

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITION AND CONCESSIONS

----- X

November 1, 2016
Start: 1:14 p.m.
Recess: 1:48 p.m.

HELD AT: 250 Broadway - Committee Rm, 16th Fl.

B E F O R E: Inez E. Dickens
Chairperson

COUNCIL MEMBERS:
Darlene Mealy
Ydanis A. Rodriguez
Andrew Cohen
Mark Treyger

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

Artie Pearson

Director of Land Use HPD's Office of Governmental
Affairs

Lisa Talma

HPD's Department of Property Disposition and Finance

Kevin Paris

HPD's Land Planning Unit

Ashley Pate

L and M Development Partners

Joseph Tall

Tall Prop Equities

1 SUBCOMMITTEE ON PLANNING, DISPOSITION AND CONCESSIONS

3

2 [sound check, pause]

3 [background comments, pause]

4 [gavel]

5 CHAIRPERSON DICKENS: Good afternoon. I
6 am Council Member Inez E. Dickens, Chair of the
7 Subcommittee on Planning, Dispositions and
8 Concessions. Welcome everyone to today's hearing. I
9 want to thank and acknowledge my Sergeant at Arms
10 Mohammed Ashad and Mackenzie Joseph, my Land Use
11 Director, Raj Ahman, Deputy Director Amy Levitan, and
12 my attorney Dylan Casey, and Project Manager Jeff
13 Youn.

14 We are joined today by Council Members on
15 the Subcommittee, Council Member Andrew Cohen and
16 Council Member Mark Treyger. We have seven items on
17 our calendar, but at this time I will layover Land
18 Use items 502 and 503, both known as TMN904 cluster.

19 Today we hold a hearing on the following
20 applications: Land Use Item 501, known as One
21 Flushing Tax Abatement; Land Use 513 and 514, third
22 party transfer; and Land Use Items 515, 516, 517,
23 518, and 519 and Preconsidered Land Use all
24 pertaining to Lexington Gardens II.

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 I am now opening up the public hearing
3 for Land Use Item 501, an application by HPD for tax
4 exemption in Council Member Koo's district. This is
5 an amendment pertaining to a community facility space
6 within the building.

7 Please announce yourselves, party.

8 ARTIE PEARSON: Good afternoon, Chair
9 Dickens and members of the Subcommittee. I am Artie
10 Pearson, Director of Land Use from HPD's Office of
11 Governmental Affairs, and I am joined by Jacqueline
12 Sachs from the Queens Planning Office.

13 Land Use Number 501 consists of a
14 proposed technical amendment of a previously approved
15 project located at 131 to 145 31st Avenue, which is
16 Block 5034, Lot 64, and 133-51 41st Avenue, Block
17 5037, Lot 65, and is known as One Flushing in Queens
18 Council District 20.

19 On June 21st, 2016, the City Council
20 approved Res 1159 authorizing the development of the
21 One Flushing Project along with approval of tax
22 benefits under Article 11. HPD's original submission
23 did not explicitly set forth the uses of the
24 community facility space which would also qualify for
25 tax benefits. Land Use 501 seeks a technical

1 COMMITTEE ON CIVIL SERVICE AND LABOR

5

2 amendment and order for both the residential and
3 community facility spaces to receive the exemption.
4 This modification requires that a minimum of 5,000
5 square feet of the project to be based as a community
6 center for other uses such as a settlement house,
7 noncommercial recreation center, a library, museum,
8 noncommercial art gallery or a school. The above-
9 mentioned uses are supported by the local Council
10 Member; therefore, HPD is before the Subcommittee
11 seeking approval of the technical amendment, and if
12 you have any questions we can answer them.

13 CHAIRPERSON DICKENS: Thank you so much.
14 Are there any questions from my colleagues? So this
15 is really not a difficult situation because this is
16 really an existing building?

17 ARTIE PEARSON: This is a new construction
18 property that is going to have a commercial facility
19 space, and we just want to make sure that the
20 language is tightened up so that these specific types
21 of community facility uses are covered by the tax
22 exemption.

23 CHAIRPERSON DICKENS: Alright, and this
24 was really something that we had approved before?

25 ARTIE PEARSON: That is correct.

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 ⁶ CHAIRPERSON DICKENS: Alright. And seeing
3 that my colleagues have no questions and no questions
4 from the public, I will now close the public hearing
5 portion on Land Use Item 501.

6 I am now opening up the hearing for Land
7 Use 513, a third party transfer application in
8 Council Member Barron's district. This application
9 is by the New York City Department of Finance and HPD
10 for the transfer and disposition of property and
11 related tax exemptions for property located at 754
12 Miller Avenue. Please identify yourselves.

13 ARTIE PEARSON: Good afternoon, Chair
14 Dickens. Again, I am Artie Pearson from HPD's Office
15 Of Governmental Affairs.

16 LISA TALMA: And I am Lisa Talma from
17 HPD's Department of Property Disposition and Finance.

18 CHAIRPERSON DICKENS: You have been very
19 busy.

20 ARTIE PEARSON: Under HPD's Third Party
21 Transfer program, Round 8, Land Use Number 513
22 consists of the proposed approval of tax benefits for
23 property located at 754 Miller Avenue which is Block
24 4303, Lot 32, which is a vacant building containing
25 six units in Brooklyn Council District 42. As part

1 COMMITTEE ON CIVIL SERVICE AND LABOR

7

2 of the TPT program, the Commissioner of Finance
3 included this parcel in an interim action number 51
4 which was initiated in 2007 given the owner failed to
5 satisfy municipal charges within a prescribed
6 timeframe. The interim judgment for Land Use 513 was
7 obtained by the law department in October of 2011,
8 and HPD submitted the transfer request to the Housing
9 and Buildings Committee for its 45 review period on
10 May 14th, 2012. However, on June 21st, 2012, HPD
11 withdrew the submission from consideration giving
12 litigation by the owner had initiated a lawsuit, and
13 in March of this year the law department obtained a
14 judgment of foreclosure and the transfer process has
15 resumed. HPD submitted a new transfer request to the
16 Housing and Buildings Committee for their review
17 which concluded on October 13, 2016, and the property
18 has been transferred to Neighborhood Restore. Once
19 the final scope of work and financing has been
20 determined, the building will be conveyed to a
21 perspective purchaser selected through a competitive
22 process. The property will be rent stabilized and it
23 is anticipated rents will be 30 and 120 percent of
24 AMI. Therefore, HPD is before the Planning
25 Subcommittee seeking approval of Article 11 and UDAAP

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 tax benefits in order to facilitate the affordability
3 of this rental housing.

4 CHAIRPERSON DICKENS: Thank you so much,
5 Artie. Now, let me ask you on this, this is still
6 vacant?

7 ARTIE PEARSON: This is a vacant building,
8 yes.

9 CHAIRPERSON DICKENS: Still vacant, and it
10 is only six units and it is in the TPT program?

11 ARTIE PEARSON: That is correct.

12 CHAIRPERSON DICKENS: And so this will
13 allow the disposition transfer and disposition of the
14 property and the tax exemptions that were inherent
15 within the property, is that correct?

16 ARTIE PEARSON: This will allow for the
17 tax benefits. The transfer has occurred already to
18 Neighborhood Restore. This was part of a bankruptcy
19 and as part of that plan it was required that we
20 transfer this property within a prescribed time
21 period.

22 CHAIRPERSON DICKENS: Are there any
23 questions from my colleagues? Council Member Cohen.

24 COUNCIL MEMBER COHEN: Thank you, Chair.
25 It was six units before; it will be six units again?

1 COMMITTEE ON CIVIL SERVICE AND LABOR

a

2 ARTIE PEARSON: That is correct.

3 COUNCIL MEMBER COHEN: And you said the
4 units are going to be rent stabilized?

5 ARTIE PEARSON: That is correct.

6 COUNCIL MEMBER COHEN: The rent, but you
7 will be able to set them, you are not gonna be in any
8 way encumbered by whatever the rents were, the
9 previous rent stabilized rents were?

10 LISA TALMA: Yes, as part of the process
11 we will do a rent restructuring. I mean we would do
12 a rent restructuring regardless, but without existing
13 tenants we would be able to set the rents for each of
14 the units in the building.

15 COUNCIL MEMBER COHEN: And do you know
16 with the six units, what the sizes are?

17 LISA TALMA: I do not believe I have the
18 square footages on the... the six units.

19 COUNCIL MEMBER COHEN: The number of
20 bedrooms?

21 ARTIE PEARSON: This is a vacant building
22 and the buildings that are in the TPT portfolio are
23 very difficult to get into as they are still
24 privately owned property so it is really hard to do a
25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

10

2 survey within the structure so we cannot really know
3 for sure until...

4 CHAIRPERSON DICKENS: But certainly since
5 it had tax benefits before, certainly you must have
6 an idea of what sized units are in there, whether
7 they are one-bedroom, two-bedroom or three-bedroom,
8 Artie?

9 ARTIE PEARSON: I am not sure if this
10 building had a tax exemption before but since the
11 project has been conveyed to Neighborhood Restore, we
12 will follow up with them to see if they have been
13 able to get into the building and find out the number
14 of bedrooms.

15 CHAIRPERSON DICKENS: And if it was rent
16 stabilized before and it is going to remain rent
17 stabilized, is that the answer that I heard you gave
18 to Council Member Cohen?

19 ARTIE PEARSON: Yes.

20 CHAIRPERSON DICKENS: Alright, so will it
21 be based upon the base rent of the last stabilized
22 rent or is it going to be a total restructuring?

23 LISA TALMA: Yeah, the rent setting will
24 be impacted primarily by the amount of work that is
25 needed in the building and the amount was financing

1 COMMITTEE ON CIVIL SERVICE AND LABOR

11

2 that needs to go into the building because at the end
3 of the day we need the building to be able to pay for
4 the debt service of the loans needed to rehabilitate
5 the building.

6 CHAIRPERSON DICKENS: How long has it been
7 vacant?

8 LISA TALMA: I do not believe I have that
9 information on the term of the vacancy.

10 CHAIRPERSON DICKENS: This is the basic
11 information I expect you to come to hearings with.

12 ARTIE PEARSON: How long it is been
13 vacant?

14 CHAIRPERSON DICKENS: Yes. I apologize,
15 Council Member. Continue.

16 COUNCIL MEMBER COHEN: And then you also
17 said that the rents are going to range from 30
18 percent of AMI to 120 percent of AMI. I mean it is
19 only six units. If you could be a little more
20 specific, that would be helpful?

21 LISA TALMA: More than likely our plan is
22 going to be to couple this building with other
23 buildings that will come through around TANF, the
24 third party transfer program, so that enables us a
25 greater flexibility to serve have economies of scale

1 COMMITTEE ON CIVIL SERVICE AND LABOR

12

2 on the financing and be able to have more affordable
3 rents.

4 COUNCIL MEMBER COHEN: But what are you
5 project, of the six units, what are you projecting
6 the rents at? Either they are going to be one at 30
7 percent and five at 120 or...

8 ARTIE PEARSON: Yeah, typically we try to
9 aim as many of the units as we can more towards like
10 the 60 percent AMI range, but we try to get a
11 balance. It does often depend on the number of
12 vacancies within a cluster as a whole in terms of
13 where we end up honestly.

14 COUNCIL MEMBER COHEN: I mean do not get
15 me... I defer to Council Member Barron, but we are just
16 not getting a lot of information in terms of what
17 this is going to look like in the end, and so... thank
18 you, Madam Chair.

19 CHAIRPERSON DICKENS: Are there any other
20 questions? We have been joined by Council Member
21 Ydanis... well, we were joined by Council Member Ydanis
22 Rodriguez, and I believe he is here somewhere. There
23 are no commercials in this. Do you have any idea of
24 the amount of rehabilitation that is going to his
25 required, is it going to be substantial, moderate?

1 COMMITTEE ON CIVIL SERVICE AND LABOR

12

2 LISA TALMA: We are anticipating a
3 substantial renovation, a substantial rehab.

4 CHAIRPERSON DICKENS: But not gut?

5 LISA TALMA: Not necessarily gut. As we
6 do the walkthroughs though, we will have a better
7 sense of like the level of joist replacement, etc.,
8 that the building will need.

9 CHAIRPERSON DICKENS: And Council Member
10 Barron is in support of this?

11 ARTIE PEARSON: Yes.

12 CHAIRPERSON DICKENS: And, yes, we were...
13 we have been joined by Council Member Ydanis
14 Rodriguez who did not get the gold button today.
15 Seeing that there are no questions from the public, I
16 will now close the public portion of Land Use Item
17 513, and I'm now opening up the public hearing for
18 Land Use Item 514, a third party transfer application
19 in Council Member Rodriguez's district. This
20 application is by the New York City Department of
21 Finance and HPD for the transfer and disposition of
22 property and related tax exemptions for property
23 located at 440 West 164th Street. Artie?

24 ARTIE PEARSON: Yes.

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

1 A

2 CHAIRPERSON DICKENS: Please reidentify
3 yourself please?

4 ARTIE PEARSON: Yes, Artie Pearson, HPD's
5 Office of Governmental Affairs.

6 LISA TALMA: And Lisa Talma, HPD's Office
7 of Property, Disposition, and Finance.

8 ARTIE PEARSON: So Land Use 514 is also
9 within the Third Party Transfer program. This is
10 from round three and it is located at 440 West 164th
11 Street, and that is Block 2110, Lot 76, in Manhattan
12 Council District 10. As part of TPT, the
13 Commissioner of Finance included this parcel in
14 Interim Number 42 which, as I mentioned, was
15 initiated in 2001 given the owners did not pay
16 municipal charges within the prescribed time period.
17 Just prior to entry of judgment, an owner filed for
18 bankruptcy preventing the interim action from
19 proceeding any further. On July 15th of this year,
20 the law department was able to get the bankruptcy
21 stay lifted and the TPT process resumed, which
22 entailed completing the mandatory redemption period
23 followed by the 45-day review period by the Council's
24 Housing and Buildings Committee. On August 31st,
25 2016, HPD delivered its submission to the Housing and

1 COMMITTEE ON CIVIL SERVICE AND LABOR

15

2 Buildings Committee and they concluded their review
3 on October 13th, 2016. The property has since
4 transferred to Neighborhood Restore who will
5 stabilize this building, and once the final scope of
6 work and the financing has been determined, the
7 building will be conveyed to a perspective purchaser
8 selected to a competitive process. This building was
9 formerly a TIL building and will now become rent
10 stabilized and similarly to the 754 Miller property
11 is anticipated that rents will be set between 30 and
12 120 percent of AMI, and HPD is before this committee
13 seeking approval of the Article 11 and UDAAP tax
14 benefits in order to facilitate the continued
15 affordability of the dwelling units.

16 CHAIRPERSON DICKENS: Thank you. Now how
17 many units are in this building?

18 ARTIE PEARSON: This is a 20-unit
19 building.

20 CHAIRPERSON DICKENS: 20-unit. And what
21 has happened with the tenants that were in the TIL
22 program, what's going on?

23 ARTIE PEARSON: Well, the building is
24 partially occupied and I'm going to let Lisa talk
25 about what's happening at this building.

1 COMMITTEE ON CIVIL SERVICE AND LABOR

16

2 LISA TALMA: A few of the shareholders are
3 still in the building. Some of the original
4 shareholders had sold their shares though and are no
5 longer in the building.

6 CHAIRPERSON DICKENS: So you're saying
7 that none of the original TIL, the owners have any
8 shares or any... or not occupants now of the building,
9 is that correct?

10 LISA TALMA: Some. Some of the original
11 shareholders sold their shares and are no longer
12 occupants of the building. A few of the original
13 shareholders remain in the building.

14 CHAIRPERSON DICKENS: Because I'm very
15 concerned when we lose a TIL building because that is
16 the only way we can try to maintain ownership in our
17 communities is through the TIL program albeit I've
18 always complained about the running of the TIL
19 program by HPD. I still am a strong proponent of
20 ownership in your community, in one's community, so
21 that is a big concern to me. Council Member
22 Rodriguez?

23 COUNCIL MEMBER RODRIGUEZ: Yes, thank you
24 Chair. How much does the current owner owe to the
25 city, what is left?

1 COMMITTEE ON CIVIL SERVICE AND LABOR

17

2 ARTIE PEARSON: The total liens are, as of
3 today, is \$1,758,000 and \$944,000.

4 CHAIRPERSON DICKENS: How many million?

5 ARTIE PEARSON: 1.7.

6 CHAIRPERSON DICKENS: Really?

7 ARTIE PEARSON: Yes.

8 CHAIRPERSON DICKENS: Okay. And because I
9 never knew you could owe that kind of money to the
10 city. I'll talk to you later and see how it is done.
11 Go ahead, I apologize, Council Member.

12 COUNCIL MEMBER RODRIGUEZ: So as we will
13 work with you supporting what HPD would like to do in
14 the building and the building being transferred to
15 **(INAUDIBLE)** will that building be maintained as
16 affordable housing or at some point will that
17 building be sold at market price?

18 LISA TALMA: Yeah, that building will be
19 maintained as affordable housing, affordable rental
20 housing. There will be a regulatory agreement put
21 onto the building as well.

22 COUNCIL MEMBER RODRIGUEZ: And the 80
23 percent, the rent that will be set at, set or below
24 80 percent, and **(INAUDIBLE)** that number is too high
25 for some people who live there, what additional

1 COMMITTEE ON CIVIL SERVICE AND LABOR

12

2 resources are you providing to the tenants for those
3 who are not in the 80 percent AMI?

4 LISA TALMA: Right. So with respect to
5 existing tenants in the building under the Third
6 Party Transfer program, we establish the rents with
7 sensitivity to the incomes of the existing tenants.
8 So therefore, the rents for existing tenants are set
9 at the higher of either 30 percent of their income.
10 30 percent of their income or what's the higher
11 level? Or, sorry, the current rent that they're
12 paying. In this case, since this was previously a
13 coop, that current rent would be deemed whatever the
14 maintenance that they were paying.

15 COUNCIL MEMBER RODRIGUEZ: Okay, thank
16 you.

17 CHAIRPERSON DICKENS: Is this going to
18 rent stabilization now, and which regulatory
19 agreement are we referring to?

20 LISA TALMA: Sure. This would be going
21 into rent stabilization. In addition, there would be
22 a rental regulatory agreement upon the property.

23 CHAIRPERSON DICKENS: It will be
24 affordable tied to the number of years that they

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

1 a

2 receive the tax benefit or is it in perpetuity, what
3 is it?

4 LISA TALMA: Yeah, the term of the
5 regulatory agreement would be either 30 years or the
6 term of the tax abatement, Article 11...

7 CHAIRPERSON DICKENS: Whichever is...

8 LISA TALMA: Whichever is longer, exactly.
9 But in terms of rent stabilization, that would be
10 continuous. That would extend even past the term of
11 the regulatory agreement.

12 CHAIRPERSON DICKENS: Are there any
13 further questions from my colleagues? Seeing none
14 and no members of the public wishing to give
15 testimony, I will now close the public portion on
16 Land Use Item 514. Council Member Rodriguez, does
17 this have your approval?

18 COUNCIL MEMBER RODRIGUEZ: 100 percent.

19 CHAIRPERSON DICKENS: Was there something
20 you were adding? Alright. I will now couple Land
21 Use Items for a vote to approve 501, 513, and 514,
22 and I know for the record that these applications
23 that we're voting on today have the full support of
24 the local Council Members and my support as well. I

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 will now call on Council to call the roll on a vote
3 to approve.

4 SECRETARY: Chair Dickens?

5 CHAIRPERSON DICKENS: Aye.

6 SECRETARY: Council Member Rodriguez?

7 COUNCIL MEMBER RODRIGUEZ: Aye.

8 SECRETARY: Council Member Cohen?

9 COUNCIL MEMBER COHEN: Aye.

10 SECRETARY: And Council Member Treyger?

11 COUNCIL MEMBER TREYGER: Aye.

12 SECRETARY: By vote of four in the
13 affirmative, zero in the negative, and zero
14 abstentions, Land Use Items 501, 513 and 514 are
15 approved and referred to the full Land Use Committee.

16 CHAIRPERSON DICKENS: Thank you so much,
17 Council. I am now opening up the public hearing for
18 Land Use Item 515, 516, 517, 518, and preconsidered
19 Land Use all pertaining to Lexington Gardens II. HPD
20 and the developers seek approvals that will
21 facilitate the construction of one new affordable
22 housing building with 390 dwelling units. The
23 actions requested are a zoning map change, a zoning
24 tax amendment to map a mandatory inclusionary housing
25 area, zoning special permits, a UDAAP designation and

1 COMMITTEE ON CIVIL SERVICE AND LABOR

21

2 project approval and disposition. These actions
3 affect properties on Block 1635, Lots 17 and 16. A
4 real property tax exemption is also requested for
5 property located at 1461 Park Avenue, Block 1635, Lot
6 1. These properties are located in Speaker Melissa
7 Mark-Viverito's district. This is a reminder to the
8 Committee that this is a hearing and the vote will be
9 laid over until our next hearing. Please identify
10 yourselves.

11 ARTIE PEARSON: Afternoon, Chair Dickens.
12 I'm Artie Pearson, Director of Land Use at HPD's
13 Governmental Relations Office.

14 KEVIN PARIS: Good afternoon. My name is
15 Kevin Paris. I'm with HPD's Land Planning Unit.

16 ASHLEY PATE: Hi, my name is Ashley Pate.
17 I'm with L and M Development Partners.

18 ARTIE PEARSON: Land Use Numbers 515, 516,
19 517, 518, 519 and the preconsidered item are all
20 ULURP related items regarding the development of a
21 project known as Lexington Gardens II. Land Use
22 Number 519 consists of the UDAAAP designation, project
23 approval and disposition of vacant city-owned land
24 located at 1461 Park Avenue. That is Block 1635, Lot
25 1. Under HPD's mix and match program, the sponsor is

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 22

2 proposing to construct a new mixed use residential
3 project on the development area which includes the
4 city owned lot and two privately owned lots located
5 at Block 1635, Lot 716. The building would be
6 comprised of approximately 399 rental units plus one
7 unit for a superintendent, and this project also
8 includes mandatory inclusionary housing under Option
9 II. There will be a mixture of unit types including
10 studios, one-, two-, and three-bedroom units that
11 will be rent stabilized. The household incomes for
12 this project will be 50 percent, 80 percent, and 130
13 percent. Rents will be underwritten under 47
14 percent, 80 percent, and 130 percent, and the rents
15 will range from \$600 to \$1700 for a studio, and
16 \$1,053 to \$3,000 for a three-bedroom unit.
17 Additionally, the project will include 38,576 square
18 feet of community facility space of which 35,000
19 square feet will be for the north side childhood
20 development center and the balance is anticipated for
21 union settlement, an East Harlem organizing group.
22 4,900 square feet of retail, 25 parking spaces that
23 will serve the existing Lexington Gardens project and
24 32 spaces that will serve as replacement spaces for
25 the NYPD, 10,822 square feet of open space will

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 22

2 service the school and residents of the new building.
3 This open space will be located on the area of the
4 private parcels for the final development, and this
5 project includes the creation of a large scale
6 development plan to enable the new construction.
7 There are some zoning amendments as well. Land Use
8 515 is related to the proposed amendment to the
9 zoning map to change the existing commercial and
10 residential districts, which is C8-4 and R7-2 and R7-
11 2C-15 to an R9 and C2-4. Land Use number 516 is
12 related to the proposed amendment of the Zoning
13 Resolution of the City of New York for the purpose of
14 establishing a mandatory inclusionary housing area.
15 517 is related to the application for a special
16 permit of the Zoning Resolution to modify the height
17 and setback requirements and the street wall location
18 requirements. Land Use Number 518 is related to the
19 application of a special permit to waive within a
20 large scale development, 80 off-street parking spaces
21 for a new building and 25 previously required off-
22 street parking spaces for an existing development on
23 the zoning lots. And I'm going to turn the
24 presentation at this time over to the developer who
25 is going to go through some slides for you.

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 21

3 ASHLEY PATE: Good afternoon. As I
4 mentioned, my name is Ashley Pate. I'm with L and M
5 Development Partners. I'm excited to be here along
6 with our partners Top Rock (SIC) Equities and the
7 city, HPD, to present to you our application for
8 Lexington Gardens II. We are proposing a new 100
9 percent affordable housing building with
10 approximately 400 residential units and additionally
11 a large amount of community facility space to
12 accommodate the new headquarters for the North Side
13 Center for Child Development and a two-story space at
14 the project and additionally a 3,000 square foot
15 space for settlement. Both of these organizations
16 have been longstanding members of the East Harlem
17 community and have been serving the community for 70
18 to 100 years. Additionally, along the corner of
19 Lexington Avenue and 108th Street, we're proposing a
20 4500 square feet ground floor retail space, and we
21 are also providing two parking garages as was
22 mentioned previously. One to replace 25 parking
23 spaces for the existing Lexington Gardens building
24 that is on the block, and the other to replace
25 parking spaces for the NYPD which currently parks on
HPD's lot.

2 This is a summary of the Land Use actions
3 which were previously covered which will enable the
4 development of this project. We are requesting a
5 zoning map amendment, a UDAAAP designation, and
6 approval for disposition of Lot 1 from the City,
7 general large scale development, special permit, and
8 the next slide will go into the waivers associated
9 with that, a parking waiver, although as mentioned we
10 are additionally providing the parking spaces for
11 Lexington Gardens and the NYPD, a zoning text
12 amendment to apply the MIH program to this site, and
13 then separately Decass (SP?) will be bringing an
14 application to lease the parking facility for the
15 NYPD.

16 This slide shows the zoning waivers that
17 we are requesting in order to enable the construction
18 of this project. Given the size of the block and the
19 size of this building, we have designed the project
20 with articulations in the façade leading us to
21 require its variances and street requirements and
22 then a slight variance as you can see in the
23 bulkheads where we exceed the maximum building height
24 permitted in an R9.

1 COMMITTEE ON CIVIL SERVICE AND LABOR

26

2 This is an aerial view of the proposed
3 project from the northwest.

4 And this is an aerial view from the
5 southeast which shows the existing Lexington Gardens
6 Building on the corner and also the interior
7 courtyard space that we will be developing.

8 These are some street views along Park
9 Avenue and 107th Street. One thing that was very
10 important in our conversations with the community
11 board and with the speaker was activating the street,
12 especially along Park Avenue, which is right across
13 from the Metro North viaduct, and so we are locating
14 one of the residential entrances to the building
15 along Park Avenue, and the majority of the units will
16 enter off of Park Avenue. We also have a residential
17 entrance along 108th Street, but we have designed a
18 30- to 40-foot high glass entrance along Park that
19 will have a double hate lobby space and additionally
20 the north side center will have an entrance at the
21 corner of Park Avenue and 108th Street to really
22 activate this area.

23 And then you can see the view of where
24 the entrance to the police parking garage will be.

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

27

2 We have additionally designed a lot of
3 green elements and a lot of landscaping into the site
4 that shows where a lot of the landscaping that we are
5 contemplating in the center courtyard and also with
6 recess planters along the façade to really improve
7 the street level experience of the pedestrian here.

8 And this is a view of the building from
9 the corner of Lexington Avenue and 108th Street
10 showing the proposed future retail space.

11 Kevin, do you have anything to add or
12 should we open it up to questions? Okay.

13 CHAIRPERSON DICKENS: For the commercial
14 retail space, what do you anticipate, it is 4500, is
15 that correct, square feet?

16 ASHLEY PATE: Yes.

17 CHAIRPERSON DICKENS: And what are you
18 anticipating putting in that space?

19 ASHLEY PATE: We think, we have not
20 identified a tenant for that space. We think it
21 would be a great restaurant. Part of that square
22 footage does include mezzanine space, so it is a
23 double height space and there is mezzanine space as
24 well so it would make a great café or restaurant.

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR

2 28

3 CHAIRPERSON DICKENS: The mezzanine space
4 is part of that 4500?

5 ASHLEY PATE: It is part of the 4500, yes.

6 CHAIRPERSON DICKENS: Because Lexington
7 Avenue is in transition right now, as are a lot of
8 the blocks in East Harlem and Central Harlem. So
9 this site, where is the nearest supermarket or green
10 store?

11 ASHLEY PATE: Joe, are you aware of the
12 closest supermarket site?

13 JOSEPH TALL: I think there definitely are
14 a couple on 116th..

15 CHAIRPERSON DICKENS: You have to identify
16 yourself.

17 ASHLEY PATE: Oh, I apologize.

18 JOSEPH TALL: Joseph Tall from Tall Prop
19 Equities, a co-developer. I believe there are
20 supermarkets, at least one on 116th, and I am not
21 sure if there are any between 108 and 116 but we
22 certainly can check on that.

23 CHAIRPERSON DICKENS: Okay. Alright,
24 seeing that I have no colleagues to ask any further
25 questions and no members of the public wishing to
given any testimony, I will close the public hearing

1 COMMITTEE ON CIVIL SERVICE AND LABOR
2 for Land Use Item 515, 516, 517, 518 and 519 and
3 preconsidered Land Use all pertaining to Lexington
4 Gardens II. This is a reminder again that this is a
5 hearing and a vote is going to be laid over on this
6 item. I want to thank everyone for coming. I want
7 to again thank my Land Use staff, members of the
8 public and my colleagues and of course my council for
9 attending today's hearing. This hearing is hereby
10 adjourned.

11 [gavel]

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. 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 November 28, 2016