

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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December 14, 2016  
Start: 11:34 a.m.  
Recess: 11:42 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: Donovan Richards  
Chairperson

COUNCIL MEMBERS:

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

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

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2                   CHAIRPERSON RICHARDS:  Alright, good  
3 morning.  I'm Donovan Richards, Chair of the  
4 Subcommittee on Zoning and Franchises, and this  
5 morning we are joined by Committee Members Vincent  
6 Gentile, Council Member Ritchie Torres, Council  
7 Member Jumaane Williams, we're also joined-- oh,  
8 Council Member Garodnick, as well, and so we're  
9 going to start.  We have one item for our  
10 consideration today, Land Use items number 531 and  
11 532, the Carroll Street rezoning in Council Member  
12 Lander's district.  This application seeks a  
13 rezoning from M1-1 to an R6B and designation of  
14 mandatory inclusionary housing area on three lots  
15 owned by the applicant at 1418 Carroll Street in  
16 Brooklyn.  The rezoning would allow for the  
17 development of a 10-unit residential building and  
18 six accessory parking spaces.  We held a hearing on  
19 this application on Monday and after careful  
20 consideration and discussion with the applicant and  
21 the community, the Subcommittee will be voting to  
22 disapprove this application today.  The site of the  
23 rezoning is located on the border of both  
24 predominately residential and predominately  
25 manufacturing uses.  Anytime the city considers

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2 whether to rezone manufacturing land we must  
3 carefully consider whether the public benefit of  
4 the new uses would outweigh the potential loss in  
5 jobs and economic activity that would be associated  
6 with manufacturing development. In this case the  
7 rezoning would lead to a development of exclusively  
8 market rate housing. We investigated the  
9 possibility to allow both manufacturing and  
10 residential uses on the site, but such a  
11 modification would be outside the scope of the  
12 application before us; therefore, we are voting  
13 today to disapprove the application because the  
14 existing uses permitted on the property  
15 manufacturing and commercial uses would better  
16 serve the city and the neighborhood than the  
17 anticipated development that would result from the  
18 rezoning. I will now turn it over to Council  
19 Member Lander for a statement before we vote on  
20 this item-- on these items.

21 COUNCIL MEMBER LANDER: Thank you very  
22 much Mr. Chair for that good opening statement that  
23 explains to members who were not there the other  
24 day what the issues are and for your leadership at  
25 that hearing, and I want to thank the staff as well

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2 for working closely with you and with me. I am  
3 asking my colleagues to join me in voting yes to  
4 disapprove this application of 1418 Carroll Street.  
5 There's no joy in that. I don't-- I don't relish  
6 voting down an application, but this one is simply  
7 not in the public interest. What we have today is  
8 a 6200 square foot piece of M-zoned land in an area  
9 that's long been mixed use. It's a block from the  
10 port. There's some housing on the block. There's  
11 some manufacturing uses on the block. We've been  
12 losing the manufacturing and light industrial and  
13 commercial uses in this area as property has been  
14 speculated and bought up and bid out for  
15 development. There's a wonderful nursery, a plant,  
16 plant store, there's a great doggy daycare place,  
17 there's a bakery, and those uses are under pressure  
18 and that's what this land has been zoned for. The  
19 applicant purchased the land and as we have  
20 considered in many cases the public benefit of  
21 affordable housing, if they were proposing to do a  
22 project under MIH, would be a compelling reason to  
23 do this rezoning, and in fact they applied for a  
24 rezoning that would take them above the MIH  
25 threshold. They're asking for something that would

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2 allow 13,700 square feet of development, well above  
3 the 12,500 square foot threshold, and yet they've  
4 made clear that not only will they not commit to  
5 utilize the MIH Program, they have no plans to  
6 include any affordable housing or utilize the MIH  
7 Program in any way, and for that reason this simply  
8 is no public interest in the application to lose a  
9 M-zoned piece of property for 100 percent market  
10 rate luxury condo development in Carroll Gardens. I  
11 just don't see a public interest justification. We  
12 did, as the Chair indicated, seek to work with them  
13 on other alternatives to find a way that they would  
14 commit to utilize the program. I would be willing  
15 to consider even some additional density. This  
16 isn't a, a, a case of not wanting the density. I'd  
17 be open to a little more density on the site, but  
18 it's out of scope of the application that they  
19 submitted. As the Chair also mentioned, we  
20 considered the possibility of a mixed use  
21 application. It's a mixed use block. We could look  
22 at something like M1R6B or some other-- but again,  
23 that was not within the scope of the application  
24 that they submitted. So what we're left with today  
25 is simply to rezone it to R6B knowing we would get

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2 a 100 percent market rate condo project and lose  
3 the M-zoned land with no public benefit and for  
4 that therefore I'm asking you to disapprove. While  
5 that might mean nothing happens on this block,  
6 perhaps they'll come back with a new application  
7 and certainly for other sites, both in my district  
8 and around the city, I hope this means that  
9 developers when they bring us applications will be  
10 sure to include and commit to the affordable  
11 housing and public benefit that we need to move  
12 forward in the city. So thank you for your  
13 leadership again Mr. Chair and for the time, and I  
14 ask the members of the committee to vote yes to  
15 disapprove.

16 CHAIRPERSON RICHARDS: Thank you,  
17 Council Member Lander for your leadership.  
18 Alright, any questions from members of the  
19 subcommittee? Alright, seeing none I will now  
20 couple Land Use Items number 531 and 532 on a vote  
21 to disapprove, council please call the role.

22 COMMITTEE COUNSEL: Chair Richards?

23 CHAIRPERSON RICHARDS: I want to  
24 congratulate Inez Dickens. This is her last day  
25 here. We're going to miss you.

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[applause]

CHAIRPERSON RICHARDS: Thank you for your leadership and commitment to the council since I can't remember the year you began. I was much younger.

COUNCIL MEMBER DICKENS: I came here in 2006.

CHAIRPERSON RICHARDS: 2006, wow so congratulations on moving on. I will-- I proudly vote aye to disapprove this application.

COMMITTEE COUNSEL: Council Member Gentile?

COUNCIL MEMBER GENTILE: I too vote aye, and my congratulations to Council Member Dickens.

COMMITTEE COUNSEL: Council Member Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE COUNSEL: Council Member Williams?

COUNCIL MEMBER WILLIAMS: May excuse me-- may excuse me a moment? May I be excused to explain my vote?



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2 CHAIRPERSON RICHARDS: Yes, you may,  
3 Council Member Williams.

4 COUNCIL MEMBER WILLIAMS: Thank you  
5 very much. I was talking with Brad and a few people  
6 that-- to make assistance [sic] I was going to vote  
7 to approve it, but I'm going to vote to disapprove,  
8 but I want to say congratulations to Brad for the  
9 leadership that you've shown here. I think too many  
10 projects come through this body. I'm speaking--  
11 the-- first, you presented a large plethora of  
12 opportunities that could of been done. I'm focused  
13 mostly on the housing part, and I want to  
14 appreciate what you said about the housing and I  
15 want-- think that's something we have to think  
16 about more and I'm hoping more colleagues will  
17 think on that line of what we can get as a public  
18 use, and so I'm very proud of what you've done  
19 today and I just wanted to thank you for doing  
20 that, and say congratulations to my colleagues-- my  
21 colleague Inez Dickens. It's been great serving  
22 with you. Give them hell in Albany, and I vote  
23 aye.

24 COMMITTEE COUNSEL: Council Member  
25 Torres?

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COUNCIL MEMBER TORRES: I vote aye.

COMMITTEE COUNSEL: By a vote of 5 in the affirmative, 0 in the negative and 0 abstentions Land Use Items 531 and 532 are disapproved and referred to the Full Land Use Committee.

CHAIRPERSON RICHARDS: Thank you all for coming, and I'm proud to hear Jumaane Williams strike the right tone in the committee today. So with that being said, we now will close the vote. Thank you.

[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 January 3, 2017