

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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March 6, 2018
Start: 3:05 p.m.
Recess: 3:27 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: FRANCISCO MOYA
Chairperson

COUNCIL MEMBERS: Costa Constantinides
Rory Lancman
Steve Levin
Antonio Reynoso
Donovan Richards
Barry Grodenchik
Carlina Rivera
Ritchie Torres
Matt Treyger
Chair Rafael Salamanca
Kalman Yeger
Ruben Diaz, Sr.
Chair Adrienne Adams
Fernando Cabrera
Vanessa Gibson
Daneek Miller

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

2 Sound check for the Subcommittee on
3 Zoning being recorded by Israel Martinez.

4 [pause] [background discussions]

5 CHAIRPERSON MOYA: Okay, good afternoon
6 and welcome to the meeting of the Subcommittee on
7 Zoning and Franchising. I'm Francisco Moya, the
8 chair of the subcommittee and we are joined today by
9 Council Members Costa Constantinides, Rory Lancman,
10 Steve Levin, Antonio Reynoso, Donovan Richards, Barry
11 Grodenchik, Carlina Rivera. We also have Chair
12 Salamanca, Council Members Yeger, Diaz, Sr., Chair
13 Adams, Cabrera and Gibson. Thank you for being here.
14 Oh, and Council Member Treyger. Today we will be
15 taking votes on two applications, the Sea Park North
16 rezoning and the Jerome Avenue rezoning. Sea Park
17 North rezoning applications LU15 and 16 consist of a
18 zoning map amendment to change the existing R5 zoning
19 to a mix of R5, R6 and R6A and R7A zoning districts
20 and a zoning text amendment to establish the
21 mandatory inclusionary housing program in the rezoned
22 area. Approval of these actions will facilitate the
23 development of a 153 unit affordable housing
24 development financed by HPD's extremely low and low
25 income affordability program. We will be voting to

2 remove the MIH option 2 from the rezoned area to
3 ensure that the resulting development complies with
4 MIH option 1. Council Member Treyger supports
5 approval with this modification and I know that
6 Council Member Treyger, you have a statement.

7 COUNCIL MEMBER TREYGER: Thank you to
8 Chair Moya and later I'll thank as well the whole
9 Land Use Chair Salamanca as well and to the
10 incredibly helpful Land Use staff, Rodru[phonetic]
11 Mann, Brian Paul, Dillon Casey, Amy Levitan, also
12 Ramon Martinez, Jason Goldman. Everyone was very
13 helpful. This is a land use application that will
14 construct and build 100% affordable, deep affordable
15 housing in Coney Island, including housing units at
16 30, 40, 50% AMI. As mentioned by the Chair, this
17 development will be built under MIH option 1. We are
18 repurposing and redeveloping an under-utilized lot
19 that just currently collects dust and we are trying
20 to very much address an affordable housing crisis in
21 my neighborhood as well as across the City of New
22 York. There is a commitment by the applicant for
23 local hiring both for construction and permanent
24 jobs. I do believe that we should have a broader
25 policy conversation about the idea of good jobs and

2 good benefits in the context of projects that receive
3 significant City subsidies. The commitment also what
4 we have from the applicant HPD to engage with the
5 local Coney Island community, to prepare for lottery
6 readiness and to really, full advertise the lottery
7 and the housing opportunities here. There is a 50%
8 local Community Board preference. The commitment as
9 well from the applicant to support the greater
10 commercial revitalization needs of Coney Island's key
11 commercial corridors, particularly Mermaid Avenue.
12 There's a commitment from the administration to study
13 traffic safety measures around the project and
14 existing sewer infrastructure and there's a
15 commitment from the applicant to develop onsite
16 resiliency measures including bioswales and storm
17 water retention tanks and with that I will turn back
18 to the Chair. This application does have my support.
19 Thank you Chair.

20 CHAIRPERSON MOYA: Thank you Council
21 Member Treyger and we are joined by Council Member
22 Torres and Council Member Miller. Next we have the
23 Jerome Avenue rezoning. The rezoning is a
24 neighborhood wide rezoning in communities boards 4,
25 5, and 7 along Jerome Avenue in the Bronx. The

rezoning application LU18 would change a variety of zoning districts in the area to establish a framework of R7A, R7D, R8A, R9A and C4D districts along the corridor. The zoning text amendment LU17 would establish the special Jerome Avenue district which would establish special use, bulk and urban design regulations along Jerome Avenue and establish a mandatory inclusionary housing area in the portions that are being rezoned to allow for greater residential density. Lastly, the City Map Amendment LU19 would map Block 2520, Lot 19, as park land to facilitate the development of Corporal Fisher Park. We will be voting to approve the zoning map amendment and City map amendment on modifications to the text amendment application. We are modifying the zoning texts in order to ensure that portions of the rezoned area that are being changed from R8 zoning districts to R8A zoning will maintain the currently applicable floor area and height regulations. We will also be removing MIH option 2 from the area to ensure affordable housing development reach the lowest incomes possible. These approvals will establish a zoning framework to promote the development of the much needed affordable housing in the area. In

addition to the zoning framework, Council Members Gibson and Cabrera have worked diligently with the administration on commitments for solely needed investments for the area surrounding the Jerome Avenue corridor. These commitments are too numerous to list here but I will list a few highlights the City has committed to. Building two new 458 seat primary schools in community district 9 and 10, preserving 2,500 affordable housing over the next two years. The City has also committed to invest \$60 million in parks infrastructure, \$50 million in transportation and street scape improvements and to create a Jerome public health taskforce that will produce a neighborhood health plan. These investments will help to ensure that the increased development in the area will be accompanied by improvements in vital City services in the area. Before we, these investments will help to ensure that the increased development in the area will be accompanied by the improvements in vital City services in the area. This rezoning though I feel has missed an opportunity yet again for the residents in one of the most underserved communities. The Jerome Avenue rezoning was an opportunity for this

2 administration to fulfill their goals on affordable
3 housing while also uplifting residents along the
4 corridors and while progress has been made, a number
5 of these issues still remained unresolved. The
6 construction work force piece of this rezoning has
7 been inadequately addressed. For example, what we do
8 to put standards in place for over the 3,700 expected
9 construction jobs, will they still be safe on the job
10 and paid fairly? How will we guarantee residents
11 from the affected zip codes access to these jobs and
12 in turn a pathway to the middle class? Similarly, I
13 still feel that there are gaps in ensuring long-term
14 affordability that these residents stay in their
15 homes. The proposal put forth in this plan
16 represents nothing new for the Jerome Avenue
17 residents nor even in the City and the short sighted
18 approach to rezoning one of our nation's most poverty
19 stricken neighborhoods is frustrating and
20 disheartening. We must take more comprehensive
21 approaches to mass rezonings and we need to plan, not
22 just rezone and before we move on to a vote, I
23 believe that Council Members Cabrera and Gibson have
24 statements and now I will turn it over to Council
25 Member Cabrera.

2 COUNCIL MEMBER CABRERA: Council Member
3 Gibson, would you like to go first? Ladies first.

4 COUNCIL MEMBER GIBSON: Good afternoon
5 everyone and thank you to all of my colleagues for
6 being here. I first want to recognize our chair of
7 this subcommittee, Council Member Francisco Moya and
8 all of the members of the committee and to my
9 colleague and partner in this process, Council Member
10 Fernando Cabrera. Thank you so much to everyone for
11 being here today. Today's vote is major progress for
12 the Bronx and for the community that I've had the
13 honor and privilege of representing for the past four
14 plus years. Every day that I wake up, I wake up with
15 the honor to serve the people of District 16 and
16 through the challenges, through the hurdles, through
17 the road blocks and everything that our district
18 continues to face, yet we still stand, yet we are
19 still ready, willing and able to work. For three
20 years, since 2014 when the Jerome neighborhood plan
21 came before us from the Bronx Department of City
22 Planning, we began a very long and deliberative,
23 collaborative partnership and process. It has not
24 been easy and getting here today has not been easy
25 but I am truly, truly confident that after three plus

1 years, we have finally arrived at a neighborhood plan
2 that is based on the passionate input, the
3 consistency, the persistency of partners in our
4 district, of stakeholders at every level of
5 government and every level in our community. I
6 believe that this plan today represents the best
7 interest of Bronx residents who have always lived in
8 our district, through the dark days, through the
9 darker days and certainly through the brighter days.
10 I want to thank everyone who participated in every
11 open house, every visioning session, every round
12 table that my office has hosted, every community
13 meeting, every rally, every part of this process that
14 residents have been engaged in. In particular I want
15 to recognize the Bronx Borough president, Ruben Diaz,
16 Jr. and the members of the Borough Board and
17 certainly Bronx Community Board 4, Board 5, and Board
18 7 for devoting so much time and energy into this
19 Jerome neighborhood rezoning. After decades, decades
20 of broken promises and underinvestment, the Jerome
21 plan will bring real and lasting contributions to the
22 West Bronx and all of its people. I am proud to say
23 that the final plan includes significant investments
24 in creating and also preserving affordable and deeply
25

1 affordable housing while expanding on the substantial
2 preservation work that's already underway. For 3
3 years in both CB4 and 5, we have preserved 5,500
4 units of housing and in this plan we will achieve
5 even more. While many of the conversations during
6 this planning process have really focused on housing
7 creation, the plan goes much, much far beyond that to
8 include unprecedented capital and programmatic
9 commitments. These commitments ensure that
10 comprehensive community development will accompany
11 this rezoning plan. A commitment from the School
12 Construction Authority to build not one but two brand
13 new 458 seat primary, public schools in our district,
14 one in community district 9 and the other in
15 community district 10. Both of these school
16 districts are severely overcrowded and have a great
17 need for these school seats. The commitment to
18 preserve an additional 2,500 affordable units of
19 housing over the next two years on top of the 5,500
20 we've already preserved to date, the appointment of a
21 brand new Jerome specific work force development
22 coordinator, a body, a person who's gonna oversee the
23 entire work force development work, \$1.5 million that
24 is available to our auto businesses to assist them
25

with relocation costs and displacement that we know will occur, the creation of a brand new Jerome local hiring and responsible contracting working group that will be led by Council Member Cabrera and myself.

Not the administration but council members, \$60

million for parks in community boards 4 and 5 and

this is my personal favorite \$25.7 million for the

creation of the Grant Avenue park and \$4.6 million

for Corporal Fisher park in High Bridge. The Jerome

Avenue public health task force will be created and

will be led once again by Council Member Cabrera and

myself to address the health disparities along the

Jerome corridor and seek to offset the health impact

that we know we expect with increased construction.

We talk about not 62, we talk about the health

disparities, this community led and driven working

group will focus on health bucks, fresh programs,

DOHMH programs that focus on access to fruits and

vegetables and raising the level of quality of life

for families that live in our district today. I am

proud of all the work that has been done to get us to

this day. Is it perfect? Absolutely not but no

neighborhood rezoning will ever be perfect because

we're imperfect people trying to make our communities

1 better every single day and we sometimes fall short
2 of perfection and that's okay but when we come
3 together and we recognize that we can do better and
4 through the neighborhood zoning and through the task
5 forces and work forces that we put together, we will
6 achieve even more beyond today's plan. I could not
7 have not have done any of this without the hard work
8 of the Land Use Division led by Rogu Mann and our
9 program manager, Jeff Ewing and Dillon Casey and Amy
10 Levitan. They have been my rock through this entire
11 process and I thank God for them. Our Land Use
12 Chair, Council Member Rafael Salamanca, who helped me
13 with putting this plan together, thank you. To our
14 subcommittee chair, Francisco Moya, thank you for
15 helping us to get this up and running. To every
16 community group, to every advocacy group, to every
17 tenant leader, to every union member, to every
18 community advocacy group thank you. We heard you and
19 we listened as much as we could. For those of you
20 that know me, I am a woman of my word and I promised
21 and committed that I would always listen to every
22 single person that came to me, to my office, that
23 reached out to me and although we did not achieve
24 everything, because no plan is perfect, my commitment
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remains because although we vote today and the City Council will be voting in a few weeks, there is a lot more work that remains to be done and also I want to recognize and thank the administration because I yelled and screamed and called and texted and screamed some more to make sure that not only did we get capital commitments but the expense funding that needs to come with it. I recognize every day in my district that people are displaced, tenants are harassed and that's why I fought to get it right to Council. That's why we fought for certificate of no harassment to make sure that CB's 4 and 5 are included. We know that much more work remains to be done but I am proud of where we are today and I will continue to walk in the pathway of peace knowing that we achieve an incredible amount of work in this Jerome neighborhood plan so I thank you to the administration, I thank you to all the advocacy groups and certainly to my partner, Council Member Cabrera and my two dynamic staff who helped me, my chief of staff, Dana Wax, and my deputy chief of staff, Wendy Gyeagos[phonetic]. Thank you so much and I encourage all of my colleagues on the committee

2 to please support this plan so we can bring the
3 resources home to the boggie down Bronx. Thank you.

4 CHAIRPERSON MOYA: Thank you Council
5 Member Gibson. Council Member Cabrera.

6 COUNCIL MEMBER CABRERA: Mr. Chairman and
7 to members of the Committee, thank you so much for
8 having us today. For the sake of time I would
9 postpone my comments for the Land Use Committee. I
10 will give you all my thanks and be very detailed.
11 Would that be okay Mr. Chairman?

12 CHAIRPERSON MOYA: I think you'll be glad
13 about that.

14 [Laughter]

15 COUNCIL MEMBER CABRERA: That's funny.

16 CHAIRPERSON MOYA: Okay, thank you so
17 much.

18 [Laughter]

19 CHAIRPERSON MOYA: Some of us will have
20 to be sitting through it, whether it's here or there.

21 [Laughter]

22 COUNCIL MEMBER CABRERA: Only once rather
23 than twice.

24 CHAIRPERSON MOYA: Thank you Council
25 Members for all your hard work on this application.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 16

2 I will now call a vote to approve LU15 and LU16, the
3 Sea Park North rezoning with a modification to remove
4 MIH option 2 from the application and to approve
5 LU17, 18 and 19, the Jerome Avenue rezoning with the
6 modification that I just described. Are there any
7 questions or remarks from members of the
8 Subcommittee? Seeing none, will the Council please
9 call the roll on a vote to approve with modifications
10 LU15, 16, 17, 18 and 19.

11 CLERK: Chair Moya?

12 CHAIRPERSON MOYA: Aye on all.

13 CLERK: Council Member Constantinides?

14 COUNCIL MEMBER CONSTANTINIDES: Aye on
15 all.

16 CLERK: Council Member Lancman?

17 COUNCIL MEMBER LANCMAN: Aye.

18 CLERK: Council Member Levin?

19 COUNCIL MEMBER LEVIN: Aye.

20 CLERK: Council Member Reynoso?

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

23 CLERK: Council Member Richards?

24 COUNCIL MEMBER RICHARDS: I vote aye.
25

2 CLERK: Council Member Cabrera, ah sorry,
3 Rivera?

4 COUNCIL MEMBER RIVERA: Aye on all.

5 CLERK: Council Member Torres?

6 COUNCIL MEMBER TORRES: I vote aye.

7 CLERK: Council Member Grodenchik?

8 COUNCIL MEMBER GRODENCHIK: Am I the last
9 one to vote? How fitting. I vote aye.

10 CLERK: By a vote of nine in the
11 affirmative, 0 in the negative and 0 abstentions,
12 Land Use items 15 through 19 are approved with
13 modifications and referred to the full Land Use
14 committee.

15 CHAIRPERSON MOYA: That concludes the
16 meeting for today. Congratulations to Council Member
17 Gibson, Cabrera and Treyger on their great milestones
18 for their communities. Thank you all for attending.
19 This meeting is adjourned [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 March 19, 2018