

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

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April 19, 2017
Start: 1:27 p.m.
Recess: 2:14 p.m.

HELD AT: 250 Broadway - Committee Rm
16th Fl

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

COUNCIL MEMBERS: DARLENE MEALY
YDANIS A. RODRIGUEZ
ANDREW COHEN
MARK TREYGER

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

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

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[sound check, pause] [gavel]

CHAIRPERSON SALAMANCA: Alright, good
afternoon, everyone. My name is Rafael Salamanca,
and I am the Chair of the Subcommittee Planning,
Dispositions and Concessions. We want to welcome
everyone to today's hearing. We are joined today by
Council Member Andy Cohen, and Council Member Mark
Treyger. We also have Council Member Inez Barron,
and Council Member Eugene. Today, we will have two
items on our calendar for vote: LUs 594, 595 and
596, the Caton Flats Development, and LUs 597 and 598
at 210-214 Hegeman Avenue, LU 604, the Con-the
Concourse Village West Tax Exemption Application is
being laid over. In the Caton Flats Application,
DCAS and EDC seeks dispositions approval, a zoning
map change and a text amendment creating a mandatory
inclusionary housing area to facilitate the
redevelopment of the Flatbush Caton Market at 794
Flatbush Avenue. This project is in Council Member
Eugene's district. The site will be redeveloped with
a new 14-story building that will include a 9,000
square foot market for local vendors, incubator space
for businesses, community facility space and 251
apartments. As a result of Council Member Eugene's

1 negotiation, the project will now include a tier of
2 27 units affordable at 37% AMI. Previously the
3 lowest proposed affordability level was 47% AMI and
4 offset temporary market at Clarendon Road will house
5 the vendors during the construction period with
6 moving expenses and one year of free rent provided by
7 the developer. EDC and the new market manager,
8 Urbane Development have pleaded to continue to work
9 with Council Member Eugene and the market vendors to
10 reach consensus and guidelines for the new market,
11 and protections for existing legacy vendors. In the
12 Hegeman Avenue application, HPD is seeking Urban
13 Development Action Area Project, UDAAP, designation
14 and approve, disposition approval and a special
15 permit pursuant to ZR Section 7-903 to permit
16 community facilities FAR to apply to a not-for-profit
17 institution with sleep accommodations. These actions
18 will facilitate the development of eight-story
19 affordable and supportive housing building with on-
20 site social services and security. The development
21 will have 42 units available for formerly homeless
22 individuals and 28 units available to individuals
23 with income ranging from 27% to 60% of the area
24 median income. The building will include 24/7
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1 security and on-site social services. The project is
2 in Council Member Barron's district. So with that,
3 we're going to hear two statements, and the first
4 statement will be from Council Member Eugene.

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6 COUNCIL MEMBER EUGENE: Thank you very
7 much, Mr. Chair. Thank you so very much for your
8 leadership and your assistance also, and decision for
9 deeper affordability. Thank you so very much. Good
10 afternoon, everyone. My name is Mathieu Eugene and
11 I'm—and I'm the Council Member representing District
12 40, which includes the Caton Flatbush Market. It is
13 very important to see that this project come to a
14 vote before the subcommittee this afternoon because
15 we have been working to find a way to expand and
16 renovate the market for many years. The new expanded
17 home for the market will include a commercial
18 kitchen, and business incubator for the vendors as
19 well as the permanent home for CACCI, Caribbean-
20 American Chamber of Commerce on the second floor. In
21 addition to the market, the community will benefit
22 from 251 new units of affordable housing, and I would
23 like to take a moment to tell you briefly how far
24 this project have—has come. Years ago when the
25 development was proposed, I left out condition I had

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2 for the project. I wanted to see deeper
3 affordability and that the housing proportion of the
4 project saw that the people who live in my district
5 could afford to live in the apartment they were
6 building. I wanted to see some protection for the
7 vendors who have been in the market for many years,
8 and who had created the market to ensure that they
9 were not priced out by rising rent or forced out by
10 the stress of moving during the construction. I also
11 wanted to ensure that the project would created some
12 economic benefit for people living in my district and
13 also in the community. Over the past years, I have
14 fought hard for this project to be fair to the people
15 of my district and the community and it is because of
16 the developers who were able to make these
17 adjustments that we are voting on this project today.
18 When the project was originally proposed, 80% of the
19 units were going to be allotted to those making over
20 \$80,000 a year. We went together with the developers
21 and EDC, HPD, and the Land Use Committee—Department,
22 we were able to drastically increase the
23 affordability of units in the building, and provide a
24 much wider range of affordability. If more units
25 available for those making between \$25,000 and

1 \$35,000 per year. When the project was proposed, the
2 few vendors were not going to be protected. Working
3 with the developers and EDC. We succeed—we secured
4 the current vendor's affordable rent in the new space
5 as well as free rent for one year in the temporary
6 space where they can serve their goods while they're—
7 they're in the—while the new market is under
8 construction. Additionally, Urbane Development will
9 cover the moving expenses making sure that the long-
10 term vendors who build the market are able to thrive
11 in the new market. It's very important to all of us.
12 I also want to make sure that the vendors, the
13 developer does everything possible to make economic
14 opportunities available to the resident of my
15 district and also the community. They are going to
16 do outreach to local qualified workers in surprise to
17 inform them about opportunities related to the new
18 Caton Flat Market so that they can hire workers and
19 buy supplies within the community. Despite the
20 progress we have made on this project, there is work
21 still to be done, and I want to make—to make it very
22 clear that today's vote is not the end of this
23 process. It is just the beginning. Our vote today
24 is the beginning of us working together, the
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2 developer, EDC, HPD, myself and all the partners to
3 make sure that the current vendors are protected,
4 that the rules of the new market are fair, and that
5 project provides real economic benefit to my
6 district. The Caton Market is a cornerstone of the
7 community, and I am going to work with the developers
8 to, EDC and the partners and the vendors to ensure
9 that the new building benefit the community for many
10 years to come. I would like to thank the Chair of
11 the Subcommittee on Planning and Disposition and
12 Concession, Council Member Rafael Salamanca and also
13 I would like to thank all the members of the
14 subcommittee, especially Council Member David
15 Greenfield for his advice and his collaboration while
16 I was fighting for affordable—more affordability. I
17 would like also to thank all the—the people.
18 Everyone, all of you who have been part of this
19 effort, especially Raju Mann, Brian Paul and Dylan
20 Casey from the City Council, the news (sic) and I
21 want to thank also my Legislative Director Ethan
22 Tompkins (sp?) and Adam and to all of you who have
23 been part of this process. There has been a long
24 process. We fought, we shook hands, and I think we
25 get to a good result, and that is going to make

1 difference in the life of so many people in my
2 district, and I congratulate each one and all of you.
3 Thank you very much. Thank you, Mr. Chair.

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5 CHAIRPERSON SALAMANCA: Thank you, Council
6 Member. I just want to recognize that we've been
7 joined by Chair David Greenfield, and our Council
8 Member Darlene Mealy. With that, I'm going to hand
9 it off to Council Member Barron.

10 COUNCIL MEMBER BARRON: Thank you, Mr.
11 Chair. I want to first thank all of those who were
12 working on coming to some resolution on this project,
13 which will be located in my district at 210 Hegeman
14 Avenue. It is a project that has been on the drawing
15 board for a while, and I do want to say that I had
16 several concerns that were addressed by the developer
17 to correct what I saw as some inadequacies. So the
18 project was 100% affordable. That's always good.
19 That's always good news, but I wanted to see income
20 bans so that we could guarantee that there was not a
21 conglomeration of people at the upper ends that would
22 be qualified. So the developer did establish income
23 bans, and we have bans at 27%, 37%, 47% and 50 per
24 seven--57%. So that's quite impressive, and that's
25 quite commendable. The building is eight stories,

1 which many of you know is higher than what I think is
2 appropriated based on where the location is. The
3 surrounding buildings there are four and six stories,
4 there are private homes that will be adjoining this
5 building, but the project calls for homes for
6 homeless--formerly homeless persons. So half of those
7 units will be--42 of the units will be for people--40
8 of the units will be for people with--which DHS has
9 designated has special needs. So there will be on-
10 site services that will be provided for them. There
11 will be a case manager, there will be a financial
12 literacy person, there will be job training and
13 education skill building and there will be access to
14 health and employment. So all of that is great. In
15 addition to establishing income bans and the on-site
16 services, the developer did respond to concerns that
17 I had in the façade of the building. All of the
18 buildings in that community are brick, and they had a
19 brick and something else, and it was the something
20 else that I did not really think was in keeping with
21 the establishment of the--of the buildings and they
22 have addressed that issue as well. So my reluctance
23 came inasmuch as this was a unit that had all
24 studios, and I know we have a burgeoning homeless
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1 shelter population, and that we need to move people
2 out of temporary shelters into permanent housing, but
3 I don't think that moving an individual into a unit
4 that is approximately 300 square feet as a studio
5 really give recognition to the dignity that people
6 are deserving of. I was told that there wasn't any
7 way at this point to make that adjustment, to
8 improve—increase, rather the size of the student
9 apartment and I did go and visit other units that
10 this developer has created, and I was quite pleased
11 to see the amenities and the quality of the
12 established—of the furnishings that were provided,
13 and they do provide a bed, and they do provide closet
14 space, and they do provide the table and the desk as
15 well. So it's very well thought out. So my
16 reluctance was again—was that this was a project that
17 did not include an opportunity for children who were
18 in family—in families living in the shelter to have
19 an opportunity to move out of shelter and the size of
20 the units. So, it is with those reluctance, but with
21 the letter that I have received from the Commissioner
22 that they are aware of these concerns, and moving
23 forward they will be addressed in other projects that
24 are coming forward. And so whatever the word is
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1 that's the opposite of setting a precedent, this--this
2 project is the last of whatever is coming into my
3 district at this size, and that's the end of it.
4 That's the death of it. There will be no more that I
5 will consider that are coming in at 300 square feet,
6 and we're looking to also make sure that there's a
7 mix of family units along with studio units that are
8 coming in. So I do want to thank everyone who worked
9 on this project. Again, all of the considerations
10 that were made to the concerns that I had, and
11 realizing that the community board approved it, the
12 borough president approved it. And there will at
13 least be 70 less people--well, 48 less people coming--
14 living in shelter because they'll be coming to live
15 here, and the assurance the at least 50% of the
16 affordable units that will remain will be made
17 available to folks living in Community District 16,
18 Community Board 16, and that people will have a
19 decent place to live even though it is very small.
20 So, I do recommend a vote of yes. Thank you.

22 CHAIRPERSON SALAMANCA: Thank you,
23 Council Member. Now I will move to a vote to approve
24 LUs 594, 595, 596, 597 and our 598. So counsel,
25 please call the roll.

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2 LEGAL COUNSEL: A vote to approve LUs
3 594. 595, 59-594, 595, 596, 597 and 598 and to file
4 604. Chair Salamanca.

5 CHAIRPERSON SALAMANCA: Aye.

6 LEGAL COUNSEL: Council Member Mealy.

7 COUNCIL MEMBER MEALY: Can I explain my
8 vote. I just want to take the time out to say
9 congratulations of Mathieu Eugene and Kathy Mahaver
10 (sp?) of Safe Haven, their space now, and the flea
11 market is protected. I hope it stays protected for
12 future endeavors that they do. We have a lot of them
13 that start and then they weed them out. I hope we
14 have a-a plan to make sure that they stay, and
15 progress, and I want to thank my colleague Inez
16 Dickens-Barron in regards to her project, but I think
17 things are really going to a point that a lot of
18 developers are coming and just doing one studio
19 apartment. I feel 300 square feet is not good for
20 anyone. So I hope-and I concur with her that this
21 should be the last one coming into Brownsville, and I
22 vote aye on all.

23 LEGAL COUNSEL: I just want to correct.

24 I think I said to-to file 604, and I meant to say lay
25 over 604. Council Member Treyger.

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2 COUNCIL MEMBER TREYGER: With
3 congratulations to my colleague Council Member Eugene
4 and a point very well taken by Council Barron because
5 it's not just about affordability. It's also about
6 quality. Families deserve to live in dignity and
7 respect. So I—I do vote aye on all. Thank you.

8 LEGAL COUNSEL: The vote is approved by a
9 vote of 3 in the affirmative, 0 negatives and 0
10 abstentions and referred to the Land Use Committee.
11 We should leave the vote open.

12 CHAIRPERSON SALAMANCA: Yes, we're going
13 to leave the vote open for about 15 minutes, but
14 before we step out, Council Member Barron just wants
15 to say a few words.

16 COUNCIL MEMBER BARRON: Yes, I want to
17 thank my colleagues, and I do want to add the other
18 attractive feature was that there was 50-year
19 regulatory for the project. So that is another
20 positive. Thank you.

21 CHAIRPERSON SALAMANCA: Awesome. So I
22 would like to thank the members of the public, my
23 colleagues, Counsel and Land Use staff for attending
24 today's hearing, and we will leave the roll open for
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2 about 15 minutes for the other members to come to
3 vote. Thank you.

4 LEGAL COUNSEL: Thank you. [background
5 comments] [pause] Okay, I was going to [pause] The
6 vote to approve 594, 595, 596, 597 and 598 Council
7 Member Rodriguez.

8 COUNCIL MEMBER RODRIGUEZ: [off mic] Aye.

9 LEGAL COUNSEL: The vote to approve Land
10 Use Items 594, 595, 596, 597 and 598 is approved by a
11 vote of 4 in the affirmative, 0 negative and 0
12 abstentions and referred to the Full Land Use
13 Committee. Continued vote. Council Member Cohen.

14 COUNCIL MEMBER COHEN: I vote aye.

15 LEGAL COUNSEL: The vote to approve Land
16 Use Items 594, 595, 596, 597 and 598 is approved by a
17 vote of 5 in the affirmative, 0 negatives and 0
18 abstentions and all items are referred to the Land
19 Use Committee. [pause] [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 30, 2017