

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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June 26, 2019  
Start: 10:49 a.m.  
Recess: 10:56 a.m.

HELD AT: Council Chambers - City Hall

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

COUNCIL MEMBERS: Barry S. Grodenchik  
Rory I. Lancman  
Stephen T. Levin  
Antonio Reynoso  
Donovan J. Richards  
Carlina Rivera

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

Artie Pearson, Office of Intergovernmental Affairs  
Housing, Preservation and Development, HPD

2 [sound check] [pause] [gavel]

3 CHAIRPERSON MOYA: Good morning and  
4 welcome to the meeting of the Subcommittee on Zoning  
5 and Franchises. I am Council Member Francisco Moya,  
6 the Chairperson of the Subcommittee, and we are  
7 joined here today by Council Members Rivera, Reynoso,  
8 Levin, Richards, Grodenchik. If—we also if there is  
9 anyone here to testify please fill out a speaker slip  
10 with the sergeant-at-arms indicating your full name,  
11 and the application name or LU number. Today, we  
12 will hear LU 463 an application by the New York City  
13 Housing, Preservation and Development for the  
14 disposition of city-owned property Lot 3 on Block  
15 2360 pursuant to the Private Housing Finance Law in  
16 connection with the Brook 156 rezoning in Chair  
17 Salamanca's district in the Bronx. I now open the  
18 public hearing on this application, and I will call  
19 up Artie Pearson. [pause] And Counsel, if you could  
20 please swear in the panel.

21 LEGAL COUNSEL: Please state your name  
22 for—as part of your response. Do you swear or affirm  
23 that the testimony you're about to give will be the  
24 truth, the whole truth and nothing but the truth, and  
25 you'll answer questions truthfully?

2 ARTIE PEARSON: Yes.

3 CHAIRPERSON MOYA: You may begin.

4 ARTIE PEARSON: I'm Artie Pearson from  
5 HPD's Office of Intergovernmental Affairs. Land Use  
6 No. 463 pertains to the disposition approval of a  
7 city-owned lot located at Block 2360, Lot 3 in the  
8 now row (sic) section of the Bronx in Council  
9 District 17. This land use item is related to other  
10 land use items that were previously approved by the  
11 Subcommittee. Brook 156 will be developed by the  
12 sponsor of Fitz (sic) Houses who proposes to  
13 construct a residential building under HPD's  
14 extremely low-

15 CHAIRPERSON MOYA: [interposing] I'm  
16 sorry-could you just move the microphone a little  
17 closer? Than you.

18 ARTIE PEARSON: Under HPD's extremely and  
19 low-income program also know as ELLA. Under the ELLA  
20 program sponsors develop multi-family buildings in  
21 order to create low-income rental housing for  
22 families with a range of incomes from 30% to 60% of  
23 the area median income, and projects may include tier  
24 of units with rents targeted to households earning up  
25 to 100% of the AMI. Subject to project underwriting

2 up to 30% of the units may be rented to formerly  
3 homeless households referred by the Department of  
4 Homeless Housing or other public agencies. The  
5 project consists of the city-owned lots, and adjacent  
6 privately owns lots, which is Lot 1. Lot 1 is the  
7 former rail—the former rail rights-of-way, our  
8 inactive open cut railroad trench. Both lots were  
9 designated as part of the Urban Renewal site 404  
10 under the Mott Haven North Urban Renewal Plan in  
11 1994. It should be noted that while Mott Haven Urban  
12 Renewal Plan with not expire until 2034, the land use  
13 restrictions on Site 404 did expire in 2008. Thank  
14 you.

15 CHAIRPERSON MOYA: Thank you very much  
16 for your testimony today. Thank you. [pause] Are  
17 there any other members of the public who wish to  
18 testify? Seeing none, I now close the public hearing  
19 and move to our votes. We will now vote to approve  
20 LU 463, the application that was heard today by the  
21 Subcommittee submitted by HPD for the disposition of  
22 city-owned property related the Brook 156 rezoning in  
23 Committee Chair Salamanca's district in the Bronx.  
24 Chairman Salamanca is in support of this application.  
25 We will also vote to approve LU 438 an application by

2 Center Boulevard Restaurant LLC, American for a  
3 revocable consent to maintain, operate and use an  
4 unenclosed sidewalk café at 201 50<sup>th</sup> Avenue in  
5 Council Member-in Council Member Van Bramer's  
6 district in Queens. We will be voting to approve  
7 this café the size of which has been adjusted in  
8 response to community concerns from 24 tables and 86  
9 seats to 12 tables and 48 seats. Council Member Van  
10 Bramer has stated his support for this application  
11 based on the applicant's written points of agreement  
12 noted in the record. Today, we will also vote to  
13 approve LU 419 for the Court Square Block 3 Text  
14 Amendment in Queens. The proposal would modify  
15 height and setback regulations applicable to Block 3  
16 in Court Square Sub-district of the Special Long  
17 Island City District to facilitate the development of  
18 a new approximately 45-story mixed use building.  
19 Council Member--Council Member Van Bramer is in  
20 support of this application. I now call for a vote  
21 to approve LUs 419, 438 and 463. Counsel, please  
22 call the roll.

23 LEGAL COUNSEL: Chair Moya.

24 CHAIRPERSON MOYA: Aye on all.

25 LEGAL COUNSEL: Council Member Rivera.

2 COUNCIL MEMBER RIVERA: Aye

3 LEGAL COUNSEL: Council Member Levin.

4 COUNCIL MEMBER LEVIN: Aye.

5 LEGAL COUNSEL: Council Member Richards.

6 COUNCIL MEMBER RICHARDS: Aye.

7 LEGAL COUNSEL: Council Member Reynoso.

8 COUNCIL MEMBER REYNOSO: Aye.

9 LEGAL COUNSEL: By a vote of 5 in the  
10 affirmative, 0 in the negative and no abstentions,  
11 the items are approved and referred to the full Land  
12 Use Committee. [pause]

13 CHAIRPERSON MOYA: Yes

14 LEGAL COUNSEL: Continuing vote. Council  
15 Member Grodenchik.

16 COUNCIL MEMBER GRODENCHIK: I vote yes.

17 LEGAL COUNSEL: Okay. The vote is 6 in  
18 the affirmative 0 in the negative and no abstentions.  
19 The items are approved and referred to the Land Use  
20 Committee.

21 CHAIRPERSON MOYA: This concludes today's  
22 meeting. I would like to thank the members of  
23 public, my colleagues, counsel and Land Use staff for  
24 attending. This meeting is hereby adjourned. [gave]

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 July 3, 2019