

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

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April 4, 2011
Start: 1:20 pm
Recess: 2:35 pm

HELD AT: Committee Room
250 Broadway, 16th Floor

B E F O R E: STEPHEN T. LEVIN
Chairperson

COUNCIL MEMBERS:
Stephen T. Levin
Charles Barron
Inez E. Dickens
Sara M. Gonzalez
Peter A. Koo
Diana Reyna

A P P E A R A N C E S

Carol Clark
Assistant Commissioner
NYC Department of Housing
Preservation and Development

Jack Hammer
Director of Brooklyn Planning
NYC Department of Housing
Preservation and Development

Wendell Walters
Assistant Commissioner for New Construction
NYC Department of Housing
Preservation and Development

Terry Arroyo
Intergovernmental Affairs and Bronx Planning
NYC Department of Housing
Preservation and Development

Charlie Marcus
NYC Department of Housing
Preservation and Development

Thebbie Walters
Director of Manhattan Planning
NYC Department of Housing
Preservation and Development

Joe Restuccia
Co-Chair
Land Use Committee
Manhattan Community Board 4

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2 CHAIRPERSON LEVIN: Welcome to the
3 Subcommittee on Planning, Dispositions and
4 Concessions. I'm Council Member Stephen Levin,
5 Chair of this subcommittee. I am joined today by
6 members of the subcommittee. To my right, Council
7 Member Sara Gonzalez of Brooklyn, Council Member
8 Peter Koo of Queens, Council Member Inez Dickens
9 of Manhattan, and we're also joined by Council
10 Member Diana Reyna of Brooklyn.

11 We have a number of items on the
12 agenda today, so we'll get started quickly. First
13 we'll start with Land Use 296, Maujer, Ten Eyck
14 and Bedford. It's in Council District 34,
15 represented by Council Member Diana Reyna,
16 Community Board 1 of Brooklyn. The program is
17 mixed income rental program. Testifying on this
18 item we have Assistant Commissioner Carol Clark of
19 HPD and Jack Hammer of HPD as well. Ms. Clark?

20 CAROL CLARK: Good afternoon,
21 Council Members. My name is Carol Clark. I'm an
22 Assistant Commissioner at HPD, as you noted. I'm
23 joined by Jack Hammer, who is the Director of
24 Brooklyn Planning for HPD.

25 LU 296, the Maujer, Ten Eyck,

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2 Bedford proposed project consists of the proposed
3 disposition of eight city-owned properties located
4 on four separate sites at 37th and 39th Maujer
5 Street, 33 Ten Eyck Street, 354, 356, and 258
6 Bedford Street and 121 South 4th Street to
7 facilitate the development of affordable housing
8 of approximately 57 units.

9 The proposed developer is Yuco Real
10 Estate Company. They'll develop the site as
11 proposed through the mixed income rental program.
12 HPD has been engaged in a dialogue extensively
13 with Council Member Reyna. The focus of that
14 dialogue in part has been on the mix of family-
15 sized units and on the income targets in the
16 project.

17 Council Member Reyna has not as yet
18 expressed support for the project, but we're
19 confident and hopeful that we will reach that
20 point shortly. Thank you.

21 CHAIRPERSON LEVIN: Do any of my
22 colleagues have any questions on the particular
23 item? Council Member Reyna?

24 COUNCIL MEMBER REYNA: Thank you,
25 Mr. Chair. I just want to understand, is the

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developer present?

CAROL CLARK: I don't see him here,
no.

COUNCIL MEMBER REYNA: Was he
invited?

CAROL CLARK: I don't know the
answer to that question.

COUNCIL MEMBER REYNA: Mr. Chair, I
just want to make note that this is a crucial
moment right now for the Greenpoint Williamsburg
rezoning points of agreement of sites that were
publicly owned and in the process of being
disposed of. I wanted to make sure that the
developer was a part of this record. I don't see
this being a good step forward when we are
supposed to be working with a commitment to be
able to do so. So I'm not too sure why we're even
here then if the developer is not here.

CAROL CLARK: The developer is not
here.

COUNCIL MEMBER REYNA: But this is
the hearing, right?

CAROL CLARK: Yes, ma'am.

COUNCIL MEMBER REYNA: So where is

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the developer?

CAROL CLARK: That I really could not tell you. I'm not aware of where he is.

COUNCIL MEMBER REYNA: So what record are we going to put in as far as these sites and what they're going to be developed into and--

CAROL CLARK: [interposing] Right. What the income band would be.

COUNCIL MEMBER REYNA: Right.

CAROL CLARK: That it was up to 100 percent of the area median income in the as proposed version. But what we've discussed with you is that it would be more a low income project.

COUNCIL MEMBER REYNA: Right. And so--

CAROL CLARK: [interposing] And 60 percent, up to 60 percent of the area median income. That was a change. Also, we had focused on the family size units.

COUNCIL MEMBER REYNA: And the distribution.

CAROL CLARK: And had increased the number of units. In our most recent

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2 conversations, we had been discussing the
3 possibility of taking three one-bedroom apartments
4 in the proposed building to be constructed on the
5 Bedford site, which is one of the four sites, and
6 turning it into a three-bedroom unit. That is why
7 I said approximately 57 units because we haven't
8 completed resolved that issue. It's something
9 that we're still continuing to discuss and have
10 committed to discuss further.

11 COUNCIL MEMBER REYNA: We're
12 pending conversations. I was under the impression
13 that we were going to have the developer present.
14 Well there isn't going to be--there's a vote right
15 now, tomorrow.

16 CAROL CLARK: Tomorrow.

17 COUNCIL MEMBER REYNA: At 9:30 in
18 the morning that supposedly we're trying to get.

19 CAROL CLARK: Yes, we are
20 endeavoring to get to that vote. We're mindful of
21 the timeframe. We will be in touch with the
22 developer. We've been in contact with the
23 developer. We will be back in contact with the
24 Council Member.

25 COUNCIL MEMBER REYNA: As of this

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afternoon.

CAROL CLARK: As of immediately after this hearing.

CHAIRPERSON LEVIN: Commissioner, can you explain to us a little bit about the program and the income guidelines within that program?

CAROL CLARK: Sure. Jack, do you want to say a word here.

CHAIRPERSON LEVIN: Please identify yourself for the record.

JACK HAMMER: The mixed income program prescribes affordability levels at area median incomes at ranges as low as 40 percent of AMI, it can be as high as 130 percent of AMI. But there have been very specific discussions about this particular project about targeting specific income bands. Those bands that have been discussed specifically with the Council Member have been between 40 percent and 100 percent of the AMI broadly speaking.

CHAIRPERSON LEVIN: Just one follow-up and I don't mean to belabor this because we have a lot of items on the agenda. Can you

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tell me a little bit of the history of these sites and how we ended up where we are today?

JACK HAMMER: The sites have been vacant for some time. They were included in request for proposals issued by HPD for this and another site, the Greenpoint Hospital site, as part of a larger RFP.

CHAIRPERSON LEVIN: When was that?

JACK HAMMER: Issued in 2007.

CHAIRPERSON LEVIN: Okay.

JACK HAMMER: So the developer was selected pursuant to that RFP and led to proceed through the public process.

CHAIRPERSON LEVIN: Through that RFP there was one developer selected for all sites?

JACK HAMMER: Yes, Yuco, Inc. was selected through all the sites that have gone through ULURP.

CAROL CLARK: All four.

JACK HAMMER: All four sites.

CHAIRPERSON LEVIN: Okay. Council Member Dickens I believe has a question.

COUNCIL MEMBER DICKENS: Thank you,

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2 Mr. Chair. Are you prepared to discuss with the
3 Council Member each unit site, how many and the
4 income limits, the AMIs? Are you prepared to
5 discuss that with us today? I haven't heard that.
6 How many are one-bedroom, how many are studio, how
7 many are three-bedroom?

8 CAROL CLARK: Right.

9 COUNCIL MEMBER DICKENS: And what
10 is the AMI?

11 CAROL CLARK: Council Member
12 Dickens, yes. What we'd be prepared to report is
13 that as of the Thursday presentation when we sat
14 down with the developer and Council Member Reyna,
15 we had reconfigured what had been initially
16 proposed. We've had a number of meetings. The
17 scenario that we were discussing on Thursday
18 afternoon would have a total of 52 percent of the
19 total units of 54 would be two and three-bedroom
20 units. Now there had been a request from Council
21 Member Reyna that there be a larger number of
22 family sized units. So we'd been endeavoring to
23 revise the plans to reflect that. So that's where
24 we are.

25 COUNCIL MEMBER DICKENS: What about

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the income limits? What's the AMI? For one

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bedroom, what's the AMI for one bedroom?

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CAROL CLARK: I don't know that we

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have it broken down in precisely that detail.

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Jack, do you have a sense?

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JACK HAMMER: There's an

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opportunity to achieve income levels across the

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board at up to 60 percent of AMI, although it

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could be higher. It could be as high as 100

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percent, but there's flexibility there. You're

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interested in the actual income levels?

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COUNCIL MEMBER DICKENS: I was

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asking not just the range. I heard a range. I'd

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like to know by unit size the AMI.

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CAROL CLARK: We'd have to get back

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to you with that, having had further discussions

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with Yuco, the proposed developer and Council

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Member Reyna this afternoon.

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COUNCIL MEMBER DICKENS: Has the 52

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percent that you discussed being two and three-

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bedrooms and the income limits, are they within

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the Greenpoint points of agreement?

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CAROL CLARK: Yes, ma'am, they are.

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COUNCIL MEMBER DICKENS: Thank you.

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2 CHAIRPERSON LEVIN: We've also been
3 joined by Council Member Charles Barron of
4 Brooklyn. Council Member Reyna has further
5 questions.

6 COUNCIL MEMBER REYNA: Thank you,
7 Mr. Chair. I apologize. I just want to make sure
8 that the committee understands we have had, in the
9 last week, multiple conversations trying to in one
10 week's time trying to deal with what was a vague
11 idea of what these sites were going to be
12 developed into. For the last two years I've been
13 requesting meetings.

14 So in one week we've been able to
15 have productive conversations. So we have come
16 from an income bracket at an AMI that was too
17 high, with the majority 50 percent of the units
18 dedicated to studios and one-bedrooms where no
19 three bedrooms were even quantified into the
20 development to now a scenario that I wanted to
21 just be able to get definitive on the record is
22 what I'm trying to achieve here.

23 These are my words, not the
24 developers and not HPD's. But this is what we
25 were leaving off with. An approximation of what

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2 would be at the Bedford site, seven one-bedroom
3 units, nine two-bedrooms, and one three-bedroom.
4 At the Ten Eyck, 37 Ten Eyck site: seven one-
5 bedrooms. The site is too small to have two and
6 three-bedroom, so the maximizing of a one-bedroom
7 at that site. As opposed to 33 Ten Eyck which is
8 two doors down. So the coupling of lots was not
9 possible to assemble a more appropriate larger
10 site to build on to create a better scenario.

11 But nevertheless, 33 Ten Eyck will
12 now reflect six one-bedrooms, nine two-bedrooms
13 and two three-bedrooms. And at the Maujer site:
14 three one-bedrooms, eight two-bedrooms and zero
15 three-bedrooms. Again, one of the smaller sites
16 of the ones mentioned.

17 So, having recognized that the
18 Bedford site was the largest, that's where we
19 should be accommodating more three-bedrooms. As
20 of Thursday last week, we don't know or have not
21 seen definitively, but there is an agreement by
22 the developer. Now these are my words on the
23 record, not the developer. I just want to make
24 sure that we're finalizing all these details
25 because I don't want to see a retracting of any of

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2 this information because it wasn't part of the
3 record.

4 The 60 percent for a family of four
5 would range, and Council Member Dickens, this I
6 hope would help, \$38,000 for a family of four. At
7 a 40 percent it would be \$25,360. And at 50
8 percent, because we wanted to break up the income
9 bracket so that we're not falling short of any
10 family not qualifying because they were falling
11 off by \$1,000 bonus that they're not receiving
12 this year or the following year. So 50 percent
13 AMI would be \$31,000.

14 This is more reflective of a
15 community that has a great demand for affordable
16 housing at a family structured environment and
17 with a diversity of income bands as well as the
18 distribution of units.

19 But I want to rest assured that the
20 one-bedrooms that would be a good percentage of
21 these sites developed should be accommodating
22 seniors and that HPD has committed to making sure
23 that they would work within their agency to be
24 able to secure the opportunity for assistance
25 through the various programs possible at HPD to

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2 assist seniors that may qualify with special
3 privileges, whether that's Section 8 or emergency
4 vouchers, whatever the case may be.

5 The local marketing aspect of this,
6 clearly we have to make sure that we keep the
7 intent of the rezoning negotiated point of
8 recognizing families that have been displaced. As
9 of 2010, from January 2010 to December 2010, we
10 have documented 1,200 families on the verge of
11 losing their homes in this community. And 1,200
12 families that are not receiving the amount of
13 assistance that they would have if we had received
14 the legal assistance fund that was intended for
15 when the rezoning was negotiated.

16 So we're just trying to track
17 everyone, making sure that they are going to have
18 an opportunity to be recognized in the 50 percent
19 requirement for community residents of Community
20 Board 1. Again, that's part of this particular
21 discussion that that will be monitored by HPD and
22 that we will continue to monitor so that any other
23 affordable housing units will be able to reference
24 that particular point.

25 Having said that, I just want to

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2 ensure that further discussion will continue so
3 that we are able to maximize the opportunity here
4 of what is already a delayed development. Thank
5 you.

6 CHAIRPERSON LEVIN: Thank you. I
7 just want to add, obviously there is a need for
8 family sized units in the neighborhood, two-
9 bedroom and three-bedroom units. I think that's
10 something that we're all in support of making sure
11 that there are an adequate number of family sized
12 units in these developments.

13 CAROL CLARK: That's understood.
14 Thank you.

15 CHAIRPERSON LEVIN: Thank you. Do
16 any of my colleagues have any further questions on
17 this particular item? So with no further
18 questions, we're going to move on to further items
19 on the agenda.

20 Next up, we have Land Use 297 and
21 298. This is Harlem River Point in Manhattan
22 Community District 11 and in the Council district
23 represented by Council Member Dickens. So I, as
24 Chair, will defer to her on this particular item.
25 Testifying, we have Assistant Commissioner Carol

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2 Clark of HPD and Wendell Walters of HPD. Again,
3 for these two items, Land Use 297 and 298 in
4 Council Member Dicken's district. Commissioner
5 Clark?

6 CAROL CLARK: Thank you, Mr. Chair.
7 My colleague, Assistant Commissioner Wendell
8 Walters, who is the Assistant Commissioner for New
9 Construction will give the testimony on these two
10 items.

11 WENDELL WALTERS: Good afternoon.
12 As Carol mentioned, I'm Wendell Walters, Assistant
13 Commissioner for New Construction at HPD Office of
14 Development. I'm here to provide testimony for
15 Land Use 297, which consists of the proposed
16 disposition of one city-owned building, located at
17 1945-1951 Park Avenue for development under HPD's
18 low income and mixed income rental programs.

19 The developer, L&M Development and
20 Artimus Construction will demolish the existing
21 building and construct two buildings for a total
22 of 313 units. One of the buildings, known as the
23 Northwest Building, will be developed through the
24 low income rental program at HPD and will provide
25 approximately 173 rental units with one super's

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2 unit. This building will also have approximately
3 2,300 square feet of commercial space and
4 approximately 10,000 square feet of community
5 facility space.

6 The other building, known as the
7 South Building, will be developed through the
8 mixed income rental program and will provide 140
9 rental units plus one super's unit.

10 The North Building will have 100
11 percent of the units affordable to households at
12 or below 60 percent of AMI, with 20 percent of
13 those units affordable to 40 percent of AMI
14 households.

15 In the South Building, 70 percent
16 of the units will be affordable to 60 percent of
17 AMI, with 30 percent of the remaining units
18 affordable to 90 percent and 100 percent of AMI
19 households.

20 Land Use 298 consists of the
21 proposed amendment to the zoning map to facilitate
22 this project. The proposed amendment changes the
23 R-7 to an R-8 and establishes a commercial
24 overlay. Council Member Dickens has viewed the
25 project with HPD and has indicated her support.

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2 CHAIRPERSON LEVIN: Thank you, Mr.
3 Walters. I'm going to ask Council Member Dickens
4 for her remarks.

5 COUNCIL MEMBER DICKENS: Thank you,
6 Chair Levin, for allowing me to say a few words on
7 this development. The entire time that I have
8 been in the City Council, I have fought for
9 affordable housing. I have stressed the
10 importance of people in my community being given
11 the opportunity to stay in the community, because
12 without them the heart of Harlem would be lost.

13 1951 Park Avenue will ensure that
14 Harlem residents can continue to live in Harlem,
15 and for that I will always fight. The project
16 will create 313 affordable housing units, 88
17 percent of the total units will be at 60 AMI or
18 lower, with 60 units specifically for families at
19 40 percent AMI and 217 apartments will become
20 homes for families at 60 percent AMI. Thirty-six
21 of the 313 units at 100 percent AMI, which will
22 allow those young people that have graduated from
23 college that hopefully will have a job can then
24 begin to qualify.

25 There will be no units at market

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2 rate. The outreach will be focused and targeted
3 towards the residents of Community Boards 10 and
4 11. I'm happy to say that I was able to work with
5 HPD, L&M and Artimus Developments to ensure that
6 these housing units are affordable for my
7 community.

8 In addition, the children of Harlem
9 will benefit substantially from the construction
10 of these buildings. The daycare center that will
11 be part of the project will provide much needed
12 childcare slots for working families in my
13 district. The new green space will give residents
14 opportunities for recreation and leisure.
15 Landscaped gardens, woodland plantings and seating
16 areas will create a diversified open space.
17 Harlem's local artisans will be hired to create a
18 picturesque wall on the required noise deflecting
19 wall.

20 I also continue to fight to make
21 sure that my community has access to health food.
22 1951 Park Avenue will increase the options of
23 people in Harlem looking for fresh food. L&M has
24 committed to working with my office to ensure that
25 the retail space in the West Building is occupied

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2 by a tenant whose offerings increase the wellbeing
3 of Harlem residents. I made a promise to the
4 community when elected to tackle childhood
5 obesity, and the marketing of this retail space is
6 a wonderful example of the change in thinking that
7 has occurred in Harlem towards healthy living.

8 Finally, L&M Development and
9 Artimus Construction has ensured that noise levels
10 in these buildings will meet all DOB and HUD
11 standards and that periodic testing will occur in
12 order to make sure that building residents are not
13 exposed to elevated sound levels.

14 L&M will also create two community
15 rooms, one a gym and the other that houses a
16 kitchen and meeting space. The tenants of all the
17 buildings will have equal access to the two rooms
18 in order to foster a sense of community amongst
19 the residents.

20 As with any land use project that
21 goes through this Council, Gail Benjamin and Amy
22 Levitan deserve much praise, as does the rest of
23 the Land Use division. But today I will give a
24 special shout out to Wendell Walters and Carol
25 Clark of HPD. Their work on this project was

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2 tremendous, just like all the other work that they
3 have done with me to ensure affordable housing is
4 available in Harlem. I say that cryptically,
5 knowing that we've got to work going forward.

6 I look forward to continuing to
7 work with them as well as the new HPD Commissioner
8 Matt Wambua to make sure that residents are not
9 forced from our neighborhoods. Congratulations to
10 the newly appointed Commissioner Matt Wambua.

11 One item that I must put on the
12 record are the related soft costs that New York
13 City MWBEs be included in being a part of not only
14 this project but all projects in the future. Not
15 only construction jobs but architectural,
16 expeditors, et cetera, and that contracting with
17 an MWBE certified firm would ensure that our MWBEs
18 are indeed protected and included, because we're
19 woefully lacking in this city.

20 Thank you, Chair Levin, and my
21 colleagues for your time. I ask for your support.

22 CHAIRPERSON LEVIN: Thank you,
23 Council Member Dickens. Does anyone have anything
24 to add? I think that that sums it up very nicely.
25 This is a project worthy of praise, and your

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efforts clearly had a tremendous affect in moving this development and setting a precedent for moving all developments in the right direction in the city. I want to praise you and thank you.

COUNCIL MEMBER DICKENS: Thank you so much. The one thing I would like to be added is to note how many, it's 88 percent. So that when Council Member Barron has something to say, I'd like to make sure.

CHAIRPERSON LEVIN: I don't know if Council Member Barron has anything to add to this? Council Member Barron?

COUNCIL MEMBER BARRON: When you get to 90 percent, give me a call, all right? Congratulations, great work.

CHAIRPERSON LEVIN: Eighty-eight percent seems pretty good. Thank you very much. Thank you, Commissioner Clark and Mr. Walters. Anyone have anything to add on this? We have a number of items to go. Thank you very much and congratulations, Council Member Dickens.

On to Land Use 299, 300 and 301, these are East Tremont Apartments, Bronx Community Board District 6. That is in the Council District

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2 represented by Council Member Joel Rivera.
3 Testifying on these items we have Assistant
4 Commissioner Carol Clark and Terry Arroyo from
5 HPD. Commissioner Clark?

6 CAROL CLARK: LU 299 consists of
7 the proposed disposition of two vacant city-owned
8 lots located at 1176 East Tremont Avenue and 1160
9 Lebanon Street and known as East Tremont
10 Apartments, for developments under HPD's low
11 income rental program.

12 LU 300 and 301 consists of the
13 proposed rezoning of the site to facilitate
14 development of the project. Under the proposed
15 project, the sponsor will construct three
16 buildings with a total 140 rental units plus one
17 superintendent unit on the city-owned lots.

18 The project will also contain
19 approximately 7,500 square feet of commercial
20 space and approximately 10,500 square of the
21 disposition area as open space. Council Member
22 Rivera has reviewed the project and indicated his
23 support.

24 CHAIRPERSON LEVIN: Thank you. Do
25 any of my colleagues have any questions on this

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2 particular item? Seeing none, I think that we can
3 move on. Sorry, Terry. How many in total, the
4 affordability breakdown is going to be?

5 CHAIRPERSON LEVIN: Please identify
6 yourself for the record.

7 TERRY ARROYO: My name is Terry
8 Arroyo, HPD's Intergovernmental Affairs and Bronx
9 Planning. Basically there are two sets of
10 incomes. One set of apartments will be available
11 to families with incomes of up to 38 percent of
12 AMI, which because we have a range of studios to
13 three-bedroom apartments, range from someone
14 earning \$21,067 to \$30,000 more or less. And the
15 other income target is up to 58 percent of AMI,
16 ranging from \$21,000 to \$30,000.

17 CHAIRPERSON LEVIN: How did you
18 arrive at the percentages of AMI?

19 TERRY ARROYO: I read it from the
20 paper. Actually, it was part of the planning.
21 This is the low income program. These are the
22 guidelines. Basically, these are the target
23 population that we're looking for.

24 CHAIRPERSON LEVIN: This has gotten
25 unanimous support from the community.

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2 TERRY ARROYO: Yes. It's a
3 wonderful project that basically takes under
4 utilized land that was formerly MTA and we are
5 going to create wonderful affordable units.

6 CHAIRPERSON LEVIN: There's no
7 environmental remediation?

8 TERRY ARROYO: No, actually we're
9 very good on this one. We're fine, totally clear.
10 We're good.

11 CHAIRPERSON LEVIN: Wonderful. Any
12 questions on this one? Seeing none, thank you Ms.
13 Arroyo. Thank you, Commissioner Clark. We're
14 going to move on. Sorry, for the hastiness, we
15 have so many items here.

16 We're going to move on to Land Use
17 309 and 301. It's 162nd Street in Community
18 District 8 in Queens. Council District
19 represented by Council Member Jim Gennaro.
20 Testifying on this item is Assistant Commissioner
21 Carol Clark and Charlie Marcus of HPD.

22 CAROL CLARK: Thank you, Mr. Chair.
23 LU 309 and 310 consists of the proposed amendment
24 to the city map and a UDAAP designation involving
25 property located at 161-79 86th Avenue in Queens.

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2 Specifically, LU 309 proposes to eliminate,
3 discontinue and close 162nd Street between 86th
4 Avenue and Glenn Avenue, and to modify grades as
5 necessary, including authorization for any related
6 acquisition or disposition of property in
7 accordance with map number 5011 dated July 9,
8 2010, signed by the Queens Borough President.

9 LU 310 seeks approval of a UDAAP,
10 an Urban Development Action Area Designation for
11 the area and the property located at 161-79 86th
12 Avenue. This is going to facilitate disposition
13 of the property through HPD's asset sales program.
14 Thank you.

15 CHAIRPERSON LEVIN: I don't have
16 any questions on this particular. Does anyone
17 else? Seeing none: thank you very much.

18 We're going to be moving on to the
19 next item, Land Use 311, 312 and 349. This is 9-
20 17 Second Avenue in Manhattan Community District
21 3, Council District represented by Council Member
22 Margaret Chin. We have testifying today from HPD
23 Assistant Commissioner Carol Clark and Thebbia
24 Walters from HPD. Commissioner Clark?

25 CAROL CLARK: Thank you, Mr.

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2 Chairman. Let me note that Ms. Walters is the
3 Director of Manhattan Planning for HPD. LU 311,
4 312 and related LU 349 is a project where HPD is
5 seeking a UDAAP designation project approval,
6 acquisition of property and disposition of a city-
7 owned property for a site located at 9 and 11
8 through 17 Second Avenue, to facilitate the
9 development of a mixed use building.

10 The proposed project will provide
11 approximately 79 residential rental units, up to
12 16 of which will offer permanently affordable
13 homeownership, pursuant to the Inclusionary
14 Housing Program's home ownership option. One unit
15 will be reserved for a superintendent and there
16 will be approximately 6,300 square feet of ground
17 floor commercial space.

18 In order to facilitate development
19 of the project, LU 312 provides for the
20 acquisition of two buildings within the propose
21 project area. LU 349 contains the proposed zoning
22 text amendment related to the Inclusionary Housing
23 Program which will apply only to Manhattan
24 Community Board 3. It provides a framework to
25 accommodate the return of existing tenants who

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currently reside in buildings on the project site as either homeowners or as renters.

Council Member Chin has reviewed the project and indicated her support.

CHAIRPERSON LEVIN: The buildings that currently exist, what's going on in those two buildings at the moment?

CAROL CLARK: Thebbia, you want to give that a shot?

THEBBIA WALTERS: There are currently nine tenants that are being relocated. The relocation is being handled by the developer. There are two commercial tenants and that relocation is also being handled by the developer. The tenants will all be returning back to the new development.

CHAIRPERSON LEVIN: They will?

THEBBIA WALTERS: Yes.

CHAIRPERSON LEVIN: They'll be part of the affordable units?

THEBBIA WALTERS: Yes, the permanently affordable home ownership units.

CHAIRPERSON LEVIN: I don't think I have any further questions on this. Council

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Member Dickens?

COUNCIL MEMBER DICKENS: Would you please tell me under what program the new homeownership, I'm very interested in that for my community?

THEBBIA WALTERS: It's the new home ownership option that's a part of the Inclusionary Housing Program. All the units will be permanently affordable.

COUNCIL MEMBER DICKENS: Under what, for the purchase of the home ownership, what are the income limits?

THEBBIA WALTERS: Eighty percent of AMI.

COUNCIL MEMBER DICKENS: Eighty percent?

THEBBIA WALTERS: Yes, up to.

COUNCIL MEMBER DICKENS: Up to?

THEBBIA WALTERS: Yes.

COUNCIL MEMBER DICKENS: Very interesting. Thank you.

CHAIRPERSON LEVIN: Sorry, just to follow up on that. How does the financing work on the affordable home ownership units?

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2 THEBBIA WALTERS: It's going to be
3 private conventional financing. I don't exactly
4 know how it works but I believe with the
5 Inclusionary Housing Program that's kind of the
6 model. You have the market rate apartments and
7 with the bonus it kind of helps offset the cost of
8 the affordable units.

9 CHAIRPERSON LEVIN: Do any of my
10 colleagues have any further questions? Council
11 Member Barron?

12 COUNCIL MEMBER DICKENS: Yeah, one
13 more.

14 CHAIRPERSON LEVIN: Council Member
15 Dickens, okay.

16 COUNCIL MEMBER DICKENS: The bonus
17 that you refer to, what is the FAR, what is it?

18 THEBBIA WALTERS: I can check. I
19 don't know the exact bonus, but we can--

20 COUNCIL MEMBER DICKENS:
21 [interposing] I'd like to know.

22 THEBBIA WALTERS: We can get that
23 information for you.

24 COUNCIL MEMBER DICKENS: I think we
25 would all like to know. Charles, you're on again.

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CHAIRPERSON LEVIN: What's the zoning here?

CAROL CLARK: The zoning on this site?

CHAIRPERSON LEVIN: Yeah.

CAROL CLARK: We'll look it up. But the original Inclusionary Housing Program was part of New York City zoning since 1987. It was confined mainly to Manhattan's highest density district. It remains applicable today. Then back in 2005, the Inclusionary Housing Program was expanded to promote affordable housing in areas that were going to be rezoned, like in Greenpoint Williamsburg for example.

The way it works is that the expanded program, anyway, allows the combination of a zoning floor area bonus with a variety of housing subsidy programs and it creates and incentive for the development and preservation of a higher proportion of affordable housing. So developments taking advantage of the full 33 percent bonus in the new program have to devote at least 20 percent of their residential floor area to housing that will remain permanently

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affordable. Council Member Dickens?

COUNCIL MEMBER DICKENS: I

understand that. Thank you. I just wanted to know what that FAR was so that I could tell if it could still be done within the contextual construction. I see it, it's 5.4.

THEBBIA WALTERS: The underlying zoning is C6-2A and that permit--

COUNCIL MEMBER DICKENS:

[interposing] I have it. I just was given it. The FAR is 5.4. Thank you.

CHAIRPERSON LEVIN: Okay, we're going to close out that item.

Moving on, we have one, two, three, four, five, six more items to go. We're going to move on to Land Use 313, East Clarke Place. That is in Bronx Community District 4, and Council District represented by Council Member Helen Diane Foster. It's N 110162 HAX. Testifying on this item is Assistant Commissioner Carol Clark and Terry Arroyo from HPD.

CAROL CLARK: Thank you, Mr.

Chairman. LU 313 consists of the proposed disposition of one vacant city-owned lot, located

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2 at 12 East Clarke Place, for development under
3 HPD's low income rental program. The sponsor, YTM
4 Development Group Limited, owns an adjacent lot,
5 located at 27 East 169th Street and it is proposed
6 that they construct two buildings with
7 approximately 107 rental units and one
8 superintendent's unit.

9 The project will also provide
10 approximately 3,200 square feet of community
11 facility space and approximately 2,400 square feet
12 of open space. Council Member Foster has reviewed
13 the project and indicated her support.

14 CHAIRPERSON LEVIN: It's a big lot.
15 Can you tell us a little bit about the income
16 guidelines as it's going to go forward on this
17 one?

18 CAROL CLARK: Terry?

19 TERRY ARROYO: Thank you. The
20 estimated income target is up to 60 percent, which
21 again, these are running from studios to three-
22 bedrooms, so the range would be from \$33,264 to
23 \$47,500.

24 CHAIRPERSON LEVIN: These are all
25 rentals?

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TERRY ARROYO: Yes.

CHAIRPERSON LEVIN: One hundred percent affordable?

TERRY ARROYO: Up to 60 percent, yes.

CHAIRPERSON LEVIN: In terms of the community, have they weighed in, the Community Board?

TERRY ARROYO: Yes, and everyone is supportive of this project. They're getting funds that are being funded.

CHAIRPERSON LEVIN: Okay, I don't have any further questions on this item. It seems to be a very worthy and very much going in the right direction in terms of where we want to be as a city and our policy on affordable housing. Are there any further questions on this particular item from any of my colleagues? Seeing none, we'll move on. Thank you very much, Terry.

We're moving back over to Manhattan. Land Use 319, that's North Park Apartments in Manhattan Community District 7. That's 20115463 HAM. It's in the Council District represented by Council Member Melissa Mark-

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2 Viverito. On this item, we are going to be
3 hearing from Assistant Commission Carol Clark and
4 Gary Sloman.

5 CAROL CLARK: Actually, a
6 correction, Gary Sloman is not here, but Terry
7 Arroyo is joining me on this item.

8 CHAIRPERSON LEVIN: Thank you,
9 Terry.

10 CAROL CLARK: So LU 319 consists of
11 a project located at 20 West 102nd Street, which
12 was developed and owned by a redevelopment company
13 organized pursuant to Article 5 of the New York
14 Private Housing Finance Law. HPD is before the
15 Council seeking approval of the termination of a
16 real property tax exemption and the voluntary
17 dissolution of the current owner of the property,
18 North Park Associates.

19 The property, which consists of
20 four buildings, containing 123 dwelling units,
21 will be acquired by North Park Preservation LP, a
22 for-profit entity with funding from the Housing
23 Development Corporation and tax credits. The new
24 owner and the Housing Development Corporation will
25 enter into a regulatory agreement or a term of 40

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2 years, which provides that all units will be
3 rented upon vacancy to families whose incomes do
4 not exceed 60 percent of the area median. The new
5 owner will extend the existing Section 8 housing
6 assisted payment contracts, which covers 100
7 percent of the dwelling units, for an additional
8 20 years. Council Member Mark-Viverito has
9 reviewed the project and indicated her support.

10 CHAIRPERSON LEVIN: Can you give us
11 a little bit of the background of the reasoning or
12 what's going on here in terms of the dissolution
13 from one owner to the other?

14 CAROL CLARK: My understanding is
15 that this is a rehabilitation project which is
16 aimed at gaining energy efficiency in the
17 buildings. Terry, do you have any other info on
18 it?

19 TERRY ARROYO: I don't have much as
20 far as background at this point. The basic thing
21 is that in order to refinance and to extend the
22 affordability, there will be this change of
23 dissolution of the Article 5. The original
24 project was all 100 percent Section 8.

25 We want to maintain the

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2 affordability and allowing and HPD agreeing to
3 this change in refinancing so that the new
4 developer, the new owner will retain affordability
5 in the entire building. All the Section 8
6 existing contracts will have a new 20 year
7 contract extended. Then any units that should
8 become available where you cannot have a Section 8
9 tenant would then be eligible for someone up to 60
10 percent.

11 So the idea is just to maintain the
12 affordability, allow a new owner to come in, to
13 get the financing to do the rehab. It's
14 basically, a win/win in the sense of trying to
15 maintain the affordable units as they are.

16 CHAIRPERSON LEVIN: This is
17 originally a Section 8 based develop or was it a
18 Mitchell Lama?

19 TERRY ARROYO: It was a Section 8.
20 No, it's not a Mitchell Lama, it's Section 8.

21 CHAIRPERSON LEVIN: Do you know
22 when it was originally built?

23 TERRY ARROYO: Yeah, I actually had
24 that. Do you have the backup? I had seen that
25 and it's sad that I don't have it. I don't want

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2 to lie. Some number is sticking in my head, 1984,
3 but I was looking at a number on the original
4 approval.

5 CHAIRPERSON LEVIN: Okay.

6 TERRY ARROYO: It would make sense
7 because it was about 20 years, the 20 years are up
8 for the Section 8, so each are in 20 year.

9 CHAIRPERSON LEVIN: Then, with the
10 energy efficiency, are they getting tax credits on
11 that?

12 TERRY ARROYO: HDC, right, they're
13 getting tax credits, 420-c, as of right tax
14 exemptions.

15 CHAIRPERSON LEVIN: Okay. It seems
16 pretty cut and dried. Are there any questions
17 from my colleagues on this particular item?
18 Seeing none, we're going to move on to Land Use
19 350 and 351. This is Clinton Commons. This is in
20 the Council District represented by Council
21 Speaker Christine Quinn in Manhattan Community
22 District 4. That's C 110125 ZMM. Testifying on
23 this item is Carol Clark and Thebbia Walters from
24 HPD. Thank you.

25 CAROL CLARK: Thank you, Mr.

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2 Chairman. LU 350 and LU 351 consist of a proposed
3 amendment to the zoning map and a UDAAP
4 designation. LU 350 proposes to amend the
5 existing manufacturing district to a residential
6 district, while LU 351 seeks approval of a UDAAP
7 designation both for the area and the property
8 located at 533-543 West 52nd Street in Manhattan.

9 Under HPD's multi-family home
10 ownership program, the city will dispose of one
11 lot, located t 533-541 West 52nd Street. The
12 developer, Clinton Housing Association and
13 Monadnock Construction Inc., will construct one
14 11-story building with approximately 102
15 permanently affordable cooperative units and one
16 superintendent unit.

17 There will also be approximately
18 5,300 square feet of open space. Council Member
19 Quinn has reviewed the project and indicated her
20 support.

21 CHAIRPERSON LEVIN: Ms. Walters, do
22 you have anything to add?

23 THEBBIA WALTERS: I don't.

24 CHAIRPERSON LEVIN: Do any of my
25 colleagues have any questions on this particular

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item? Council Member Barron.

COUNCIL MEMBER BARRON: Will they be seeking tax breaks on this?

CAROL CLARK: Sorry. The funding sources include private financing above \$25 million and HPD capital funds, home funds which are federal monies, New York State funding, NYSERDA which is energy efficiency and a capital grant.

THEBBIA WALTERS: There's an Article 11.

CAROL CLARK: And there's an Article 11 that's also going to be sought. So there will be a tax break.

COUNCIL MEMBER BARRON: Amounting to how much?

CAROL CLARK: That I couldn't tell you off the top of my head.

THEBBIA WALTERS: No, I don't have an answer for that.

COUNCIL MEMBER BARRON: Ballpark? Nothing?

THEBBIA WALTERS: I don't have an amount, a ballpark.

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COUNCIL MEMBER BARRON: Could someone? Things to do later, I can't sit around and wait for him to come and testify. Why can't we have this?

[Pause]

COUNCIL MEMBER BARRON: It's a 40-year exemption. And all the units are permanently affordable?

THEBBIA WALTERS: Permanently affordable.

COUNCIL MEMBER BARRON: What's affordable?

THEBBIA WALTERS: So the affordability on this project, we have approximately--this is my rough math-- approximately 20 percent of the units at up to 80 percent of the AMI; around 32 percent of the units up to 130 percent of AMI; and 48 percent of the units up to 165 percent of AMI.

COUNCIL MEMBER BARRON: I see. I guess that's affordable for that neighborhood.

THEBBIA WALTERS: Well the affordable levels were negotiated with the community board.

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COUNCIL MEMBER BARRON: I'm certain.

CAROL CLARK: Thank you.

CHAIRPERSON LEVIN: We do have a representative from Community Board 4. So we can address that with that gentleman. Do any of my colleagues have any further questions on this particular item?

We are going to call up Joe Restuccia from Community Board 4 in Manhattan. Thank you very much, Ms. Walters and Commissioner Clark.

CHAIRPERSON LEVIN: It's counterintuitive, when the light's off.

JOE RESTUCCIA: My name is Joe Restuccia. I'm the Co-Chair of the Land Use Committee in Manhattan Community Board 4. I'm speaking on behalf of the Clinton Commons project, specifically to the income guidelines. One of our concerns in our community has been that we have a great number of units being produced at 50 or 40 percent of AMI to the Inclusionary Housing Program. Over the past five years, we've had approximately 1,200 units.

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2 What we don't have produced at all
3 are units that hit 80 percent, 130 and 165. Our
4 biggest problem is as people now are in that
5 middle band. They can't afford the market. Our
6 market starts, a studio, at roughly \$2,800 to
7 \$3,000 a month, for a one-bedroom, \$3,800 a month,
8 for a two-bedroom, \$5,500 a month. That puts it
9 outside the range of anybody who is a working
10 person who lives in our community.

11 Especially hard hit are people in
12 public housing who now are doubled up. They
13 cannot afford to move anywhere and compete in the
14 market. So our big concern has always been to hit
15 that middle band of people who are making between
16 \$38,000 for a single to a family of four, \$103,000
17 to \$130,000 in order to keep them in our
18 community. They just get forced out.

19 This is urban renewal land. I am
20 also the executive director of Clinton Housing
21 Development Company, not related to the developer
22 at all, but I've worked with the urban renewal
23 area since 1980. Our goal has always been to have
24 a range of incomes in this area. We're really
25 very happy that this project is making that

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happen.

The key for us was permanent affordability. We will no longer support any projects that have a term of 20 or 30 years. It's a waste of city resources. We find it to be a problem. For us it's permanent affordability. People's lives move on and then all of the sudden you're stuck and they have to move.

So we demanded from this developer and this project, if it were a home ownership project, it would be permanently affordable. It will be a deed restriction running with the land in perpetuity. That's why we support it. Also, it's majority two bedrooms; another issue of us, because we have lots of studios and ones being built.

It's been a very complex project. It's fallen apart and come together many times. Now the final number of units is actually 96, not 103. It's 95 with one super. We're very happy to support it. I'll take any questions.

CHAIRPERSON LEVIN: You mentioned the number of low income units that have been developed through the Inclusionary Program. Do

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2 you have a count of how many units are kind of in
3 the middle band of 80 to 120 or so that have been
4 produced?

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JOE RESTUCCIA: None. That's our

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problem.

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CHAIRPERSON LEVIN: Zero?

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JOE RESTUCCIA: Every one of those

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buildings is 80/20, so it's all 50 and 40 percent

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of AMI, which has really helped a great part of

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our neighborhood residents. But if you are \$10,

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\$200 above, you're out. It's really been a

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problem.

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CHAIRPERSON LEVIN: So literally

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zero? There's been zero.

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JOE RESTUCCIA: Zero. There have

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only been through Inclusionary, through no the

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80/20 through the offsite program, approximately

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50 or 40 units developed at 80 percent of AMI, in

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comparison to the 1,200 at 50 and 40.

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CHAIRPERSON LEVIN: Can you tell me

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a little bit about the structure here with the

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multi-family home ownership, how that is going to

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work?

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JOE RESTUCCIA: It will be a co-op.

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2 There will be a deed restriction on the land.
3 There is a predictable increase in the value of
4 the units. So you don't get to come in here and
5 think you can buy for a small amount and make a
6 killing in the end. It's a small return, like 5
7 percent or something. So it's very, very
8 specific. Really, these units are dedicated for
9 people who really are going to stay in this
10 community, not people who buy, want to flip and
11 move out. The project structure doesn't work that
12 way at all.

13 CHAIRPERSON LEVIN: Maybe I should
14 have asked HPD this, but is there like a flip tax?

15 JOE RESTUCCIA: Yes. There's the
16 flip tax and also there will be an outside monitor
17 on the co-op itself. That's built into the
18 project.

19 CHAIRPERSON LEVIN: So there would
20 be a penalty if anyone were to sell their unit
21 within say ten--

22 JOE RESTUCCIA: [interposing] It
23 has to be approved by the outside monitor, the
24 sales. So it's actually regulated.

25 CHAIRPERSON LEVIN: You couldn't

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even do it if you wanted to and incur the penalty.
For instance, if you wanted to sell your place,
it's not approved by the outside monitor, there's
a restriction that you couldn't even sell it.

JOE RESTUCCIA: The Community Board
would not approve it without the outside monitor.

CHAIRPERSON LEVIN: Do any of my
colleagues have any questions for Mr. Restuccia?
Council Member Barron?

COUNCIL MEMBER BARRON: The 80/20,
20 percent is up to 60 percent of the AMI you
said?

JOE RESTUCCIA: Yeah, but they're
most at 50, 50 and 40.

COUNCIL MEMBER BARRON: 50 and 40.
What is the area AMI?

JOE RESTUCCIA: Our area AMI
overall?

COUNCIL MEMBER BARRON: Your area
AMI.

JOE RESTUCCIA: In the last five
years because of all the development through
Hudson Yards and West Chelsea, it's gone up
dramatically. So we're talking, it's like 40

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something thousand or so. I'm sorry; it's hard to do this. Remember, for city housing programs, it's metropolitan area. But I can tell you in our neighborhood, in our census--

COUNCIL MEMBER BARRON:

[interposing] I mean your.

JOE RESTUCCIA: It's around like \$45,000-\$48,000.

COUNCIL MEMBER BARRON: \$48,000 is the?

JOE RESTUCCIA: AMI, right.

COUNCIL MEMBER BARRON: AMI for that particular area. And the 80 percent is market when it's the 80/20.

JOE RESTUCCIA: Yes.

COUNCIL MEMBER BARRON: So the 80 percent is market. This particular project would be still 20 percent. For those at 50 and 60 and below will be?

JOE RESTUCCIA: No, this project will be for up to 80 percent.

COUNCIL MEMBER BARRON: Up to 80 percent.

JOE RESTUCCIA: We have a hard time

1
2 capturing people between 60 and 80, they just fall
3 out. So we really wanted to make sure we got that
4 group. Then the next two groups which are
5 moderate and middle at 130 and 165.

6 COUNCIL MEMBER BARRON: But those
7 incomes, if they're citywide or the metropolitan
8 area AMI is like, what, 70 something, 76, almost
9 \$80,000?

10 JOE RESTUCCIA: For a single
11 person, 165 is \$86,000. Hold on a second, I'll
12 tell you exactly. For a single person, 80 percent
13 of AMI is 44, up to a family of four at 165, up to
14 130, yes.

15 COUNCIL MEMBER BARRON: Right. So
16 it goes as high as 130.

17 JOE RESTUCCIA: Correct. For a
18 family of four. Let me do apples to apples. A
19 single person, \$44,000 AMI, 80 percent up to
20 \$91,500 for a single person. For a family, 80
21 percent of AMI, \$63,000 up to \$130,000 for a
22 family of four.

23 COUNCIL MEMBER BARRON: What is the
24 racial composition of your area?

25 JOE RESTUCCIA: It's very mixed.

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COUNCIL MEMBER BARRON: What percentages?

JOE RESTUCCIA: It's about 40 percent Hispanic, 60 percent white. And then if you look at certain sub districts like the various NYCHA developments we have, it flips and it becomes around 60 percent Hispanic and African American.

COUNCIL MEMBER BARRON: So 60?

JOE RESTUCCIA: We have three NYCHA developments, so those would flip. In other words, demographically 40 percent is Hispanic and African American, 60 percent white. In the specific NYCHA area, it's 60 percent African American and-

COUNCIL MEMBER BARRON:

[interposing] It's flipped.

JOE RESTUCCIA: It's flipped, right. We're really hoping that this project is going to be able to attract the folks who are stuck in NYCHA who really don't have any opportunities at this point.

COUNCIL MEMBER BARRON: So you're trying to attract more blacks and Latinos?

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2 JOE RESTUCCIA: We're trying to
3 attract our neighborhood residents who don't have
4 an opportunity. That's our problem.

5 COUNCIL MEMBER BARRON: Okay, just
6 checking.

7 CHAIRPERSON LEVIN: Thank you,
8 Council Member Barron. Any further questions on
9 this item? Seeing none; Mr. Restuccia, thank you
10 very much. I do want to say that when I first
11 campaigned I looked to see addressing, coming up
12 with a new program that is similar to the way that
13 Mitchell Lama was developed in the 50s and 60s and
14 70s. This program and however you feel about the
15 income guidelines, it has that same kind of goal.
16 So I think that this is a worthy project in the
17 sense that it is addressing the need for middle
18 income cooperative home ownership that can keep
19 professionals in our city. I mean obviously the
20 pressures; you mentioned the market rents in the
21 neighborhood are just so extraordinary. You said
22 the folks that are able to afford that are
23 working, they're just working at really, really
24 high end jobs.

25 JOE RESTUCCIA: They're not school

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teachers, they're not firemen.

CHAIRPERSON LEVIN: They're not school teachers, they're not firemen. I was happy to hear about this project and what its aims are and what its goals are. To me, it's look at a way to kind of do what Mitchell Lama did. So I want to thank you very much for your testimony.

JOE RESTUCCIA: Thank you very much.

CHAIRPERSON LEVIN: Thank you. We're almost done. Next up, we have Land Use 353, that's Kingston Heights Apartments, in Brooklyn Community District 3. That's in Council District 36, represented by Council Member Al Vann. It's 20115510 HAK. Testifying on this item we have Assistant Commissioner Carol Clark and Jack Hammer from HPD. Ms. Clark?

CAROL CLARK: Thank you, Mr. Chairman. LU 353, known as the Kingston Heights Apartments One consists of the proposed amendment of the existing Kingston Heights Apartments plan and project. The original plan and project, which contains seven multiple dwellings and provides 130 low income rental housing units, plus two

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2 superintendent units was approved by the Board of
3 Estimate in June of 1980.

4 The proposed amendment consists of
5 the deletion of a portion of the project area to
6 facilitate a new project. A separate submission
7 requesting approval of the conveyance of 29
8 MacDounough Street, the deleted portion, was
9 approved by this Council very recently, on March
10 23rd, 2011.

11 So this is the second segment of
12 this. Council Member Vann has been briefed and
13 indicated his support. Thank you.

14 CHAIRPERSON LEVIN: Thank you,
15 Commissioner Clark. Sorry, I failed to mention
16 Jack Hammer is Director of Brooklyn Planning for
17 HPD. Is there anything you would like to add?

18 JACK HAMMER: Nothing to add.

19 CHAIRPERSON LEVIN: Do any of my
20 colleagues have any questions on this particular
21 item? Seeing none; we are going to move on. Is
22 that it? That is it.

23 [Pause]

24 CHAIRPERSON LEVIN: The items that
25 we did not have hearings on today, we are going to

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2 lay over. We are going to be laying over the vote
3 on Land Use 296. That's Maujer/Ten Eyck and
4 Bedford. Until tomorrow at 9:30 and we'll keep
5 the committee open in recess until that time. But
6 we will be taking a vote on the other items that
7 we have heard today. I am recommending an aye
8 vote on all of those. I'm going to ask counsel to
9 the committee, Carol Shine, to call the roll.

10 CAROL SHINE: Chair Levin?

11 CHAIRPERSON LEVIN: Aye on all.

12 CAROL SHINE: Council Member
13 Barron?

14 COUNCIL MEMBER BARRON: May I be
15 excused to explain my vote?

16 CHAIRPERSON LEVIN: Briefly.

17 COUNCIL MEMBER BARRON: I know it's
18 going to pass and I know you're headed in the
19 right direction, but 20 percent of the units at 80
20 percent of the AMI, I believe that the
21 metropolitan AMI is around \$76,000 or close to
22 that. So 80 percent of that is not 53, it's
23 definitely 70 something thousand. The
24 metropolitan AMI?

25 [Pause]

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COUNCIL MEMBER BARRON: Are you all
sure about these numbers?

4

[Pause]

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COUNCIL MEMBER BARRON: Say it
again. Now say that again. Could you come up? I
just want to get clear on this. Because I know
it's different. I'll pass. But I do want to get
this information. Hold it. Can I just get this
please?

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CAROL CLARK: The AMI for family of
four, 100 percent is \$79,200. For at 80 percent,
a family of four is \$63,360. And the ranges from
one individual, \$44,352 to, like I said, \$63,000.

15

16

COUNCIL MEMBER BARRON: So a family
of four would be \$63,000.

17

CAROL CLARK: \$63,360.

18

19

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COUNCIL MEMBER BARRON: Because
it's \$79,000 for a family of four metropolitan,
the AMI.

21

CAROL CLARK: The AMI.

22

23

COUNCIL MEMBER BARRON: Right. All
right. I'll pass.

24

25

CAROL SHINE: Council Member
Gonzalez?

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COUNCIL MEMBER GONZALEZ: Aye on

3

all.

4

CAROL SHINE: Council Member

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Dickens?

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COUNCIL MEMBER DICKENS: Aye on

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all. And when you go back, Charles Barron, you

8

vote on mine.

9

CAROL SHINE: Council Member Koo?

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COUNCIL MEMBER KOO: Aye on all.

11

CAROL SHINE: Council Member

12

Barron?

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COUNCIL MEMBER BARRON: I'm going

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to vote aye on all, except in the Clinton Commons.

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I'm voting no on that because I think it should be

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a larger affordability for the communities that

17

need to be increased in that particular area. But

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I think you're headed in the right direction, and

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it's going forward anyway. But I'm voting no on

20

that.

21

CAROL SHINE: The vote stands at

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five in the affirmative, none in the negative and

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no abstentions, with the exception of LU 350 and

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351, on which the vote is four in the affirmative,

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one in the negative and no abstentions.

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2 CHAIRPERSON LEVIN: We're going to
3 stand at recess until 9:30 tomorrow morning, where
4 we'll take up the vote on the items that we laid
5 aside. I do want to also just recognize Danielle
6 Decerbo and her work on Clinton Commons.

7 With that, we are going to hold the
8 recess but gavel out. Thanks.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature 

Date April 25, 2011