

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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06/14/2022

Start: 12:45 P.M.

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HELD AT: REMOTE HEARING, VIRTUAL ROOM 2

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

COUNCILMEMBERS:

- Shaun Abreu
- Erik Bottcher
- David M. Carr
- Kamillah Hanks
- Farah N. Louis
- Francisco P. Moya
- Lynn Schulman
- Shahana Hanif
- Julie Won
- Lincoln Restler

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

Richard Lobel
Attorney, Applicant, Wetherole Street

Domenic Recchia
Applicant, Wetherole Street

Rebecca Davoudian
Applicant, Wetherole Street

Jay Goldstein
Attorney, Applicant 77-39 Vleigh

Justin Sherman
Architect, Applicant 77-39 Vleigh

Kevin Williams
Applicant 77-39 Vleigh

Emanuel Yelizarov
Resident

Rabbi Itzhak Yehoshua
Resident

Diana Rachnaev
Resident

Eduard Yagudayev
Resident

Nathan Rubinov
Resident

Richard Lobel

Attorney, Applicant, 41 Summit Street

Frank St. Jacques
Attorney, Applicant, 11th Street and 34th
Avenue

David Nidus
Executive Director, Andromeda Community
Initiative

Ferasi Juste[sp?]
Employee, Andromeda Community Initiative

Richard Khuzami
President, Old Astoria Neighborhood
Association

Larry Wilson
Member, 32BJ Labor Union

Ceima Perkins
President, Our Children

Brendan Leavy
Member, Queens Chamber of Commerce

2 SERGEANT HOPE: Okay, live stream is up. Let's
3 make sure that the live stream is up.

4 SERGEANT PÉREZ: I'm waiting to confirm.
5 Sergeant Hope, the stream is up.

6 SERGEANT HOPE: Thank you, sir. All sergeants,
7 please begin your recordings.

8 SERGEANT PÉREZ: Computer recording is a go.

9 SERGEANT HOPE: Thank you. Cloud recording
10 rolling.

11 Good... Hello and welcome to the New York City
12 Counseling remote hearing on the Subcommittee on
13 Zoning and Franchises. At this time we're all
14 panelists please turn on your videos.

15 Thank you. To minimize disruption please place
16 all electronic devices to vibrate or silent mode.
17 Thank you. If you wish to submit testimony, you may
18 do so at LandUseTestimony@Council.NYC.gov. I repeat,
19 LandUseTestimony@Council.NYC.gov. Chair, we are will
20 begin.

21 CHAIRPERSON RILEY: Good morning and welcome to a
22 meeting the Subcommittee of Zoning and Franchises. I
23 am councilmember Kevin Riley, Chair of the
24 subcommittee. This morning I'm joined remotely by
25 Councilmembers Abreu, Carr, Schulman, Hanks, Louis,

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2 Councilmember Hanif, Councilmember Restler,
3 Councilmember Moya.

4 COUNSEL MARTINEZ-RUBIO: And Councilmember
5 Schulman, if you didn't say...

6 CHAIRPERSON RILEY: Oh, I said Councilmember
7 Schulman. Thank you Counsel. Today we will for a
8 rezoning proposal for 98 Third Avenue in Brooklyn and
9 4541 Furman Avenue in the Bronx that we heard by the
10 Subcommittee on May 31. We will also hold public
11 hearings for three rezoning proposals in Queens for
12 Wetherole Street and 67th Avenue, 77-39 Vleigh Place,
13 and 11th street and 34th Avenue, and one rezoning
14 proposal in Brooklyn for 41 Summit Street. Before we
15 begin, I recognize the subcommittee counsel to review
16 the hearing procedures.

17 COUNSEL MARTINEZ-RUBIO: Thank you Chair Riley.
18 I am Angelina Martinez-Rubio, counsel to the
19 subcommittee. Members of the public wishing to
20 testify where else to register for today's hearing.
21 Do you wish to testify and have not already
22 registered, please do so now by visiting the New York
23 City Council website at www.council.nyc.gov/LandUse
24 to sign up. Members of the public may also view a
25 livestream broadcast of this meeting at the Council's

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2 website. If you need an accessible version of this,
3 or any of the presentations shown today, please send
4 an email request to LandUseTestimony@Council.NYC.gov.
5 When called to testify, individuals appearing before
6 the subcommittee will remain muted until recognized
7 by the Chair to speak. Applicant teams will be
8 recognized as the group and call first followed by
9 members of the public. When the Chair recognizes you
10 your microphone will be unmuted. Please take a
11 moment to check your device and confirm that your mic
12 is on before you begin speaking.

13 Public testimony will be limited to two minutes
14 per witness. If you have additional testimony you
15 would like the subcommittee to consider or if you
16 have written testimony you would like to submit
17 instead of appearing here before the subcommittee,
18 you might email it to, again,
19 LandUseTestimony@Council.NYC.gov. Please indicate
20 the LU number and/or project name and the subject
21 line of your email.

22 During the hearing Councilmembers with questions
23 should use the Zoom raise hand function which appears
24 at the bottom of either your participant panel or the
25 primary viewing window. Councilmembers with

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2 questions will be announced in order that they're
3 raising their hands, and Chair Riley or I will then
4 recognize members to speak. Witnesses are requested
5 to remain in the meeting until excused by the Chair,
6 as Councilmembers may have questions for you.

7 Finally, there will be pauses over the course of
8 this meeting for various technical reasons and we ask
9 that you please be patient as we work through any
10 issues. Chair Riley will now continue with today's
11 agenda.

12 CHAIRPERSON RILEY: Thank you Counsel.

13 Today we will vote to approve LU65 and 66
14 relating to the 98 Third Avenue rezoning proposal in
15 Councilmember Restler's district in Brooklyn. The
16 proposal includes a zoning map amendment to rezone
17 the existent M1-2 district to an R7D/C2-4 and R6-V
18 district, and the related zoning text amendments for
19 the MIH program area utilizing option one and two.
20 Councilmember Restler is in support of this proposal.
21 And I would just like to recognize councilmember
22 Restler to give any brief remarks regarding this
23 proposal. Councilman Restler?

24 COUNCILMEMBER RESTLER: Thank you Chair Riley,
25 and thank you to all the members of this

2 subcommittee. This was yet another rezoning proposal
3 that certified during my predecessors tenure, and so
4 we didn't have the opportunity to shape it in... in
5 the ways that I would have fully hoped. But we did
6 work closely with the applicant and... and reached an
7 agreeable outcome. This is the last fully M-zone
8 block in Boerum Hill, and this site in particular is
9 a gas station that's been rezoned to allow for mixed
10 use development. The developer has agreed to go
11 beyond the MIH requirements, and I believe 31% or 32%
12 of the units will be affordable housing with an
13 average of 68% AMI, across the affordable units.
14 It's a relatively small project: Just 29 units in
15 total, with commercial ground floor. We've talked to
16 the developer at length about trying to prioritize
17 fresh produce and some sort of market of some kind on
18 the ground floor if that's feasible, though this
19 isn't a particularly large site.

20 And we've really prioritize the needs of the
21 longtime community in the area as well. So in
22 addition to the developer exceeding the MIH
23 requirements, they have committed to making a
24 consequential contribution to the Trust for Public
25 Land to upgrade public space at the adjacent NYCHA

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2 development across the street that will serve the
3 whole community. It's critically important to me
4 that as we allow for yet further rezonings and
5 greater density in our community, that developers
6 take responsibility for investing in the
7 infrastructure of our community as well, whether that
8 be park and playground space, or sewer
9 infrastructure, or school capacity, or whatever the
10 case may be, we need developers to help our community
11 meet our growing needs as they contribute to that
12 very growth. So I'm pleased that we were able to
13 achieve a reasonable outcome here. And it was a
14 rather to kind of tense negotiation, but... but it...
15 it worked itself out.

16 I'd like to thank the applicant, Mr. Wolf and
17 their team, Eric and Ryan and others, for bearing
18 with me and our team. And I especially want to thank
19 my Chief of Staff, Marian Alexander, who in all
20 things is just superb, and our Vincent Wally, who
21 does our land use and is also our, you know, is just
22 a tremendous member of our team and did a great job
23 navigating this one. And lastly, I just want to
24 appreciate Brian Paul... recognize Brian Paul, from

25

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2 the Land Use Division for his assistance in helping
3 us work through this.

4 So thank you to all of the... to my colleagues.
5 Sorry for dragging on a little bit there, but I just
6 wanted to recognize the people who helped make this
7 all happen.

8 CHAIRPERSON RILEY: That's fine, Councilmember
9 Restler. Thank you. We will also vote to approve
10 with modifications LU63 and 64 and 51 for the 4541
11 Furman Avenue rezoning in Councilmember Dinowitz
12 district in the Bronx. This proposal will rezone
13 existing M1-1 district to an R7D/C-4 district and the
14 related zoning text amendment to establish an MIH
15 program, area utilizing options one and two. The
16 council's modification will eliminate the proposed
17 extension of the transit zone. Councilmember
18 Dinowitz is in support of this proposal as modified

19 I just want to make sure Councilmember Dinowitz
20 isn't here.

21 Members of the subcommittee who have any
22 questions or remarks about SES either she used the
23 raise hand button now. Council will announced
24 members in the order that hands are raised. Counsel,

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2 are there any Councilmembers with questions or
3 remarks at this time?

4 COUNSEL MARTINEZ-RUBIO: Okay, I don't see any
5 Councilmembers have questions at this time.

6 CHAIRPERSON RILEY: I now call for a vote.

7 I now call for vote to approve LU65 and 66 for
8 the 98 Third Avenue rezoning proposal, and to approve
9 with modifications LU63 and 64 for the 4541 Furman
10 Avenue rezoning proposal. Counsel, please call the
11 roll.

12 COUNSEL MARTINEZ-RUBIO: Chair Riley.

13 CHAIRPERSON RILEY: Aye on all.

14 COUNSEL MARTINEZ-RUBIO: Councilmember Moya?

15 COUNCILMEMBER MOYA: I vote Aye.

16 COUNSEL MARTINEZ-RUBIO: Councilmember Louis?

17 COUNCILMEMBER LOUIS: I vote aye.

18 COUNSEL MARTINEZ-RUBIO: Councilmember Abreu?

19 COUNCILMEMBER ABREU: Aye on all.

20 COUNSEL MARTINEZ-RUBIO: Councilmember Hanks?

21 Councilmember Hanks, are you there? We'll go
22 back to her. Councilmember Schulman... Oh...

23 Councilmember Hanks?

24 COUNCILMEMBER HANKS: Yes.

25 COUNSEL MARTINEZ-RUBIO: Councilmember Schulman?

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2 COUNCILMEMBER SCHULMAN: Aye on all.

3 COUNSEL MARTINEZ-RUBIO: Councilmember Carr?

4 COUNCILMEMBER CARR: Aye on all.

5 COUNSEL MARTINEZ-RUBIO: The vote currently
6 stands at 7 in the affirmative, no negative, no
7 abstentions, and we will leave the vote open.

8 COUNCILMEMBER RILEY: Thank you, counsel. To
9 continue with today's meeting, I will now open the
10 public hearing on pre-considers LUC-210375ZMQ, and
11 N210376ZRQ, relating to the Wetherole Street and 67th
12 Avenue rezoning proposal in Councilmembers Schulman's
13 district and Queens.

14 This application seeks a zoning map amendment to
15 rezone the existing R4B to R6A, and a related zoning
16 text amendment to establish an MIH program area.

17 For anyone wishing to testify on this item, if
18 you have not already done so you must register
19 online, and you may do that now by visiting the
20 Council's website at council.nyc.gov/LandUse. Once
21 again, that's council.nyc.gov/LandUse. Now I'd like
22 to allow Councilmember Schulman to give any remarks
23 regarding this project that she has. Councilmember
24 Schulman?

25

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2 COUNCILMEMBER SCHULMAN: Yes. So first, I want
3 to commend the applicant team for their willingness
4 to engage with the community and its concerns
5 throughout the public review process. I'm proud to
6 support the creation of affordable housing in my
7 district, and this project would create permanently
8 affordable units in a walkable, bikable part of Forest
9 Hills, well served by public transportation. I have
10 some questions, but we can do that when we get to
11 that point.

12 CHAIRPERSON RILEY: Thank you, Councilmember
13 Schulman. Counsel, please call the first panel for
14 this item.

15 COUNSEL MARTINEZ-RUBIO: Um, I just... I want
16 to... I will call it, and if there's anyone missing
17 let me know, because I see a discrepancy between the
18 names that were submitted, but the panel will be:
19 Richard Lobel, Domenic Recchia, Kevin Williams, and
20 Rebecca Davoudian. I'm sorry, if I mispronounced
21 your name. Is that correct, Richard?

22 MR. LOBELL: That's correct.

23 COUNSEL MARTINEZ-RUBIO: So panelists... Sorry,
24 Chair, you can tell me to administer the oath.

25

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2 CHAIRPERSON RILEY: Oh, go ahead, counsel.

3 Counsel, please administer that affirmation.

4 COUNSEL MARTINEZ-RUBIO: I got ahead of it.

5 Panelists, can you please raise your right hand? And

6 answer -- I will call on you individually to answer

7 the following question. Do you affirm to tell the

8 truth, the whole truth and nothing but the truth in

9 your testimony before the subcommittee, and in your

10 answer to all Councilmember questions?

11 Richard Lobel?

12 MR. LOBEL: I do.

13 COUNSEL MARTINEZ-RUBIO: Domenic Recchia?

14 MR. RECCHIA: I do.

15 COUNSEL MARTINEZ-RUBIO: And Rebecca Davoudian?

16 MS. DAVOUDIAN: I do.

17 CHAIRPERSON RILEY: Thank you. For the viewing

18 public, if you if you need an accessible version of

19 this presentation, please send the email request to

20 LandUseTestimony@council.nyc.gov. And now the

21 applicant team may begin.

22 Panelists as you begin, I'll just ask that you

23 please restate your name and organization for the

24 record? You may begin.

25

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2 MR. LOBEL: Richard Lobel, Of Sheldon Lobel PC,
3 for the applicant. Good afternoon. I thank
4 Councilmember Schulman for her kind words and we're
5 thrilled to take this to the Community Board, which
6 voted in favor of this rezoning. This is the
7 Wetherole Street and 67th Avenue rezoning. I will
8 quickly run through the presentation and then the
9 entire applicant team is happy to answer any
10 questions. Please load the slides.

11 So the next slide, the next slide contains a
12 summary of the actions here the rezoning itself is
13 very straightforward. The applicant is proposing a
14 zoning map amendment to rezone block 3157, Lots 143
15 to 147, 149, 150, and 151, and part 152 from an R4B
16 to an R6A zoning district. This would facilitate the
17 development of two lots, 6645 and 6647 Wetherole
18 Street with a new eight-story approximately 18,000
19 square foot residential building with approximately
20 21 units including five permanently affordable units.
21 In addition, we are proposing as with all such
22 rezonings a text amendment to map mandatory
23 inclusionary housing, which would provide for option
24 one and option two. The applicant currently
25

2 contemplates option one, which would provide for five
3 permanently affordable units. Next slide.

4 So the proposal has a building which is projected
5 eight stories, roughly 18,000 square feet with a 3.6
6 floor area ratio, the base height of 65 feet, total
7 height of 75 feet. It will be setback at the seventh
8 floor. It will contain eight regular parking spaces
9 and 11 bike parking spaces, and again 21 units with
10 five affordable, option one.

11 The next page has the zoning map, which really
12 demonstrates in the first instance why this is an
13 appropriate zoning action. As you can see, the R4B
14 here is a relatively small district, and is
15 surrounded by larger density districts including the
16 R7B to the southwest on Austin, and the R7-1, which
17 surrounds the property to the east, west and north.

18 The development that this has resulted in from
19 these R7-1 districts, including adjacent to this
20 zoning district on this block have produced buildings
21 ranging from six to eight stories and taller as
22 you'll see in the area map, and really demonstrates
23 why this is an appropriate area for this rezoning.

24 Next slide.

2 So the next slide merely shows the tax map and is
3 a little bit more of a focused view on the lots that
4 would be rezoned. There are five lots adjacent to
5 the property to the east, as well as the two
6 applicant owned lots that are highlighted in red, and
7 one lot to the west. Additionally, due to the even
8 dimension of 175, there's five feet of another lot
9 which would be also included, but no development
10 would be projected on that site to this small area
11 within the rezoning. Next slide.

12 The next slide, which is the area map really
13 demonstrates why the bulk here is appropriate. You
14 can see in the orange color, all of these multifamily
15 buildings, long standing pre-war buildings, all of
16 which are at six to eight stories immediately around
17 the applicant site. So this is not an area in which
18 density is unknown. And this is one of the reasons
19 we were happy to proceed with this rezoning, and
20 we're really thrilled with our dialogue with the
21 Community Board. The Community Board kind of
22 understood that if you wanted to create new
23 residential units in this area, and importantly, new
24 affordable units in this area, you had to find places
25 where that density would be appropriate, and here,

2 the fact that on the doorstep of this rezoning area
3 are six and eight story buildings, many of which are
4 almost as tall within five to 10 feet of the
5 projected building at the site including the six
6 story building on the block, it... the Community
7 Board really considered that and demonstrated that
8 they felt that it was really within the character to
9 allow these buildings to move forward in R6A. You
10 can even see on the block to the south there's an
11 existing 13 story building. Moreover, two blocks
12 south -- or two to three blocks south depending on
13 the measurement -- is Queens Boulevard, an extra wide
14 boulevard over 200 feet with several subway lines and
15 excellent transportation. So despite the fact that
16 there was a rezoning of the entirety of the area in
17 an area wide rezoning in 2002, members of the
18 Community Board understood that so much has changed
19 in the last 20 years, and that it was appropriate now
20 to reasonably map an R6A district here. Next slide.

21 The next slide shows a before and after of the
22 zoning map. Again, you can see the existing R4B
23 existing along 67th Avenue and Wetherole Street,
24 after which a 17,500 square foot area, including the
25 applicant's 5000 square feet would be rezoned to R6A.

2 The next slide and remaining slides have
3 photographs of the area, as well as the building
4 itself, superimposing the area. Again, you can see
5 buildings in the foreground and the background all
6 have heights which approximate the proposed height of
7 this building, if you can page through the
8 photographs to the first page of plans, which
9 contains zoning calculations. Again, relatively
10 typical floor plan layouts, roughly 2900 square feet
11 of floor, and if you want to just quickly page
12 through those... those slides, you'll see ground
13 floor parking with residential units above, and the
14 eight parking spaces within the building with 11 bike
15 parking spaces. The... The bedrooms are typical, one
16 to two family, one to two bedroom units going up
17 through the building, and then finally at the eighth
18 floor there's a setback inclusive of a terraced
19 garden at the... at the top floor.

20 The last two slides, if you'd be so kind to
21 forward through to the AMI... the Adjusted Median
22 Income levels, at 60% AMI, you would average \$50,160
23 for income for family one all the way through \$71,000
24 For a family of four. Those would be averages. Of

2 course, because we're... we would be providing
3 affordability in option one, 10% would be at 40% AMI.

4 So the next slide also demonstrates rents for
5 this for the AMI units, which you can see averaging
6 at 60% would be \$956 through \$1400, and at 40% levels
7 would be roughly \$600 to \$900.

8 So, you know, we were really thrilled to get
9 Community Board 6 support on this, as well as the
10 Queensboro president. You know, I've been doing this
11 for some time, and I've been to Queens Community
12 Board 6 and of course throughout the city and
13 Community Boards throughout the city. The nature and
14 quality of the discussion around this rezoning,
15 frankly, made me proud to be a New Yorker, you know,
16 really a recognition that, that this was going to be
17 a benefit to the community, and the opportunity to
18 really provide some affordability in an area where
19 you don't necessarily find new units of this type.

20 So with that, again, we think councilmember
21 Schulman for her discussion on this, and the entire
22 team is happy to answer any questions.

23 CHAIRPERSON RILEY: Thank you, Richard. I just
24 have a question, and I'm going to turn it over to
25 Councilmember Schulman. Rezoning from an R4A to an

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2 R6A is a pretty large increase in density from 0.75
3 FAR to a 3.6 FAR. Could you just restate the land
4 use rationale for the increase date at this project
5 site?

6 MR. LOBEL: Happy to do so Chair. I think maybe
7 just as... by way of putting something on the screen,
8 if... if we could load up the area map for a moment,
9 which is the colored map, but I'll continue talking
10 while that's done.

11 So it's true that the R4A has an existing
12 residential Floor Area Ratio of 0.75, and 0.9 with
13 the attic rule. But interestingly, the R4A also
14 carries with it a... an FAR Floor Area Ratio of 2 for
15 medical office and medical facility. And in fact,
16 the applicant here -- Novel Medicine is the name of
17 the applicant -- is an applicant which has developed
18 a community facility, medical institutions in the
19 past. And so the square footage of this site would
20 enable for a 10,000 square foot community facility
21 medical office. That's not what we're doing here.
22 Obviously, we're going to have an 18,000 square foot
23 residential building. But I think one of the things
24 that was compelling to the Community Board was the
25 fact that the existing as-of-right option, somewhat

2 approximates, or at least comes closer to what your
3 proposed residential option would be.

4 Secondly, the fact that this is literally across
5 67th Avenue from an R7-1 district, which is a
6 district with no similar height cap -- it is a non-
7 contextual district -- and that the... the building
8 size of the... at the site is going to be within 5 to
9 10 feet of buildings both across the street and on
10 the very block of this rezoning was also persuasive
11 to the community.

12 In addition, the fact that there is a plethora of
13 transportation options nearby, that's something that
14 city planning looks to and something that's been
15 recognized in ULURP as being great for this
16 development. People will be able to get to and from
17 this site, very... in a very... you know, in a... in
18 a manner which... which allows for additional density
19 at the site.

20 So all of those things taken together: The
21 fantastic transportation options, the fact that
22 you've got density in the area... immediately in the
23 area both adjacent to this development site, as well
24 as across the street, really kind of allows for this

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2 R6A density to exist here, and... and you know... and
3 the community would really agree with them.

4 CHAIRPERSON RILEY: Thank you, Richard. I now
5 turn it over to Councilmember Schulman for some
6 questions. Councilmember Schulman?

7 COUNCILMEMBER SCHULMAN: Thank you Chair Riley.
8 The Community Board and Borough President both
9 indicated that having local and MWBE hiring targets
10 in this 30% range for construction are important
11 goals for the community. Do you still commit to
12 those goals? And do you have a plan for regular
13 reporting on progress to Community Board sets? And
14 if you could give me specifics that would be helpful.

15 MR. LOBEL: Sure. Thank you, Councilmember. So
16 we do commit to those goals. Rochelle came off who's
17 the applicant, and I saw his listening in on the...
18 on the presentation. He and I have talked about
19 this, and he understands what the community is doing
20 here and trusting him with, and so he's happy to
21 commit to the MWBE and LC goals as stated. I know
22 that we've talked in the past, and I've talked about
23 reporting to the Queensboro president's office. And
24 so what we would propose here, similarly, would be to
25 allow for regular reporting with regards to such

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2 employment during the time of construction of the
3 building, and so while we don't have a specific
4 interval, I imagine it would be something akin to
5 quarterly reporting we would provide a list to the
6 Queensboro president's office of MWBE and LC hiring
7 would include the Community Board on those
8 communications, and hopefully that would satisfy any
9 informal reporting requirements from those agencies.

10 COUNCILMEMBER SCHULMAN: Yeah, if you would... if
11 you would make sure to include the Community Board,
12 but I may ask that for that to be separate as well,
13 because I have other applicants that have done that.
14 And I think it would be much appreciated, especially
15 since you've had a good relationship with... with the
16 board. And I'm still committed to having good faith
17 -- I know this is a small project -- to having good
18 faith discussions with local unions to ensure the
19 building is built by workers with prevailing wage and
20 benefits.

21 MR. LOBEL: So we have committed to that, and as
22 you can probably see in the presentation, Domenic
23 Recchia is also on the call with us. Domenic is the
24 governmental relations professional who is associated

25

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25

2 with the project. I don't know whether or not
3 Domenic wants to address that right now.

4 MR. RECCHIA: Yeah, we are going to reach out
5 with all, you know, the parties involved in unions
6 and work and make sure everything's done prevailing
7 wage, and living wage, and make sure there's
8 benefits. And we want to work with the Community
9 Board, with your office, and with the City Council,
10 to make sure that everything's complied with, as you
11 all wish, and we will have conversations with
12 everybody involved.

13 COUNCILMEMBER SCHULMAN: I appreciate that. And
14 if you can keep us updated, because I know, like I
15 said, it's a small project, so some unions may not
16 feel it's worth that getting involved. And I
17 understand that, but at least if we know what the
18 communication was and what their response back was, I
19 think that would be helpful too. Just in terms of
20 transparency.

21 MR. RECCHIA: Okay. I will keep you up to date,
22 Councilmember.

23 COUNCILMEMBER SCHULMAN: And can you speak to any
24 environmental or sustainability features you plan to
25 include in the building design?

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2 MR. LOBEL: So, sadly given the change in the
3 council's schedule, our architect Tony Shitemi, who
4 was... was available for prior conversations with the
5 Community Board is not available to us. So I'm at...
6 I'm somewhat hamstrung in that Tony is much better
7 equipped to have that discussion. Having said that,
8 I know that there are certain environmentally
9 sensitive measures, Tony's architectural firm Urban
10 Architectural Initiatives, is well versed in both
11 private and public projects, including environmental
12 sustainability measures on the buildings, and so it
13 may be more appropriate to follow up with our office
14 in writing, and we can kind of give you some of those
15 measures. But I know that Tony has provided many
16 plans and materials which demonstrate, I believe
17 water retention and other measures, which would be
18 taken at the building in order to allow for the
19 modest environmental footprint for the bill.

20 COUNCILMEMBER SCHULMAN: What we'll do is we'll
21 follow up in writing to you, and then you can follow
22 up back with us. So that would be helpful. And...

23 MR. LOBEL: Thank you, Councilmember.

24 COUNCILMEMBER SCHULMAN: That's all the questions
25 I have Chair.

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2 CHAIRPERSON RILEY: Thank you. Councilmember
3 Schulman. I now invite my colleagues ask questions.
4 If you have any questions for this applicant panel,
5 please use the raise hand button on the participant
6 panel. Counsel, are there any Councilmembers with
7 questions?

8 COUNSEL MARTINEZ-RUBIO: Chair, I don't see any
9 Councilmembers with questions at this time.

10 CHAIRPERSON RILEY: There being no further
11 questions, the applicant panel is excused. Counsel,
12 are there any members of the public who wish to
13 testify on the Wetherole Street at 67th Avenue
14 proposal?

15 COUNSEL MARTINEZ-RUBIO: Chair, there are no
16 members of the public who signed up to testify on
17 this proposal.

18 CHAIRPERSON RILEY: There being no members of the
19 public who wish to testify or reconsider LUC210375CMQ
20 and N21037ZRQ relating to the Wetherole Street and
21 67th Avenue rezoning proposal, the public hearing is
22 now closed and the items are laid over.

23 Counsel, before we go into the next hearing, I
24 see... we are joined by Councilmember Bottcher.
25 Could you take his vote, please?

1 <INSERT TITLE OF MEETING>

28

2 COUNSEL MARTINEZ-RUBIO: Yes, will do. And
3 Chair, just a heads up. We are going Vleigh Place
4 next. So the hearing that we had as the last
5 hearing, that's going to be our next hearing. So we
6 will wait for Councilmember Hanif to come back for
7 Summit.

8 So continuing the vote on LU65 and 66 for Third
9 Avenue and LU63 and 64 for Furman Avenue,
10 Councilmember Bottcher?

11 COUNCILMEMBER BOTTCHER: I vote aye.

12 COUNSEL MARTINEZ-RUBIO: Thank you. The final
13 vote is eight in the affirmative, no negatives, no
14 abstentions. The items are approved and will be
15 recommended to the full Land Use Committee.

16 CHAIRPERSON RILEY: Thank you Counsel. I will
17 now open up the public hearing on pre-considers
18 LUC210128CMQ and N210129CRQ relating to the 77-39
19 Vleigh Place rezoning proposal in Councilmember
20 Gennaro's district in Queens. This application seeks
21 rezoning map amendment to rezone the existing R3-
22 2/C1-2 to an R6A/C2-3, and a related zoning text
23 amendment to establish an MIH program area. For
24 anyone wishing to testify on this item, if you have
25 not already done so you must register online, and you

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2 may do that now by visiting the council's website at
3 council.nyc.gov/LandUse. Counsel, can you please
4 call the first panel for this item?

5 COUNSEL MARTINEZ-RUBIO: Sorry Chair. I was on
6 mute. The panelists for this item that I have are
7 Jay Goldstein and Justin Sharman. Mr. Goldstim, can
8 you just confirm that just... that's all I have for
9 you guys?

10 I think you're on mute.

11 So I have Jay Goldstein, Kevin Williams, and
12 Justin Sharman.

13 MR. GOLDSTEIN: Kevin Williams was the last name.

14 COUNSEL MARTINEZ-RUBIO: So panelists, can you
15 please raise your right hand so that I can administer
16 oath?

17 Do you affirm to tell the truth, the whole truth
18 and nothing but the truth and your testimony to the
19 subcommittee and in your answer to all Councilmember
20 questions? I will call on you individually to
21 answer. Jay Goldstein?

22 MR. GOLDSTEIN: Yes.

23 COUNSEL MARTINEZ-RUBIO: Kevin Williams? You're
24 already sworn in, so I'll just remind you that you're
25 under oath. And Justin Sherman?

1 <INSERT TITLE OF MEETING>

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2 MR. SHERMAN: I do.

3 COUNSEL MARTINEZ-RUBIO: Thank you.

4 CHAIRPERSON RILEY: Thank you, counsel. For the
5 viewing public, if you need accessible version of
6 this presentation, please send an email request to
7 LandUseTestimony@council.nyc.gov. And now the
8 applicant team may begin.

9 Panelists as you begin, I'll just ask you please
10 restate your name and organization for the record.
11 You may begin.

12 MR. GOLDSTEIN: Good afternoon, Jay Goldstein on
13 behalf of VP Capital Holdings LLC. If we can bring
14 up the slides. Next slide please.

15 We're here this afternoon to request a zoning map
16 and text amendment for the subject site. The site as
17 you can see is an irregularly shaped lot between
18 seventh eighth avenue of life place and 77th Road,
19 Vleigh Place, and 77th Road in the Kew Garden Hill
20 section of Queens, Community Board 8, Councilmember
21 Gennaro's district. The development has
22 approximately 90 feet of frontage on 77th Road, 220
23 feet of frontage on Vleigh Place, and 171 feet of
24 frontage on 78th Avenue. Next slide please.

25

2 The project area has been zoned R3-2 with a C1-2
3 since 1961. The subject lot is 34,500 square feet of
4 lot area. And as-of-right we'd be able to build
5 approximately 55,000 square feet of a mixed use
6 building. Residential, commercial, and community
7 facility would all be allowed as-of-right in this
8 district. Next slide please.

9 The proposal before you seeks to rezone the area
10 as mentioned to an R6A with a C2 overlay. This would
11 permit an eight story mixed use building with a max
12 residential floor area ratio of 3.6, community
13 facility floor are ratio of 3.0, commercial floor
14 area ratio of 2.0. The proposed development would
15 also seek a text amendment to map this areas options
16 one and two for MIH. And is anticipated to utilize
17 option two for the proposal, 80% AMI. This was
18 chosen in response to many of the comments and... and
19 many of the conversations we've had in the community
20 where the need for affordable housing was greater
21 than the need for deep affordable housing. Therefore
22 option two seemed... which would give us a larger
23 percentage of units... seemed to be a better fit.
24 The as-of-right AMI... The AMI, rather, tied to the
25 80% affordability would be in line with what the

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2 average income is for this area of Kew Garden Hills,
3 which typically sees a little higher incomes than
4 other areas. Next slide please.

5 So as-of-right, the rezoning would allow for an
6 eight story building with 124,000 square feet of
7 floor area. 104,000 square feet would be
8 residential, it'd be 119 units, 83 were market, 36
9 affordable. And then as you can see the cellar and
10 the first floor would be a mix of community facility
11 and commercial uses. At the cellar level... at the
12 sub-cellar level sorry... we have 126 parking spaces
13 proposed. Land use rationale for this project was
14 based on the fact that this is a short commute to the
15 Kew Gardens Interchange. It has significant access
16 to major roadways, highways, as well as local and
17 express buses. And it's a short walk to the subway E
18 and F station so there's access... transportation is
19 plentiful for this site and therefore it was deemed
20 to be a good site. There is also open space directly
21 across from the property, and the site itself is
22 uniquely situated that it's a large site that can
23 accommodate housing and affordable housing on this...
24 in this area, which has not seen much growth in
25 recent years. Next slide, please.

2 So as mentioned, the as-of-right R6A would permit
3 an eight story building. However, in response to
4 many of the comments that we... and community
5 feedback that we've received over the course of the
6 ULURP, the owners made a number of commitments both
7 to the Community Board and to the Councilmember.
8 We've committed to reducing the scale of the
9 building. As you can see on your left hand side of
10 the screen, and in the next number of pictures, the
11 same juxtaposition that the left hand side would be
12 the as-of-right eight story building in the R6A, and
13 on the right-hand side, you have a five story with a
14 partial six story, and you can see at the sixth
15 floor, heavily setback along Vleigh Place and the two
16 side streets. And you could see the rooftop area
17 would be open for tenants as well as the green roof
18 as part of the amenities.

19 If you can go the next slide, we'll just... it
20 shows further angles of the building and you can see
21 the reduction that was... that was committed by this
22 applicant. Next slide please.

23 And then the final slide please.

24 So here at the rear of the building there is
25 actually on top of the first floor, there'll be an

2 open terrace at the second floor that is open space
3 for the tenants of the building.

4 The R6A would again, as mentioned, be reduced
5 artificially, and we've committed to work with
6 counsel through a restrictive (inaudible) and
7 commitments made by my client, to ensure that we
8 build this building as proposed before you today.

9 We anticipate that the reduced building will have
10 instead of 119 units, 90 units that will have a 27
11 MIH units which has a net loss of 9 from the
12 originally proposed.

13 Additionally, in response to comments from
14 members of the community, it originally was proposed
15 to have 25 two bedrooms out of 119 units. We've
16 increased that number to approximately 50% of the
17 building having two bedroom units, 45 units. And
18 these units are intended to be for family size units
19 to encourage people to stay in the area. And finally
20 in response to comments about parking and traffic,
21 we'll maintain the 126 parking spaces that are that
22 are in the subcellar... that can be accommodated in
23 the subcellar, and we've committed to providing one
24 free space to all of the tenants in the building...
25 to all of the dwelling units in the building.

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2 As mentioned, we've made the commitments to... My
3 client has made the commitment in writing to the
4 Community Board and to the Councilmember. We also
5 wanted to read if I may a letter from my client that
6 will be submitted post hearing further attesting to
7 his commitments for this project.

8 So if you'll permit me I'll read that letter to
9 you now:

10 My name is Avi Matatov. I'm the
11 developer for 77-63 Vleigh Place. Under the
12 requested R6A zoning, our proposed development
13 would be able to build up to eight stories.
14 During the public review process process, my
15 team has pledged to restrict the height of the
16 development via a restrictive declaration, to
17 six stories. It's come to my attention that
18 some have concerns about the enforceability of
19 the restrictive declaration on height. As a
20 local developer with deep roots in the
21 community and a strong interest in continuing
22 to work in and around Community Board 8, my
23 word and reputation are very important to me.
24 I am entering the statement as part of the city
25 council record under oath that I have every

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2 intention of keeping my word to restrict this
3 building to six stories under the R6A zoning.

4 If there are further assurances I can provide,
5 I would be happy to happy to discuss those.

6 So that is... On behalf of my client, that's the
7 letter that will submit into the record.

8 And finally, there's been some discussion back
9 and forth from the Borough President's office
10 regarding the proposal being modified perhaps to an
11 R6B. So the R6B zoning district doesn't work for
12 this project, because there R6B would allow... would
13 allow up to 2.2 FAR, and the proposed building as
14 modified is somewhere around 3 FAR. The R6B would
15 result in a net loss of approximately 51,000 square
16 feet, and only... only produce 14 MIH units which was
17 is net loss of 22 MIH units. The cost and
18 construction associated with the smaller building and
19 the operating of these units would not allow my...
20 would not allow my client to realize a reasonable
21 return and would make the project infeasible.

22 I'm happy to answer any other questions that you
23 may have.

24 CHAIRPERSON RILEY: Thank you, Mr. Goldstein. I
25 just have a few questions for the applicant team.

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2 Plans were filed and construction has... was
3 beginning on and as-of-right low-rise commercial
4 building. Could you just, for the record -- I know
5 you probably stated in your presentation, but for the
6 record -- why did you decide to pause this project
7 and pursue a rezoning for larger mixed use
8 residential building?

9 MR. GOLDSTEIN: So the... the history of this
10 building. It was historically a one story commercial
11 building that burned down. So my client bought the
12 property and cleared away the damaged building, and
13 there was remediation on the property that had to be
14 performed. As a result in order to perform the
15 remediation and build the foundation, he dug out the
16 property, and can leave a hole in the property. So
17 while we were doing this and going forward with the
18 plan for the rezoning, he built an as-of-right
19 structure, just to get in the ground to have... He
20 has right now the subcellar, cellar, first and second
21 floor as you see on the proposed plans. If the
22 rezoning happens, then he'll continue to build in
23 accordance with the plans as we presented them. And
24 if the rezoning doesn't, he hasn't as-of-right
25 building. So it was just strictly to fill backfill

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2 the property and to get our feet in the ground so
3 that we can have a property that is not, you know, a
4 danger.

5 CHAIRPERSON RILEY: How did you determine the
6 proposed R6A district was the appropriate density for
7 the site?

8 MR. GOLDSTEIN: Given the... As mentioned before,
9 given the access to local transit and given the fact
10 that this site is a large site that's uniquely able
11 to accommodate affordable housing, we felt that we
12 would take advantage of this... of the site, which
13 can accommodate a larger bulk than a smaller site
14 could.

15 CHAIRPERSON RILEY: So how far with this building
16 be from a local train station?

17 MR. GOLDSTEIN: It's about a half a mile. You
18 walk straight down Union Turnpike, but the express
19 bus to Union Turnpike is only a few minutes' walk on
20 Union Turnpike, and there are local buses that take
21 you directly to Jamaica Station as well.

22 CHAIRPERSON RILEY: Last question: The Borough
23 President recommended that the rezoning be modified
24 from R6A to R6B, and I believe that you touched on
25 this just a while ago, to address the community

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2 concerns about the building's height and bulk. Is
3 the applicant open to that modification, and what
4 trade-offs would arise from that?

5 MR. GOLDSTEIN: So the applicant right now views
6 the R6B as not a viable option for this project. It
7 results in a much smaller building that wouldn't
8 produce a return that makes this project viable.
9 Therefore, we've... in response to the concerns about
10 the height of the building, we've reduced the
11 building to what amounts to a five story with a
12 significantly setback sixth floor so that we can try
13 and address those concerns but still maintain a
14 building that provides community facility space,
15 commercial space, and affordable housing units that
16 are needed in this area.

17 CHAIRPERSON RILEY: And you stated that the
18 applicant is from this area?

19 MR. GOLDSTEIN: The applicant lives in Forest
20 Hills. He has family in this area, and there's a
21 significant Orthodox Jewish community that he belongs
22 to that is present in this area.

23 CHAIRPERSON RILEY: Thank you. I'd now like to
24 invite my colleagues to ask any questions. Counsel,
25 are there any Councilmembers with any questions?

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2 COUNSEL MARTINEZ-RUBIO: Chair, I don't see any
3 Councilmembers with questions at this time.

4 CHAIRPERSON RILEY: There being no further
5 questions, the applicant panel is now excused. Thank
6 you. Counsel, are there any members of the public
7 who wish to testify on the 77-39 Vleigh Place
8 proposal?

9 COUNSEL MARTINEZ-RUBIO: Chair, we have currently
10 four members of the public present on the hearing who
11 are ready to testify.

12 CHAIRPERSON RILEY: Members...

13 COUNSEL MARTINEZ-RUBIO: Chair, you cut out but
14 you can do... you can do the announcements to the to
15 the witnesses.

16 CHAIRPERSON RILEY: Thank you. For the members
17 of the public who have testified, please note the
18 witnesses will generally be called to the panel on
19 the floor. If you are a member of the public signed
20 up to testify on the proposal, please stand by when
21 you hear your name being called and prepare to speak
22 when I call your name. Please also note that once
23 all panelists in your group have completed their
24 testimony, you will be removed from the main as a
25 group, and the next group of speakers will be

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2 introduced. Once removed, participants may continue
3 to view the live stream broadcast of this hearing on
4 the Council's website. Members of the public will be
5 given two minutes to speak. Please do not begin
6 until the Sergeant of Arms has started the clock.

7 COUNSEL MARTINEZ-RUBIO: Uh, Chair, I will call
8 the names of the panel but... There's actually five
9 people to testify. I will call your names. Some of
10 you may or may not be members of applicant panel. So
11 if you're not here to provide testimony, let us know
12 but I will call you nonetheless. So the panel will
13 be Emanuel Yelizarov, and I apologize if I
14 mispronounce your names, Eduard Yagudayev, Iana
15 Rachman, Nathan Dorvanov, and Rabbi Itzhak Yoshua.

16 The first panelist will be Emanuel Yelizarov.

17 SERGEANT AT ARMS: Your time will begin.

18 MR. YELIZAROV: Hi, can I start?

19 CHAIRPERSON RILEY: Yes, you may begin.

20 MR. YELIZAROV: Hi, good afternoon. My name is
21 Emanuel Yelizarov, and I'm here to testify on behalf
22 of the Matatovs that are planning to build this
23 beautiful facility on a place that was completely
24 contaminated, and the family got the certification
25 from the state, cleaned it up. And you know how

2 the... it is not easy. And, as it was already
3 mentioned, that they are local developers and very
4 known people in the community. And, obviously, we
5 read the newspapers and stuff about various community
6 meetings, and you could see that the applicant
7 already compromised having a six story building,
8 which offered... instead of eight, which offers for
9 all residents free parking, a Shabbat elevator, which
10 is very important because a lot of elders live in
11 that area. And fortunately, they're leaving the
12 place because the buildings practically don't have
13 elevators. And you can see like, within the last 50
14 years, there was no new construction in the area.
15 Obviously (inaudible) affordability, you know, we
16 have new affordable houses and buildings in our
17 neighborhoods. And it is very important that he is
18 willing to accommodate 35 affordable units out of
19 approximately like 90 apartments. And I would like
20 to close, I know the person really... the family for
21 a couple of decades, and it's a very respected family
22 in our community and they are not to make money and
23 leave. They are in the community and they know what
24 they're doing, and they obviously deliver whenever
25 they promise. If I have more time, I would like to

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2 help, maybe the community maybe the committee to
3 understand that we need to inspire developers to
4 build and have new developments, because the
5 demographics are changing and needs for the most
6 affordable units is rising and good families, local
7 families that are trying to build and make the
8 community better. I think we need just to give them
9 hands to help.

10 CHAIRPERSON RILEY: Thank you Emanuel.

11 COUNSEL MARTINEZ-RUBIO: Chair, the next speaker
12 on this panel will be Rabbi Itzhak Yehoshua.

13 SERGEANT AT ARMS: You may begin.

14 RABBI YEHOSHUA: Hello, shalom. Do you hear me?

15 CHAIRPERSON RILEY: Yes. Good afternoon, Rabbi.
16 We can hear you.

17 RABBI YEHOSHUA: Okay. Thank you for the
18 hearing. The Bhukarian community in the last 70
19 years settled in this part of Queens and brought a
20 lot of new life to the Jewish community and to the
21 entire community. In the last few years because of
22 the pricing and because of the need for... for
23 housing apartments, I'm... I'm going to endorse and
24 I'm going to encourage every developer who would like
25 to build more affordable because, I'm... The young

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2 community at this moment, they are moving now to the
3 Five Towns, to Long Island, which is wonderful.
4 It's... It's the United States too, but I would like
5 to keep Queens as the nucleus of our community. And
6 I believe that cooperating with this very special
7 family, which are all members and leaders in our
8 community, will benefit all of us, the community, the
9 family of course, and the... and the Jewish
10 community. So I would like you... to ask you to do
11 whatever you do in order to help the community... to
12 cooperate and make the ruling in the... for this
13 important mission.

14 CHAIRPERSON RILEY: Thank you, Rabbi.

15 RABBI YEHOSHUA: God bless you.

16 CHAIRPERSON RILEY: God bless you too.

17 COUNSEL MARTINEZ-RUBIO: The next speaker will be
18 Diana Rachna.

19 SERGEANT AT ARMS: Your time will begin.

20 MS. RACHNAEV: Hello.

21 CHAIRPERSON RILEY: Good afternoon, Diana, you
22 may begin.

23 MS. RACHNAEV: Sorry about my surroundings. I
24 just actually stepped out of a meeting and it's quite
25 loud in there, and so I won't be able to enter again.

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2 I'm actually advocating for the development of this
3 property on Vleigh Place, (A) because of the fact
4 that we see a great rise and a lot of changes in
5 what's happening with COVID that took place, a lot of
6 people aren't able to afford their houses that they
7 currently have, especially the elderly community.
8 I've been a resident here in this community for my
9 whole life, actually. My family came here in 1975.
10 And I understand how important it is to develop the
11 community, especially when it comes to providing...
12 You know, for example, we have a lot of young people
13 who are getting ready, and they don't have anywhere
14 to turn in terms of living, because there aren't
15 enough places to move into. Homes are not always
16 ideal for you know, newlyweds as it is a cost that
17 not everyone can afford. And the providing of... of
18 being able to allow, even supported housing, as I
19 understood here is also an option. I see how it can
20 benefit everyone tremendously.

21 I know that there's always a fear of, you know,
22 what happens when we don't have control over, over,
23 you know, who comes in and who comes out. And I
24 think that should not be what we should be looking
25 at, we should be looking at how this actually can

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2 benefit the community. So I want to advocate for
3 this, because this is very, very important for those
4 who are young, for those who are looking for a living
5 space for those who are on the older generation who
6 can't afford any more to be able to live in their
7 homes, with maintenance and whatever else comes up.

8 Aside from the fact that this also is in the
9 heart of a very prominent neighborhood where there
10 is, you know, religious serving places and schools.
11 And again, this is something that we need to think
12 about how this can actually benefit the community,
13 rather than how this can provide any negative
14 situation. I think there's always going to be a
15 catch 22 whichever way you look at this, but
16 everything has, you know, polar opposite sides of
17 every aspect that we can see as a negative and
18 positive. So we need to see this... how this can
19 actually really benefit the community. And like I
20 said, I'm for and pro this building and what it's
21 going to be able to provide for our community.

22 CHAIRPERSON RILEY: Thank you, Diana.

23 MS. RACHNAEV: Thank you.

24 COUNSEL MARTINEZ-RUBIO: I think there's a couple
25 that are calling witnesses, so we're going try to get

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2 you. So the next speaker will be Emanuel
3 Yelizarov... I'm sorry. You spoke. Sorry. Let me
4 get you. Eduard Yagudayev.

5 SERGEANT AT ARMS: Your time will begin.

6 MR. YAGUDAYEV: Hello.

7 CHAIRPERSON RILEY: Yes. We can hear you.

8 MR. YAGUDAYEV: Hi, my name is Eduard Yagudayev.

9 I'm speaking today in favor of Vleigh Place
10 development. I'd like to touch upon a few points
11 pertaining to the previous administration, I was very
12 optimistic with the previous administration's promise
13 for affordable housing. In the past eight years, in
14 our particular neighborhoods, we haven't really see
15 any changes. Everywhere else in the five boroughs,
16 including parts of Queens, developers were welcome to
17 build affordable housing. I'm sure many of you see
18 the constructions going up in other parts of Queens,
19 and other boroughs as well. But for whatever reason,
20 there isn't much change in this particular
21 neighborhood for the past 50-70 years, with the
22 exception of one or two... with the exception of one
23 or two that were built maybe 20 years ago.

24

25

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2 I believe there's a lot of special interest in
3 this neighborhood, which is probably why it hasn't
4 been developed in 70 years or so.

5 We have approximately 50 synagogues within a mile
6 radius, and not even one new affordable building.
7 I'm living in this neighborhood for about 30 years,
8 and I don't want to move out, and we have grown
9 children as well. And we'd like our children to stay
10 in this neighborhood as well if that's possible. But
11 as you are seeing, a lot of the younger people are
12 being priced out and they are forced to move to other
13 neighborhoods, Long Island, New Jersey, (inaudible)
14 other than queens here.

15 My understanding is that the developer is willing
16 to allocate 30 to 35 affordable apartments. It seems
17 like the neighborhood could use it, but it also seems
18 like neighbors is against a six story building. I'm
19 urging the council... I'm urging the council to
20 (inaudible) on affordable housing and (inaudible)
21 families that have a big influence (inaudible).
22 Again, my name is Eduard Yagudayev, and I am for the
23 project. Thank you.

24 CHAIRPERSON RILEY: Thank you Eduard.

25

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2 COUNSEL MARTINEZ-RUBIO: Thank you. The last
3 speaker on this panel... and also our call-in speaker
4 is Nathan Rubinov.

5 SERGEANT AT ARMS: Your time will begin.

6 MR. RUBINOV: Hello?

7 CHAIRPERSON RILEY: Yes, we can hear you Nathan.

8 MR. RUBINOV: Thank you. I was muted. Good
9 afternoon, everyone. Thank you for giving me the
10 opportunity to speak. My name is Nathan Rubinov. I
11 have been in the area as a business owner and as a
12 resident for the last 30 years, and I would like to,
13 you know, to vote in favor of this project. This is
14 a very important project for the community and for
15 the area for many different reasons, including, you
16 know, low-income housing, as well... as well as
17 commercial... commercial space that will be
18 available. You know, Main Street rents are very
19 expensive, in addition to the housing that is
20 available in the area, which hasn't been built for
21 many, many, many years outside of the Opel Building
22 that was built some 15 or 20 years ago. There isn't
23 any... anything going up there. We as a community
24 need for our kids to stay close to us. And there is
25 no... there's no housing available, other than the

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2 old two-family homes that have been there for almost
3 100 years now. They're dirty, they're not elevated,
4 they're smelly, you know. So we need this. And
5 there's a lot of people who are just afraid to speak
6 for the project, because there's a big gang style,
7 you know, threats in the community where people are
8 being threatened that they shouldn't be talking for
9 this project, because this is not good for some, you
10 know. So some people under... you know, in the in
11 the area. But this is... this is needed. We need it
12 in the community, and it will be very, very helpful
13 for, you know, the leaders of the community to
14 listen, not necessarily to the majority, but come in
15 and look at the area. I'm sure you know, the area,
16 look at the area and see the need yourself. And
17 you'll quickly understand what is needed in the area.
18 And that is the housing that's being put up there. I
19 appreciate all of you guys in advance for making the
20 right choices. Thank you.

21 CHAIRPERSON RILEY: Thank you, Nathan.

22 COUNSEL MARTINEZ-RUBIO: Chair, that was the last
23 speaker who have signed up to testify on this
24 project.

25

2 CHAIRPERSON RILEY: Thank you, Council. There
3 being no... Thank you for your testimony. Are there
4 any Councilmember with questions for this panel? If
5 you are joining remotely, please indicate by using
6 the raise hand button. Counsel?

7 COUNSEL MARTINEZ-RUBIO: Uh no. No questions for
8 the panel Chair. So... And then also no additional
9 witnesses to testify on this project. So we can go
10 ahead and close it here.

11 CHAIRPERSON RILEY: Thank you, counsel. There
12 being no more questions for this panel, the witness
13 panel is now excused.

14 There'll be no more members of the public who
15 want to testify on pre-considers LUC210128CMQ, and
16 N210129ZRQ relating to the 77-39 Vleigh Place
17 rezoning proposal, the public hearing is now closed
18 and the items are laid over.

19 COUNSEL MARTINEZ-RUBIO: Chair. We can do 41
20 Summit next.

21 CHAIRPERSON RILEY: Thank you, Counsel. To
22 continue with today's meeting, I will now open a
23 public hearing on pre-considers LUC200317ZNK,
24 relating to the 41 Summit Street rezoning proposal in
25 Councilmember Hanif's district in Brooklyn. This

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2 application seeks a zoning map amendment to rezone an
3 existing M1-1 district to an R6B district. For
4 anyone wishing to testify on this item, if you have
5 not already done so you must register now. And you
6 may do that now by visiting the Council's website at
7 council.nyc.gov/LandUse. And I would like to allow
8 Councilmember Hanif to give the remarks regarding
9 this project. Councilmember Hanif?

10 COUNCILMEMBER HANIF: Good afternoon. Thank you
11 so much, Chair Riley. I'm Councilmember Shahana
12 Hanif, and I want to thank the applicant for being
13 here this afternoon.

14 So this is a project that was originally
15 during... came through during my predecessor's time,
16 and when I came onto the Council, the applicant
17 reapplied for a smaller building which does not fall
18 under MIH, and I have some concerns that I'll raise
19 right now: For a small spot rezoning with no MIH
20 requirement, and a loss of manufacturing amid a
21 housing... housing crisis, I have concerns given that
22 over the last decade in my district, we have not seen
23 affordable housing get created. And I've come in
24 pretty staunch about making sure that we are doing
25 everything to expand affordability in... in the 39th.

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2 I've got concerns around the industrial retention in
3 my district, and I do not want to set precedent
4 for... for future chipping away at manufacturing
5 space.

6 41 Summit is adjacent to the IBC here, and I've
7 heard from various businesses and groups like the
8 SB... SBIDC that have serious concerns about what
9 building residential units could do to the
10 manufacturing integrity of the 39th. I am calling
11 for community benefits, affordability. Despite the
12 despite how small this project is, I'd like to see
13 measures around flood resiliency in this part of the
14 district. And really, housing that meets the
15 criteria of this affordability crisis.

16 So I'll end there, I do have some questions, but
17 look forward to the presentation that the applicant
18 has prepared for all of us.

19 CHAIRPERSON RILEY: Thank you, Councilmember
20 Hanif. Counsel, please call the first panel for this
21 item.

22 COUNSEL MARTINEZ-RUBIO: Let me just confirm:
23 Richard, is it just you here for this one?

24 MR. LOBEL: It is.

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2 COUNSEL MARTINEZ-RUBIO: Alright. So just... So
3 Chair, I don't need to swear him in, since he has
4 been sworn in. So just Richard, just a reminder... a
5 reminder, you're still under oath.

6 MR. LOBEL: Thank you. I also would add, I
7 believe the applicant, Jaco Cicero, may be on the
8 call as well, although he may not be...

9 COUNSEL MARTINEZ-RUBIO: We tried to promote him,
10 and he wasn't accepting the promotion. So... So for
11 now, it's just you, and if he is able to join, we'll
12 septic arthritis him in.

13 MR. LOBEL: Understood. Thank you.

14 CHAIRPERSON RILEY: Thank you. For the viewing
15 public, if you need an accessible version of this
16 presentation, please send an email request to
17 LandUseTestimony@council.nyc.gov. And now this
18 applicant team may begin. Panelists as you begin,
19 I'll just ask you to please re-state your name and
20 organization for the record. You may begin.

21 MR. LOBEL: Thank you Chair Riley. Again,
22 Richard Lobel, of Sheldon Lobel PC, for the applicant
23 Jack Cicero. We thank Councilmember Hanif for her
24 comments. We've had some thoughtful conversations
25 around this application. And while the presentation

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2 is hopefully being loaded, I would add that
3 Councilmember Hanif raises the fact that this
4 previously was before the council as an R7A rezoning,
5 which we discuss later in the presentation.

6 I'm pleased to report that in 2018, when voted
7 upon by Brooklyn Community Board 6, this was rejected
8 by a vote of 28 in favor and zero against, and in its
9 most recent iteration, the building that you see in
10 front of you was reversed and was approved by 28 to 1
11 in favor. So the entirety of the Community Board was
12 against this as an R7A with affordability. The
13 entirety of the Community Board is in favor of this
14 application, as you see before you -- except for one
15 guy, but you know, we're having coffee later. Next
16 slide, please.

17 So, what are we seeking here is a very simple and
18 straightforward rezoning. This is an applicant who's
19 proposing a rezoning of 41 Summit Street, block 352,
20 lot 60 and part of lot 1. We'll show you where that
21 is on the map soon, within Brooklyn Community Board
22 6. The rezoning would be from an M1-1 district to an
23 R6B to facilitate a four-story plus cellar
24 residential building. The building would have 5000
25 square feet on a 2500 square foot lot, and a 2.0 FAR

2 allotted for non-inclusionary housing buildings would
3 result in 5000 square feet. So this is the proposed
4 development site. Next slide.

5 The next slide demonstrates the last proposal
6 versus this proposal. The last proposal included
7 three lots, lots 1, 3, and 60. In conjunction with
8 city planning, oftentimes when we look at the area
9 around the property, the street widths around the
10 property, the surrounding uses, we will include a
11 greater number of lots within the area other than
12 just the applicant's lot. So three lots were
13 included at the time, that proposal would have
14 resulted in seven dwelling units in a seven story
15 plus cellar residential building twice the size of
16 this building. That application was withdrawn. The
17 application would have included affordability
18 pursuant to MIH. The current proposal is for lot 60,
19 which is the applicant's lot, and a five foot portion
20 of the adjacent lot one. We can talk about that as
21 well. This development would result in a four story
22 building 40 feet tall with 5000 square feet and four
23 dwelling units.

24 The next slide is a slide which shows the zoning
25 map, which I think is better viewed in a slide... one

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2 slide further. This shows you where the existing R6B
3 is, and what this would do.

4 You know, there's a dotted area on the... on the
5 half of the slide to the... to the right. And you
6 can see basically that all this does is evens out the
7 zoning district boundary between that existing R6B
8 and the adjacent M1-1, and that's it. This basically
9 allows for the inclusion of one additional lot, and
10 we can talk about that as well.

11 Then the next slide is going to show the area map
12 and why... I'm sorry, that's the tax map, which shows
13 the duration of the rezoning this one lot. Again,
14 evening out that zoning district boundary. And why
15 this rezoning makes sense, I think is best viewed on
16 this map, which is the area map.

17 So you can see the subject block here on which
18 the dotted line appears, and so what do you see on
19 this... on this block. You see that the majority of
20 the block is zoned R6B. And that was accomplished
21 through five individual or city planning sponsored
22 rezonings that resulted in those 20 lots ended up as
23 residential lots. So you've got 20 lots that are
24 zoned residential. To the west of that is the M1-1
25 portion of the property. And those lots... of those

2 17 lots, 16 of them are either open uses, vacant
3 uses, gardens. There is a beloved community garden
4 taking up about seven lots. And there's one
5 commercial property. So of the 37 lots on this block
6 other than the applicant's site, there's one
7 commercial use. That commercial use, as was
8 discussed in the previous iteration of this rezoning,
9 is a bank building. It's a 6000 square foot
10 commercial building, and it's vacant and has been for
11 some time now. The bank went out. So when we look
12 at the character of the area and what's appropriate
13 on this block, this is a residential block.

14 And while we value job creation and the retention
15 of the city's manufacturing base, particularly in M1
16 districts, there are appropriate places for that and
17 even appropriate places to increase that
18 manufacturing density. This is not one of them.
19 This... Basically to keep this property as an M1
20 property would actually do damage to the zoning plan
21 here. You would have an M1 use, a use which by as-
22 of-right would allow... that be allowed to have
23 noxious uses, environmentally insensitive uses, uses
24 with... with contaminants and such right in the
25 middle of these residential properties. It's

2 inappropriate. The transportation here would be
3 inappropriate to allow for potentially trucks to move
4 in and out of the property. Again, we... we are
5 frequently in communication with Community Boards as
6 well as industry associations with regards to
7 industry and manufacturing tenants. It's just not
8 the right use here and... and the Community Board
9 agreed with that, overwhelmingly.

10 The next slide shows pictures of the area.
11 Again, you've got an existing 3500 square foot
12 building, which has been vacant for four years. You
13 see the Chase building on the lower left adjacent to
14 the property. That is gone. You know there's...
15 there's not really much of a commercial presence on
16 this block. It's an overwhelmingly residential
17 block.

18 If you want to fast forward through some of the
19 additional photographs, you can additionally see
20 those pictures as well as the venting for the battery
21 tunnel to the lower left. So the modest density that
22 would be engendered by the R6B here is entirely
23 appropriate, as almost all of the residential
24 properties on this on this block are zoned R6B.

2 We're closing with some slides which basically
3 demonstrate what... you know... how attractive the
4 building would be in terms of layout. This building
5 provides a 49 foot rear yard so they are clearly
6 almost 50 feet from their neighbors in the rear. It
7 is a very modest building. The intention of the
8 building would be for the owner, Jack Cicero to live
9 there in one of the four units, and his daughters to
10 live in the other one of the units. The remaining
11 units is a ground floor unit which is, you know,
12 somewhat smaller due to the entryway and... and
13 mechanical uses, and then there's a fourth story. We
14 add that there's zoning calculations here. I will
15 not belabor those with regards to the council and
16 will not... I will not disturb the council's time by
17 doing that.

18 What I will say as we page through the remainder
19 of these slides, is one of the reasons why
20 affordability is not required on this site. So
21 Article Two, Chapter Three of the zoning resolution
22 discusses the affordability program. You actually
23 cannot have mandatory inclusionary housing on this
24 site. It's too small, they won't map it. And one of
25 the reasons for that is as follows, I would close

2 with this, which is an important thing to consider
3 with regards to this property:

4 You've got a 2500 square foot lot, the R6B here
5 would permit a 5000 square foot building. The
6 existing M1-1 would permit at a 2.4 FAR a 6000 square
7 foot building. So we're actually, in terms of the
8 building envelope, reducing the impact of the
9 building here. We're going from a 6000 square foot
10 building, which by the way, in a non-contextual
11 district would not be capped at height, and coming
12 down to a 5000 square foot building and to impose
13 mandatory inclusionary housing as per the courts of
14 the state of New York and the zoning resolution would
15 actually be a regulatory taking. You'd be... You'd
16 actually be taking rights from the owner, given to
17 the fact that you are not adding to the size of this
18 building. This is a smaller building. This is a
19 building without noxious uses. We are thrilled that
20 the Community Board overwhelmingly... almost
21 unanimously voted in favor of this. And we're
22 hopeful that we can work with the council and the
23 Councilmember to come to a, you know, approval of the
24 application. And with that, I'm happy to answer
25 questions.

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2 CHAIRPERSON RILEY: Thank you, Richard. I just
3 have one question before I turn it over to
4 Councilmember Hanif. This site is currently zoned
5 for manufacturing in close proximity to an active
6 IDC. Can you please describe any steps you have
7 taken to explore possible manufacturing or industrial
8 uses on the site?

9 MR. LOBEL: Sure. So, you know, importantly,
10 Chair Riley IDC's are unable to be rezoned pursuant
11 to policies initiated by the administration for the
12 last more than 10 years. So if you're in an IDC, and
13 you have a manufacturing zone property, if you
14 approached city planning and attempted to rezone that
15 to residential, they would not accept your
16 application. The fact that there is adjacency to the
17 IDC is meaningful. You know there are... and
18 sometimes I'd like to reload the area map here. I
19 don't know if that can be done. But if you look at
20 the colors on the area map, I'm not sure whether that
21 could be... if it can be reloaded, that's great.
22 But, ah... there we go. Thank you, James. If you
23 take a look at the area map here, you know,
24 everything to the south, southwest, and even to the
25 northwest of this of this parcel and this block is...

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2 is commercial/manufacturing. So you see the dense
3 commercial purple and red colors to the south and
4 southwest of this property. You see the commercial
5 and manufacturing uses to the north of this property.
6 What do you see on this block, you see yellow, which
7 is residential, multifamily residential, you see
8 orange, which is in some cases commercial, but in
9 other cases, is mixed use. There's three... to the
10 West, the existing M1-1 has three existing non-
11 conforming three-story residential buildings. The
12 two stories on the corner of Carroll Street and Van
13 Brunt are existing multifamily buildings with ground
14 floor commercial. I believe at least one of those is
15 vacant. And then you have seven lots which make up
16 the community garden. To allow for a new M1-1 use
17 here... because it's the city of New York, and it's
18 an M-1property, you know, something will happen here.
19 And as we've talked about before, the lowest common
20 denominator in commercial uses these days is truck
21 traffic. Truck traffic it is... it is, you know,
22 warehousing, its last-mile delivery centers, and also
23 it's, frankly, as a use, restaurants and bars. So,
24 you know, in our view, while we understand the
25 importance of retention of the city's manufacturing

2 base, this is not the right spot for that. It's a
3 2500 square foot lot. And we feel that just given
4 the synergies in this area and the fact that you got
5 this... this long standing community garden, which
6 was really the reason why the R7A wasn't approved.
7 The reason the R7A wasn't approved four years ago was
8 because people were worried about the impact on the
9 community gardens with tall buildings. You now have
10 a rezoning, where not only are you going to be taking
11 out the two other lots that potentially would do
12 damage to the garden, but you're rezoning to a
13 district where the building actually gets smaller.
14 And then in addition to that, we'd like to go on the
15 record as saying that we would be thrilled to work
16 with the community, and importantly, the advocates of
17 the community garden to see whether or not there's
18 anything we can do for them to help them beautify and
19 improve that garden. It is somewhat rundown, despite
20 the fact that it is a local resource. And wouldn't
21 it be nice if... if we ended up with a property,
22 which would not cause any environmental contamination
23 to the garden, which would reduce the size of the
24 building, and potentially reduce any shading and
25 effects on the garden, and also to protect

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2 potentially add amenities to the garden, and really
3 allow this to be, you know, better utilized by the
4 community? So I guess that's kind of what we'd
5 answer about the use as an M1.

6 CHAIRPERSON RILEY: Thank you, Richard. Uh, I'm
7 going to yield my time over to Councilmember Hanif.
8 Councilmember Hanif?

9 COUNCILMEMBER HANIF: Thank you. Thank you,
10 Richard. I wanted to know if you've been able to get
11 in touch with the community gardens since we last
12 spoke, to think through what could be possible
13 community benefits.

14 MR. LOBEL: So we first we spoke with the
15 applicant after talking to you. We took a look at
16 some of the notes that we took from the time, because
17 there were prior conversations with the with the
18 garden people. And I have to... I think that Jack
19 has reached out preliminarily, but I don't think he's
20 received a response yet. So I would say to you,
21 Councilmember Hanif, two things: The first is, after
22 this meeting, I'm going to re-up with the applicant
23 and make sure that that communication happens
24 immediately. And second of all, just because of the
25 posture we're in, I understand that there's a gap

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2 between today's date and the eventual vote by the
3 council. We would be 100% thrilled to engage in that
4 conversation and to come back to you repeatedly with
5 the results of those conversations in the next two
6 and a half weeks.

7 COUNCILMEMBER HANIF: Got it. So going back to
8 the affordability of this: Could you share what
9 income levels you expect these apartments to be
10 affordable for? And what type of units will be
11 included?

12 MR. LOBEL: Yeah, I mean, we're... we're a
13 little... we're a little bit hamstrung... not really
14 hamstrung, but the affordability is affected by the
15 fact that this is going to be owner occupied. So
16 he's got... he's got to have his own units in there,
17 which is, you know, he's someone who's been in the
18 area for a while. So we're happy that he can be able
19 to stay potentially. The other two units, I know
20 that Jack has looked at the surrounding market, as
21 well as the likely rental prices for those units. I
22 think probably what I would be happy to do is to
23 follow up with you in writing, and in other
24 conversations, because I know Jack is speaking to
25 some local community members, and is getting some

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2 information back, but I don't have actual hard
3 numbers for you right now.

4 COUNCILMEMBER HANIF: Okay. And we definitely
5 want to follow up about that.

6 MR. LOBEL: Okay.

7 COUNCILMEMBER HANIF: And... and then aside from
8 the community garden, are there any other actions
9 you're willing to take to benefit the broader
10 community, particularly around the concerns of
11 manufacturing preservation?

12 MR. LOBEL: You know, I think... The reason it's
13 a challenge, I think, is because you've got a
14 building here which is 5000 square feet of floor
15 area. So each unit, given common space is going to
16 be roughly 1100... 1000 to 1100 square feet. And
17 then you've got your two units, which are owner
18 occupied. So you're left with about 2000 square feet
19 of additional floor area.

20 You know, when we came with an R7A for this
21 property, there was... there was a discussion with
22 the community around things that we're going to be
23 able to provide, and frankly, that building, with
24 affordability allowed the owner to do that. It was
25 at a... you know, an R7A would have been a 10,000

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2 square foot building or greater. So we don't have
3 that right now, and, you know, I think that... I
4 think we're happy to explore that. I don't really
5 know where we are as far as manufacturing retention.
6 I think honestly, and again, we're frequent filers of
7 the... at the City Planning Commission and come
8 before the council regularly. I think that that's
9 going to be tough for us, but... but I would value
10 any suggestions. Again, we do speak with the
11 manufacturing community regularly, and often are
12 involved in up-zonings with regards to manufacturing
13 problems. So I'm happy to work with my contacts, and
14 to have some more meaningful discussions around that.
15 But I do know, at a minimum that the community garden
16 was literally the reason that we were unanimously
17 rejected the last time. So... so I know how much
18 people love it. And if you walk by, it's not in the
19 greatest shape. I think that I'm focusing our
20 attention on that, as we've done on other parklands
21 within the area, and within Brooklyn, I think is
22 going to be a pretty good thing. But, you know,
23 again, happy to engage in that conversation over the
24 next few weeks,

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2 COUNCILMEMBER HANIF: Could you share why the
3 site has been vacant over the last four years? And
4 have you marketed it to industrial businesses?

5 MR. LOBEL: Yeah, you know, I think that Jack
6 marketed it for a limited amount of time. And then,
7 you know, at some point, particularly given his
8 familiarity with the area and the fact that every
9 other lot to the east of that line had been rezoned
10 to R6B, and this was not... this was not an R6B
11 zoning which... which, just which just sprang up. It
12 was one where, you know, I can list off 2007 Carroll
13 Street rezoning, 45 Summit Street rezoning in 2007,
14 Carroll Gardens and Columbia Street in 2009. The
15 list goes on and on. And so Jack, basically, after
16 being in this area for some time, just looked at this
17 notch, talked to the city, and after the R7A was
18 rejected, the city said, "Look, if you want to come
19 back to us with an R6B, it's okay." And the reason
20 it's okay is because you hear a lot about the term
21 "spot zoning" the term spot zoning comes before the
22 council a lot. Why isn't this a spot zoning? This
23 isn't a spot zoning, because the nature of the
24 rezoning activity on this block is such that every
25 other parcel again, to the east of that line has been

2 zoned R6B, so allowing him to straighten the zoning
3 district boundary and to restore residential to this
4 site, which is already adjacent to residential lots,
5 is seen as being within the context of the area.
6 That's why the city agreed to it and... and basically
7 encouraged us to do it. So you know, I just think
8 that Jack eventually realized that a manufacturing
9 use here may be challenging, and the subsequent
10 closure of the Chase Bank next door, which has a
11 floorplate of over 6000 square feet, and, frankly, is
12 is a fantastic commercial site for anyone. I think
13 that that kind of sealed the deal in terms of the
14 viability of this small site with limited access

15 COUNCILMEMBER HANIF: Got it. And then what will
16 the applicant do if the property is not approved for
17 rezoning?

18 MR. LOBEL: It's a challenging question. And, I
19 think, basically, if you walk the block and walk
20 around the block and walk to Columbia Street, and you
21 look to sales and leasing a property in... in this
22 area in Brooklyn, generally, I think it probably
23 becomes a bar slash restaurant or you know a last
24 mile delivery center, somewhere where you can store
25 trucks, or a site which you can use for warehousing.

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2 All as-of-right, and all, you know, not the greatest
3 use is for being immediately adjacent to... to
4 residential uses and to families. You know, I think
5 that... Like I've been in front of CB6 a lot. And I
6 rarely get a unanimous or near-unanimous vote from
7 them. The fact that they were really kind of
8 complementary the applicant and didn't really ask him
9 a lot, you know, for us is... speaks... speaks
10 volumes.

11 So, again, you know, we thank you for all the
12 dialogue. We're going to come back to you with solid
13 information and proposals, and we hope that we can
14 benefit from that and the community conversations and
15 come to a resolution.

16 COUNCILMEMBER HANIF: Thank you. And then my
17 final question is: What strategies are you going to
18 employ to limit energy use and increase resiliency
19 through new construction on this site?

20 MR. LOBEL: Yeah. So Jack has some experience in
21 construction. He's built other buildings, and has...
22 You know, would... would commit to resiliency and
23 sustainability measures. This would be a green
24 building, I think one of the benefits of having a
25 smaller building is that it's manageable in terms of

2 materials, cost of construction, and such. So should
3 the Councilmember move forward on this, we're happy
4 to make those commitments to allow for a sustainable
5 building, which, you know, which will benefit the
6 area.

7 COUNCILMEMBER HANIF: Got it. And then just to
8 go back to the question around how long it was
9 marketed to industrial businesses. I know you
10 mentioned brief. Do you have a timeline?

11 MR. LOBEL: I don't put I'm happy to follow up on
12 that. You know, because I know, the property was...
13 has been vacant for four years. I can talk to Jack
14 about what happened after the vacancy, and I can give
15 you some specifics as far as any marketing that took
16 place.

17 COUNCILMEMBER HANIF: Understood. Okay, that's
18 all for me.

19 MR. LOBEL: Thank you.

20 CHAIRPERSON RILEY: Thank you, Councilmember
21 Hanif. I now invite my colleagues ask questions. If
22 you have any questions for the applicant panel,
23 please use the raise hand button on a participant
24 panel. Counsel, are there any Councilmember
25 questions?

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2 COUNSEL MARTINEZ-RUBIO: Chair, there are no
3 Councilmembers questions at this time.

4 CHAIRPERSON RILEY: There being no further
5 questions this applicant panel is excused. Counsel,
6 are there any members of the public who wish to
7 testify on 41 Summit Street?

8 COUNSEL MARTINEZ-RUBIO: Chair there are no
9 members of the public who signed up to speak on this.

10 CHAIRPERSON RILEY: There being no members of the
11 public who wish to testify on pre-considers
12 LUC200317ZMK relating to the 41 Summit Street
13 rezoning proposal, the public area is now closed and
14 the items are laid over.

15 I will now open a public hearing on pre-considers
16 LUC210234ZMQ and N210235ZRQ, relating to the 11th
17 Street and 34th Avenue rezoning proposal in
18 Councilmember Wan's district in Queens. This
19 application is to the zoning map amendment to rezone
20 the existing R5 district to an M1-5/R68 district, and
21 a related zoning text amendments to establish a
22 special mixed use district with special height and
23 setback regulations, as well as establishing MIH
24 program area. For anyone wishing to testify on this
25 item, if you have not already done so you must

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2 register online and you may do that now by
3 visiting... visiting the Council's website at
4 council.nyc.gov/LandUse. Counsel, please call the
5 first panel for this item.

6 COUNSEL MARTINEZ-RUBIO: The panel for this item
7 is Frank St. Jacques and David Nidus. I'm sorry
8 David, if I'm mispronouncing your name.

9 CHAIRPERSON RILEY: Counsel, please administer
10 the affirmation.

11 COUNSEL MARTINEZ-RUBIO: Applicants, I will call
12 on each of you individually to answer the following
13 question. Can you please raise your right hand? And
14 do you affirm to tell the truth the whole truth?
15 Nothing but the truth in your testimony for the
16 subcommittee and in your answers to all Councilmember
17 questions? Frank St. Jacques?

18 MR. ST. JACQUES: I do.

19 COUNSEL MARTINEZ-RUBIO: And David Nidus?

20 MR. NIDUS: Yes.

21 CHAIRPERSON RILEY: Thank you. For the viewing
22 public. If you need an accessible version of this
23 presentation, please send the email request to
24 LandUseTestimony@council.nyc.gov. And now the
25 applicant team may begin. Panelists as you begin

2 I'll just ask you please to restate your name and
3 organization for the record. You may begin.

4 MR. ST. JACQUES: Thank you. Next slide, please.

5 Good afternoon, Chair Riley, Councilmember Wan,
6 Councilmembers. I'm Frank St. Jacque with Akerman
7 LLP. We're the land use counsel on this application.
8 And I'm joined by David Nides, the Executive Director
9 of the Andromeda Community Initiative.

10 I'll give a brief presentation with... with David
11 to follow to give some information about ACI, or
12 Andromeda Community Initiative.

13 This application is seeking zoning map and text
14 amendments to establish a special mixed use or MX
15 district paring M15 and R6A zoning districts with
16 modified height, and a zoning text amendment to
17 create a Mandatory Inclusionary Housing or MIH area.
18 These actions would facilitate the development of two
19 new eight-story buildings with approximately 332
20 units including 100 permanently income restricted MIH
21 units. You'll note that this project was... was
22 initially filed with... with fewer MIH units. But
23 after discussion with councilmember Won, we have
24 increased the number of MIH units from about 82 to
25 100.

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2 The goal of the project is to bring new
3 investment to the Ravenswood area of Western Queens
4 resulting in new housing and job-generating uses
5 which I'll go into detail in, in a moment. Next
6 slide please.

7 This area of Ravenswood was rezoned R5 with the
8 enactment of the 1961 zoning resolution. With the
9 exception of a few recent private rezonings, R5
10 remains in place today despite the prevalence of
11 industrial uses, which are shown in purple and higher
12 density residential developments, which are shown in
13 yellow, sort of on the lower right hand side of the
14 screen and then north of Broadway, within the
15 neighborhood. Based on a study of Ravenswood the
16 Department of City Planning established a general
17 framework in 2019 for mixed use development in the
18 area through the use of special mixed use or MX
19 zoning. The two development sites and the proposed
20 rezoning area are shown in the center of the screen
21 and are labeled as such. Next slide please.

22 This aerial view looking south shows the lower
23 density warehouse context surrounding the rezoning
24 area which is shaded in red at the center of the
25 screen, and the residential context to the east and

2 southeast, including the NYCHA Ravenswood houses, and
3 Queensview Co Ops. This site is also close to Rainey
4 Park, Socrates Sculpture Park, and the new Gucci
5 Museum, which are all of the west and northwest of
6 the zoning area.

7 North of the rezoning area along Broadway in an
8 existing R7A C2-3 district, there is additional
9 multifamily residential context. Several eight story
10 buildings line Broadway just north of the project
11 area. The recent private rezonings are also shown to
12 the north and southwest of the rezoning area and
13 those are labeled on the bottom of the page, the
14 Broadway and 11th Street rezoning which established
15 an MX with an R7A and an M1-4, the Vernon Boulevard
16 and Broadway rezoning which established an R7X and
17 R6D within the context of a large scale general
18 development, and the pending 3501 Vernon Boulevard
19 rezoning, which would establish an M1-4 R7A, also an
20 MX district. Next slide please.

21 The proposed specially mixed use or MX district
22 allows for a new medium density, mixed use
23 development with a maximum total FAR a 5.0,
24 residential uses permitted up to 3.6 FAR, and
25 requires income-restricted housing under MIH. A

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2 modified maximum height of 95 feet above a 75 foot
3 base is to allow non residential uses to have
4 adequate ceiling heights. The MX allows a wider
5 range of uses and flexibility than a standard
6 commercial overlay, which is consistent with the
7 industrial and Artspace character of the
8 neighborhood, and area-wide planning goals. Next
9 slide please.

10 So starting with the... the first of the two
11 development sites, this is the northern site, the
12 proposal is for a new eight story mixed use building
13 with 194 Total Units, 59 of which would be
14 permanently income restricted under MIH. That's an
15 increase from 48 previously proposed. David will
16 speak in a moment about the Andromeda Community
17 Initiative trade school, which is on the ground floor
18 of the building. And then there's also a film and
19 television production trade school in affiliation
20 with York Studios, which has locations currently in
21 Maspeth and Soundview for its actual film and
22 television studios. And this would be to provide
23 training to incoming workers in that industry. There
24 is also space for artists studios to be run by a
25 nonprofit, as well as a retail space that is expected

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2 to be divided into smaller spaces for local retail
3 and service uses. I'll note that the unit
4 distribution is roughly 50/50 between studio and one
5 bedroom units, and two and three bedroom units.
6 Across the both projects, we raised the number of
7 family-size units significantly by reducing Studio
8 and one bedroom units and increasing the number of
9 three bedroom units. And I'll show you a overall
10 breakdown in a moment. Next slide please.

11 So this is the building on the southern side of
12 the proposed rezoning area. There's also a new eight
13 story mixed use building. This has fewer units at
14 138, but 41 of which would be permanently income
15 restricted under MIH. This building also has a non-
16 residential component that includes local retail, a
17 food distribution business that's an existing
18 business in New Jersey that currently serves the five
19 boroughs. This expansion location would help it
20 serve its Queens and Brooklyn customers more
21 efficiently. And there's also a second floor, which
22 is something that's... that's permitted by the MX or
23 special mixed use district that would have office
24 space that would be marketed to tech companies, and
25 about 10,000 square feet of local nonprofit office

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2 space. We've been in discussion with several
3 nonprofit organizations, and also the Jacob Riis
4 Settlement Houses, regarding carving out space for
5 their use in the southern building of about 3500
6 square feet to meet their needs. They currently have
7 space in the NYCHA Ravenswood houses for a community
8 center that's in a state of disrepair. So we'll
9 continue that conversation with respect to
10 potentially locating them in the southern building.
11 But ownership is committed to having them in the
12 space, if they're interested. Next slide, please.

13 Oh, I'm sorry, if we can just stay on that slide
14 for one more moment. Also note that the unit
15 distribution split is roughly 50/50 here, between
16 studios in ones, and twos and threes, again at the
17 request of the local Community Board. Sorry. Now
18 next slide please.

19 So with respect to the mandatory inclusionary
20 housing breakdown for this project, the applicants
21 have selected MIH option one, which requires a set-
22 aside of 25% of the residential floor area at a
23 weighted average of 60% AMI. As I noted at the
24 outset, we've increased that total number of units to
25 resemble a set-aside increase from 25% to about 30%,

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2 which results in a breakdown of 33 units at 40% AMI,
3 34 units at 60% AMI, and 33 units at 80% AMI. These
4 AMIs are in line with the range of area median
5 incomes within community district one, and we believe
6 will serve the community well. You'll also note that
7 there's a breakdown shown for the unit sizes, the...
8 the number at each income level and the corresponding
9 rents and income limits. And if needed, we can also
10 provide that by building. Next slide please.

11 I neglected to say on that... last slide that
12 those MIH units are provided without any city
13 subsidy. This is entirely privately financed
14 permanently income restricted housing.

15 With respect to sustainability, there'll be a
16 number of sustainable features incorporated into this
17 development to both improve efficiency and reduce
18 emissions, including green roofs and solar panels,
19 and then more efficient building infrastructure and
20 construction methods. Next slide please.

21 And then finally, the last two slides I have
22 before I turn it over to David just show the building
23 form in these illustrative renderings. I noticed
24 that these are both eight story buildings but height
25 is concentrated on the... the northern and southern

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2 ends of the block at eight stories and both step down
3 toward the mid-block to six and four stories, which
4 you can see in these renderings.

5 Also note that street trees are required every 25
6 feet along each of the four street frontages, which
7 results in about 50 new street trees to enhance the
8 block. I believe there's currently zero street trees
9 on this block. So we... we believe that alone will
10 be a significant improvement to the public realm.
11 Next slide, please.

12 And then finally, before I turn it over to David,
13 these renderings show how the pedestrian experience
14 would be improved by both active ground floor uses in
15 the buildings as well as some of the street trees.
16 The sidewalks would be entirely rebuilt from their
17 current state and activated by the presence of
18 ground-floor non-residential use.

19 So now I'll turn it over to David, who will
20 discuss the Andromeda Community Initiative, their
21 role in the project, and the proposed trade school in
22 the northern building or development site one.

23 David, I'll turn it over to you, and next slide
24 please.

25

2 MR. NIDUS: Ah, now I can unmute. Hi, my name is
3 David Nidus. I'm the Executive Director of the
4 Andromeda Community Initiative. We are an
5 organization that trains people in construction,
6 focusing on masonry restoration, which as I'm sure
7 the council's aware is the repair work that goes on
8 on... on buildings after local law, inspection, as
9 well as general construction. We run safety-oriented
10 trainings that involve both certifications and hands-
11 on construction training. We serve multiple people
12 referred from community-based organizations
13 throughout the city, giving them about 190 hours of
14 skills-based training. About 62 hours of it is
15 certifications, where they're getting their SST...
16 Site Safety Training. They're getting their OSHA,
17 they're getting their suspended and supported
18 scaffolding, there's silica awareness. And we're
19 serving roughly about 200 people now a year. We also
20 then give them career guidance and job placements.
21 And as you can see, we're running with our job
22 placements of roughly 80% and people making \$19 an
23 hour. Actually right now we're up to around \$20 an
24 hour, and things are going really well. Next slide
25 please.

2 Right. And so you can see we were established in
3 2018, and we are a trusted partner to many community
4 based organizations. We are free to the
5 participants. We use grants and leveraged assistance
6 to try to provide our programming. We're happy to be
7 partnering in the very near future. We have a cycle
8 actually set up with Urban Upbound. And we hope to
9 offer great services to residents in the local
10 community with respect to construction training. And
11 really, the construction training we provide as the
12 benefit of giving them the certifications you need
13 and must have to get on to a job site, giving people
14 who maybe didn't have access before, maybe people who
15 are coming off of welfare and criminal justice
16 reentry, or sometimes they're dealing with
17 homelessness and unparalleled access to a profession,
18 which they wouldn't normally have.

19 I'd like to turn it over to Ferasi Juste[sp?], who
20 works for us at ACI that share a couple of little
21 comments.

22 MR. JUSTE[SP?]: Yes, my name is Ferasi
23 Juste[sp?]. I'm basically born in Brooklyn, New
24 York. I was... I came to ACI through HRA, and it was
25 a very great experience. It actually helped me gain

2 employment over here. So it was a very great
3 experience. They taught me how to lay brick, mix
4 cement, caulking, pointing. And it was just... It
5 was an awesome experience. So it was just something
6 that I needed. As far as when I was coming here, I
7 was homeless, I was looking for housing, and they
8 hired me, and it was a... it just changed my life.

9 Now that they invested into me to become an OSHA
10 trainer, I have a training this week, this new
11 cohort, and it was just an awesome experience. What
12 I like about the job is very rewarding to give back
13 as an alumni and to get these students to be prepared
14 for the workforce. And I think that if the city
15 council support that, it will be very good for the
16 community and to serve the community in a positive
17 way that if we can have these students become great
18 role models and examples for the construction
19 industry. So ACI has done a lot for me, and it
20 continues to do a lot for people, and we have a lot
21 of alumni that call back and explain where they're at
22 right now and the great stories. We have a lot of
23 success stories of these students. And we're just
24 happy to be a part of their lives and to be a part of
25 their success. And I'm very grateful to be hired by

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2 ACI, and for the great jobs that we're continuing to
3 do.

4 MR. NIDUS: Thanks Ferasi[sp?]. And now with
5 that, I'll turn it back to you all.

6 MR. ST JACQUES: And that concludes our
7 presentation. We're happy to answer any questions.
8 Thank you.

9 CHAIRPERSON RILEY: Thank you so much. I just
10 have a few questions. The M1-5 is a very flexible
11 zoning district in terms of use groups, particularly
12 in an MX context, like the proposed rezoning. How is
13 the applicant demonstrating a commitment to the mixed
14 use program presented, instead of a wholly
15 residential or wholly industrial use as a higher
16 density?

17 MR. ST JACQUES: Sure, so a few reasons. I mean,
18 I think that the first of which is that both of these
19 sites, the applicants are owners of the sites and
20 intend to develop them. And that's how this
21 programming for both buildings originated. Each...
22 each owner of each site has owned the site for a
23 number of years, and it's their vision to redevelop
24 them with... with uses as prevent as presented.

25

2 So, so there's a, you know, really the... the MX
3 is... is a means to, for them to realize their vision
4 for the programming, which... which wouldn't be
5 permitted utilizing other methods, such as I noted in
6 our presentation, a commercial overlay, the use
7 simply wouldn't be permitted pursuant to the zoning.

8 The other thing I'll note is that, you know, with
9 respect to an entirely manufacturing building, you
10 know, relative to a mixed use building, which is what
11 is proposed here, the financials just don't bear out.
12 You know, obviously, residential has a, a higher
13 return. And the residential is actually what's...
14 what's helping sort of cross-subsidize some of these
15 uses: The construction trade schools and the artist
16 studios, you know, are not, you know, high-rent
17 tenants, nor is the community facility use. So
18 that... that's essentially cross-subsidized by the
19 market rate residential, which is also why the cross
20 subsidizing has the permanently income restricted
21 housing under MIH.

22 And then finally, I'll note that the M1-5
23 combined with the R6A, has an overall FAR of 5.0.
24 But residential is capped at 3.6 FAR. So if you were
25 to do an entirely residential building, that would be

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2 significantly smaller than... than the mixed use
3 building that's proposed here, you'd essentially be
4 leaving about 1.4 FAR of floor area unused, which is,
5 you know, significant on... on these larger sites.

6 So, you know, I'd say that there's just in
7 summary, there's really, you know, three reasons.

8 The first is that this is the owners' vision...

9 owners' (plural) vision for these sites. The zoning
10 allows them to... to establish this programming. And
11 the third is that, you know, sort of a market-based
12 argument that this is the most financially feasible
13 development for this site, utilizing the MX seven.

14 CHAIRPERSON RILEY: Thank you. Why do you think
15 mixed light industrial and residential uses will work
16 well in this location?

17 MR. ST JACQUES: Sure. So this is actually part
18 of a lengthier conversation with the Department of
19 City Planning. They've released some... some really
20 interesting studies with respect to both the
21 viability and the compatibility of residential and
22 light industrial. Here, you know, the uses proposed
23 are on the lighter side of... of industrial. And
24 there are in both buildings, essentially a built in
25 separation. So the MX permits two floors here of

2 non-residential use. So essentially, there's a... a
3 buffer and both buildings of office use, separating
4 residential from the light industrial uses within
5 both buildings.

6 The other aspect that we discussed in length in
7 our latest application materials, is this area was
8 flagged by the Department of City Planning as
9 appropriate for MX zoning, because of its... its
10 historic, industrial and Artspace character. So
11 expanding the range of uses to include light
12 industrial uses, such as the ones that are proposed
13 here, and the uses that were proposed and are
14 intended to be developed in the neighboring rezonings
15 adds to, and complements that existing character
16 allowing a wider range of job-creating uses than a
17 typical commercial overlay would. So there's...
18 there's more engineering involved in making sure that
19 there's not conflict between the non-residential uses
20 and the residential uses, but in speaking with our
21 clients and in speaking with the Department of City
22 Planning, it's the same kind of consideration that
23 would go into locating, for example, a successful
24 restaurant, or music venue, or gym, within a mixed
25 use building that includes residential use. So I

2 think we're conscious of that, but are implementing
3 the right engineering to make sure that they work
4 together.

5 CHAIRPERSON RILEY: Can you describe the
6 environmental sustainability features on the proposed
7 development? And do you expect to target any LEED
8 certification?

9 MR. ST JACQUES: So we hadn't discussed LEED.
10 I'm not familiar enough with... with LEED, but I
11 think our architect could speak to that if further
12 information is required. I will say that the Local
13 Law 97, and the package of legislation that was
14 passed a few years back in New York, the Climate
15 Mobilization Act, has... has really increased, you
16 know, just simply compliance with new building code
17 regulations, and the Climate Mobilization Act will
18 significantly reduce both emissions from this
19 building, as well as stormwater management in the
20 building. But some of the other features that will
21 be included in this development are high-efficiency
22 windows, increased installation, Energy Star
23 appliances, LED lighting, smart technologies, simply
24 to reduce costs and reduce energy use. We've also
25 discussed implementing both green roofs and solar

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2 panels. This area is apparently a good location for
3 solar. And then stormwater management, which would
4 include pervious pavement, rooftop retention, and
5 landscaping with... with bioswales. I mentioned the
6 50 street trees, that would be a really great
7 opportunity to incorporate some of the stormwater
8 retention.

9 CHAIRPERSON RILEY: Just to clarify the... it's
10 the Leadership, Energy and Environmental Design
11 certification.

12 MR. ST JACQUES: Got it. Yeah. And apologies,
13 I... I can't speak directly to LEED, but I can ask
14 our architect whether any of the measures that...
15 that we propose to implement would allow these
16 buildings to hit any of the LEED certifications, or
17 if they're actually, you know, going for LEED Gold or
18 Platinum with this building. I'm not aware of that,
19 but I can... I can certainly ask the architect to
20 follow.

21 CHAIRPERSON RILEY: Thank you. Counsel, are
22 there any Councilmembers who have any questions for
23 this applicant panel?

24 COUNSEL MARTINEZ-RUBIO: I see that Councilmember
25 Won is here and she has her hand up.

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2 CHAIRPERSON RILEY: Oh, I'm so sorry,
3 Councilmember Won. We're joined by Councilmember
4 Won. Councilmember Won, I will yield to you to ask
5 your question.

6 COUNCILMEMBER WON: Thank you, Councilmember
7 Riley. I just had a few questions. Frank and Steve
8 have been good-faith partners to us so far. We have
9 been meeting prior to this, and they have been very
10 receptive to our inquiries. Steve or Frank: Could
11 you just... I heard you say that you had increased
12 the number of MIH units. Could you confirm that you
13 have committed to providing 30% of the total housing
14 units of MH option level one?

15 MR. ST JACQUES: That's correct, Councilmember
16 Won. And so when... when we initially spoke with
17 you, our proposal included the 25% set-aside under
18 MIH option one, which resulted in -- forgive me -- 82
19 units of permanently income restricted housing. The
20 applicants have agreed to increase that number to
21 100, which represents the 30% set aside in option
22 one.

23 COUNCILMEMBER WON: Okay, great. And can you
24 just help me understand the breakdown? Are they

25

2 going to be one bedrooms, two bedrooms, for the new
3 units that have been added?

4 MR. ST JACQUES: Yeah, sure. It's... So it's...
5 it's essentially, they've been distributed
6 proportionally. And, sorry... just looking for my
7 notes, just give me one second. What I can do is...
8 is just send over the... the prior breakdown and the
9 new breakdown. But... so the 18 units that were
10 added, we essentially split that into three portions
11 of six units, and then spread those units across the
12 studios, ones, twos and threes. Ultimately, because
13 of the nature of the MIH program, it made most sense
14 to just distribute those... those additional units as
15 evenly as possible across both the income bands, the
16 three income bands at 40%, 60%, and 80% AMI, as well
17 as the unit distribution. That was that was sort of
18 the... the easiest, and... not so much that it was
19 easy, but that the... the concern was... was
20 maintaining compliance with MIH. So what I can do is
21 send you over the... a comparison chart, so you can
22 see where those units were added. But essentially,
23 it's distributed evenly across income bands and the
24 units.

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2 COUNCILMEMBER WON: Okay, great. And have you
3 engaged with the owners of the properties in the
4 rezoning area not controlled by the applicants? Your
5 new neighbors?

6 MR. ST JACQUES: Yes, and forgive me because I
7 think that there's been more recent discussion, and I
8 just... I... At the moment, my understanding is that
9 the property owners that are not included... or
10 they're not applicant controlled, but they're
11 included with the rezoning are aware and there has
12 been outreach. I just don't know when the... the
13 most recent conversation between the applicant
14 ownership and... and those property owners is but I
15 can report back on that.

16 COUNCILMEMBER WON: Got it. If you could just
17 continue to commit to engage with the area residents
18 by distributing flyers or door knocking or whatever
19 it is that you can do before you move forward in
20 construction, just to make sure that everyone is
21 aware, including the business owners. I would really
22 appreciate that, and are you still committed to
23 working with my office to identify local MWBE
24 business... businesses to meet the borough

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2 president's recommendation of the target of 30% for
3 construction?

4 MR. ST JACQUES: Yes, absolutely. That's... You
5 know, we'd like to continue to be in touch with...
6 with your office on this project generally, and then
7 specifically, as it relates to outreach to the local
8 community, as well as hitting MWBE targets and local
9 hiring targets for this project.

10 SERGEANT AT ARMS: Time has expired.

11 COUNCILMEMBER WON: Okay. Thank you.

12 MR. ST JACQUES: Thank you, Councilmember Won.

13 CHAIRPERSON RILEY: Thank you, Councilmember Won.
14 Counsel, are there any more Councilmembers with any
15 questions?

16 COUNSEL MARTINEZ-RUBIO: I don't see any
17 Councilmembers with questions at this time, Chair.

18 CHAIRPERSON RILEY: There being no questions,
19 this applicant panel is excused. Counsel, are there
20 any members of the public who wish to testify on 11th
21 Street 34th Avenue proposal?

22 COUNSEL MARTINEZ-RUBIO: We do have a few members
23 of the public who signed up to testify on this. So
24 if you want to make the announcement, then I'll give
25 the names.

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2 Chair, do you want to make the announcement of
3 the two minutes for the public witnesses. We have
4 1... 2... 3... 4 witnesses.

5 CHAIRPERSON RILEY: Members of the public will be
6 given 2 minutes to speak. Please do not begin until
7 the Sergeant of Arms has started to your clock.

8 COUNSEL MARTINEZ-RUBIO: Um, the first panel for
9 this item will be Richard Khuzami, Larry Wilson,
10 Ceima Perkins, and Brendan Leavy.

11 So the first speaker will be Richard Khuzami.

12 SERGEANT AT ARMS: Your time will begin.

13 CHAIRPERSON RILEY: You may begin.

14 MR. KHUZAMI: Thank you so much. I'm Richard
15 Khuzami, president of the Old Astoria Neighborhood
16 Association, and we are this local civic association
17 that represents this area. We are in favor of this
18 project. We think that the merits of this project
19 over... over any political considerations I think,
20 make approval an obvious choice. I have a number of
21 reasons why the proposal is consistent with the goals
22 identified by the Ravenswood Study and Cornell
23 Technion promoting mixed-use development in under-
24 underutilized properties near transit, and include
25 income-restricted housing and space for job creating

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2 businesses. The project has 100 permanently
3 affordable MIH units, which is in desperate need in
4 Queens, and it's based on option one of 40/60/80%,
5 and 50% of these apartments are family oriented, two
6 and three bedrooms, and we find particularly exciting
7 is the two new training schools, the Andromeda
8 Community Initiative and York Studios providing
9 Pathways to careers that help create pathways to the
10 middle class for underemployed and unemployed New
11 Yorkers. Also, these trades are important to keep
12 these industries competitive in New York City.

13 We are told that the project will create 396
14 jobs, 163 with the trade schools, 96 office jobs, 72
15 retail, 30 with the Community Facilities space, 16
16 artists studios and two jobs with the food
17 distributor.

18 Also it's an important project for Long Island
19 City and Queens. By adding to the our Queens economy
20 through the construction jobs and 200 plus jobs
21 generated post construction. Badly needed studio
22 space for artists is also created. A food
23 distribution company will... will continue to keep
24 our tax base and our (crosstalk)

25 SERGEANT AT ARMS: Time expired.

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2 MR. KHUZAMI: Okay. Thank you.

3 CHAIRPERSON RILEY: Thank you Richard.

4 COUNSEL MARTINEZ-RUBIO: Next speaker is Larry
5 Wilson.

6 CHAIRPERSON RILEY: You may begin, Larry.

7 MR. WILSON: Hello, can you hear me?

8 CHAIRPERSON RILEY: Okay. Good afternoon
9 Chairman Riley and members of the subcommittee. My
10 name is Larry Wilson, and I'm a member of 32BJ. I'm
11 here today on behalf of our union and our 85,000
12 property service workers here in New York City to
13 express our support for the proposal at 11 St and
14 34th Avenue Project. 32BJ supports responsible
15 developers who invest in the communities where they
16 build. I'm happy to report that developers
17 affiliated with JPP 33rd Street LLC and Lillian John
18 Realty Inc. have reached out early and made a
19 credible commitment to creating prevailing wage
20 building service jobs at this site. This commitment
21 means that workers and queens will have access to
22 family sustaining wages, retirement qualities, health
23 benefits at a time when New Yorkers need them most.

24 We estimate that a mixed use development like
25 this one proposed by the developer will be

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2 permanently staffed by an estimated six building
3 service workers. The 11th Street... The 11th street
4 and 34th Avenue Project will also have approximately
5 100 affordable housing units in accordance with the
6 mandatory inclusionary housing program. For these
7 reasons, we are in full support of this project. We
8 have full confidence that JPP 33rd Street LLC, and
9 Lilly John Realty will be responsible employers and
10 presence in the community. For these reasons, we
11 respectfully urge you to approve this rezoning.

12 Thank you for listening.

13 CHAIRPERSON RILEY: Thank you, Larry.

14 COUNSEL MARTINEZ-RUBIO: Next speaker is Ceima
15 Perkins.

16 CHAIRPERSON RILEY: You may begin Ms. Perkins.

17 MS. PERKINS: Good afternoon, I am the Senior
18 Director of Operations for Our Children. We are a
19 local nonprofit organization in very close proximity
20 to the site, walking distance actually. And the
21 purpose of our not-for-profit is we work with
22 incarcerated and formerly incarcerated mothers. We
23 provide them supportive and transitional housing. So
24 needless to say, we are very excited for a project
25 like this to be brought to our area. We are severely

2 lacking in affordable housing for the women that we
3 serve. We also provide them vocational services, job
4 training, and we have various other arms and programs
5 of our organization such as a food pantry, and
6 various things of that nature that will benefit
7 greatly from a site like this and a development like
8 this, not only just for the women that we serve, but
9 also the staff members of our organization. A great
10 deal of them also are within the income bracket for
11 the permanent affordable housing. We are very
12 excited about and do support this program
13 wholeheartedly. It is in line with our concerted
14 efforts to minimize the recidivism rate of the women
15 that we serve. And we hope that this development
16 site gets approved very much. So thank you very
17 much.

18 CHAIRPERSON RILEY: Thank you Ms. Perkins.

19 COUNSEL MARTINEZ-RUBIO: Last speaker is Brendan
20 Leavy.

21 CHAIRPERSON RILEY: You may begin, Mr. Leavy.

22 MR. LEAVY: Hi, everyone. Brendan Leavy with the
23 Queens Chamber of Commerce. The Queens Chamber
24 stands in favor of this project. We know the owners
25 and they're very reputable. They always make strong

2 commitments to the communities they serve. I've
3 personally visited the Andromeda Community Initiative
4 at the current site, and it's amazing work that they
5 do. And there was a testimonial earlier to the good
6 work that they do and how they meaningfully change
7 lives. So we're very strong supporters of ACI.

8 So I echo the sentiments of earlier folks
9 testifying. The project is going to bring online
10 approximately 100 new permanent affordable housing
11 units through the city's MIH program. We're in
12 desperate need of these in Queens, particularly for
13 people earning the 40/60/80% of the area median
14 income. Again, ACI is a tremendous program that's
15 going to draw, you know, propel people from minimum
16 wage jobs and get them on a pathway to middle class.

17 Construction jobs, and potentially jobs in the
18 motion picture industry, which is a booming industry
19 in Queens and throughout the city. Projects also
20 creating approximately 400 total jobs, including jobs
21 associated with the trade school, retail jobs, jobs
22 associated with the community space, incorporating 16
23 artists studio jobs, and two jobs with a food
24 distributor.

2 Again, it's important for LIC and the Queens
3 community by helping to significantly add to the
4 Queens economy to construction jobs that'll generate
5 also 200 jobs post construction, which is going to be
6 a boon to the local economy.

7 With us emerging from the you know, this post
8 pandemic nightmare, we've all been through, these are
9 desperately needed jobs. So the Queens Chamber
10 stands wholeheartedly in favor of this... this
11 project. Thank you.

12 CHAIRPERSON RILEY: Thank you, Mr. Leavy. Thank
13 you for your testimony. Counsel, are there any
14 Councilmembers who have questions?

15 COUNSEL MARTINEZ-RUBIO: No Councilmembers with
16 questions at this time.

17 CHAIRPERSON RILEY: There being no questions for
18 his panel, the witness panel is now excused.

19 COUNSEL MARTINEZ-RUBIO: Chair, there are no more
20 members of the public who have signed up to testify
21 so we can go ahead and close it.

22 CHAIRPERSON RILEY: There being no other members
23 of the public who wish to testify on pre-considers
24 LUC210234ZMQ and N210235CRQ, relating to the 11th

1 <INSERT TITLE OF MEETING>

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2 street and 34th Avenue rezoning proposal, the public
3 hearing is now closed and items are laid over.

4 That concludes today's business. I would like to
5 thank the members of the public, my colleagues,
6 subcommittee Council Land Use, and other council
7 staff and Sergeant At Arms for participating in
8 today's hearing. This meeting is hereby adjourned.
9 Thank you.

10 [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 07/27/2022