

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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August 19, 2013
Start: 10:00 a.m.
Recess: 10:15 a.m.

HELD AT: Council Chambers
City Hall

B E F O R E: Mark S. Weprin
Chairperson

COUNCIL MEMBERS:

Mark S. Weprin
Robert Jackson
Diana Reyna
Ruben Wills
Albert Vann
Leroy G. Comrie, Jr.

A P P E A R A N C E S

COUNCIL MEMBERS:

Daniel R. Garodnick

Jessica S. Lappin

Vincent M. Ignizio

Steve Senacori

Counsel for Akerman Senterfitt

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CHAIRPERSON WEPRIN: Okay. Good morning everyone. I am Mark Weprin, the Chair of the Zoning and Franchises Subcommittee, and I am joined this morning by the following Members of the Subcommittee, Council Member Al Vann, Council Member Diana Reyna, Council Member Ruben Wills, Council Member Vincent Ignizio, Council Member Robert Jackson, Council Member Leroy Comrie, and Council Member Dan Garodnick. We have two items on our agenda, one we've already had a hearing on, and we will be voting on at the end of the meeting on the Telecommunications Authorization Resolution-- Authorizing Resolution, and the other item--is there a Land Use number or just pre-considered?

COUNCIL MEMBER REYNA: Yeah, pre-considered.

CHAIRPERSON WEPRIN: Okay. Okay, alright. Is C130170ZMQ, this is St. Francis Prep School re-zoning in Council Member Weprin's District, and yes. And Steve, are you doing this by yourself? I'd like to call up Steve Sinacori [phonetic] who's here. Is Robert gonna join you up there or no?

STEVE SINACORI: No, just me.

2 CHAIRPERSON WEPRIN: Okay. Alright, we
3 have Steve Sinacori who's the Counsel representing
4 St. Francis Prep, which happens to a be a full
5 disclosure chief of staff, Chuck Mara's [phonetic]
6 alma mater, just for the record.

7 [laughter]

8 CHAIRPERSON WEPRIN: So without further
9 adieu, Steve, if you describe this application which
10 was unanimously approved by the Community Board to
11 the Committee.

12 STEVE SINACORI: Good morning. Is the
13 mic on? Mic is on? Okay. Good morning, my name is
14 Steven Sinacori. I'm a partner with the law firm of
15 Akerman Senterfitt. Akerman represents St. Francis
16 Preparatory School, the applicant in this matter.
17 St. Francis Preparatory School is a private high
18 school accommodating children in--accommodating
19 children in grades 9-12. It is located at the
20 intersection of Horace Harding Expressway and Francis
21 Lewis Boulevard. By this application, the school
22 requests approval of a zoning map amendment to change
23 form an R32 zoning district to an R4 zoning district,
24 Portions of block 7128, lots 2, 10, and a portion of
25 lot 100. The purpose of the requested actions is to

1
2 increase the permitted floor area of the project area
3 from 1 to 2FAR and facilitate the expansion of the
4 applicant's school by approximately 4,200 square
5 feet. Currently, the school has exhausted all of its
6 floor area. The proposal of zoning is necessary in
7 order for the school to modernize and expand its
8 facility to better serve its students. It is not the
9 purpose of the expansion to increase the number of
10 students in the school, but rather to provide the
11 most up to date facilities. Specifically, this will
12 create new space for the music and science programs.
13 The sole action necessary to facilitate the proposal
14 is a zoning map amendment of maps 10D and 11B. It is
15 requested that the current zoning for the project
16 area be changed from an R32 to an R4 zoning district.
17 The proposed zoning district is very similar in
18 characteristics to the existing zoning district. The
19 only significant differences are that the proposed
20 district allows slightly greater height and an
21 increase in FAR from 1 to 2. Besides accommodating
22 the school space needs, the action will make the
23 zoning consistent with the neighborhood to the west
24 and south that is already zoned R4. It already has
25 buildings of varied height, some much taller than the

1 proposed building. The proposal will allow for the
2 modernization of an important educational resource
3 for the borough of Queens and the City. Therefore, I
4 respectfully request the Committees approval of the
5 application. I just wanted to add that this has been
6 unanimously approved by Community Board 8. It was
7 also approved unanimously by the City Council. It was
8 also approved by the Queens--alright-City Planning.
9 We're not there yet. City, City Planning. And just
10 one other note, this was the first application to go
11 through the City Planning's blue print process. It's
12 the new streamline process to allow applications to
13 move faster, and I believe all in all it's saved
14 approximately six months to the applicant. Though,
15 some of the quirks are being worked out, but it still
16 saved six months. It probably could have saved
17 slightly longer, but it was since it was the first
18 one it was a test case. So I thank you for allowing
19 us to be here, and we thank Council Member Weprin for
20 all the support for St. Francis.

22 CHAIRPERSON WEPRIN: Thank you, Mr.
23 Sinacori, and thank you for the commercial on behalf
24 of the City Planning Department. Mr. Comrie has a
25 question for you.

2 COUNCIL MEMBER COMRIE: Morning Steve.
3 Did--on the map that you have here on the master
4 plane is--what's the five year plan for St. Francis
5 and do you have a estimate of what their student
6 population is expected to be in five years? Is this
7 because they're having a additional student
8 population or this because they're looking for
9 additional needed--

10 STEVE SINACORI: [interposing] Well--

11 COUNCIL MEMBER COMRIE: [interposing]
12 space for Music and Science and labs?

13 STEVE SINACORI: There's no intention to
14 increase the student population, but what they have
15 found over the last number of years is that the Music
16 Program is practicing in the gym. It's practicing in
17 rooms that where the acoustics are not correct, and
18 so in order to enhance the experience of the existing
19 student population, they really need to provide, you
20 know, modernized spaces for the programs. So there's
21 really no intention to increase the student
22 population which is at about 2,600 students.
23 Additionally, they've been able to win some
24 significant Science awards over the last couple of
25 years. I believe it was Intel--Intel semi-finalist,

2 and we believe that with new Science labs we'll be
3 able to have, you know, some more better results in
4 the area of Science. So that's really the program.
5 Prior to this they've built new athletic facilities
6 as well, and after they built the athletic
7 facilities, when they took a look at the school there
8 was no additional floor area left that they could,
9 you know, reorganize and create space for the Science
10 labs and the music program. So that's why it
11 necessitated the re-zoning.

12 COUNCIL MEMBER COMRIE: You wanted to
13 make sure you had dedicated space for space that is
14 dedicated to those particular--

15 STEVE SINACORI: [interposing] Exactly.

16 COUNCIL MEMBER COMRIE: [interposing]
17 disciplines, so that you don't have to share space
18 or--

19 STEVE SINACORI: [interposing] Exactly.

20 COUNCIL MEMBER COMRIE: [interposing]
21 share school space.

22 STEVE SINACORI: And also that the space
23 is the appropriate space that it's for--especially
24 for the music that it had the appropriate acoustics
25

2 and the space is large enough to be able to organize
3 the ensemble and the band.

4 COUNCIL MEMBER COMRIE: And this R4 re-
5 zoning, this is just a spot re-zoning for the lot
6 that the property is on now? Does it go outside into
7 the--

8 STEVE SINACORI: [interposing] It, it
9 goes--it goes outside and it covers part of an
10 existing park, Cunningham Park just to make the
11 zoning map uniform.

12 COUNCIL MEMBER COMRIE: Uh-hm.

13 STEVE SINACORI: But the park pursuant to
14 zoning doesn't have any development rights in any
15 case.

16 COUNCIL MEMBER: So there wouldn't be any
17 way for the park to--it's a City park, so it's no way
18 that--

19 STEVE SINACORI: [interposing] Right.
20 Pursuant to the zoning resolution, a park by
21 definition has no floor area.

22 COUNCIL MEMBER COMRIE: Right, right.
23 Okay. But it does extend the Cunningham Park?

24 STEVE SINACORI: It does extend to a
25 portion of the park.

2 COUNCIL MEMBER COMRIE: Alright, but the
3 Community Board as you said was in favor. And so
4 you're saying that even though at all of the
5 excitement around St. Francis Prep, there's no five
6 year plan to expand the student population? It would
7 seem to me that more and more students are attending
8 St. Francis Prep than ever before. So I would be
9 just curious to know that there's no expansion plan.
10 From what I understand people are trying to get into
11 the school.

12 STEVE SINACORI: There's no--

13 COUNCIL MEMBER COMRIE: [interposing]
14 Isn't there a waiting list now?

15 STEVE SINACORI: expansion.

16 COUNCIL MEMBER COMRIE: You don't have a
17 waiting list to the students to come into this
18 school?

19 CHAIRPERSON WEPRIN: Stop asking
20 questions to the audience.

21 COUNCIL MEMBER COMRIE: I know, I'm just--
22 -

23 STEVE SINACORI: [interposing] I--to the
24 extent that I--that I understand it from the staff
25 that's here and from the Principle Brother Leonard,

1 there's no--no plans to add to the student population
2 more than what the existing population is, because
3 then it could, you know, becomes too--very large, a
4 large student population. It's already, you know,
5 manageable now.
6

7 COUNCIL MEMBER COMRIE: Right.

8 STEVE SINACORI: I think if you add many,
9 many more students it would, you know, it would
10 decrease the school's ability. So there's no plans.

11 COUNCIL MEMBER COMRIE: Well that is the
12 only--it's one of the few remaining private schools
13 in Queens, 'cause I know three others that are
14 closing in Queens this month, unfortunately. I know
15 that there's more of a desire for people to attend
16 that school, so I would--I would humbly consider that
17 you think about the space needs over the future. So,
18 I didn't have no problem with--

19 STEVE SINACORI: [interposing] Well, the
20 current--

21 [crosstalk]

22 STEVE SINACORI: You know, the proposed
23 zoning will give--the proposed zoning will give us,
24 you know, enough square footage that if in fact going
25 forward, you know, that we--that we would want to be

2 able to do that it would allow us. But, you know,
3 also funding is--funding is an issue.

4 COUNCIL MEMBER COMRIE: Right, right.

5 STEVE SINACORI: The capital campaign is
6 very hard to raise money. So they really don't want
7 to take on more than they could handle, and being
8 able to provide the music and the science programs
9 with this space will really be enhanced the
10 educational experience of the existing student.

11 COUNCIL MEMBER COMRIE: Okay. Well, I,
12 again, I would--I just wanted to express my opinion.
13 I've heard, you know, many parents come to me every
14 year asking me about getting their kids into St.
15 Francis Prep. I tell them to go see Council Member
16 Weprin, 'cause it's his--it's in his District. Just
17 kidding. But, you know, it is one of the few schools
18 that we have in Queens that is doing well, and now
19 that they've become Intel Science winners and
20 expanding their music program, and I know of at least
21 other Catholic and Episcopal schools that are
22 closing. I think there will be even more people
23 trying to become St. Francis Prep students, because
24 of the good work that they're doing there. So I
25 agree with it. I think that, you know, that this is

2 a necessary expansion. I just wanted to see if that
3 would cover any other areas. But since it is also
4 adjacent to the Long Island Expressway it's a good
5 location for--

6 STEVE SINACORI: [interposing] Thank you
7 very much Council Member.

8 CHAIRPERSON WEPRIN: Thank you Council
9 Member Comrie. The issue of the parks issue was
10 brought up at the Community Board in in Parks
11 Committee there and was resolved and they seem very
12 comfortable with what Prep is doing. And yes, we will
13 stipulate to St. Francis Prep's great reputation.
14 For the disclosure, Peter Valone [phonetic] Junior's
15 two daughters graduated from there, one just this
16 past year, and both are going to Notre Dame. So
17 that's how well the school is. They must take after
18 their mother. And any other questions of the panel?
19 I see none, so we're very happy. We've worked out a
20 lot of these issues. I know you and I've met in the
21 past, so on behalf of the Committee we're very happy
22 to see this expansion and continued success for the
23 school.

24 STEVE SINACORI: Thank you very Council
25 Member.

2 CHAIRPERSON WEPRIN: Thank you Mr.
3 Sinacori. We're gonna close this hearing. Alright,
4 we're gonna move to a vote now on the two items on
5 the agenda. One is the Telecommunications
6 Authorizing Resolution, which we had heard the
7 hearing several months ago. The other is the--the
8 St. Francis Prep item. The hearing was May 13th,
9 2013 for the Telecommunications. And so these two
10 items, we're gonna couple them together, the
11 Telecommunications Authorizing Resolution and St.
12 Francis Prep School rezoning. And I will call on
13 Council to please call the roll.

14 COUNCIL MEMBER ANNE: Chair Weprin?

15 CHAIRPERSON WEPRIN: Aye.

16 COUNCIL MEMBER ANNE: Council Member
17 Reyna?

18 COUNCIL MEMBER REYNA: Aye.

19 COUNCIL MEMBER ANNE: Chair Comrie?

20 COUNCIL MEMBER COMRIE: I have some un-
21 readiness with the Telecommunications Resolution. We
22 had asked them to get back to us on some MWBE stuff.
23 They never did. So, you know, in light of the fact
24 that we need to make sure that minorities have a
25 chance at doing entrepreneurism in that resolution,

2 I'm un-ready to move forward on voting for that.

3 I'll vote aye on the St. Francis Prep Resolution and
4 no to the Telecommunications Resolution.

5 COUNCIL MEMBER ANNE: Council Member
6 Jackson?

7 CHAIRPERSON WEPRIN: Alright, what we're
8 gonna do is we're gonna do is we're gonna pull the
9 Telecommunications Resolution off of this agenda and
10 lay it over to our next meeting. And so we're gonna-
11 -let's restate the whole roll call here. We're just
12 gonna do the St. Francis Prep today. We're gonna
13 wait 'til the next meeting and do the
14 Telecommunications Resolution at that time. So,
15 let's start again. Anne, we'll call the roll on St.
16 Francis Prep only.

17 COUNCIL MEMBER ANNE: Chair Weprin?

18 CHAIRPERSON WEPRIN: Aye.

19 COUNCIL MEMBER ANNE: Council Member
20 Reyna?

21 COUNCIL MEMBER REYNA: Aye.

22 COUNCIL MEMBER ANNE: Chair Comrie?

23 COUNCIL MEMBER COMRIE: Aye.

24 COUNCIL MEMBER ANNE: Council Member
25 Jackson?

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2 COUNCIL MEMBER JACKSON: Aye.

3 COUNCIL MEMBER ANNE: Council Member

4 Vann?

5 COUNCIL MEMBER VANN: Aye.

6 COUNCIL MEMBER ANNE: Council Member

7 Garodnick?

8 COUNCIL MEMBER GARODNICK: Aye.

9 COUNCIL MEMBER ANNE: Council Member

10 Wills?

11 COUNCIL MEMBER WILLS: Aye.

12 COUNCIL MEMBER ANNE: Council Member

13 Ignizio?

14 COUNCIL MEMBER IGNIZIO: I vote yes.

15 Yes.

16 COUNCIL MEMBER ANNE: By a vote of eight

17 in the affirmative, zero abstentions and zero

18 negatives, Pre-Considered Land Use item St. Francis

19 Preparatory School Re-zoning is approved and referred

20 to the Full Land Use Committee.

21 CHAIRPERSON WEPRIN: Thank you very much.

22 With that the meeting is now adjourned.

23 [gavel]

24

25

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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 08/19/2013