

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUB COMMITTEE OF ZONING AND  
FRANCHISE

----- X

December 10, 2013  
Start: 10:36 a.m.  
Recess: 2:13 p.m.

HELD AT: Council Chambers  
City Hall

B E F O R E:

Chairperson  
MARK S. WEPRIN

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.  
Daniel R. Garodnick  
Jessica S. Lappin  
Vincent M. Ignizio  
Eric A. Ulrich  
Robert Jackson  
Diana Reyna  
Joel Rivera  
Albert Vann  
Ruben Wills

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

John Young

Tom Smith

Queens Office of City Planning

David

Damannion

Shore Homes

2 CHAIRPERSON WEPRIN: Good morning. My  
3 name is Mark Weprin, and I'm Chair of the Zoning  
4 and Franchising Sub Committee of the Land Use  
5 Committee. I am joined by the following members of  
6 the Sub Committee: Council Member Robert Jackson,  
7 Council Member Al Vann, Council Member Daniel  
8 Garodnick, Council Member Jessica Lappin and  
9 Council Member Rubin Wills. We also have a few  
10 members of the Land Use Committee who are here as  
11 well as a couple of members who have items in their  
12 district that are on our agenda.

13 What we're going to do first is there  
14 were a number of items that we had hearings on  
15 already, which we are ready to vote on. And we're  
16 going to vote on those first and then we're going  
17 to follow that with the hearing on the Ozone Park  
18 Rezoning. So the following items are on the agenda  
19 for today and we're going to couple them. 975 Le  
20 Pain Quotidien, the café, sidewalk café, the King's  
21 Bridge National Ice Center, 964, 965, 966 and 967  
22 and 988, which was the Fulton Houses Project. We  
23 are coupling all of those and will be voting on  
24 them as one item.

2 In the meantime, I am going to call on  
3 Council Member Fernando Cabrera who represents the  
4 King's Bridge Armory where the National Ice Center  
5 would be located. Council Member Cabrera.

6 COUNCIL MEMBER CABRERA: Mr. Chairman,  
7 first, I want to thank you for holding a wonderful  
8 hearing, and I want to thank the members of the  
9 committee who were present and also all of the  
10 council members who have been very, very supportive  
11 in dealing with the King's Bridge Armory. I'm very  
12 excited about this project. I know it's been a  
13 long road. It's been a long journey. It's been  
14 really about five years in the making, over a year  
15 of serious discussion particular to this project.  
16 I'm proud to have been the catalyst in bringing the  
17 parties together.

18 During one time we saw -- felt like we  
19 were not going to move into a project. But just  
20 last year meeting with Commissioner Seth Pinski  
21 [phonetic], he -- we had a series of discussions  
22 about eliminating all the road blocks. And out of  
23 those discussions and dealing with the  
24 administration and dealing with President Rubin  
25 Diaz, Junior, everybody came on board regarding

2 this wonderful project. Let me say this is going  
3 to be the largest ice skating complex in the world.

4 We had some issues that I am very  
5 pleased to announce that we were able to resolve  
6 regarding traffic. I'm very happy to announce that  
7 Key Neck has partnered in being able to allocate  
8 some funding, significant funding, to address  
9 traffic issues, to address parking issues, to  
10 address even youth programs, extra youth programs  
11 that are going to now be related to this great  
12 project. And it goes without saying all is well in  
13 dealing with the King's Bridge Road Business  
14 Assistance Program that is going to be administered  
15 through the SBS.

16 All in all, all in all, we were able to  
17 make a good project, a great project, a better  
18 project that is going to protect the community that  
19 is going to enhance economic development. And I  
20 want to give a special thanks to those members from  
21 the Bronx delegation that stood with me, especially  
22 Anna Belle Palma and providing the leadership as  
23 dean of our delegation and the other members as  
24 well who were there right alongside with me and  
25 Speaker Quinn and Mayor Blumberg of course. Roman

2 Martinez, thank you for all your advice. Deputy  
3 Mayor Wilson and Lynch who were there right from  
4 the beginning, thank you very much. It was a  
5 pleasure working with you. And Gail Benjamin,  
6 thank you for -- I know we go through a lot of this  
7 land use here and you always get a thank you, but I  
8 really mean it. Your wisdom in this council, we  
9 couldn't do without. And Chair Comrie, I'll thank  
10 him later once we get to land use. And I also want  
11 to thank my borough president who stood and always  
12 thought that we could have a better project than a  
13 retail mall.

14                   And now we're going to have 180 jobs,  
15 living-wage jobs. Every single one of those jobs  
16 is going to have living wage. It's just incredible  
17 that we're going to be able to do that and have  
18 over a thousand construction jobs and have -- 2,500  
19 young people are going to be provided skating  
20 opportunities for free. So, look, and there's much  
21 more that I can say. I want to thank Key Neck for  
22 working together. I know it wasn't easy at times,  
23 but this is part of the process and the process  
24 just made everything better.

2 Thank you so much, Mr. Chair. Thank  
3 you everyone in this committee. And I'm looking  
4 forward to skating, bringing my grandchildren, my  
5 children and to maybe playing a little hockey.

6 CHAIRPERSON WEPRIN: Okay. I'd like to  
7 just call on Council Member Koppell who represents  
8 the adjoining district for a brief statement as  
9 well. Don't break the mic.

10 COUNCIL MEMBER KOPPELL: Mr. Chairman,  
11 thank you and I'll be brief. I have advocated that  
12 the King's Bridge Armory be converted into a high-  
13 quality sports training and practice facility for  
14 over 20 years. I've advocated this with Borough  
15 President Ferrea [phonetic], with Borough President  
16 Carian [phonetic], with the current borough  
17 president, with a whole bunch of other public  
18 officials unsuccessfully until about a year ago  
19 when this proposal came up.

20 I think it's an absolutely  
21 extraordinary opportunity for the Bronx and for the  
22 city. I represent the district immediately to the  
23 north, and I've been very concerned about the  
24 vacant armory for two decades. I'm delighted that  
25 Council Member Cabrera, who yesterday was opposed

2 to this project, has changed his mind. And I'm  
3 glad to hear that certain of his concerns had been  
4 met.

5 Let me just say that I think the wisdom  
6 of the borough president and others who opposed the  
7 retail mall four years ago and where many of us  
8 were criticized for that have proven to have been  
9 wrong. And that waiting the four years has been  
10 worthwhile because of this very extraordinary  
11 project. And I want to thank my colleagues for  
12 supporting this project, which will make a huge  
13 difference in the northwest Bronx, which I've  
14 represented in different ways for almost 40 years  
15 and in the Bronx as a whole and in the city as a  
16 whole. Thank you, Mr. Chairman.

17 CHAIRMAN WEPRIN: Thank you, Mr.  
18 Koppell. So we are now going to vote on these  
19 items and then we're going to have the hearing on  
20 Ozone Park. So, again, we are coupling 975 Le Pain  
21 Quotidien, the King's Bridge Armory, 964, 65, 66  
22 and 67 and Fulton House is 988. So I'm now going  
23 to call on Council Roberto Moralia to please call  
24 the roll.

25 COUNCIL MEMBER MORALIA: Chair Weprin.



2 CHAIRMAN WEPRIN: Aye.

3 COUNCIL MEMBER MORALIA: Council Member  
4 Reyna. Going to pass. Council Member Jackson.

5 COUNCIL MEMBER JACKSON: Mr. Chair, may  
6 I be excused to explain my vote?

7 CHAIRMAN WEPRIN: Yes, Mr. Jackson, to  
8 explain his vote.

9 COUNCIL MEMBER JACKSON: Thank you.  
10 First of all, I'm so pleased that an agreement was  
11 reached. My understanding that Council Member  
12 Cabrera was not opposed to it. That he had some  
13 issues and concerns that he needed to have  
14 addressed. And, obviously, the parties have  
15 reached agreement on those issues and concerns and  
16 that's the most important thing that we have here  
17 today.

18 I say to all of us that based on the  
19 presentation by the organization that is building  
20 this national ice rink, which is the largest in the  
21 world, they made a very good impression of me when  
22 they presented in front of me. But the bottom line  
23 was that I was listening to the issues and concerns  
24 of my colleague, Fernando Cabrera, who represents  
25 the area. And as we all know in the city council,

2 the council member whose district it's in has been  
3 involved for years in this process. And to  
4 substitute my judgment for the city council member,  
5 it takes a hell of a lot to change that. And I'm  
6 just so happy that we, as a body, did not have to  
7 make a decision that would go contrary to what my  
8 colleagues wishes were. And I'm so happy that an  
9 agreement was reached.

10 And with that I wholeheartedly vote aye  
11 on this particular matter.

12 CHAIRMAN WEPRIN: Thank you, Mr.  
13 Jackson.

14 COUNCIL MEMBER MORALIA: Council Member  
15 Vann. Council Member Garodnick.

16 COUNCIL MEMBER GARODNICK: Aye.

17 COUNCIL MEMBER MORALIA: Council Member  
18 Lappin.

19 COUNCIL MEMBER LAPPIN: May I be  
20 excused to explain my vote?

21 CHAIRMAN WEPRIN: Counsel Member Lappin  
22 to explain her vote.

23 COUNCIL MEMBER LAPPIN: And after  
24 consultation with staff here with other elected  
25 officials in the area, reviewing the materials that

2 have been sent to my office and the final letter  
3 that was sent to us today, I will vote in favor of  
4 this project. Aye.

5 CHAIRMAN WEPRIN: Thank you.

6 MR.MARELLA: By vote of six in the  
7 affirmative, zero in the negative and zero  
8 abstentions, all items are adopted.

9 CHAIRMAN WEPRIN: Great. And we will  
10 be holding the rolls open. We are going to go to a  
11 hearing now with a vote to follow. So we need to -  
12 - not to go too far for us on the next item.

13 Okay. Mr. Moralia, call the roll.

14 COUNCIL MEMBER MORALIA: Council Member  
15 Wells --

16 [Pause]

17 CHAIRMAN WEPRIN: All right. So we're  
18 going to move on to the Ozone Park Rezoning,  
19 preconsidered land use -- what number? It's  
20 preconsidered -- all right. Preconsidered  
21 Application No. C140078ZMQ, Ozone Park Rezoning.  
22 And on behalf of the Department of City Planning we  
23 have Thomas Smith and John Young.

24

25

Guys, welcome. Make sure to state your name for the record as you do this description in Power Point.

MR. JOHN YOUNG: Good morning, Chair Weprin, Council Members, ladies and gentleman. My name is John Young and I'm Director of the Queen's Office of the Department of City Planning. On behalf of Planning Director Amanda Burdon [phonetic], I'm very pleased to be here this morning to introduce the Department of City Planning's Capstone Neighborhood Initiative, the Ozone Park Rezoning.

I'm joined by Tom Smith, the Rezoning Project Manager, and he's going to present the details of the proposal to you. This proposal is the 46th neighborhood rezoning since 2002 that our office has had the privilege of crafting for communities across the borough in order to protect their distinct and cherished characters and insure more orderly and sustainable growth.

To date zoning changes have been implemented for nearly 6,800 blocks encompassing about 44 percent of Queens. As Tom will describe for you, today's rezoning proposal is a very large

2 and comprehensive one. It encompasses 530 blocks  
3 and nearly 20,000 residential lots and it is  
4 proposing nine new zoning districts to reinforce  
5 the building patterns and support local shopping  
6 streets for this southern part of Queens.

7 I want to particularly note that we  
8 could not have successfully crafted this proposal  
9 without feedback from our community advisory  
10 committee that was organized with assistance of  
11 Council Member Eric Ulrich and the participation of  
12 members of community boards nine and ten, dedicated  
13 members of area civil groups and cultural groups  
14 and representatives of other area officials.

15 Following the September 9th  
16 certification of the proposal, we are gratified to  
17 have received very quick and strong support from  
18 community boards nine and ten and Queens Borough  
19 President Helen Marshall. The City Planning  
20 Commission held a special meeting on December 2nd  
21 to expedite their review and approval of the  
22 rezoning. In that report the Commission carefully  
23 examined the concerns raised by property owners  
24 regarding the proposed R3X zone in the portion of  
25 Ozone Park known as Centerville.

1                   But the Commission concluded that his  
2 zoning designation is the most appropriate to  
3 reflect the build context and narrow one-way  
4 streets that define this area. Tom will note this  
5 area when he describes the purposed zoning changes  
6 to you, and we hope that you, too, will support  
7 this finely tuned rezoning initiative to reinforce  
8 the build character and land use patterns of this  
9 large and varied and important Queens neighborhood.

10                   You should've received several handouts  
11 to accompany Tom's presentation about the Power  
12 Point and background on this rezoning. And now Tom  
13 will present.

14                   MR. TOM SMITH: Good afternoon. As  
15 John stated, the Ozone Park Rezoning is a  
16 comprehensive plan that would preserve the look of  
17 the neighborhood's residential side streets and  
18 reinforce the neighborhood's major commercial  
19 corridors. The Ozone Park Rezoning covers an area  
20 of approximately 530 blocks and encompasses other  
21 sections of Queen's Community Board Nine as well as  
22 the northern and central sections of Queen's  
23 Community Board Ten. The zoning in this area has  
24 gone generally unchanged since 1961.  
25

2           The rezoning area is generally bounded  
3 by Atlantic Avenue, 101st Avenue, the Van Wick,  
4 Leppard Boulevard, the Belt Parkway and the  
5 Brooklyn border. The major corridors in the  
6 neighborhood are Atlantic Avenue, 101st Avenue,  
7 Liberty Avenue, Rockaway Boulevard and Cross Bay  
8 Boulevard. The elevated A Train runs along Liberty  
9 Avenue with one branch extending to Leppard  
10 Boulevard and a second branch that runs south  
11 serving Aqueduct Racetrack and Racino and the  
12 Rockaways.

13           Although the bulk of the rezoning area  
14 is in the Ozone Park neighborhood it does cover  
15 portions of Woodhaven, South Ozone Park as well as  
16 smaller neighborhoods of Locust Grove, Centerville,  
17 Tudor Village and Liberty Heights.

18           The rezoning proposal was developed in  
19 response to concerns regarding out-of-character  
20 development in the area that were expressed to City  
21 Planning by local elected officials, the community  
22 boards and civic groups during the study that led  
23 up to the Woodhaven, Richmond Hill rezoning, which  
24 was enacted in 2012. That rezoning area shown here  
25 in the orange shaded area.

2           As previously stated, the zoning in the  
3 area has gone largely unchanged since it was put in  
4 place in 1961. The rezoning area is dominated by  
5 three general resident districts that do not  
6 reflect the existing built character or  
7 differentiate between shopping streets and  
8 residential side streets in the area. In the  
9 southern section through here is an R32 general  
10 residential district. Through the central section  
11 there is an R4 general residential district. And  
12 in the northern section is an R5 general  
13 residential district. There are also locations  
14 with existing C81 districts, M11 and M12 districts  
15 and a C42 district located at the intersection of  
16 Leppard and Liberty.

17           While most common building form in the  
18 rezoning area is the one and two-family detached  
19 house, there are also sizeable areas composed of  
20 one and two-family semi-detached and attached  
21 residential buildings. Mixed use buildings are  
22 also prevalent along the neighborhood's major  
23 corridors.

24           If you go back, you can see on this map  
25 all the light yellow shaded area. Those are all



1 one and two-family detached homes. You really see  
2 that that is the most major land use in the area.  
3 And these two photos really illustrate the types of  
4 development we see. There are also the semi-  
5 detached, the attached row houses and mixed use  
6 buildings along the corridors, the ground floor  
7 retail and residential above.  
8

9           Recent development in the area has  
10 taken advantage of the looser restriction on use  
11 and built form allowed under the existing zoning.  
12 The recent out-of-character developments tend to be  
13 much larger and denser than their neighbors and are  
14 generally not consistent with surrounding yards or  
15 building height. In a lot of areas where there are  
16 the detached one and two-family homes, we have a  
17 lot of attached multi-family homes going in. And  
18 even some areas that are strictly one and two-  
19 family area, we're getting multi-family, semi-  
20 detached homes.

21           After in-depth research and extensive  
22 community outreach three objectives were  
23 established for the rezoning. They are: to  
24 protect neighborhood character and reinforce  
25 existing development patterns, to strengthen the

2 character of neighborhood's commercial corridors  
3 and support mixed use developments, and to prevent  
4 commercial encroachment onto residential blocks by  
5 reducing the depth of commercial overlays and  
6 ensuring that land use patterns are consistent with  
7 commercial uses.

8           As a result of the detailed block-by-  
9 block analysis, nine contextual zoning districts  
10 are proposed for the rezoning area. R3A, R3X, R4A,  
11 R41, R4B and R5B contextual zoning districts are  
12 proposed to more closely match one and two-family  
13 residential building patterns found among Ozone  
14 Parks residential blocks. These zoning changes  
15 will ensure that the future development will  
16 reinforce the surrounding residential contexts.

17           And these are really the development  
18 building types that we matched very closely with  
19 the recommendations. Our 5D, our 6B and our 6A  
20 districts are proposed for portions of Cross Bay  
21 Boulevard, Rockaway Boulevard, 101st Avenue and  
22 Liberty Avenue. These proposed districts will  
23 provide a moderate increase in development  
24 potential where it can support and strengthen an  
25

1 already established mix use area along wider  
2 streets near locations with access to mass transit.

3  
4           B23 commercial overlays are proposed  
5 along the area's major commercial corridors to  
6 support existing retail and service uses and  
7 provide future business location opportunities.  
8 The proposal would also update and reduce the death  
9 of commercial districts along the major corridors  
10 to prevent commercial uses from encroaching onto  
11 residential side streets. New overlays are  
12 proposed to be established at locations, reflect  
13 the location of existing commercial uses and to  
14 provide new business location opportunities.

15           The City Planning Commission held its  
16 hearing for the application on November 6th. At  
17 the hearing testimony was provided by property  
18 owners in the Centerville area outlined here in the  
19 Centerville section of Ozone Park who stated that  
20 the rezoning from R4 to R3X proposed for the area  
21 would be an inappropriate reduction in the  
22 development potential in the neighborhood and could  
23 preclude future development from occurring on many  
24 of the vacant properties in the area.

1                   The Centerville section is one of the  
2  
3 last sections of the rezoning area to be developed.  
4 The proposed R3X rezoning most closely reflects the  
5 low scale one and two family, detached, auto  
6 dependent suburban character of these areas. A  
7 significant number of the properties in the  
8 Centerville area have remained vacant until because  
9 the late 2000s much of this property was owned by  
10 the state.

11                   Centerville also has several unique  
12 infrastructure constraints, which further support  
13 the appropriateness of the proposed R3X zoning.  
14 Such as it has an irregular of short and narrow  
15 one-way streets with limited connections to the  
16 surrounding street network. There is also a lack  
17 of storm water drainage system in the area. There  
18 is also a serious on street commuter parking  
19 congestion problem near the A Train stop on eastern  
20 blocks near the Aqueduct north conduit platform and  
21 stop.

22                   The proposed R3X zone addresses these  
23 constraints and related concerns raised by CB10 and  
24 the area residents by ensuring more expansive yard  
25 and planting areas to minimize additional storm

2 water runoff. A reduction in the number of  
3 possible new curb cuts would result in less  
4 displacement of commuter parking onto other blocks  
5 in the vicinity. The proposed R3X district overall  
6 would allow an amount of new development that could  
7 be more readily tolerated by the existing  
8 infrastructure limits.

9           And you can really see the  
10 infrastructure issues illustrated -- oh, wrong way  
11 -- illustrated in these photos. You can see, even  
12 after a small rainfall you get ponding on the  
13 streets. You can see how narrow the streets are.  
14 The existing one and two-family character buildings  
15 that are in the area. And you can really see this  
16 is the very typical parking situation near the  
17 station. Almost every street parking spot is taken  
18 by commuter. And we do have examples of new  
19 development in the area that would work under the  
20 proposed R3X.

21           This building is -- may have just been  
22 finished under construction and works very well  
23 with the R3X. So development is possible. Now,  
24 our analysis of the vacant lots in the area  
25 concludes that only two out of the 62 privately

2 owned vacant lots would not have as of right  
3 development potential under the proposed R3X  
4 zoning. But these lots are so small and narrow  
5 that they would probably lack any development  
6 potential under the existing R4 zoning.

7           Of the 85 vacant properties within the  
8 R3X, 23 are still under state ownership. 62 are  
9 privately owned. Of these 62 sites, eight are used  
10 by adjoining properties as yard space for swimming  
11 pools, planted areas, things like that. 52 are  
12 privately owned and would be developable under the  
13 R3X.

14           When these properties were sold off by  
15 the state, the purchasers tended to buy adjoining  
16 lots. These assembled properties could easily be  
17 developed under the proposed R3X. And as I said  
18 before, only two of the properties, privately  
19 owned, would be undevelopable under the R3X.

20           In conclusion, the 530 block Ozone Park  
21 Rezoning is a comprehensive plan to protect  
22 neighborhood character, strengthen the character of  
23 neighborhood shopping streets and ensure that  
24 commercial zoning matches up with land use  
25 patterns. Thank you.

2 CHAIRMAN WEPRIN: I'm going to call on  
3 Council Member Ulrich and then Council Member Wills  
4 who have statements on this. Council Member  
5 Ulrich.

6 OLRICH: Thank you, Mr. Chairman. And  
7 I want to than City Planning for their testimony,  
8 more importantly for their hard work on this  
9 rezoning resolution. Three years in the working  
10 and probably 50 years in the making. And a lot of  
11 the civic and community groups are very much  
12 looking forward to this being enacted into law.  
13 They worked so hard on this. Community Board Nine  
14 and Ten in particular took particular interest in  
15 fine tuning and working with City Planning to make  
16 sure that the map that we see before you most  
17 currently reflects the desire on the part of the  
18 community to see growth in the appropriate area  
19 where we up zone in the commercial strips for  
20 instance and appropriate development in areas that,  
21 for lack of a better term, we decided to down zone,  
22 Centerville, Tudor Village, Locust Grove, parts of  
23 South Ozone Park and the area just adjacent to  
24 Atlantic Avenue there between Rockaway Boulevard.

2           So this is something that people are  
3 really supportive of. The community boards  
4 supported, the elected officials supported, the  
5 borough president supports it, the civics support  
6 it. Unfortunately, not everyone supports it but  
7 the stakeholders that really matter, the people  
8 from the community, living in the community, doing  
9 business in the community, they are the ones who  
10 are most in favor of this.

11           And I want to thank my colleague  
12 Council Member Wills because he was involved very,  
13 very early on making sure that this rezoning  
14 expanded into his district. Because the original  
15 proposal was much smaller in scale and now we have,  
16 as I believe you mentioned, the second largest  
17 rezoning in Queens, 530 blocks. So it's a massive,  
18 massive rezoning and I'm urging my colleagues to  
19 approve it as swiftly as possible. So thank you  
20 very much.

21           CHAIRMAN WEPRIN: Thank you, Mr.  
22 Ulrich. Mr. Wills.

23           COUNCIL MEMBER WILLS: I, too, want to  
24 add to Council Member Ulrich's comments about how  
25 great you guys really work with the community. Up



2 until the redistricting I had a smaller portion of  
3 this and you still reached out equally. And after  
4 the redistricting I believe I have upwards of 45  
5 percent of the district now.

6           The zoning for the commercial areas,  
7 especially at the intersection of Leppard and  
8 Liberty will go a long way to help with the  
9 development of some of the commercial areas. It  
10 has a great balance, I believe, of residential and  
11 commercial and that is one of our more transit rich  
12 hubs, so that will have a lot for economic  
13 development for this community.

14           I want to thank Council Member Ulrich  
15 for your leadership on this, day or night, rain,  
16 snow, whatever it was, you were actually pushing to  
17 make sure these meetings were attended and were  
18 attended by the proper parties, the stakeholders in  
19 our communities. I support this fully. I'm urging  
20 all of the members here to vote aye on all or yes  
21 or whatever your quote would be, but I urge you to  
22 vote yes on this.

23           CHAIRMAN WEPRIN: Thank you, Mr. Wills.  
24 Gentleman, thank you very much for your  
25 presentation. We have someone to testify -- did

2 you want to say something? Did you want to add  
3 something? I'm sorry. Council Member Comrie, the  
4 Chair of the Land Use Committee wanted to add  
5 something.

6 MR. COMRIE: I just wanted to echo the  
7 comments of Council Member Wells and Ulrich. Due  
8 to the excellent work that has been done by the  
9 Queen's City Planning staff in order to make sure  
10 that this Ozone Park rezoning happened. I  
11 personally attended two community meetings where  
12 the presentation was given, an opportunity to civic  
13 groups, and I noted that Tony -- Tony? Tom, sorry.  
14 Did everything to make sure that anyone that was  
15 impacted would be aware and had an opportunity for  
16 input.

17 And I just want to thank him and John  
18 Young for everything they did. And I should shot  
19 out Carolyn Rouseman [phonetic] because she's  
20 Carolyn Rouseman and she truly is a great liaison  
21 for the City Planning Office. So with that I would  
22 encourage members to vote aye on all also.

23 CHAIRMAN WEPRIN: You're just being  
24 nice because you're going to be neighbors. All  
25 right. So thank you, gentleman.

2 I'd like to now call up a  
3 representative from Shore Homes. I'm having a hard  
4 time reading the last name. Is it Dilmane?  
5 Dimannion [phonetic]. Okay. Sorry about that. So  
6 just pick out whichever mic you want. Make sure to  
7 state your name for the record. If you do it, you  
8 know, as quickly as possible. I'm not going to put  
9 the clock on you but we'll -- you're the only one  
10 testifying.

11 MR. DIMANNION: I'll be brief.

12 CHAIRMAN WEPRIN: Go ahead. Just read  
13 the statement.

14 MR. DAVID DIMANNION: Good morning,  
15 Chairman Weprin, Council Member Ulrich and members  
16 of the Committee. My name is David Damannion of  
17 Shore Homes. I'm an owner of property in the  
18 proposed rezoning area on the east side of  
19 Centerville Street between 135th Drive and Bristol  
20 Avenue in the Centerville North area of Ozone Park.

21 While I generally agree with the intent  
22 of the rezoning in most of the areas of Ozone Park,  
23 I strongly disagree with the rezoning in the blocks  
24 along both sides of Centerville Streets, the area  
25 highlighted in the attached map as Centerville

2 North and Centerville South. The reasons for my  
3 oppositions are as follows:

4           Number one, we and a lot of other areas  
5 along Centerville Street have been patiently  
6 waiting for the start of the upcoming sewer project  
7 by the City of New York. The lack of sewer is the  
8 reason that we have not been able to build on our  
9 lot. And to down zone this stretch before the  
10 sewer project starts, actually starts, would  
11 effectively prevent us from -- to build what we  
12 intended and will create a tremendous hardship for  
13 us.

14           Number two, one of the goals of the  
15 rezoning is to maintain existing neighborhood  
16 character of one and two-family detached homes, but  
17 contrary to this goal there are numerous semi-  
18 attached homes surrounding Centerville Street.

19           Three, another stated goal of the  
20 rezoning is to direct a moderate amount of new  
21 residential development to locations near mass  
22 transit. Centerville Street is well served by the  
23 A Train Station, which is one block away. It is  
24 also one or two blocks away from the highway. So I  
25 submit to you that the existing R4 zoning along

2 Centerville Street will serve this goal whereas the  
3 proposed R3X rezoning would not. R3X zoning would  
4 result in 50 percent less square footage than the  
5 exiting R4 zoning in terms of residential  
6 construction.

7           Number four, maintaining the R4 zoning  
8 along Centerville Street will attract jobs to the  
9 area, provide much needed housing for the younger  
10 generation that depend on the subway to commute to  
11 work.

12           And lastly, number five, more than half  
13 of the tax laws in the highlighted area around  
14 Centerville Street do not meet the R3X minimum lot  
15 width, which is 35 feet wide or the minimum lot  
16 area, which is 3,325 square feet requirement. In  
17 effect, more than half of these lots will be non-  
18 conforming in the new R3X and would not be  
19 developable as of right. And this includes lots  
20 that either are vacant now or have homes or  
21 structures on them. So in my opinion, the R3X  
22 rezoning would cause the property values on these  
23 lots or existing homes to decrease.

24           So in closing, we urge the city -- I  
25 urge the City Council and the Committee to modify

2 the rezoning plan to allow the R4 zoning to remain  
3 along Centerville Street. Thank you very much.

4 CHAIRMAN WEPRIN: Thank you very much,  
5 sir. I understand that City Planning, you know,  
6 has looked into this and they don't see it as that  
7 many lots that are non-compliant currently. And I  
8 think part of the purpose is to try to stem the  
9 tide of these non-compliant lots, something we've  
10 been doing all over the city, just for the record.  
11 I mean, that's just where are thinking is on this.  
12 But thank you very much, sir.

13 All right. For the record, those who  
14 came in late, I see Council Member Rivera is here,  
15 Council Member Ignizio is here. I'm going to first  
16 close the public hearing on this item, on this  
17 Ozone Park rezoning. We voted earlier on a number  
18 of items including King's Bridge National Ice  
19 Center, the Fulton Houses and Café, La Pain  
20 Quotidien and -- so we have to two votes, I think;  
21 right?

22 So we have one vote, which were the  
23 coupled items before and then a second yes vote on  
24 the pre-considered approval application of 40078  
25 ZMQ, the Ozone Park Rezoning that we just had a

2 hearing on now. So Rob's going to call the roll.  
3 If you voted before, you don't have to vote on the  
4 first group. But if you didn't vote before, vote  
5 yes on that, the coupled items and yes on the Ozone  
6 Park rezoning as well. Mr. Moralia.

7 COUNCIL MEMBER MORALIA: Chair Weprin.

8 CHAIRMAN WEPRIN: I vote yes on the  
9 Ozone Park rezoning.

10 COUNCIL MEMBER MORALIA: Council Member  
11 Rivera on all items.

12 COUNCIL MEMBER RIVERA: I vote aye on  
13 all.

14 COUNCIL MEMBER MORALIA: Council Member  
15 Comrie on all items.

16 COUNCIL MEMBER COMRIE: I vote aye on  
17 all.

18 COUNCIL MEMBER MORALIA: Council Member  
19 Jackson on the preconsidered item.

20 COUNCIL MEMBER JACKSON: Vote aye.

21 COUNCIL MEMBER MORALIA: Council Member  
22 Vann on the preconsidered item.

23 COUNCIL MEMBER VANN: Aye.

24 COUNCIL MEMBER MORALIA: Council Member  
25 Garodnick on the preconsidered item.

2 COUNCIL MEMBER GARODNICK: Aye.

3 COUNCIL MEMBER MORALIA: Council Member  
4 Lappin on the preconsidered item.

5 COUNCIL MEMBER LAPPIN: Aye.

6 COUNCIL MEMBER MORALIA: Council Member  
7 Wills on the preconsidered item.

8 COUNCIL MEMBER WILLS: Aye.

9 COUNCIL MEMBER MORALIA: Council Member  
10 Ignizio on all items.

11 COUNCIL MEMBER IGNIZIO: Aye on all  
12 items.

13 CHAIRMAN WEPRIN: I just want to  
14 clarify. I may have stated the number on the Ozone  
15 Park Rezoning on the last call, which is Pre-  
16 Considered Application Number C140079 ZMQ. I said  
17 eight. It's now -- it's 140079 ZMQ.

18 MR. MARELLO: The vote now stands.  
19 Nine in the affirmative. Zero in the negative and  
20 zero abstentions. All items are adopted and  
21 referred to the full land use committee.

22 CHAIRMAN WEPRIN: And we're going to  
23 leave the rolls open into the start of the Land Use  
24 Committee, which is supposed to start immediately  
25 after this subcommittee. With that in mind we are



2 now -- can I adjourn with that? We are now  
3 recessed into the Land Use meeting. Thank you.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

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. 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.



Date 12/22/2013