

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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April 27, 2021
Start: 11:11 a.m.
Recess: 11:25 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Rafael Salamanca
CHAIRPERSON

COUNCIL MEMBERS:
Adrienne Adams
Diana Ayala
Inez Barron
Joseph Borelli
Selvena Brooks-Powers
Chaim Deutsch
Ruben Diaz, Sr.
Vanessa Gibson
Barry Grodenchik
Peter Koo
Stephen Levin
I Daneek Miller
Francisco Moya
Kevin Riley
Antonio Reynoso
Carlina Rivera
Mark Treyger

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

2 SERGEANT-AT-ARMS: PC recording has
3 started.

4 SERGEANT-AT-ARMS: Cloud recording has
5 started.

6 SERGEANT-AT-ARMS: Backup is rolling.

7 SERGEANT-AT-ARMS: Sergeant Polite, you may
8 begin with your opening statement.

9 SERGEANT-AT-ARMS: Thank you. Good morning
10 and welcome to the remote hearing on land use votes.
11 While Council members and staff please turn on their
12 video at this time? Thank you. To minimize
13 disruption, please place all cell phones and
14 electronics to vibrate. You may send your testimony
15 to land use testimony@Council.NYC.go. Once again,
16 that is land use testimony@council.nyc.gov. Chair,
17 we are ready to begin.

18 CHAIRPERSON SALAMANCA: All right. Thank
19 you, Sergeant-at-arms. Good morning. I am Council
20 member Rafael Salamanca. I am the Chair of the
21 Committee on Land Use. I am joined remotely today by
22 Council members. We are joined by Council members
23 Grodenchik, Adams, Ayala, Barron, Borelli, Brooks-
24 Powers, Deutsch, Diaz Senior, Council member Feliz,
25 Gibson, Koo, Reynoso, Chair Riley, Rivera, and

2 Treyger. Today, we will vote on applications
3 referred out from both of our subcommittees, but
4 before we begin, I would like to recognize the
5 committee counsel to review the remote meeting
6 procedures.

7 COMMITTEE COUNSEL: Thank you, Chair
8 Salamanca. I am Julie Lubin, Counsel to this
9 committee. Council members who would like to ask
10 questions or make remarks should use the zoom raise
11 hand function. The raise hand button should appear
12 at the bottom of the participant panel. I will
13 announce council members who have questions or
14 remarks in the order that they raise their hands.
15 Chair Salamanca will then recognize members to speak.
16 We ask that you please be patient if any technical
17 difficulties arise today. Chair Salamanca will now
18 continue with today's agenda items.

19 CHAIRPERSON SALAMANCA: Thank you, Council.
20 From our zoning subcommittees, we will vote to
21 approve LU 764, the 135th-137th Bedford Avenue
22 rezoning proposal relating to property in Council
23 member Levin's district in Brooklyn. The proposal
24 seeks a zoning map amendment to establish a C1-4
25 overlay district to an existing R6A and R6B

2 districts. On the east side of Bedford Avenue
3 between North Ninth and North 10th Streets. The
4 proposed rezoning would mirror an existing commercial
5 overlay district across the street and facilitate a
6 new mixed use development with ground floor
7 commercial use and residential units on the upper
8 floors. We will also vote to approve three separate,
9 but related proposals by the Department of City
10 Planning on Resilient Neighborhoods Initiative.
11 These proposals are all intended to facilitate
12 resilient development in areas vulnerable to
13 flooding. We will vote to approve LU 766 and 767,
14 the Gernison Beach Resilient Neighborhood Proposal
15 related to property in Council member Maisel's
16 district in Brooklyn. The proposal seeks a zoning
17 map amendment to change an existing R4, C3, and C2-2
18 districts to R4-1, C3A, and C2-3 districts and a
19 related zoning text amendment to establish a new
20 special coastal risk district. We will vote to
21 approve LUs 768, the Sheepshead Bay Resilient
22 Neighborhood proposal related to property in Council
23 member Deutsch's district in Brooklyn. The proposal
24 seeks a zoning text amendment to align existing
25 relations of the special Sheepshead Bay district with

2 flood resilient buildings and design standards. We
3 will vote to approve LU 769, the Old Howard Beach
4 Resilient Neighborhood proposal related to property
5 in Council member Ulrich's district in Queens. The
6 proposal seeks a zoning map amendment to replace
7 existing R3-1 and R3-2 districts with an R3X and an
8 R3-1 district to more closely match the existing
9 building context. And we will vote to approve, with
10 modifications, LUs 765, the Department of City
11 Planning Zoning for Coastal Flood Resilient proposal.
12 This is a citywide zoning text amendment to update
13 temporary provisions adopted in an emergency basis
14 after Hurricane Sandy and is intended to facilitate
15 flood resilient design measures to provide better
16 protection from flood risk in vulnerable areas,
17 support public access to waterfront sites through
18 resilient open space design, and help New Yorkers
19 recover quickly from other future disasters. The
20 modifications will include clarifications applicable
21 of the proposed flood plan regulations and
22 clarification to certain bulk regulations. These
23 clarifications will address floor area rules and
24 provide obstruction rules for accessory mechanical
25 equipment. From the landmark subcommittee, we will

2 vote to approve LU 752 , the 69 Adams Street project.
3 This is an application submitted by the Department of
4 Citywide Administrative Services pursuant to a
5 section 197C of the New York City charter for the
6 disposition of city owned property located at the
7 west side of Parole Street between York and Front
8 Streets at block 52, Lot 15 and 17 in the Dumbo
9 neighborhood of Brooklyn represented by Member Levin.
10 This action will facilitate the transfers of 98,446
11 square feet of commercial development rights, also
12 known as the air rights, to an adjacent property
13 privately owned site so as to include commercial
14 office space in a 25 story mixed-use building. We
15 will also vote to approve LU 757, then new Penn
16 Development One. This application was submitted by
17 the Department of Housing Preservation and
18 Development pursuant to article 16 of the General
19 municipal Law and charter section 197 for the
20 designation of an urban development action area,
21 approval of an urban development action area project,
22 and a disposition of city owned property. The
23 property is located at 306 Pennsylvania Avenue, 392,
24 and 426 Wyoma Street, and 467 Vermont Street in the
25 East New York neighborhood of Brooklyn. These

2 approvals will facilitate the development of three
3 new building with 46 affordable rental units, eight
4 of which will be affordable, independent residences
5 for seniors. We will also vote to approve LU 758,
6 the new Penn Development Two, UDAP. This application
7 was submitted by HPD pursuant to article 16 of the
8 General Municipal law for approval of an urban
9 development action project and a waiver of the area
10 designation requirements, as well as a waiver of
11 section 197C and 197D of the New York City Charter.
12 The property is located at 791 Saratoga Avenue, 792
13 Rockaway Avenue, 429 Newport Street, 303 Hinsdale
14 Street, 461 New Jersey Avenue, 432 Wyoma Street, and
15 510 Vermont Street, also East New York neighborhoods
16 in Brooklyn. This application will facilitate the
17 construction of seven buildings containing
18 approximately 25 rental dwelling units plus one unit
19 for our superintendent. Both new Penn projects are
20 located in Council member Barron's district. Members
21 of the committee and members representing affected
22 districts who have questions or remarks about today's
23 items should use the raise hand button now. Counsel,
24 will you announce the members in order that their
25 hands were raised?

2 COMMITTEE COUNSEL: Yes. I don't see
3 any hands raised, Chair Salamanca. Oh. Council
4 member Barron.

5 CHAIRPERSON SALAMANCA: Council member
6 Barron, you have the floor. You are muted, Council
7 member.

8 COUNCIL MEMBER BARRON: Thank you very much
9 to the Chair and to the Chairs of the subcommittees.
10 I just briefly want to call attention to the New Penn
11 project which is in my district. It is bringing
12 housing that is affordable to the people who
13 presently live there so as to come that any attempts
14 at gentrification or displacement of the people who
15 live there. They are designed to be able to-- I
16 think it is 60 percent of the AMI is 80% of the
17 project. They also have 10% for homeless and there
18 are ARES apartments for seniors in the development.
19 It is going to be contextually consistent with the
20 façade that exists in our community which is brick,
21 for the most part. And I just want to encourage all
22 of my colleagues to vote for the New Penn Project.
23 Thank you very much.

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2 CHAIRPERSON SALAMANCA: Thank you, Council
3 member Barron. Counsel, is there anyone else with
4 their hands up?

5 COMMITTEE COUNSEL: No. No one else
6 has their hands raised.

7 CHAIRPERSON SALAMANCA: All right. Seeing
8 none, I will now call for a vote in accordance with
9 the recommendations of the subcommittees and the
10 local members to approve LUs 752, 757, 758, 764, 766,
11 767, 768, and 769 and to approve with modifications
12 as I described LUs 765. Will the clerk please call
13 the roll?

14 COMMITTEE CLERK: Good morning. Matthew
15 De Stephano, Committee Clerk. Roll call vote
16 Committee on Land Use. Chair Salamanca?

17 CHAIRPERSON SALAMANCA: Aye on all.

18 COMMITTEE CLERK: Gibson?

19 COUNCIL MEMBER GIBSON: Good morning. Aye
20 on all.

21 COMMITTEE CLERK: Barron?

22 COUNCIL MEMBER BARRON: I vote aye on all
23 with the exception of 752 on which I am voting no.
24 thank you.

25 COMMITTEE CLERK: Deutsch?

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2 COUNCIL MEMBER DEUTSCH: Aye on all.

3 COMMITTEE CLERK: Koo?

4 COUNCIL MEMBER KOO: Aye.

5 COMMITTEE CLERK: Miller? Council member

6 Miller? Okay. We'll go back. Reynoso?

7 COUNCIL MEMBER REYNOSO: I vote aye on

8 all.

9 COMMITTEE CLERK: Treyger?

10 COUNCIL MEMBER TREYGER: Aye.

11 COMMITTEE CLERK: Grodenchik?

12 COUNCIL MEMBER GRODENCHIK: Aye.

13 COMMITTEE CLERK: Adams?

14 COUNCIL MEMBER ADAMS: I vote aye on all.

15 COMMITTEE CLERK: Ayala? Council member

16 Ayala? All right. We'll come back. Ruben Diaz

17 Senior?

18 COUNCIL MEMBER DIAZ SR.: Si en todo.

19 COMMITTEE CLERK: Moya?

20 COUNCIL MEMBER MOYA: I vote aye on all.

21 COMMITTEE CLERK: Rivera?

22 COUNCIL MEMBER RIVERA: I vote aye.

23 COMMITTEE CLERK: Riley?

24 COUNCIL MEMBER RILEY: I vote aye on all.

25 COMMITTEE CLERK: Brooks-Powers?

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2 COUNCIL MEMBER AYALA: Hi. Did you call
3 me?

4 COMMITTEE CLERK: Yes. council member
5 Ayala. Go ahead. I'm sorry?

6 COUNCIL MEMBER AYALA: I vote aye. Sorry
7 about that.

8 COMMITTEE CLERK: Okay. Council member
9 Brooks-Powers?

10 COUNCIL MEMBER BROOKS-POWERS: I vote
11 aye on all.

12 COMMITTEE CLERK: Feliz? Council member
13 Feliz? All right. We'll come back. Borelli?

14 COUNCIL MEMBER BORELLI: I vote aye.

15 COMMITTEE CLERK: Council member Miller?

16 COUNCIL MEMBER MILLER: I vote aye.

17 COMMITTEE CLERK: Council member Feliz?

18 UNIDENTIFIED: [inaudible 00:11:31]

19 CHAIRPERSON SALAMANCA: He was on. I don't
20 see him on anymore.

21 COMMITTEE CLERK: Okay. I'm going to call
22 the vote for now. Land use applications have been
23 approved 17 in the affirmative, zero in the negative,
24 and no abstentions with the exception of LU 752 which
25

2 was approved 16 in the affirmative, one in the
3 negative, and no abstentions.

4 CHAIRPERSON SALAMANCA: I would like to
5 thank the members of the public and my colleagues,
6 Council and land use staff, for attending today's
7 hearing. We're going to leave the roll open for five
8 minutes to get the Council member that were not here
9 an opportunity to vote. Thank you all.

10 COMMITTEE CLERK: Council member Feliz,
11 are you there?

12 COUNCIL MEMBER FELIZ: Yes. I'm having
13 some Wi-Fi issues. Can everybody hear me well?

14 COMMITTEE CLERK: Yes. This is a
15 continuation of roll call vote Committee on Land Use.

16 COUNCIL MEMBER FELIZ: Oh, yes. I vote
17 yes.

18 COMMITTEE CLERK: Thank you. The vote now
19 stands at 18 for approval, zero in the negative, and
20 no abstentions with the exception of LU 752 which is
21 17 in the affirmative, one negative, no abstentions.

22 CHAIRPERSON SALAMANCA: All right. I would
23 like to thank the members of the public, Counsel and
24 land use staff for attending today's hearing. It is
25 hereby adjourned.

1 COMMITTEE ON LAND USE

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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 May 30, 2021