards to the Tech Triangle, obviously I support the Tech Triangle and think it's a fabulous plan. I look forward to working with the administration as well as with all of those who are part of it who are stakeholders. The question with regards to whether or not this proposal is the reason why Schermerhorn, House of Detention, Fourth Avenue is unfortunately a dead space, I question. I agree with you, Macy's and Bond Street. Obviously, there are some opportunities since there are garages on those streets and I think on Schermerhorn as well. I'm

1
2 not sure about Fourth Avenue. But the House of
3 Detention raises other issues.

4 TOM MONTVEL-COHEN: I mentioned
5 those strictly as examples of uninterrupted
6 streetscape.

7 COUNCIL MEMBER JAMES: Okay, got
8 it.

9 TOM MONTVEL-COHEN: I did not tie
10 them specifically to this at all.

11 COUNCIL MEMBER JAMES: Okay.
12 Definitely I agree with you there. Obviously,
13 converting it into a 24/7 or creating some
14 vitality on these streets, I couldn't agree with
15 you more.

16 TOM MONTVEL-COHEN: Right. I mean
17 I just use--

18 COUNCIL MEMBER JAMES:
19 [interposing] There are a number of issues which
20 are totally unrelated to this proposal.

21 TOM MONTVEL-COHEN: Absolutely.
22 But I think it's always good for people to be able
23 to visualize things when we're talking about
24 technicalities.

25 COUNCIL MEMBER JAMES: Obviously,

1
2 none of these are in my district. They are all in
3 Council Member Levin's district, but I too have
4 wondered why these streets oftentimes are so dark.
5 Again, if you look at the parking lots on those
6 streets, it's rather limited, so that's a separate
7 discussion. So I just want to make it clear we're
8 not confusing apples and oranges.

9 The Tech Triangle, I thank you for
10 throwing it in this discussion, and I support it
11 and I look forward to working with you with
12 regards to that.

13 The proposal by the other
14 organization, particularly the Real Estate Board,
15 obviously I support.

16 For NYSFAH, I support obviously
17 eliminating it for affordable housing. So I agree
18 with you with regards to that. Thank you.

19 CHAIRPERSON WEPRIN: Thank you,
20 Council Member James. Thank you, panel.

21 We're going to move to the next
22 panel. Is Jeff Kay here? Jeff Kay from Muss
23 Development? No. All right, Roger Fortune
24 [phonetic], Marty Piazola [phonetic], Albert Labaz
25 [phonetic]. We only have two others, so we're

1
2 going to bring them up too. Sergeant-at-arms,
3 we'll need an extra chair. Tory Linford
4 [phonetic], assuming they're both here, and
5 Caroline Pardo [phonetic].

6 Was anyone else not here? Is Tory
7 Linford here? That's you. Caroline Pardo is not
8 here? I know people have to--what? All right,
9 good, so we have enough. I apologize,
10 unfortunately, that happens, people actually have
11 lives and have to go places and not stay around
12 here all day. That being said, please, whenever
13 you're ready.

14 ROGER FORTUNE: Good afternoon,
15 Council Member Weprin and members of the Land Use
16 Committee. My name is Roger Fortune and I
17 represent the Stahl Organization, a New York City
18 based real estate investment and development firm.

19 We're currently building the
20 tallest building in Brooklyn, a 500,000 square
21 foot, 53-story mixed-use building at 388 Bridge
22 Street, in the heart of Downtown Brooklyn. 388
23 Bridge Street will include 389 units, comprising
24 48 affordable units, low and very low income, 186
25 market rate rentals and 144 market rate

1
2 condominiums as well as 50,000 square feet of
3 commercial space.

4 Also, as required by the current
5 zoning resolution, we will be providing parking
6 spaces for 142 cars on four levels: the sub
7 cellar, cellar, second and third floors. Much of
8 the 33,000 square foot of space currently
9 dedicated to parking will be much better used for
10 housing, retail, office or community facility.

11 Currently, Downtown Brooklyn, which
12 is a mass transit hub, suffers from an oversupply
13 of parking spaces. Residents of Downtown Brooklyn
14 own cars at a far lower rate than most New
15 Yorkers. In fact, one of the benefits of living
16 in Downtown Brooklyn is the easy accessibility of
17 a dozen train lines, city busses and LIRR.

18 Downtown Brooklyn may be the only
19 high-density district in New York City with an
20 accessory parking requirement. The Stahl
21 Organization strongly supports the adoption of the
22 Downtown Brooklyn parking text amendment. Thank
23 you.

24 CHAIRPERSON WEPRIN: Thank you.
25 Thank you for leaving room for Tish James'

1
2 questions. That's good. Next?

3 MARTIN PIAZZOLA: Good morning.
4 Actually, good afternoon, Chairperson Weprin and
5 committee members. I am Martin Piazzola, Senior
6 Vice President for Avalon Bay Communities. Bless
7 you.

8 We are developer and manager of
9 residential communities across the country,
10 including six rental buildings in New York City.
11 In Brooklyn, we own and manage the Avalon Fort
12 Greene at the intersection of Myrtle Street and
13 Gold Street. We are currently developing a new
14 823-unit rental building in the heart of Downtown
15 Brooklyn on Willoughby Street, between Duffield
16 and Bridge Streets.

17 We urge you to support the proposed
18 zoning text amendment to reduce accessory parking
19 requirements in the Special Downtown Brooklyn
20 District. Our experience with Avalon Fort Greene
21 has taught us that people are moving to Downtown
22 Brooklyn for the neighborhood's easy access to
23 transit and wide range of activities in walking
24 distance.

25 The current parking requirement of

1
2 one space for every 2.5 apartments does not
3 reflect the car ownership rates or parking needs
4 of these new residents. It is our experience, for
5 example, that only approximately 23 percent of the
6 provided spaces at Avalon Fort Greene are actually
7 used. Requiring extraneous parking spaces reduces
8 retail frontage and may encourage increased car
9 ownership and thus increase traffic.

10 We support the recent proposal to
11 retroactively apply reduced parking ratios to
12 existing buildings. There simply is not a need
13 for the number of parking spaces currently
14 required in Downtown Brooklyn. The proposed
15 reduction should be available to all buildings.
16 Thank you for your support of the city's proposal.

17 CHAIRPERSON WEPRIN: Thank you very
18 much. Next? Pass that mike down.

19 ALBERT LABOZ: Good afternoon. My
20 name is Albert Laboz. I'm a principal of United
21 American Land. That is a real estate development,
22 family-owned business. I'm also the Chairman of
23 the Fulton Street Mall, as well as a member of the
24 Metro Tech BID.

25 I've been involved in Downtown

1
2 Brooklyn for 25, 30 years. I'm speaking from
3 really the retail standpoint. We're bringing in
4 H&M, T.J. Maxx and Sephoria to Downtown Brooklyn.
5 I think Downtown Brooklyn and retail, the retail
6 is the soul of any community. It's the entire
7 pedestrian experience.

8 Like Tom Montvel-Cohen just said
9 before, when you walk down Bond Street, when you
10 look at the Macy's garage, I mean it is just like
11 a dark, desolate experience. By having this
12 requirement that you had before, requiring parking
13 on the second floor and the first floor just
14 negates the entire retail experience and
15 pedestrian experience.

16 I could tell you a real world issue
17 that we're dealing with is with respect to Avalon
18 development on Willoughby Street, we're going to
19 be developing the retail. Our original deal on a
20 35,000 foot plot was to have 20,000 square feet of
21 retail. Marty comes to me and he shows me the
22 plans. He said we have 10,000 square feet of
23 retail for you. I said we were supposed to get
24 20,000. We can't do it because of the parking
25 requirements.

1
2 I said well hold on a second, now
3 out of the 10,000, we have 5,000 square feet has
4 8.5 foot ceiling to the underside of the slab.
5 Now hold on a second, that's 8.5 feet, but you
6 have to drop it to get a finish with the
7 mechanicals. That brings it down to 7 feet. I
8 say, Marty, we cannot make this a retail space
9 with a 7 foot finished ceiling. He says, I can't
10 help it. It's the parking requirements.

11 CHAIRPERSON WEPRIN: Especially
12 with basketball players working nearby--

13 ALBERT LABOZ: [interposing]
14 Absolutely.

15 COUNCIL MEMBER JAMES: You didn't
16 have to go there.

17 [Laughter]

18 ALBERT LABOZ: I mean if you think
19 about it, I mean the soul of any neighborhood is
20 retail and you're just killing the retail for
21 parking that's not necessary. I tell you the
22 truth, I walked down Flatbush Avenue myself. I
23 went to the Oro. I went to Avalon. I went to all
24 these. I see all these desolate parking spots. I
25 mean I'm just a common sense guy. I mean if

1
2 you're making us and making everybody to build
3 parking that's not necessary, that's operating at
4 20 percent capacity, I mean like Paul Travis said,
5 it's totally insane. It makes absolutely no
6 sense. I can't even believe we're having this
7 conversation. How do you like that?

8 [Laughter]

9 COUNCIL MEMBER JAMES: Are you
10 related to Marty Markowitz?

11 [Laughter]

12 CHAIRPERSON WEPRIN: We've been
13 having this conversation for over two hours.

14 ALBERT LABOZ: I'll leave it at
15 that.

16 CHAIRPERSON WEPRIN: Got it. Okay.
17 There you go.

18 TORY LINFORD: Good morning. My
19 name is Tory Linford. I live and work in Downtown
20 Brooklyn. I'm a first-time homeowner, 189
21 Schermerhorn, between Hoyt and Smith. We sit atop
22 an empty parking lot but do have a brand new
23 preschool.

24 As many of you know, Downtown
25 Brooklyn is ever transforming. I'm personally

1
2 invested in the quality of living and the
3 ramifications that projects and policies will have
4 on my community. The underlying issue of the
5 parking minimum requirement at 40 percent of
6 market rate units is that it wrongly assumes that
7 the residential demand of personal vehicle parking
8 is higher than it truly is.

9 Secondly, the current parking
10 requirement hinders developments by asking
11 developers to proportionately match the number of
12 parking spaces with residential units.

13 The third issue with the parking
14 requirement as it now stands is its adverse
15 effects for residents and visitors. When parking
16 space is constructed just to meet zoning
17 requirements and sits vacant during nights and
18 weekends, it deters those who live and visit from
19 visiting the neighborhood. On the nights and
20 weekends, I find the streets are empty. On my
21 block alone, there are three parking lots.

22 In reality, we all use the subway.
23 We all bike in Brooklyn. It's very much a quality
24 of life issue. It's not just an economic issue.
25 So I thank you all today, Chairman Weprin and the

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subcommittee for your time and consideration.

CHAIRPERSON WEPRIN: Thank you.

Now we're going to turn to Tish James.

COUNCIL MEMBER JAMES: Mr.

Piazzola, there's no affordable housing in your development at all?

MARTIN PIAZZOLA: Correct. We purchased 421A tax certificates which went to fund offsite affordable housing.

COUNCIL MEMBER JAMES: Right. So just to let you know, the proposal with regards to 421A requiring the affordable housing be built onsite was a Tish James amendment because I don't believe in segregation.

Let me just ask you with regards to the development that you're planning on Willoughby between Duffield and Bridge, will there be any affordable housing in there?

MARTIN PIAZZOLA: We're using the same method of buying 421A tax certificates for offsite affordable housing.

COUNCIL MEMBER JAMES: So this was prior to the change. Where is that affordable housing going?

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2 MARTIN PIAZZOLA: I believe it's in
3 Brooklyn. We're purchased these certificates
4 years ago.

5 COUNCIL MEMBER JAMES: With regards
6 to this requirement that you will no longer have
7 to provide accessory parking, what do you plan on
8 doing with this accessory parking requirement? Do
9 you plan on converting that to a community
10 facility, building a school or is it just going to
11 be used for more rental units in the development?

12 MARTIN PIAZZOLA: Well, it wouldn't
13 be used for any more rental units because we've
14 already maxed out on the zoning floor area, both
15 for Willoughby the planned project as well as Fort
16 Greene project. The other issue with Fort Greene
17 is all of our parking is below grade so obviously
18 we can't provide any housing below grade. So we
19 would have to evaluate what is physically possible
20 below grade to accommodate what kinds of uses. We
21 haven't done that.

22 COUNCIL MEMBER JAMES: What are the
23 thoughts with regards to Fort Greene? What do you
24 plan on doing? Any idea? What are the
25 possibilities?

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2 MARTIN PIAZZOLA: Well, obviously,
3 it's got to meet zoning requirements. One
4 potential idea is additional amenities for the
5 residents themselves. It could be a school. We
6 would consider. It could be some sort of
7 community facility use as well.

8 COUNCIL MEMBER JAMES: You could
9 also sell that, the parking requirements or some
10 other, I guess, entity that needed parking, I
11 guess you could negotiate with them.

12 MARTIN PIAZZOLA: Right. It could
13 become public parking under the proposal as well.

14 COUNCIL MEMBER JAMES: I would
15 strongly recommend since Avalon, you have moved
16 into Fort Greene and now you are moving into
17 Downtown Brooklyn that you at least provide some
18 community facilities to the residents in Brooklyn.
19 Notwithstanding the fact that a significant number
20 of individuals have moved to Brooklyn, there is a
21 significant number of residents who currently
22 reside there and bring a lot of--and want to
23 remain there and obviously could use some
24 additional benefits in the neighborhood.

25 I would urge you to consider either

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2 a school or some sort of community facility in the
3 Fort Greene site as well as in the Downtown
4 Brooklyn site. I would strongly recommend that.
5 There, again, we were hoping that Avalon would be
6 bringing some affordable housing to the site
7 onsite, but unfortunately, that's really not the
8 case.

9 Mr. Laboz, are you related to
10 Marty?

11 ALBERT LABOZ: No.

12 COUNCIL MEMBER JAMES: No. I know.
13 I know he's not. Mr. Laboz, again, I know you've
14 been in the neighborhood for a long time. You and
15 I know each other. What about the idea of doing
16 something with regards to Metro Tech? Metro Tech
17 provides, and I know, again, the Forest City
18 Ratner representative, I think she's left--the
19 space on Myrtle Avenue is a dead space. You
20 mentioned Bond Street and Schermerhorn. I agree
21 with you. Metro Tech turns its back on Fort
22 Greene and Metro Tech is all closed.

23 One of my visions is to open up
24 Metro Tech and create some vitality on Flatbush
25 Avenue. So I would hope you would speak to Forest

1
2 City Ratner with regards to that proposal. Thank
3 you for bringing in those new retailers, but it's
4 really critically important that we have a mix of
5 retailers in Downtown Brooklyn to address the
6 needs of all residents in the Borough of Brooklyn.

7 ALBERT LABOZ: I could not agree
8 with you more with respect to, you know--

9 COUNCIL MEMBER JAMES:
10 [interposing] Metro Tech.

11 ALBERT LABOZ: --Metro Tech and the
12 ground floor.

13 COUNCIL MEMBER JAMES: I know you
14 know him well and I know he serves on your boards
15 and you don't want to say anything that will
16 result in a phone call as soon as you leave here.

17 CHAIRPERSON WEPRIN: Or him
18 announcing for borough president--

19 ALBERT LABOZ: [interposing] But
20 I'd like to just follow up on what Marty was
21 saying before. I can say this, if the parking
22 requirements would loosen up, at least in Downtown
23 Brooklyn and on the Willoughby, we could get more
24 retail there. Because right now, the way--

25 COUNCIL MEMBER JAMES:

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[interposing] I agree.

ALBERT LABOZ: --we're having now,
it's going to kill it.

COUNCIL MEMBER JAMES: That makes
sense.

CHAIRPERSON WEPRIN: Sorry, I just
want to ask a question. Mr. Piazzola, you had
your hand up before about parking and what might
happen to the parking. Is there something that
you didn't say that you wanted to say then?

MARTIN PIAZZOLA: No. Like I said,
Fort Greene, it's all below grade space so you're
pretty limited as to what kind of uses you could
have down there. Then physically we'd have to
evaluate what could fit where. It's not so easy
to convert parking with ramps and so forth to
commercial uses, but we would certainly consider
it.

COUNCIL MEMBER JAMES: Mr.
Piazzola, you will realize some savings with
regards to your other project that you plan on
building on Willoughby, right, if this amendment
were to go forward?

MARTIN PIAZZOLA: I would think we

1
2 would. But we're also at a tipping point. We
3 don't know what all the costs are. Based on what
4 we know now, it would certainly help the
5 likelihood of our project going forward if we had
6 the reduction in parking, because it's really just
7 a burden.

8 COUNCIL MEMBER JAMES: No, I
9 understand. It is a burden but it's also a burden
10 for residents in Brooklyn when unfortunately they
11 can't find any place to live in Downtown Brooklyn.
12 That's not only a burden that's resulted in great
13 displacement and individuals doubling and tripling
14 up, and again, coming to our offices seeking help
15 when they're getting evicted.

16 Mr. Fortune, you are only building
17 48 units of affordable housing. That comes from
18 144 market rate rentals. The 144--

19 ROGER FORTUNE: [interposing] No,
20 actually it comes from the 238.

21 COUNCIL MEMBER JAMES: Two hundred
22 thirty-eight?

23 ROGER FORTUNE: The 238 is the
24 80/20 component of our project.

25 COUNCIL MEMBER JAMES: Right, it's

1
2 the 80/20 component. But the market rate
3 condominiums, there's no affordable component as a
4 result of that, right?

5 ROGER FORTUNE: No, those aren't
6 built with bonds.

7 COUNCIL MEMBER JAMES: Okay. So
8 this is the issue that, again, concerns me.
9 Again, we're provided as benefit for all these
10 developers, which is a good thing because they're
11 providing jobs and development in Downtown
12 Brooklyn, but again, the absence of affordable
13 housing--not the absence but the small, small
14 amount of affordable housing in Downtown Brooklyn
15 continues to concern me and it should concern all
16 of you. Thank you.

17 CHAIRPERSON WEPRIN: Thank you,
18 Council Member James. Council Member Levin has a
19 question.

20 COUNCIL MEMBER LEVIN: Very quickly
21 for Mr. Piazzola, when Council Member James asked
22 you where the certificate affordable units--

23 MARTIN PIAZZOLA: [interposing]
24 421A tax exemption--

25 COUNCIL MEMBER LEVIN:

1 [interposing] Right, right. Where those units are
2 being built.
3

4 MARTIN PIAZZOLA: Yeah.

5 COUNCIL MEMBER LEVIN: If you could
6 get that answer for us--

7 MARTIN PIAZZOLA: [interposing]
8 Sure.

9 COUNCIL MEMBER LEVIN: --obviously
10 it's very important to us.

11 MARTIN PIAZZOLA: Okay.

12 COUNCIL MEMBER LEVIN: Bed-Stuy,
13 but if you could give us a specific location and
14 the number of units and the level of
15 affordability, that would be appreciated.

16 MARTIN PIAZZOLA: I'd be happy to
17 provide that.

18 COUNCIL MEMBER LEVIN: Thank you.

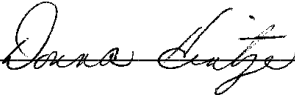
19 CHAIRPERSON WEPRIN: Okay. Is
20 there anyone I didn't call who was planning on
21 speaking? Anyone who didn't speak, if they want
22 to talk to Council Member James after, I'm sure
23 that she'll be able to ask you questions as well.
24 Anyway, with that in mind, we're going to close
25 this hearing. What we're going to do is hold off

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on this vote, put it over to our next meeting,
which will be, I think, on December 4th, right now
as scheduled. With that in mind, we are now going
to adjourn this meeting. The meeting is now
adjourned.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature _____  _____

Date December 11, 2012 _____