

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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May 19, 2016  
Start: 12:50 p.m.  
Recess: 12:39 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:

DAVID G. GREENFIELD  
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile  
Annabel Palma  
Inez E. Dickens  
Daniel R. Garodnick  
Darlene Mealy  
Rosie Mendez  
Ydanis A. Rodriguez  
Peter A. Koo  
Brad S. Lander  
Stephen T. Levin  
Jumaane D. Williams  
Ruben Wills  
Deborah L. Rose  
Donovan J. Richards  
Inez D. Barron  
Andrew Cohen  
Ben Kallos

COUNCIL MEMBERS:

Antonio Reynoso  
Ritchie J. Torres  
Mark Treyger  
Carlos Menchaca  
Corey D. Johnson

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

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2                   **TRANSCRIPTION NOTE:** Please verify  
3 start/end times. The information provided for this  
4 hearing was Start: 12:50 p.m. and End: 12:39 p.m.

5                   CHAIRPERSON GREENFIELD: Good afternoon.  
6 My name is David Greenfield; I'm the Council Member  
7 from the 44th Council District in Brooklyn; I'm  
8 privileged to serve as the Chair of the Land Use  
9 Committee.

10                   I want to welcome my esteemed colleagues  
11 who are members of the committee here today, Council  
12 Member Gentile, who gets the gold star, Council  
13 Member Dickens, Council Member Mealy, Council Member  
14 Mendez, Council Member Koo, Council Member Rose,  
15 Council Member Richards, Council Member Barron,  
16 Council Member Cohen, Council Member Kallos, and  
17 Council Member Torres.

18                   I wanna thank Chair Dickens for her work  
19 with the Planning Subcommittee on Tuesday and Chair  
20 Richards for conducting our meetings and hearing this  
21 week in the Zoning Subcommittee, and Chair Koo, as  
22 always, for his leadership of the Landmarks  
23 Subcommittee.

24                   The committee will be voting today on  
25 resolutions before you for presentation and vote by

1  
2 the Full Council. We have seven applications from  
3 HPD; I will go through them briefly here, but the  
4 full details of each application are in front of you  
5 in your briefing sheets; the local council members  
6 are in support of all of these HPD applications.

7 LU Nos. 0350, 0351 and 0352, Caribe  
8 Gardens in Brooklyn. These related applications were  
9 submitted by HPD pursuant to the Private Housing  
10 Finance Law for approval of a modification of an  
11 existing plan, the conveyance of property from the  
12 current owner to a new owner and the extension of a  
13 previously approved real property tax exemption for  
14 properties located in Council Member Reynoso's  
15 district.

16 Caribe Gardens is an existing affordable  
17 housing development financed by project-based  
18 Section 8 Vouchers; these approvals would facilitate  
19 the sale of two portions of the property for new  
20 development; that would include 28 percent of the  
21 floor area as affordable. The sale of portions of  
22 the property would also help to finance the continued  
23 affordability of the existing Section 8 units, as  
24 well as improvements to the existing buildings and  
25 property. [background comments]

1  
2 LU 0357, Madison Street Cluster. This is  
3 an application for approval of tax exemption pursuant  
4 to Article XI of the Private Housing Finance Law for  
5 properties located in Council Member Cornegy's  
6 district of the Brooklyn. This application will  
7 facilitate the preservation of approximately 102  
8 units of affordable housing.

9 LU No. 0364, 775 Jennings Street. This  
10 is an application for approval of a tax exemption  
11 pursuant to Section 577 of the Private Housing  
12 Finance Law for property located in Council Member  
13 Gibson's district in the Bronx. This application  
14 will support the preservation of approximately 13  
15 units of affordable housing.

16 LU 0365, Grand & Rogers Cluster. This is  
17 an application for approval of tax exemption pursuant  
18 to Section 577 of the Private Housing Finance Law for  
19 property located in The Speaker's district and in  
20 Council Member Salamanca's district and in Council  
21 Member Gibson's district. This application is a  
22 correction to the Certificate of Occupancy language  
23 in a previously approved tax exemption.

24 Preconsidered LU, 1370 Lyman Place. This  
25 is an application for approval of an Urban

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2 Development Action Area Program under Article XVI of  
3 the General Municipal Law for property located in  
4 Council Member Gibson's district in the Bronx. This  
5 application will facilitate the preservation of two  
6 affordable apartments.

7 Preconsidered LU, Gladys Hampton House is  
8 an application for approval of a tax exemption  
9 pursuant to Section 577 of the Private Housing  
10 Finance Law for property located in Council Member  
11 Dickens' district in Manhattan. This application  
12 will support the preservation of approximately 204  
13 units of affordable housing.

14 Preconsidered LU, New West II Apartments.  
15 This is an application for approval of a tax  
16 exemption pursuant to Section 577 of the Private  
17 Housing Finance Law for property located in Council  
18 Member Dickens' district in Manhattan. This  
19 application will support the preservation of  
20 approximately 74 units of affordable housing.

21 Finally we have two items from the Zoning  
22 Subcommittee, LU 0363, 3276 Jerome Avenue. This is  
23 an application by Mosholu Petro, LLC for an amendment  
24 to the zoning map change in existing R8 district into  
25 a C8-2 district for the property located in Council

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2 Member Cohen's district in the Bronx. This rezoning  
3 would allow its existing commercial use to continue;  
4 the Council Member supports approval of this  
5 application and the Subcommittee recommended approval  
6 as well and Preconsidered LU, Oxford Nursing Home.

7           Lastly, the Zoning Subcommittee  
8 recommended earlier in the morning disapproval of two  
9 related applications for a zoning map amendment and a  
10 zoning text amendment to facilitate the development  
11 of a nursing home in the Red Hook neighborhood of  
12 Brooklyn. These applications are for properties  
13 located in Council Member Menchaca's district. I  
14 know we have met with the applicant many times to  
15 discuss the issues and after long deliberation remain  
16 apposed to this project. I will now turn it over to  
17 Council Member Menchaca for a statement on these two  
18 applications.

19           COUNCIL MEMBER MENCHACA: Thank you,  
20 Chair. And you're right; we have been talking about  
21 this particular application for a while now and the  
22 land use process ends today essentially with a  
23 mountain of just good information that we've been  
24 able to kind of talk through this whole process and  
25 with that I wanna say thank you to 1199, their



1  
2 workers and their leadership for continuing to have  
3 conversations with us in the City Council, Oxford and  
4 the Braunstein family, they're committed, without any  
5 doubt, I think, making sure that the nursing business  
6 that they have in this for-profit business continues  
7 to thrive. And I also wanna say thank you to all the  
8 residents out there that continue to engage in this  
9 process throughout this very democratic ULURP  
10 process.

11           And finally, I wanna kind of echo some of  
12 the things that have been said in the hearings.  
13 We're not opposed to nursing homes; we're not opposed  
14 to workers; this is not a labor issue; this is about  
15 making the right choice about where to site a future  
16 nursing home and we've gotta do it in the best place  
17 possible. So many people in Red Hook experienced a  
18 very traumatic experience, including in testimony  
19 from a lot of the workers who were part of a  
20 receiving end of nursing patients from across other  
21 flood-zone-prone nursing homes and the trauma they  
22 experienced as well. We have an opportunity here to  
23 do the right thing; we're doing the right thing; it  
24 is not an easy thing, but we're creating precedent  
25 that allows us to move forward in a visionary way

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2 post Sandy and I'm very thankful for all the Council  
3 Members that are gonna be standing with me today;  
4 this is not gonna be easy, but it's the right thing  
5 to do and we, not just me, we -- there are so many  
6 people who are on your side to continue this journey  
7 to site you in a place that makes sense and that  
8 keeps our most vulnerable populations, like our  
9 seniors who are medically... their medical conditions,  
10 to put them in the best place possible; they deserve  
11 that and we're gonna do that together. Thank you.

12 CHAIRPERSON GREENFIELD: Thank you  
13 Council Member Menchaca. Per the Council Member's  
14 recommendation and the recommendation of the Zoning  
15 Subcommittee, we will therefore vote to disapprove  
16 these two items today in relation to Oxford Nursing  
17 Home.

18 Do any members have any questions or  
19 remarks? Hearing none, I will ask the clerk to call  
20 the roll and please call Council Member Koo first,  
21 because he needs to step into another hearing.

22 COMMITTEE CLERK: William Martin,  
23 Committee Clerk, roll call vote Committee on Land  
24 Use. Council Member Greenfield.

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COMMITTEE ON LAND USE

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2 CHAIRPERSON GREENFIELD: Aye on all,  
3 except the two disapprovals.

4 COMMITTEE CLERK: Koo.

5 COUNCIL MEMBER KOO: I vote aye.

6 COMMITTEE CLERK: Mendez.

7 COUNCIL MEMBER MENDEZ: Aye on all.

8 COMMITTEE CLERK: Kallos.

9 COUNCIL MEMBER KALLOS: Aye on all,  
10 including to disapprove the nursing home.

11 COMMITTEE CLERK: Gentile.

12 COUNCIL MEMBER GENTILE: Aye on all,  
13 including the disapprovals.

14 COMMITTEE CLERK: Dickens. Mealy.

15 COUNCIL MEMBER MEALY: Aye on all.

16 COMMITTEE CLERK: Rose.

17 COUNCIL MEMBER ROSE: Aye on all.

18 COMMITTEE CLERK: Richards.

19 COUNCIL MEMBER RICHARDS: Aye on all.

20 COMMITTEE CLERK: Barron.

21 COUNCIL MEMBER BARRON: Permission to  
22 explain my vote.

23 CHAIRPERSON GREENFIELD: Council Member  
24 Barron to explain her vote.

25 COUNCIL MEMBER BARRON: Thank you.

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2 I vote aye on all, but I'm very much  
3 concerned about the Oxford Nursing Home items and I  
4 would hope that we can look to move expeditiously to  
5 see where in fact we might find a location that would  
6 accommodate them and I'm very much also looking to  
7 see what kind of track and performance record the  
8 operator has as we move forward. But I vote aye on  
9 all.

10 COMMITTEE CLERK: Cohen.

11 COUNCIL MEMBER COHEN: Aye.

12 COMMITTEE CLERK: Torres.

13 COUNCIL MEMBER TORRES: Aye on all.

14 COMMITTEE CLERK: By a vote of 12 in the  
15 affirmative, 0 in the negative and no abstentions,  
16 all items have been approved by the committee.

17 CHAIRPERSON GREENFIELD: Thank you. As  
18 is our tradition, we're gonna keep the vote open for  
19 15 more minutes. I also want to apologize that we  
20 started a little bit late today; the Zoning  
21 Subcommittee took a little longer than expected and  
22 we had a hearing of the Land Use Committee with the  
23 Finance Committee that took a little longer than  
24 expected as well, and we will keep the vote open  
25 until 12:30 p.m.

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[pause]

COMMITTEE CLERK: Continuation roll call,  
the Committee on Land Use. Council Member Garodnick.

COUNCIL MEMBER GARODNICK: I vote aye.

[pause]

COMMITTEE CLERK: Continuation roll call,  
the Committee on Land Use. Council Member Treyger.

COUNCIL MEMBER TREYGER: Vote aye.

CHAIRPERSON GREENFIELD: Thank you. And  
just to clarify, Mr. Clerk; I'm voting aye on all,  
including the two disapprovals, as per the  
recommendation of the councilman and subcommittee  
[sic].

COMMITTEE CLERK: Thank you.

[pause]

COMMITTEE CLERK: Continuation roll call,  
the Commission on Land Use. Council Member  
Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Aye.

COMMITTEE CLERK: Final vote now on  
Committee on Land Use stands at 15 in the  
affirmative, 0 in the negative and no abstentions.

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COMMITTEE ON LAND USE

CHAIRPERSON GREENFIELD: The Land Use  
Committee, for the meeting of May 19th, 2016 is  
hereby adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 10, 2016