

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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June 19, 2014
Start: 10:53 a.m.
Recess: 11:20 p.m.

HELD AT: Committee Room
City Hall

B E F O R E: MARK WEPRIN
Chairperson

COUNCIL MEMBERS:

Jumaane D. Williams
Donovan Richards
Antonio Reynoso
Ritchie Torres
Vincent Ignizio
Inez E. Dickens
Daniel R. Garodnick
Vincent Gentile

CHAIRPERSON WEPRIN: Okay.

[Pause, background voices]

CHAIRPERSON WEPRIN: Okay, I think we're going to get started. Is that alright? Alright, good morning, everyone. This is a very busy day here at City Hall. We're very close to finalizing budget agreements, so everyone's running around, so we apologize for any inconvenience that has been caused. I am Mark Weprin, the chair of the Zoning and Franchises Subcommittee and I want to acknowledge the following members who are present: Council Member Jumaane Williams; Council Member Donovan Richards; Council Member Antonio Reynoso; Council Member Ritchie Torres and Council Member Vincent Ignizio. We have a quorum. We are joined by Inez Dickens, who has an item on the agenda that is in her district and she has a statement she wants to make on that item, so we will do that now. Miss Dickens.

COUNCIL MEMBER DICKENS: Thank you so much, Chair Weprin and the distinguished members of the Subcommittee for allowing me to provide my supportive statement on this development, the 117th Street rezoning, ULURP number 140070 ZMM. On

1 Tuesday, June 17th, the Subcommittee on Zoning held
2 a hearing on this rezoning project, which is
3 located in my district, and seeks to rezone from an
4 R7A to an R8A district for the eastern portion of
5 the block bounded by 117th Street and West 118th
6 Street between Frederick Douglass Boulevard and St.
7 Nicholas Avenue. I was unable to attend due to a
8 pressing event in my district, but I realize that
9 there has been concerns raised by some of my
10 colleagues about this rezoning project.
11

12 For the record, let us be clear.

13 Artemis Construction has been consistent in
14 providing affordable housing opportunities in my
15 district. Many developers, both private and non-
16 profit, as well as representatives from HPD can
17 attest to the fact that I am unyielding when it
18 comes to addressing the issue of affordable
19 housing, which is critical and important to my
20 constituency. They have always worked with me to
21 find the best solutions to addressing the lack of
22 available affordable housing. Artemis has built
23 close to 2,500 units to date, with 70 percent
24 having affordable components ranging from 40
25 percent to 165 percent AMI. Some of Artemis's

1 current active projects in my district are the
2 Harlem River Point South, which boasts 139 units of
3 100 percent affordability with incomes of 40 to 60
4 percent of AMI. Another project is the Harlem
5 Cluster, which is 100 units of 100 percent
6 affordability with incomes of 40 to 130 percent
7 AMI. In regards to the immediate vicinity of St.
8 Thomas the Apostle, Artemis has site control over
9 211 West 117th Street, which is a vacant 17 unit
10 100 percent affordable building program. I have
11 always been able to work with them and they have
12 been extremely receptive to the concerns of my
13 constituency. This is why, after several meetings
14 with the project's developer, I have become a
15 supporter of this development. This is a
16 tremendous need for affordable housing in my
17 district and through negotiations with the
18 developer, I was able to increase the amount of
19 affordable housing from 20 to 30 percent of the
20 dwelling units to be constructed. Artemis has
21 agreed to provide 20 percent of affordable units to
22 low income housing, making no more than 40 to 60
23 percent of AMI. An additional 10 percent of units
24 will be affordable to middle income households,
25

1 making no more than 165 percent of AMI. In
2 addition, they are working to secure financing from
3 new initiatives and programs from HPD yet to be
4 created.

5
6 I learned way before I was elected if
7 you want your community to improve, you'll need the
8 help of those who bring something to it. This new
9 commitment by Artemis will allow for recent
10 graduates and professionals to return to our
11 community to have the ability to start and raise
12 their families and to be assistant to many of which
13 have aging families and parents. As such, we need
14 to be mindful and considerate of families who have
15 no place to live due to the lack of housing options
16 and yet do not qualify for the low-income housing.
17 I know this plan isn't perfect, but it is better
18 than the alternative, where Artemis was within
19 their right to demolish the church and build
20 another luxury housing development that no one in
21 my district would be able to afford.

22 For my Harlem community, it is
23 imperatively critical that St. Thomas Apostle's
24 Roman Catholic ornate Church be restored and remain
25 within the neighborhood and Artemis is also

1 building it so that the indigenous cultural
2 institutions that frequently have no place to
3 showcase what they do and to have free programs
4 available to the youth and to families they will be
5 able to do so at a low to no cost to them by being
6 housed at St. Thomas.
7

8 Artemis has also agreed to preserve and
9 restore the historic religious institution and
10 local community groups will be able to use the
11 space at a significantly reduced cost. The
12 developer has assured me that the restored church
13 building will be used as a community facility
14 space, dedicated to serving local art and cultural
15 groups.

16 Artemis had the option of turning down
17 my proposal to increase affordability because they
18 were able to receive... they were unable to receive
19 any tax credits or loans. Artemis also paid the
20 full market price to the Archdiocese to acquire the
21 property and still decided to renovate and restore
22 the church at a considerable cost to themselves.
23 This is not a designated landmark and they have the
24 option of demolishing the entire area to create
25

1 luxury housing, which would not have been
2
3 acceptable.

4 In a related matter, I would like to
5 commend this administration's efforts to increase
6 housing affordability. We all win when there is an
7 increase in affordable housing, but the biggest
8 question is how do we get there? This
9 administration wants to push for more affordable
10 housing that has yet to write the programs that
11 will actually back the initiatives. We cannot
12 continue to push for affordable housing when we do
13 not have an insurgency of programs in place to
14 actually make it a reality. I was able to
15 negotiate with the prior administration certain
16 proposals for the 125th Street rezoning, which
17 created more than 1,800 units of affordable housing
18 and started the city's first model for affordable
19 homeownership programs, programs many of my
20 colleagues were all too eager to take advantage of
21 for developments in their communities.

22 I want to work together with this
23 administration in order to continue to create more
24 affordable housing and affordable homeownership
25 initiatives. Programs like Mitchell-Lama, for

1 example, provides affordable rental and cooperative
2 housing to moderate and middle income families.

3 Incentives like this allow for the middle-class to
4 be able to afford housing, while giving them the
5 opportunity to remain vested and invested in their
6 communities, yet they have not been included in any
7 program to date. If this administration is truly
8 committed to addressing the issue of affordable
9 housing in this city, then I welcome them to the
10 fight. I ask that we join together in rolling up
11 our sleeves, bringing in the developers from the
12 private and non-profit sector, as well as the
13 members for the city and state agencies and local
14 financial institutions that are truly committed to
15 helping families invest in their communities,
16 institutions like Carver or City National.

17 Affordable housing is endangered and thousands of
18 families are being displace every day. Placing the
19 frustrations of the constituents we represent on
20 the backs of the developer that comes before us
21 doesn't help us to solve the issues that have come
22 to face us. Thinking, planning, coordinating,
23 negotiating is the only way we can get what we need
24 and we want. Thank you, Chair and thank you to the
25

1 committee members for allowing me this testimony,
2
3 and I ask for an aye.

4 [Pause]

5 CHAIRPERSON WEPRIN: Thank you, Miss
6 Dickens. My mic, how is that? So we have a number
7 of items that we closed the hearing on last week
8 that we are going to couple together and I'm going
9 to announce those now. Each of the members is now
10 supportive of this item and the member who
11 represents the district. Land Use Numbers 62 to 65
12 was the Clinton Site 7 in Council Member Johnson's
13 district. Land Use Number 86, the Empire Boulevard
14 rezoning, which was in Council Member Cumbo's
15 district. She had concerns, which have been
16 resolved. I have a letter here from Fox Rothschild
17 to Council Member combo, which she is in agreement
18 with, and she wanted you to know that she supports
19 it. I have a copy of the letter if any of the
20 members want to see it. Land Use Number 87, which
21 is the West 106th Street rezoning and Land Use
22 Number 88, which is the West 117th Street rezoning,
23 which we heard last week as well in Council Members
24 Dickens' and Levine's area. So with that in mind,
25 we're going to couple all those. I'm going to call

2 on the counsel, Anne McCoy, to please call the
3 roll.

4 COMMITTEE COUNSEL: Chair Weprin.

5 CHAIRPERSON WEPRIN: I vote aye.

6 COMMITTEE COUNSEL: Council Member
7 Williams.

8 COUNCIL MEMBER WILLIAMS: I vote aye on
9 all with the exception of LU Number 88, which I
10 abstain.

11 COMMITTEE COUNSEL: Council Member
12 Richards.

13 COUNCIL MEMBER RICHARDS: Aye on all.

14 COMMITTEE COUNSEL: Council Member
15 Reynoso. I'm sorry.

16 CHAIRPERSON WEPRIN: So...

17 [crosstalk]

18 COMMITTEE COUNSEL: Council Mem...

19 [crosstalk]

20 CHAIRPERSON WEPRIN: So Reynoso passes.

21 COMMITTEE COUNSEL: So Reynoso passes.
22 Council Member Torres.

23 COUNCIL MEMBER TORRES: I vote aye in
24 deference to all the local council members.

2 COMMITTEE COUNSEL: Council Member
3 Ignizio.

4 COUNCIL MEMBER IGNIZIO: Yes.

5 COMMITTEE COUNSEL: Council Member
6 Reynoso.

7 COUNCIL MEMBER REYNOSO: Permission to
8 explain my vote.

9 CHAIRPERSON WEPRIN: Mr. Reynoso to
10 explain his vote.

11 COUNCIL MEMBER REYNOSO: Alright, so
12 I'm going to vote aye on all except I'm going to
13 abstain from Land Use Number 86 and I just got into
14 this Council expecting that we're going to raise
15 the bar as to what we're going to be doing,
16 especially in the affordable housing fund on all
17 projects and what I see in this specific
18 application is more of the same. It's affordable
19 housing at a modest at best range and I just want
20 to send a message that moving forward I hope that
21 we continue to fight for more affordable housing
22 past the 25, so I'm going to vote aye on all except
23 Land Use 86, in which I will abstain. Thank you.

24 CHAIRPERSON WEPRIN: Thank you, Mr.
25 Reynoso.

1
2 COMMITTEE COUNSEL: By a vote of six in
3 the affirmative, zero abstentions and no negatives,
4 all items are adopted with the exception of Land
5 Use Number 86, which is adopted by a vote of five
6 in the affirmative, zero negatives and one
7 abstention and Land Use 88, which is adopted by a
8 vote of five in the affirmative, no negatives and
9 one abstention. All items are referred to the Full
10 Land Use Committee.

11 CHAIRPERSON WEPRIN: Thank you very
12 much, Miss McCoy and that Land Use Committee that
13 she refers to will be meeting as soon as we get
14 people into this room. So we are going to leave
15 the vote open on this until Land Use starts. I
16 want to just make mention, those from the audience
17 who have been coming to Land Use for many years,
18 you may want to stick around for Land Use if you
19 were planning on leaving 'cause you deserve a piece
20 of cake, and [laughter] with that in mind, I am
21 going to adjourn the Zoning and Franchises
22 Subcommittee and Land Use will start as soon as we
23 can and the rolls will stay open until then. The
24 meeting is adjourned.

25 [gavel]

2 [Pause]

3 COMMITTEE COUNSEL: Council Member

4 Garodnick.

5 COUNCIL MEMBER GARODNICK: Thank you.

6 I vote aye.

7 [Pause]

8 COMMITTEE COUNSEL: Council Member

9 Gentile.

10 COUNCIL MEMBER GENTILE: I vote aye.

11 [Pause]

12 COMMITTEE COUNSEL: Final vote on

13 Zoning Subcommittee: all items are adopted by a

14 vote of eight in the affirmative, zero abstentions

15 and no negatives with the exception of Land Use

16 Number 86, which is adopted by a vote of seven in

17 the affirmative, no negatives, one abstention and

18 Land Use Number 88, which is adopted by a vote of

19 seven in the affirmative, no negatives and one

20 abstention. All items are referred to the Full

21 Land Use Committee.

22 CHAIRPERSON WEPRIN: The Zoning

23 Subcommittee is now adjourned. [gavel] Full Land

24 Use Committee will start momentarily.

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: 06/24/2014