

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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May 3, 2011  
Start: 9:30 am  
Recess: N/A

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Leroy G. Comrie, Jr.  
Daniel R. Garodnick  
Robert Jackson  
Diana Reyna  
Joel Rivera  
Albert Vann  
Vincent M. Ignizio

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

Charles Rosenfeld  
Representative  
Goodfellas Pizza

Patrick Evans  
President  
Springfield Gardens Taxpayers and Citizens Association

Adam Rutherford  
Representative  
647-649 Washington Avenue, LLC

Grace Han  
NYC Department of City Planning

Jamie Chen  
NYC Department of City Planning

Nasir D. Comada  
Representative  
Covadanga Inc. d.b.a Empanada Mama

John Young  
Director of the Queens Office  
NYC Department of City Planning

Deborah Carney  
Deputy Director of the Queens Office  
NYC Department of City Planning

Patrick Evans  
President  
Springfield Gardens Taxpayers and Citizens Association

Kumal Salim  
Concerned Citizen

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2 CHAIRPERSON WEPRIN: Good morning  
3 everyone. I want to let you know what we're going  
4 to be doing here today. This is the Zoning and  
5 Franchises Subcommittee of the Land Use Committee.  
6 I'm Mark Weprin, the chair of that Committee and  
7 I'm joined today by Mr. Ignizio from Staten  
8 Island, Mr. Vann from Brooklyn, Dan Garodnick from  
9 Manhattan, Diana Reyna from Queens and Chair Leroy  
10 Comrie of the Land Use Committee also from Queens  
11 County.

12 We have two cafés on that we'd like  
13 to start with. I'd like to start with Land Use  
14 No. 367 in Bronx Community Board 8 in Council  
15 Member Koppell's district, Goodfellas. Charles  
16 Rosenfeld is here. If he could please come up..  
17 Yes, he is. Please sit at the table over there,  
18 push the button and once again, state your name  
19 for the record and discuss your application for  
20 your café. Thank you.

21 CHARLES ROSENFELD: How are you  
22 doing? My name is Charles Rosenfeld from  
23 Goodfellas Pizza—or d.b.a. Pizza to Go Bronx,  
24 Inc. I'm here today for a new application for an  
25 outdoor café. We made all the necessary

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adjustments and we are ready to go.

CHAIRPERSON WEPRIN: And I was advised by the staff of Council Member Koppell that they are delighted with this as well, so that's okay. Any questions from the Committee? This was approved by DCA and anyone in the Committee have any questions about this particular item? I see none. So I appreciate you coming down today.

CHARLES ROSENFELD: Thank you for your time.

CHAIRPERSON WEPRIN: Get back to work.

CHARLES ROSENFELD: Alright.

CHAIRPERSON WEPRIN: Alright. Thank you. Okay, we're going to move on from the café. And we're going to move the Land Use item. We're waiting on the proprietors of the other café, so we're going to move to Land Use No. 372, which is the Union Avenue rezoning, Staten Island, New York—I believe in Council Member Rose's district. So the Union Avenue rezoning with Adam—there he is. Adam Rutherford [phonetic]. Please come up and push the button, state your name.

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2 ADAM RUTHERFORD: Thank you. Adam  
3 Rutherford. I'm here on behalf of 647-649  
4 Washington Avenue, LLC. This is for a change in  
5 zoning from M1-1 to R3A to allow development of 31  
6 one and two family dwellings on a former lumber  
7 materials storage yard. The site consists of a  
8 block bounded by Union Avenue, Harbor Road, Layton  
9 Avenue [phonetic] and Former Staten Island Rapid  
10 Transit Railroad right of way. It consists of 13  
11 lots, 9 of which are owned by the applicant. The  
12 lots that are not owned by the applicant are  
13 currently developed with residential houses that  
14 will become conforming under the change to  
15 residential zoning. The neighborhood is  
16 predominantly zoned residentially and developed  
17 residentially. We chose the R3A, which is the  
18 conservative zone as opposed to an R3-2 district,  
19 which is located to the south and west of us. The  
20 records show that this property is used as a  
21 lumber materials storage yard dating back to the  
22 turn of the 20<sup>th</sup> Century. The plans that we've  
23 submitted show a 24 one family and 7 two family  
24 units, a total of 38 resident units. It includes  
25 an interior street and will also include off

1 street parking for 69 cars, which meets the zoning  
2 requirement as well as a children's play area.

3  
4 Went through a thorough - - determination. There  
5 is an E designation, which will require some soil  
6 testing on the site, but we've done phase one and  
7 phase two testing and the site is clean. Before  
8 proceeding, we reached out to the neighbors and  
9 had support of the Arlington Civic Association as  
10 well as all the surrounding residential neighbors.  
11 We also got support from the Mariner's Harbor  
12 Civic, the Land Use Committee and Community Board  
13 1 and the borough president. This development  
14 will match the existing development in the area;  
15 it won't contribute to or create any traffic or  
16 other environmental issues. Again we'll avoid  
17 this M1 district becoming an obnoxious use in the  
18 community. I'll answer any questions Council has.

19 CHAIRPERSON WEPRIN: [off mic] Any  
20 discussions you had with Council Member Rose, who  
21 represents the area.

22 ADAM RUTHERFORD: I've been in  
23 touch with Antonio Whitaker from Councilperson  
24 Rose's district. We had several back and forths.  
25 I reviewed the application with them. I offered

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2 to come in and meet. They didn't—seeing it was  
3 necessary. He asked me whether or not there had  
4 been any changes to the application since it  
5 started. I said No. And again, other than that,  
6 they didn't express any reservations.

7 CHAIRPERSON WEPRIN: Alright.

8 Thank you. I was advised by staff that Council  
9 Member Rose is okay with it, so good. Any  
10 questions? Yes, Council Member Comrie has a  
11 question.

12 COUNCIL MEMBER COMRIE: That's a  
13 proposed photo, correct?

14 ADAM RUTHERFORD: Yes.

15 COUNCIL MEMBER COMRIE: And what's  
16 there now is what you described as an industrial  
17 facility now?

18 ADAM RUTHERFORD: It's  
19 predominantly vacant—it was used for the last 100  
20 years as a material storage yard—lumber and  
21 materials. It has a couple of accessory - - and  
22 some storage buildings, but it's pretty much a  
23 mess. It's been vacant for more than five years  
24 now.

25 COUNCIL MEMBER COMRIE: It's a

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vacant property?

ADAM RUTHERFORD: It's vacant property.

COUNCIL MEMBER COMRIE: Okay, so it's the owner that's going to develop into the residential property?

ADAM RUTHERFORD: Absolutely.

COUNCIL MEMBER COMRIE: Okay. Alright. Thank you.

CHAIRPERSON WEPRIN: Okay. Council Member Ignizio?

COUNCIL MEMBER IGNIZIO: Yes, just for my colleagues as a representative from Staten Island, this area is an eyesore right now. It's somewhat dilapidated and this is a welcome change I think for the community that will bring what is a basically disgusting industrial property, clean it up and make it a nice residential addition. And that's what I believe is the comments that my colleague, Council Member Rose, has brought forward to the Committee. Thank you.

ADAM RUTHERFORD: Thank you very much.

CHAIRPERSON WEPRIN: Any other



1  
2 comments or questions from the Committee? None?

3 Thank you very much.

4 ADAM RUTHERFORD: Thank you very  
5 much.

6 CHAIRPERSON WEPRIN: We're going to  
7 close this hearing. I want to acknowledge that  
8 we've been joined by Council Member Jackson and  
9 Council Member Joel Rivera and because we've been  
10 joined by a guest to the Committee, Council Member  
11 Margaret Chin, we're going to skip actually to the  
12 Lower Manhattan Arcades text amendment, which is  
13 Land Use No. 375 as I mentioned, in Council Member  
14 Chin's district. I'd like to call on the members  
15 from City Planning, Grace Han and Jamie Chen  
16 [phonetic]. I apologize to my Queens friends, but  
17 since you've got the biggest one, we're going to  
18 make you go last. You'll be the big act.

19 GRACE HAN: Good morning, Council  
20 Members. My name is Grace Han and I'm joined here  
21 by my colleague, Jamie Chen. We're with the  
22 Department of City Planning. The Department of  
23 City Planning is proposing a text amendment to  
24 allow moveable tables and chairs in properties  
25 nearby and along Water Street. I'm distributing

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2 packets, but the first page sort of shows a map of  
3 the area. That's a map of lower Manhattan. To  
4 the north is the Seaport area and to the south is  
5 Battery Park. This map shows the area that would  
6 be affected by this text amendment outlined by the  
7 dotted line that's roughly Pearl Street, South  
8 Street, Whitehall and Fulton Street. Water Street  
9 runs along the central corridor of this area.

10 Water Street is the primary Class A commercial  
11 office corridor for lower Manhattan. Primary  
12 office space, but there's also residential  
13 conversions, some hotels. The area is located in  
14 the special lower Manhattan zoning district and  
15 also - - C53, C55, C64 and C69 zoning districts.

16 This text amendment would help to enhance the  
17 streetscape and pedestrian realm of this very  
18 important economic corridor. Arcades are  
19 privately owned public spaces, which were built in  
20 exchange for a floor area bonus. There are some  
21 photos and examples of arcades and also in your  
22 packet--these are some examples of existing arcades  
23 that would be affected by the text amendment.

24 Arcades were built to meet certain dimensional  
25 location requirements and were intended to create

1 a network of covered pedestrian circulation areas  
2 to protect against inclement weather. They were  
3 meant to provide relief from congested sidewalks  
4 and give pedestrians a more pleasant walking  
5 environment, which was both covered and direct.  
6 In the '60s and '70s, which is when most of these  
7 arcades were built, they were built with thick  
8 columns of varying depth and placed in different  
9 locations on the zoning line. You'll see that in  
10 the next map. The next map shows all the  
11 properties that would be affected—about 16  
12 buildings and the arcades are highlighted in  
13 yellow. So rather than create this continuous  
14 pedestrian network, they have instead become sort  
15 of underutilized spaces, and this text amendment  
16 would give these privately owned public spaces a  
17 new purpose and hopefully, reactivate the  
18 pedestrian realm. So for these reasons, the  
19 Department of City Planning proposes a text  
20 amendment to allow tables and chairs in our  
21 arcades along and nearby Water Street in lower  
22 Manhattan. Currently, arcades are required to be  
23 free and clear of obstructions. This text  
24 amendment would repurpose the public areas to  
25

1  
2 allow the provision of seating as an amenity to  
3 both commercial office workers and also visitors  
4 to the area. No changes are proposed to the  
5 zoning floor area or - - . The text amendment  
6 would allow property owners to put moveable tables  
7 and chairs in the arcades and the Downtown  
8 Alliance - - has also expressed an interest in  
9 partnering with property owners to put these  
10 tables and chairs out. The text would allow both  
11 public and café seating and has requirements on  
12 the types of seating, which requires a continuous  
13 circulation path. As Water Street is a primary  
14 commercial corridor and links the Seaport area  
15 with Battery Park, we hope that this encourages  
16 the pedestrian activation and a new purpose for  
17 these underutilized public areas.

18 CHAIRPERSON WEPRIN: Thank you very  
19 much. I'd like to call on Council Member Chin,  
20 who would like to make a comment.

21 COUNCIL MEMBER CHIN: Thank you,  
22 Chair. I'd like to speak in support of the  
23 proposed amendment change. Water Street, just for  
24 disclosure—I live right around there, so I'm very  
25 familiar with this area. For over 20 some years,

1  
2 I've been down there. Water Street, the way it's  
3 set up it's really not inviting at all. To our  
4 surprise, there is a lot of traffic along the  
5 South Street Seaport area and also South Ferry  
6 area, but in between I hardly see anybody walking  
7 down there. Even though a lot of office workers  
8 or visitors come, they actually use the side  
9 streets or they hop onto the public  
10 transportation. This way by allowing tables and  
11 chairs there, hopefully, people will be invited to  
12 walk along Water Street and take a break and  
13 really enhance the life on that street and so  
14 that's why I'm in support of it and also the  
15 Downtown Alliance, which is a business improvement  
16 district down there was very instrumental in this  
17 proposal and they will work with the owner in  
18 terms of getting the tables and chairs out there  
19 and really try to liven up the street along Water  
20 Street. Thank you.

21 CHAIRPERSON WEPRIN: Thank you,  
22 Council Member Chin. Council Member Ignizio has a  
23 question first.

24 COUNCIL MEMBER IGNIZIO: Yes. Hi.  
25 I don't really have a position on this or didn't

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2 coming to the meeting today, but what do we do or  
3 what do we say about those that actually do  
4 utilize it for its stated purpose of to get out of  
5 inclement weather and still traverse between to  
6 building?

7 GRACE HAN: I think that we've gone  
8 down there multiple times and the majority of  
9 times-

10 COUNCIL MEMBER IGNIZIO:

11 [Interposing] During inclement weather?

12 GRACE HAN: Inclement weather. And  
13 the majority of times, people actually travel down  
14 Wall Street straight to their offices, or they  
15 take the upland streets of William. Water Street  
16 itself because of the width is just not the active  
17 north/south connector from Battery Park to the  
18 South Street Seaport Area. Many people take the  
19 upland streets of William Street, similar to what  
20 Council Member Chin was saying. And we will still  
21 require a continuous circulation path through the  
22 area-

23 COUNCIL MEMBER IGNIZIO:

24 [Interposing] In regards to continuous  
25 circulation, are you governing how many tables you

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2 can put out? How many is too many? Who  
3 ultimately then, if there's an issue—a restaurant  
4 puts out too much such that it's somewhat an  
5 obstruction—who do they call—you—to enforce that?  
6 Do they call the Buildings Department to enforce  
7 that? Has that discussion been had?

8 GRACE HAN: The enforcement is  
9 under the Department of Buildings, but every  
10 application must come to the Department of City  
11 Planning before a chairperson certification  
12 review--

13 COUNCIL MEMBER IGNIZIO:  
14 [Interposing] Right.

15 GRACE HAN: --to ensure that the  
16 drawing shows how many tables and chairs, what  
17 kind of tables and chairs and that there is that  
18 minimum clear path.

19 COUNCIL MEMBER IGNIZIO: And the  
20 Department of Buildings has agreed to enforce this  
21 regulation?

22 GRACE HAN: Yes.

23 COUNCIL MEMBER IGNIZIO: Okay.  
24 Thank you very much.

25 CHAIRPERSON WEPRIN: I'd like to

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call on Council Member Garodnick.

COUNCIL MEMBER GARODNICK: Thank you, Mr. Chairman. I just wanted to add my voice in support of this. I think it is absolutely on the right track to enliven the streetscape in lower Manhattan. Certainly when you have any area of the city with opportunities to add life and you can do so in this manner, particularly in the arcades, which have a lot of space and an opportunity to do it, I think it's a great thing. So I want to recognize the work of Council Member Chin and certainly the Department and I will be very enthusiastically voting yes.

CHAIRPERSON WEPRIN: Thank you, Mr. Garodnick. Council Member Reyna?

COUNCIL MEMBER REYNA: Thank you, Mr. Chair. I just wanted to understand—as far as the arcades are concerned, currently the text amendment that you're seeking is only to authorize tables and chairs, and who is responsible for placing, purchasing and clearing tables and chairs? Is that permanent process or is the developer going to be responsible as an option to place tables and chairs?



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2 GRACE HAN: This applies to  
3 existing arcades and it's the responsibility of  
4 the business owner or the property owner, however  
5 they work that out, but Downtown Alliance has also  
6 indicated that they may partner and that they may  
7 for example, possibly purchase the tables and  
8 chairs and then the property owner would be  
9 responsible for maintaining it, but this is all on  
10 private property, so it's the responsibility of  
11 the owner of business tenant.

12 COUNCIL MEMBER REYNA: and so this  
13 text amendment is not city-wide. It's taken on a  
14 property by property basis?

15 GRACE HAN: The focus is that Water  
16 Street—we've studied it and it needs more  
17 activation, so this text amendment applies only to  
18 properties—

19 COUNCIL MEMBER REYNA:  
20 [Interposing] With arcades.

21 GRACE HAN: --with arcades that  
22 front along Water Street or are nearby Water  
23 Street.

24 COUNCIL MEMBER REYNA: And arcades  
25 primarily exist in Manhattan?

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2 GRACE HAN: Yes, yeah. There are  
3 many in midtown and some in lower Manhattan, but I  
4 don't think that they're outside of Manhattan.  
5 Yeah. Maybe in downtown Brooklyn, but I'm not  
6 certain.

7 COUNCIL MEMBER REYNA: Downtown  
8 Brooklyn. I just wanted to understand as far as  
9 an arcade, the purpose of an arcade is—I'm naïve  
10 to the concept of arcades, and so I'm just trying  
11 to understand what purpose does it serve other  
12 than shade and perhaps, an umbrella when it rains?

13 GRACE HAN: This was sort of like  
14 the design philosophy in the '60s and '70s to have  
15 sort of wide open plazas and also these arcades,  
16 which would be circulation paths and they're meant  
17 to be covered and that was really the main thing  
18 is to provide relief from congested sidewalks, but  
19 always covered and always of a certain dimension.  
20 I don't know if, Jaime, you have anything to add?

21 JAMIE CHEN: I think that design  
22 philosophy back then was that you would have a  
23 continuous arcade where you would have the retail  
24 inside of the arcade and people can actually walk  
25 underneath-- - - a European model, but that

1  
2 unfortunately because as they were built, the  
3 arcades were not continuous, so then a lot of them  
4 became really underutilized because the retail  
5 didn't really want to be set back from the  
6 sidewalk. That's why they've been unsuccessful.

7 COUNCIL MEMBER REYNA: As far as  
8 the success model with tables and chairs, how do  
9 you know that--because this is optional, it's  
10 dependent upon whatever the agreement between  
11 property owner and business owner are going to  
12 agree upon, do you believe that this is going to  
13 be taken advantage of as an incentive or...?

14 GRACE HAN: We have done outreach  
15 to business owners and we've worked with the  
16 Downtown Alliance and they are very familiar with  
17 a lot of the business owners and tenants, and  
18 there is some interest and we hope that--you're  
19 exactly right; this is on the initiative of the  
20 property owner and we hope that this will  
21 incentivize them and that they will get out there.  
22 One of the provisions is to allow café seating.  
23 We think that will be an incentive to have  
24 business owners--by providing café seating, they  
25 also need to provide public and that's what we're

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hoping for.

COUNCIL MEMBER REYNA: And there's no need for a sidewalk café application process?

GRACE HAN: That's a completely separate process as that would be in the public right away, but this is all within private property.

COUNCIL MEMBER REYNA: I see, so this would have an opportunity to farther extend if they were to choose to add an additional process through the sidewalk café, so that now you have a spillover.

GRACE HAN: Yes.

COUNCIL MEMBER REYNA: Got it. Thank you.

CHAIRPERSON WEPRIN: Thank you. Any other questions or comments? Thank you very much, ladies. Thank you, Council Member Chin. We will close this hearing. In order to build the suspense for South Jamaica, we're now going to have our last café come up. I'd like to ask Nasir Comada [phonetic]-is that it? I'm going to try to pronounce that right. Come up on behalf of Empanada Mama in Speaker Quinn's district. Here

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2 it is--Land Use No. 382. Sir, if you could just  
3 state your name for the record and describe the  
4 café application you have.

5           NASIR COMADA: My name is Nasir D.  
6 Comada and I'm representing the client, Covadanga  
7 Inc., and it's the restaurant named Empanada Mama  
8 and located at 763 9<sup>th</sup> Avenue, New York, and - - in  
9 the business, they want to have a sidewalk café  
10 for three tables and six chairs.

11           CHAIRPERSON WEPRIN: This was a  
12 reduction. I have a letter here from Socrates  
13 Nanas. Who is that?

14           NASIR COMADA: That's the owner of  
15 the restaurant.

16           CHAIRPERSON WEPRIN: Okay, the  
17 owner of the restaurant. I'll read it for the  
18 record. It says Dear Council Member Quinn, this  
19 letter serves as an agreement with the Chair,  
20 Council Member Mark Weprin, and the encompassing  
21 members of the Subcommittee on Zoning and  
22 Franchises that we will commit to the following:  
23 we will reduce the size of the café from four  
24 tables and eight chairs to, as you stated, three  
25 tables and six chairs. This reduction will be

1 reflected in the new plans submitted to the  
2 Department of Consumer Affairs. Secondly, the  
3 boundaries of the sidewalk café will be defined by  
4 place markers and if there are any questions or  
5 comments, please do not hesitate to contact me.  
6

7 NASIR COMADA: - - .

8 CHAIRPERSON WEPRIN: Okay, great.  
9 I understand Council Member Quinn is okay with  
10 this. Yes. I got a yes. Anyone have any  
11 comments or questions about Empanada Mama? No  
12 questions. Okay. Thank you very much. Thank  
13 you. We're going to close this hearing.

14 NASIR COMADA: Thank you.

15 CHAIRPERSON WEPRIN: And now we  
16 will move to the South Jamaica rezoning, Land Use  
17 No. 373 and 374 and we're delighted to have from  
18 the Queens Office of the Department of City  
19 Planning, John Young and Deborah Carney. Mr.  
20 Young, you know the drill much better than I do,  
21 so whenever you're ready.

22 JOHN YOUNG: I've been to the party  
23 before. Good morning, Chair Weprin, Chair Comrie,  
24 Council Members, ladies and gentlemen. My name is  
25 John Young and I'm the director of the Queens

1 Office of the Department of City Planning. On  
2 behalf of City Planning Director, Amanda Burden,  
3 I'm very pleased to be here this morning to  
4 briefly introduce the Department's 538 block  
5 rezoning proposal for South Jamaica. I'm joined  
6 by Debbie Carney, who is the deputy director for  
7 the Queens Office, and she will present the  
8 details of the proposal for you, which are  
9 encompassed in some materials—a package that  
10 should be distributed to you. This rezoning  
11 effort is the largest one yet to be undertaken  
12 during the Bloomberg Administration and the 41<sup>st</sup>  
13 neighborhood rezoning in Queens. It has three  
14 important goals to support the South Jamaica  
15 community; one, protecting the built fabric and  
16 character of its residential blocks; two,  
17 providing opportunities for new commercial and  
18 mixed used buildings along primary shopping  
19 streets; and three, extending through much of  
20 Community District 12 the locations that will be  
21 eligible for zoning incentives to develop new or  
22 expanded full line grocery stores under the  
23 recently adopted FRESH program, currently  
24 available only in downtown Jamaica. The rezoning  
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1  
2 proposal and related zoning text change for the  
3 Food Retail Expansion to Support Health program  
4 that we will present before you today culminates a  
5 remarkable multi-year effort to work with a broad  
6 spectrum of neighborhood residents and  
7 stakeholders to develop a comprehensive zoning  
8 strategy to replace zoning designations that are  
9 nearly 50 years old and do not closely reflect  
10 community development patterns.

11           This ambitious rezoning proposal  
12 covering 538 blocks originated with a zoning study  
13 request from a local civic association ironically  
14 named One Block at a Time that was formed to  
15 assist, some may say pester, City Planning on this  
16 important initiative. I want to thank Connie  
17 Johnson in particular, who founded the civic group  
18 for organizing its members to help with data  
19 collection and hold informational meetings on the  
20 rezoning. This group along with other  
21 neighborhood and civic and business associations,  
22 community board members and representatives from  
23 local elected officials, including Council Member  
24 Comrie, Council Member James Sanders, participated  
25 in a community advisory or steering committee and



1  
2 Debbie and I greatly acknowledge their  
3 contributions in advancing the proposal. We also  
4 want to echo Director Amanda Burden in proclaiming  
5 that this initiative will serve as a legacy for  
6 the late City Council member Thomas White, Jr.,  
7 who worked closely with us on this plan and was  
8 very passionate and dedicated about improving the  
9 quality of life in southeast Queens.

10                   Following the November 29<sup>th</sup>, 2010  
11 certification of the rezoning proposal and  
12 referral of the zoning text amendment, these  
13 applications received approval from Community  
14 Board 12 on January 19<sup>th</sup>. Borough President, Helen  
15 Marshall, approved them on March 1<sup>st</sup> and the City  
16 Planning Commission voted unanimously on them on  
17 March 30<sup>th</sup>. We hope that you too will support this  
18 carefully considered rezoning initiative to  
19 reinforce the built character and development  
20 patterns of South Jamaica and now Debbie will  
21 review the details of the proposal for you.

22                   DEBORAH CARNEY: Thank you, John.  
23 It has indeed been a pleasure to work with the  
24 community and with the community board and the  
25 Council members, all of the elected officials on

1  
2 this wonderful very, very large rezoning. The  
3 graphics that you have before you are the same  
4 graphics that we have on the board, showing the  
5 existing land use and zoning and the proposed  
6 FRESH text amendment. This 538 block area is  
7 located in southeast Queens. It is bounded by  
8 Liberty Avenue and South Road to the north, - -  
9 Boulevard to the East, the South Conduit to the  
10 south and the, Van Wyck Expressway to the west.  
11 It is adjacent to other [off mic] on the hills of  
12 the downtown Jamaica, which was finished in 2007,  
13 and then the St. Albans also was completed in  
14 2007 and there was a Springfield Gardens rezoning  
15 that was completed in 2005.

16 This really continues the effort to  
17 provide treatment to the community to protect the  
18 housing—the one and two family homes that  
19 predominate in this area. This is a Land Use  
20 colored map. You can see a lot of yellow in it, a  
21 lot of orange; those are the one and two family  
22 homes that exist today. The predominant zones  
23 that are in place today are 1961 zones, R3-2 and  
24 R4 and these are zones that permit all types of  
25 housing, whether it's semi-attached row housing,

1  
2 multiple family housing, albeit a limit of 35 feet  
3 high. They do not protect the one and two family  
4 detached homes that predominate in this area, and  
5 this is why the residents came to us. The zoning  
6 is also pretty aged along the major thoroughfares,  
7 as there are a number of mismatches along the  
8 thoroughfares, and it does not provide for any  
9 type of growth for this community. So there were  
10 two things that we were looking at; we were  
11 looking at zones that could assist in preserving  
12 the one and two family character, while providing  
13 some moderate growth along the major  
14 thoroughfares. Those major thoroughfares include  
15 Merrick, Sutphin Boulevards and Rockaway  
16 Boulevard.

17                   The proposal will introduce ten new  
18 zones to the area to provide protection for the  
19 one and two family, primarily detached character.  
20 We recognize that there are small areas of semi-  
21 detached and so we've applied different zones for  
22 those areas. On the cheat sheet that you have, it  
23 gives you a sense of how many blocks are being  
24 covered for each zone. An R2 district is being  
25 proposed just south of Rochdale Village, just

1 south of 137<sup>th</sup> Avenue. It's actually an extension  
2 of what is an existing very small R2 district  
3 today. This will protect single family, detached  
4 character, which is predominant in that particular  
5 area. The R3-A, the R3-X, the R4-A, these are all  
6 zones that will limit future development to one  
7 and two family detached houses and the R4-A is  
8 proposed on a small area to the north. The R3-A  
9 covers most, 385 blocks, in the area. The R3-X is  
10 a much smaller area, but these are areas that have  
11 larger lots and would produce similar housing, but  
12 again, one and two family, detached character.  
13 R3-1 and R4-1, those are zones that will protect  
14 the one and two family semi-detached areas. It  
15 also permits detached. You can see those in the  
16 beige and the orangey areas—very small pockets.  
17 We are also proposing some of those zones that  
18 already exist today; R3-2 was proposed in areas  
19 where you have row housing today, where you have  
20 existing row house development, or in areas where  
21 there is vacant property that is conducive to new  
22 development in the area, and R-5 is proposed where  
23 NYCHA housing already exists. It pretty much  
24 reflects what's already there. Along the major  
25

1  
2 thoroughfares, we are proposing R5-B, just across  
3 from Roy Wilkins Park. This will provide for some  
4 moderate increase, and for the remainder of  
5 Merrick Boulevard, Sutphin Boulevard, Rockaway  
6 Boulevard, we're providing for an R5-D, and in the  
7 R5-D is a zone that will allow a little more  
8 moderate growth—housing commercial uses that can  
9 reach two basically to four stories; that's the  
10 limit. You would most likely see two and three  
11 story development along the thoroughfares as a  
12 response to that because of the various sized  
13 lots—the smaller lots. There is a high parking  
14 requirement with the R5-D—66%. It is a zone that  
15 is really well-suited for Queens.

16           And then finally as John mentioned,  
17 there is also a text amendment involved with this  
18 proposal, and this is the FRESH text amendment,  
19 known as the Food Retail to Expand and Support  
20 Health program. Today, it is only applicable in  
21 certain areas in New York City. It's applicable  
22 in downtown Jamaica, but nowhere else in Queens.  
23 So what this proposal will do will be to extend  
24 the applicability to all of the commercial  
25 corridors in Community Board 12. So this does

1  
2 extend beyond the rezoning area. The program  
3 seeks to incentivize neighborhood grocery stores  
4 between 10,000 up to 30,000 square feet. You can  
5 have the minimum of 6,000 square feet, but you've  
6 got to have at least 500 square feet of full line  
7 fresh produce area. The zoning incentives provide  
8 an additional square foot of residential floor  
9 area for every square foot used in a FRESH food  
10 store, up to 20,000 square feet. FRESH stores are  
11 certified by the City Planning Commission and are  
12 subject to restrictive declarations ensuring that  
13 the stores are not converted for another use. I  
14 would also like to add that in the past—and  
15 normally where you have a manufacturing district  
16 and we do have several in this area that exist  
17 today, you would have to have a special permit for  
18 a supermarket that exceeded 10,000 square feet.  
19 The FRESH program basically says, No, you don't  
20 have to for the 10,000 square feet," such as the  
21 Pathmark that exists today. So that also  
22 facilitates the development of such a store. And  
23 then finally, South Jamaica, the FRESH food stores  
24 - - would be subject to the same off-street  
25 parking requirements as other local retail

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streets.

CHAIRPERSON WEPRIN: Super.

Council Member Comrie is here and would like to speak on this proposal.

COUNCIL MEMBER COMRIE: I want to congratulate John Young and Debbie Carney and City Planning for all of the work and all of the meetings and all of the hearings that they had, their outreach—they made a serious attempt to outreach to every block and civic association, every business along the commercial areas and all throughout the entire district. I know they've held so many meetings on this particular zoning, they could recite it in their sleep at this particular point. They have done, along with Connie Johnson, One Block at a Time—they have put together a serious effort to protect most of the south Jamaica area that had not fallen into the zoning, and as we delved into it, it created an ability to do an even wider area than originally envisioned by Ms. Johnson when she looked at the plan originally. It's important to acknowledge her, all of the civics that were involved in this. This actually touches three Council Member

1  
2 districts--myself, Council Member Wills and  
3 Council Member Sanders. It almost touches Council  
4 member Gennaro's and Council Member Weprin's--just  
5 outside of their area. The need to do also the  
6 FRESH extension is something that has been derived  
7 because the area is undergroceried [phonetic] and  
8 there is a need to incentivize grocery stores to  
9 come back into the area and to set up  
10 opportunities to reestablish themselves. I am  
11 glad to have been the originator for the need for  
12 the FRESH extension, which happened as a result of  
13 hearings when I was chair of Consumer Affairs, and  
14 we originated the idea for the fruit vendor carts  
15 and also the need to create more opportunities for  
16 supermarkets to come back to New York City. I'm  
17 glad all of this work has been done. I'm glad  
18 that the community board and all of the entities  
19 that had a chance to weigh in on it, make all the  
20 changes, have approved this plan unanimously and I  
21 strongly suggest that we vote affirmatively in  
22 this manner. Again I want to congratulate John  
23 Young and Debbie Carney for all of their help  
24 making sure that everyone understood all aspects  
25 of this 584 block rezoning, which is very



1  
2 technical in detail, but also exists to try to cap  
3 overdevelopment in our area. Thank you.

4 CHAIRPERSON WEPRIN: Thank you, Mr.  
5 Comrie. Any other comments or questions? Okay,  
6 if you don't mind sticking around, we do have one  
7 panel that is going to be testifying in favor, but  
8 we want to thank you and we're going to call on  
9 the one panel. Who is here? Two gentlemen.  
10 Patrick Evans and is it Kumal Salim [phonetic]?  
11 Salim, okay. Come on up, both of you together and  
12 you guys can fight it out who wants to go first  
13 and then, both of you will go, and then, we'll  
14 have any questions we may have. So just make sure  
15 to state your name for the record and put the mic  
16 on and anytime you're ready...

17 PATRICK EVANS: Good morning,  
18 panel. My name is Patrick Evans, president of  
19 Springfield Gardens Taxpayers and Citizens  
20 Association.

21 KUMAL SALIM: Good morning, panel.  
22 My name is Kumal Salim, a resident of Rochdale  
23 Village, which is in the heart of this rezoning  
24 district.

25 PATRICK EVANS: I'll take it first.

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2 Springfield Gardens Taxpayers and Citizens  
3 Association really urges this panel to vote in  
4 favor of this plan. In the five years passed, we  
5 have seen our neighborhood go from colonial one-  
6 families, French Tudors—very historic homes have  
7 been torn down and we've got in place rows and  
8 rows of detached homes. Looking at the  
9 neighborhood now, we see a burden on the  
10 infrastructure—hydro, electric and sanitation.  
11 This plan as presented by Deborah Carney and John  
12 Young will preserve the character of our  
13 communities. We definitely urge you to vote in  
14 favor of this plan. With respect to the FRESH  
15 food part of the program, this was definitely  
16 fought for at the community board level and it was  
17 vigorous debate there because initially, it was  
18 proposed just for northern Jamaica, but we realize  
19 that this program will definitely benefit the  
20 whole of our community and it should definitely  
21 reach down to the southeast Queens part of our  
22 neighborhoods. We definitely ask that you accept  
23 this extension and vote in favor. Thank you.

24 KUMAL SALIM: Thank you.

25 CHAIRPERSON WEPRIN: Okay, Mr.

1

2 Salim.

3

4 KUMAL SALIM: Thank you. I really,  
5 really hope you guys—and really urge you to vote  
6 in favor of this plan. To echo what Mr. Evans has  
7 said already, we have watched our community really  
8 take a hit in infrastructure and utilities and  
9 everything. I live in Rochdale Village, which is  
10 a development in itself already. Just dealing  
11 with neighboring civic associations on community  
12 activity—I just watched the neighborhood change,  
13 and not for the better. We've had some historic  
14 houses torn down and six-family units put up right  
15 along Farmers Boulevard; it looks crazy. It's  
16 just something that we do not approve of. I  
17 really appreciate the part of the plan that  
18 incentivizes the startup of grocery stores—  
19 bringing healthy food options back to our  
20 community, which are sorely needed. I hope you  
21 guys vote in favor and help us. Thank you.

21

22 CHAIRPERSON WEPRIN: Gentleman,  
23 thank you very much. Any questions for this  
24 group? Anybody? Leroy? No.

24

25 COUNCIL MEMBER COMRIE: No, I just  
want to commend them for coming and for being part

1  
2 of all of the discussions and encouraging the  
3 Committee to vote for the plan. Thank you for  
4 being here.

5 CHAIRPERSON WEPRIN: Great.

6 Gentlemen, thank you very much. I appreciate it.  
7 We're now going to close this hearing, and we're  
8 going to now couple the following items: Land Use  
9 No. 367, which was Goodfellas Pizza; 382, Empanada  
10 Mama; and then the zoning items, which were 372,  
11 the Union Avenue rezoning; 375, the lower  
12 Manhattan arcades text amendment; and the big one,  
13 373 and 374, the south Jamaica rezoning and its  
14 related application. We're going to couple all  
15 these items. The Chair is going to recommend an  
16 aye vote and I'm going to call on the counsel,  
17 Christian Hilton, to please call the roll.

18 COUNSEL: Chair Weprin?

19 CHAIRPERSON WEPRIN: Aye on all.

20 COUNSEL: Council Member Rivera?

21 COUNCIL MEMBER RIVERA: I vote aye  
22 on all.

23 COUNSEL: Council Member Reyna

24 COUNCIL MEMBER REYNA: Aye on all.

25 COUNSEL: Council Member Comrie?

1  
2 COUNCIL MEMBER COMRIE: I vote aye  
3 on all and congratulations to all that were  
4 involved in all of the projects today.

5 COUNSEL: Council Member Jackson?

6 COUNCIL MEMBER JACKSON: Aye on  
7 all.

8 COUNSEL: Council Member Vann?

9 COUNCIL MEMBER VANN: Aye.

10 COUNSEL: Council Member Garodnick?

11 COUNCIL MEMBER GARODNICK: Aye.

12 COUNSEL: Council Member Ignizio?

13 COUNCIL MEMBER IGNIZIO: Yes, I'd  
14 like to vote aye and I want to commend my  
15 colleague, Leroy Comrie. This is an enormous  
16 amount of work—the zonings. I've gone through  
17 three of them in my district—the entire district.  
18 I know protecting communities from overdevelopment  
19 is a cornerstone of the Chairman's goals here in  
20 the Council and I know the amount of work that  
21 went into it, so I want to congratulate you and  
22 City Planning as well for a lot of hard work. We  
23 vote in 30 seconds, but it takes years to get  
24 these things through. I just want to commend  
25 everybody and vote aye on all.

1  
2 COUNSEL: By a vote of eight in the  
3 affirmative, none in the negative and no  
4 abstentions, all items are approved and referred  
5 to the full Land Use Committee.

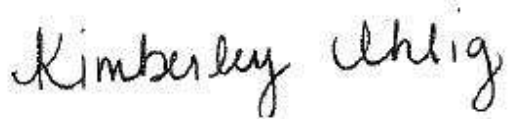
6 CHAIRPERSON WEPRIN: Thank you very  
7 much. I want to also congratulate the Queens City  
8 Planning Office, Council Member Comrie and Council  
9 Member Wills, and we are going to adjourn this  
10 meeting in memory of Council Member Thomas White.  
11 Thank you.

12 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig 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

Handwritten signature of Kimberley Uhlig in cursive script.

Date June 22, 2011