

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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May 19, 2016  
Start: 11:02 a.m.  
Recess: 11:10 a.m.

HELD AT: Committee Room - City Hall

B E F O R E:

DONOVAN J. RICHARDS  
Chairperson

COUNCIL MEMBERS:

Daniel R. Garodnick  
Jumaane D. Williams  
Antonio Reynoso  
Ritchie J. Torres  
Vincent J. Gentile  
Ruben Wills  
Carlos Menchaca  
Rosie Mendez

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

[gavel]

CHAIRPERSON RICHARDS: Alrighty, good morning. I am Donovan Richards, Chair of the Subcommittee on Zoning and Franchises and this morning we are joined by Council Member Dan Garodnick, Council Member Vincent Gentile, Committee Members **[inaudible]** and Council Member Ritchie Torres and we're also joined by Council Member Menchaca, who this application is in his district.

We have two related items for our consideration today, a zoning map amendment and text amendment in Council Member Menchaca's district; these applications, if approved, would rezone property in the Red Hook neighborhood of Brooklyn from an M2-1 to an M14/R6 and apply the mandatory inclusionary housing program to the property. The actions would facilitate the development of a proposed nursing home on the property.

We held a public hearing on these items on Tuesday this week, hearing testimony both in favor and opposed to approval. Today we will vote on resolution to disapprove these two items. After a long public review process we have carefully

2       considered the merits and have concluded that  
3       disapproval is warranted for two main reasons.

4                   First, the property is located in a  
5       manufacturing zone and on the edge of an industrial  
6       business zone; rezoning to allow residential use on  
7       the property would undermine the industrial character  
8       of the Red Hook waterfront and further reduce the  
9       City's remaining manufacturing zone properties.

10                  Second, we have reservations about the  
11       siting of a proposed nursing home in an area  
12       especially vulnerable to floods, as we've seen with  
13       Sandy.

14                  We do not suggest disapproval of  
15       applications lightly here at the Council; we  
16       recognize that the applicants have put years of hard  
17       work and investment into this project, so we strive  
18       to reach cointenses [sic] when we can; unfortunately,  
19       this is not one of those situations.

20                  I will now let Council Member Menchaca  
21       make a statement about these applications, being that  
22       they're in his district and we follow his lead.

23                  COUNCIL MEMBER MENCHACA: Thank you,  
24       Chair and for those words. I actually don't wanna  
25       spend too much time reiterating what this long and

2   important ULURP process gave us and we are in a time  
3   when we are setting precedent every time we make a  
4   land use decision and this is why we take these  
5   things seriously. We also take seriously the local  
6   council member's perspective and there's real  
7   perspective here that we have brought to the  
8   committee and so I wanna thank the committee and the  
9   Land Use staff for that work that was just outlined  
10  by our chair.

11                   And then finally, I wanna say that we are  
12  in disagreement here, but we are also in agreement on  
13  a lot of other things and I just wanna thank and  
14  really kind of directly thank all the workers at 1199  
15  for their continue work; there is a wake of work that  
16  speaks for you in so many communities in the city;  
17  you're providing health care service to so many  
18  people who need it in our communities and we are in  
19  agreement that you need to continue to do that. We  
20  spent half a dozen times in meetings with the Oxford  
21  team, working through and understanding the  
22  intricacies of this project and so I wanna thank them  
23  for their time in this process; also for what they do  
24  and as they continue to do this work in the future.

1                   And then finally, what I wanna say is  
2  
3 also to the residents that have come out to every  
4 meeting, from the first Land Use Subcommittee meeting  
5 in Red Hook through the Borough President's office,  
6 to the Department of City Planning and thanking them  
7 all and to anyone who's out there listening, this is  
8 what makes this democracy work is when people  
9 participate and so let's continue to participate.  
10 The conversation does not end today; while we are  
11 saying no to the siting of this nursing home  
12 specifically sited in Red Hook, we are saying yes to  
13 the next step, which is to find a home for Oxford  
14 where it makes sense. We are not going to put the  
15 most vulnerable people in a place that is a  
16 manufacturing district or in a flood zone and third,  
17 in a neighborhood that has infrastructure that needs  
18 incredible updating and is not ready for anything  
19 like this.

20                   All those three reasons make it clear for  
21 us as we move forward and I continue to wanna work  
22 forward with you, 1199, Oxford and anyone else who  
23 cares for the future of Oxford and to finding a  
24 suitable space; that's from me and from a lot of the  
25 other council members. So thank you.

2                   CHAIRPERSON RICHARDS: Thank you, Council  
3 Member Menchaca for the explanation on this  
4 application and I think we're gonna just hold on for  
5 around two minutes to wait for Council Member  
6 Garodnick to come back in and then we will call the  
7 vote.

8                   [pause]

9                   CHAIRPERSON RICHARDS: Alrighty, we're  
10 back again. I will now couple these two  
11 Preconsidered Land Use items, the zoning text  
12 amendment and map amendment for a vote of  
13 disapproval. Counsel, please call the roll.

14                  COMMITTEE COUNSEL: Vote to disapprove  
15 Land Use Application No. C150361 ZMK and C1600081  
16 ZRK. Chair Richards.

17                  CHAIRPERSON RICHARDS: Just wanna thank  
18 1199 for their hard work and I look forward to  
19 continuing to work with you as we move along,  
20 especially as we have so many nursing homes in the  
21 Rockaways, it's hard not to work together, but it is  
22 our protocol to follow the local council member's  
23 views, because we entrust them to know what's best  
24 for their communities and with that I vote aye.

2 COMMITTEE COUNSEL: Council Member  
3 Gentile.

4 COUNCIL MEMBER GENTILE: I vote aye.

5 COMMITTEE COUNSEL: Council Member  
6 Garodnick.

7 COUNCIL MEMBER GARODNICK: Aye.

8 COMMITTEE COUNSEL: Council Member  
9 Torres.

10 COUNCIL MEMBER TORRES: In deference to  
11 the local council member, I vote aye.

12 COMMITTEE COUNSEL: Land Use Applications  
13 C150361 ZMK and C160081 ZRK are disapproved, with 4  
14 votes in the affirmative, 0 in the negative and 0  
15 abstentions; they're referred to the Full Land Use  
16 Committee.

17 CHAIRPERSON RICHARDS: Thank you; this  
18 hearing is now closed.

19 [gavel]

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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