

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUBCOMMITTEE ON ZONING AND FRANCHISES

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE OF ZONING AND FRANCHISES

----- X

April 12, 2022
Start: 2:00 p.m.
Recess: 2:14 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 1

B E F O R E: Kevin C. Riley,
Chairperson

COUNCIL MEMBERS: Shaun Abreu
Erik D. Bottcher
David M. Carr
Kamillah Hanks
Farah N. Louis
Francisco P. Moya
Lynn C. Schulman

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 SEARGEANT LEONARDO: PC Recording is underway.

3 SEARGEANT HOPE: Cloud recording rolling.

4 SERGEANT BRADLEY: Okay, good afternoon and
5 welcome to today's, uh, New York State Committee on
6 Zoning and Finance. At all time, will panelist please
7 turn on your videos.

8 To minimize disruption, place electronic
9 devices on vibrate or on silent mode. Thank you for
10 your cooperation. Chair, you may begin.

11 CHAIRPERSON RILEY: Good afternoon and
12 welcome to a meeting of the Subcommittee of Zoning
13 and Franchises. I'm Council Member Kevin Riley, Chair
14 of the Subcommittee. This afternoon I am joined
15 remotely by Council Members Bottcher, Hanks, Hudson,
16 Louis.

17 Today we will vote on two rezoning
18 proposals in Brooklyn for 1034-1042 Atlantic Avenue
19 and 870-888 Atlantic Avenue that were heard by a
20 Subcommittee on March 8th. Before you begin I
21 recognize the Subcommittee Council to review their
22 hearing procedures.

23 COMMITTEE COUNSEL: Thank you Chair Riley.
24 I am Angelina Martinez-Rubio, Counsel to the
25 Subcommittee. Council Members who would like to ask

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 questions or make remarks should use the zoom raised
3 hand function, which should appear at the bottom of
4 your participant panel. Chair Riley or I will then
5 recognize you to speak. We ask that you please be
6 patient if any technical difficulties arise today.
7 Chair Riley will now continue with today's agenda
8 item.

9 CHAIRPERSON RILEY: Thank you Counsel.

10 Today we will vote to approve with modifications LU's
11 20, 21 and 22 related to the 1034-1042 Atlantic
12 Avenue rezoning proposal in Council Member Hudson's
13 district in Brooklyn.

14 This proposal seeks a zoning map
15 amendment to rezone an existent M1-1 District to a
16 C6-3A and R7A/C2-4 District a related zoning tax
17 amendment to establish an MIH program area utilizing
18 option one and two and a special permit to reduce a
19 residential off street parking. Our modification
20 would be to reduce the rezoning boundaries and to
21 strike MIH option two and add the deep affordability
22 option while retaining option one.

23 For nearly a decade past and present
24 Council Members, Borough Presidents and Committee
25 Board Members together with a coalition of community

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 advocates have all pushed for a city led neighborhood
3 plan for an area around Atlantic Avenue that
4 encompasses both of the rezoning proposals before us
5 today.

6 The M Crown Plan and vision calls for
7 dynamic mixed use community with city investment and
8 affordable housing creation and preservation, street
9 design and public ground improvement and all aspects
10 of infrastructure necessary to support increased
11 density.

12 Council Member Hudson has secured a
13 commitment from the Administration to undertake a
14 community-wide plan for this area of Atlantic Avenue,
15 which will ensure that the growth of this
16 neighborhood will be accompanied by a robust public
17 plan and process and city investment. Our
18 modification for 1034 Atlantic Avenue proposal would
19 allow the creation of a new affordable housing
20 development through MIH that otherwise would not be
21 possible on the development side.

22 Council Member Hudson has secured
23 unprecedented commitments for deeply affordable housing
24 and community benefits for the applicant with a
25 commitment to 35% of the units set aside for

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 affordable housing and 15% at 40 AMI, 15% at 60 AMI
3 and 5% at 80 AMI.

4 Our modifications will also reduce the
5 proposed rezoning area to maintain more of an
6 existent M zone in an effort to maintain a broad mix
7 of land use, uses in the area until the comprehensive
8 plan and effort to treat the broader community can be
9 realized.

10 Also in Council Member Hudson's District
11 we will vote to approve with modification LU's 23, 24
12 and 25 related to the H70-888 Atlantic Avenue
13 rezoning proposal. This proposal seeks a zoning map
14 amendment to rezone an existent M1-1 District to a
15 C6-38A District, a related zone and tax amendment to
16 establish an MIH program area utilizing option two
17 and the work force option as a special permit to
18 reduce residential off street parking. Our
19 modification will be will be to strike MIH option two
20 and the work force option and add option one and a
21 deep affordability option.

22 This applicant has also committed to 35%
23 of units set aside for affordable housing with 50% at
24 40 AMI, 15% at 60 AMI and 5% at 80 AMI. Both
25 applicants have also committed to provide to mixed

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 use community service space, contributions to anti-
3 displacement organizing and other benefits.

4 I would like to personal congratulate
5 Council Member Hudson for negotiating this package of
6 benefits for the applicants and simultaneously
7 winning a commitment from the administration to
8 follow up on these actions with a long awaited
9 neighborhood wide and city investment.

10 I would like to give Council Member
11 Hudson the floor to give any remarks regarding this,
12 uh, project, Council Member Hudson.

13 COUNCIL MEMBER HUDSON: Thank you so much,
14 uh, Chair Riley and members of the Subcommittee on
15 Zoning and Franchises for the opportunity to speak
16 ahead of your vote regarding the proposed
17 developments at 870-888 Atlantic Avenue and 1034-1042
18 Atlantic Avenue.

19 Last month at the hearing for these two
20 projects I told you about my support for a community
21 led plan for the Atlantic Avenue corridor, something
22 my community has been asking for, for years. This is
23 a community that wants to see Atlantic Avenue
24 rezoned, they want to build housing, but it must be
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 done the right way. It's gotta be done responsibly
3 and with community in mind.

4 As mentioned, a community led plan would
5 ensure this part of my District is ready for the
6 massive influx in population we have already seen and
7 that would continue given all of the recent new
8 development. A community plan would ensure we were
9 prepared in advance for the increased use of mass
10 transit, sanitation, sewage, schools and other public
11 goods and that we could secure city funding for some
12 of these improvements.

13 I'm proud to announce that the Adams
14 Administration and Department of City Planning have
15 agreed to prioritize and expedite a rezoning of the
16 Atlantic Avenue corridor and whole-heartedly support
17 an accompanying community plan. This is a result of
18 the tireless work of the Community Board and local
19 advocates who have been clamoring for a comprehensive
20 plan for years.

21 A community led plan represents a radical
22 shift in how we decide on land use in our city. For
23 generations black and brown folks have been excluded
24 through legal and extra legal means alike from
25 participating in land use decisions and community

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 planning. Many have never been included in the
3 process, nor has our government proactively reached
4 out to these folks to get their thoughts. We have
5 asked folks to meet us where we are and never made a
6 good faith effort to meet them where they are, but
7 this shift cannot happen in a vacuum in my District
8 alone. There are dozens of neighborhoods suffering
9 from the same displacement pressures for black
10 residents as in mine from Bed-Stuy to Hamilton
11 Heights, from Flatbush to Corona, without bringing
12 the residents to the table and giving them a chance
13 to shape their future will continue the unsustainable
14 practice of creating neighborhoods that don't meet
15 the needs of the people who live there.

16 We need a comprehensive plan for not just
17 this corridor, but for the city at large that brings
18 both deeply affordable housing for those who need it
19 and public realm improvements. Unfortunately, no
20 project alone can stop the bleeding of displacement,
21 which continues to plague my District and shows no
22 sign of stopping. We can stop displacement, however,
23 as targeted neighborhood wide investment with deep
24 subsidies for affordable housing at lower income
25 bands, community preference for affordable units and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 support for services to combat predatory landlords
3 and real estate interests, something I will continue
4 to fight for as part of this process.

5 I wanna make it clear, these two
6 applications represent a paradigm shift. Today we
7 have shown that developers can do more than MIH.
8 After extensive negotiations the developers agreed to
9 provide 35% of the floor area for affordable housing
10 including 15% at 40% AMI, which is \$38,000.00 a year
11 for a family of two, 15% at 60 AMI, which is
12 \$57,000.00 a year for a family of two and 5% at 80%
13 AMI or \$76,000.00 a year for a family of two. That
14 means we get 150 units of affordable housing at
15 deeply affordable levels, 15% more affordable housing
16 than we would've had under MIH option three and 10%
17 more than under MIH option one and we've negotiated
18 the inclusion of a combined \$200,000.00 to fund local
19 community organizations to engage in anti-
20 displacement work to assist low income tenants and
21 long-time home owners to remain in their homes.

22 This agreement shows that our city can
23 raise the floor for affordability. Our new floor is
24 35%. We can ask all developers at a minimum to do the
25 same thing moving forward. Importantly, this rezoning

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 will bring about much needed deeply affordable
3 housing for my community for those who need it most.
4 My Council District has seen a loss of one in five
5 black residents over the last decade and 1/3 of black
6 residents in community District 8 currently earn
7 between 31% and 80% of the area median income equal
8 to approximately \$25,000.00 to \$60,000.00, 66, excuse
9 me, thousand dollars a year. The applications before
10 you today secure truly affordable housing for some of
11 neighbors most at risk of displacement.

12 With your support we can finally chart
13 our own course, one led not by developers, but by
14 folks like my 81 year old neighbor who has lived just
15 blocks from these sites for almost 50 years. With
16 your vote we can show that the Council can do more
17 than MIH and with your vote we can meaningfully show
18 our neighbors that we're listening and are doing what
19 we can to keep them in our neighborhoods. Thank you.

20 CHAIRPERSON RILEY: Thank you Council
21 Member Hudson.

22 Members of the Subcommittee who have
23 questions or remarks about says item should use the
24 raised hand button. Now, Counsel we will announce
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 members in that order that they have raised their
3 hand.

4 Counsel, are there any Council Members
5 with any questions?

6 COMMITTEE COUNSEL: No Council Members
7 with questions at this time Chair.

8 CHAIRPERSON RILEY: Okay, I just want to
9 acknowledge we're being joined by Majority, excuse
10 me, Minority Leader Borelli, uh, and Council Member
11 Abreu and Chair Louis and Council Member Schulman.

12 Uh, Chair, Chair can you please call, oh,
13 sorry. I now call for a vote to approve with the
14 modification I have described LU's 20, 21 and 22, 23,
15 24 and 25. Counsel, please call the roll.

16 COMMITTEE COUNSEL: Chair Riley?

17 CHAIRPERSON RILEY: Aye on all.

18 COMMITTEE COUNSEL: Council Member Abreu?

19 COUNCIL MEMBER ABREU: Aye on all.

20 COMMITTEE COUNSEL: Council Member Moya?
21 Council Member Moya?

22 COUNCIL MEMBER MOYA: I vote aye.

23 COMMITTEE COUNSEL: Chair Louis?

24 CHAIRPERSON LOUIS: I vote aye on all.

25 Congratulations.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COMMITTEE COUNSEL: Council Member

3 Bottcher?

4 COUNCIL MEMBER BOTTCHEER: Aye on all.

5 COMMITTEE COUNSEL: Council Member Hanks?

6 COUNCIL MEMBER HANKS: Congratulations,

7 aye on all.

8 COMMITTEE COUNSEL: Council Member

9 Schulman?

10 COUNCIL MEMBER SCHULMAN: Congratulations,

11 uh, Council Member Hudson, aye on all.

12 COMMITTEE COUNSEL: And Council Member

13 Carr?

14 COUNCIL MEMBER CARR: Aye on all.

15 COMMITTEE COUNSEL: By a have vote of

16 eight in the affirmative, no negatives, no

17 abstentions, the items are approved and referred to

18 the Full Land Use Committee.

19 CHAIRPERSON RILEY: Thank you Counsel.

20 That concludes today's business. I would like to

21 thank the members of the public, my colleagues, the

22 Committee Council of Land Use, other Council Staff

23 and Sergeant at Arms for participating in today's

24 hearing. This meeting is hereby adjourned. Thank you

25 (GAVEL).

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 11, 2022