

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND  
CONCESSIONS

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February 7, 2017  
Start: 1:16 p.m.  
Recess: 1:52 p.m.

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

B E F O R E:  
ANDREW COHEN  
Chairperson

COUNCIL MEMBERS:  
Darlene Mealy  
Ydanis A. Rodriguez  
Mark Treyger  
David G. Greenfield

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

Jordan Press  
Executive Director  
Planning Development, Office of  
Government Affairs  
NYC Housing Preservation and Development

Veanda Simmons  
Manhattan Borough Director  
Planning Unit  
NYC Housing Preservation and Development

Richard Bass  
Attorney  
Akerman LLP

Kevin Parris  
Manhattan Planning Unit  
NYC Housing Preservation and Development

Harrison Rayford  
Principal  
Lemor Development

2                   **TRANSCRIPTION NOTE:** Video would not load  
3 to determine who is speaking at times and some  
4 speakers did not identify themselves. See time  
5 stamps in document for unknown male voice:  
6 [00:28:08], [00:28:21], [00:28:34], [00:31:15], and  
7 [00:35:31].

8                   [sound check]

9                   [pause]

10                  CHAIRPERSON COHEN: Mic on. Alright.  
11 Good afternoon. I'm Council Member Andy Cohen,  
12 acting Chair of the Subcommittee on Planning,  
13 Dispositions and Concessions. Welcome everyone to  
14 today's hearing.

15                  I want to thank and acknowledge our  
16 Sergeant-at-Arms, Allen; how are you, Allen, our Land  
17 Use Director Raju Mann, Deputy Director Amy Levitan,  
18 and Attorney Dylan Casey, and Project Manager Jeff  
19 Yune [sp?].

20                  Today we are joined by Council Members  
21 Treyger and Ydanis Rodriguez. I'm not going to  
22 acknowledge anybody who's not here, 'cause there's no  
23 one else here.

24                  We have three items on our calendar today  
25 for hearing and vote; they are The Frederick, Land

3 Use Items 564, 565 and 566; The Leroy, Land Use Items  
4 559 and 560; and The Robeson, Land Use Items 561, 562  
5 and 563. These three projects will add 175 units of  
6 affordable housing to Council District 9.

7 We are now going to start with The  
8 Frederick, Land Use Items 564, 565 and 566, The  
9 Frederick. In this application, HPD is seeking the  
10 approval of a disposition of City property, an Urban  
11 Development Action Area Project, a Zoning Map  
12 Amendment to establish a R8A and a C2-4 district and  
13 a Zoning Text Amendment to establish a Mandatory  
14 Inclusionary Housing area. The approvals will  
15 facilitate the development of a 15-story mixed-use  
16 building with 74 units of affordable housing and an  
17 8,200-square-foot Fresh supermarket and a small  
18 community space. I am now opening the hearing on  
19 this item.

20 COMMITTEE COUNSEL: Can you please  
21 introduce yourself before speaking and for the  
22 representatives of HPD, can you raise your right  
23 hand? Do you swear to tell the truth, the whole  
24 truth and nothing but the truth?

25 JORDAN PRESS: I do.

VEANDA SIMMONS: Yes.

3 CHAIRPERSON COHEN: Please.

4 JORDAN PRESS: Good afternoon. My name  
5 is Jordan Press; I'm Executive Director for Planning  
6 and Development at HPD's Office of Government  
7 Affairs. I'm joined by Veanda Simmons, our Manhattan  
8 Bureau Director in our Planning Unit.

9 Today we are bringing to the Subcommittee  
10 three 100% affordable projects; a total of 172 units  
11 that have seven different income tiers, between 30%  
12 and 130% of AMI. I'd just like to note that across  
13 these three projects 93 of these units are under 60%  
14 of AMI and we are very happy about the income mix  
15 that we've been able to achieve.

16 Land Use Nos. 564, 565 and 566 are  
17 related ULURP actions for a project known as The  
18 Frederick. Land Use No. 566 seeks approval of UDAAP  
19 designation, project approval and disposition for one  
20 City-owned vacant lot located at 2405 Frederick  
21 Douglass Boulevard, in Council District 9 in  
22 Manhattan.

23 As part of the project, the sponsor will  
24 combine the disposition area (Block 1955, Lot 16),  
25 with two adjacent private lots (Lots 12 and 14), to  
create the project area in order to develop The

3 Frederick under HPD's extremely low and low-income  
4 affordable program, also known as ELLA.

5 The sponsor is proposing to construct one  
6 15-story mixed-use multiple dwelling that will  
7 contain 74 residential units plus one unit for a  
8 superintendent; 19 of the units will be permanently  
9 affordable, pursuant to Option 1 of the Mandatory  
10 Inclusionary Housing program. The building will also  
11 contain approximately 8,198 square feet of commercial  
12 retail space and approximately 290 square feet of  
13 community facility space on the disposition area and  
14 adjacent private lots.

15 The building will consist of a mixture of  
16 housing types, including studio, one-, two- and  
17 three-bedroom apartments and will provide rental  
18 housing to low-income families. The target household  
19 incomes will range from 30-60% of area median income,  
20 with up to 10% of the units targeted to incomes up to  
21 110% of AMI. Rents will range from 30-60% of AMI,  
22 with up to 10% of the units affordable to families up  
23 to 90% of AMI. Subject to project underwriting, up  
24 to 30% of the units may be rented to formerly  
25 homeless families and individuals.

3 The sponsor plans to apply for a 420(c)  
4 tax exemption, which requires income restrictions of  
5 70% of the units at 60% of AMI. The Frederick will  
6 enter into a regulatory agreement that will coincide  
7 with the maximum term of 60 years for the 420(c) tax  
8 benefits.

9 Additionally, The Frederick will provide  
10 an additional 12 permanently affordable units, or 15%  
11 of the project, above the required number of  
12 affordable units under MIH.

13 Land Use No. 564 is related to the zoning  
14 modification, changing from R7-2/C2-1 to an R8A/C2-4,  
15 to allow maximum building height for the project.

16 Land Use No. 565 is related to a zoning  
17 text amendment to allow the Mandatory Inclusionary  
18 Housing area designation.

19 The application proposes to use Option 1,  
20 which requires 25% of the units be permanently  
21 affordable to families earning up to 60% of AMI and  
22 10% for families earning up to 40% of AMI.

23 In order to facilitate development of The  
24 Frederick, HPD is before the Council seeking approval  
25 of Land Use Nos. 564, 565 and 566.

RICHARD BASS: My turn.

3 CHAIRPERSON COHEN: Could you just  
4 identify yourself for the... [crosstalk]

5 RICHARD BASS: I'm Richard Bass; I'm with  
6 the law firm Ackerman LLP; I represent the developer,  
7 which is a partnership between the existing  
8 supermarket that's on the site and an affordable  
9 housing developer. The existing supermarket will be  
10 redeveloped and almost doubled in size; it's been on  
11 the site for over 25 years; it's a foundation in the  
12 community. This is the redevelopment of mid-block,  
13 between 128th and 129th Street on the west side of  
14 Frederick Douglass Boulevard. The surrounding area  
15 is primarily zoned R8 currently (R8-R/8A) this is  
16 kind of the remnants of an R7-2, so the proposal, as  
17 HPD just described, is rather straightforward; it's a  
18 map change to allow for the R8A and the commercial  
19 C2-4 overlay; it's allowing for a certification  
20 authorization for the Fresh program so we can double  
21 the supermarket in size; it's a text amendment to map  
22 MIH; it's also a disposition. So these various  
23 actions will facilitate the development of 100%  
24 affordable development at this site, and this is a  
25 rendering of what the site would look like; it's



3 contextual to the neighborhood; it will fill in a  
4 void on this side of the block.

5 I'm here with the supermarket owner and  
6 the affordable housing developer, if you have  
7 specific questions for them.

8 CHAIRPERSON COHEN: Well first I want to  
9 acknowledge that we've been joined by the Chair of  
10 the Land Use Committee, David Greenfield.

11 I did have a question about the  
12 supermarket; is that the only thing on the site  
13 presently?

14 JORDAN PRESS: There is a supermarket on  
15 the site and the City-owned lot is occupied by a food  
16 vendor, it's a vacant lot, and they sell empanadas,  
17 but that's basically what's on the site.

18 CHAIRPERSON COHEN: And we envision the  
19 supermarket taking up all of the commercial space?

20 JORDAN PRESS: The majority of the  
21 commercial space. There is envisioning a small  
22 retail, like a coffee shop and the Council Member,  
23 before she moved up to the state, had asked that we  
24 consider having a small community facility space in  
25 the building.

2 CHAIRPERSON COHEN: I just want to note  
3 for the record that, I think at least in part, with  
4 the advocacy of former Councilwoman Dickens, the  
5 former Chair of the Subcommittee, I think that you do  
6 have very deep affordability and a good mix of units,  
7 so I think that everybody is really to be applauded  
8 for the layout of the development that we have here,  
9 and I do want the record to reflect that she did  
10 support the project before she left. So I don't know  
11 if any of my colleagues have any... any additional  
12 questions. Alright, so before I close the hearing,  
13 I'm going to ask if there are any members of the  
14 public who care to testify on this project. Seeing  
15 none. Alright, so I'm going to close the hearing on  
16 this and then we will go to the next item, which is...  
17 [interpose]

18 JORDAN PRESS: And thank you for  
19 rearranging so I can attend my BSA meeting.

20 CHAIRPERSON COHEN: Our second item will  
21 be Land Use 559 and 560, The Leroy. In this  
22 application, HPD is seeking approval of an  
23 acquisition of property by the City, a disposition of  
24 City property, an urban development action area  
25 project and a tax exemption under Article XI of the

2 Private Housing Finance Law. The approval would  
3 facilitate the development of a seven-story building  
4 with 20 units of affordable housing; the building  
5 would also provide community facility space for an  
6 anti-gang violence organization. I will now open the  
7 hearing on these items.

8 COMMITTEE COUNSEL: And can you please  
9 identify yourself before speaking, and HPD, do you  
10 swear to tell the truth, the whole truth; nothing but  
11 the truth?

12 JORDAN PRESS: I do.

13 MALE VOICE: I do.

14 JORDAN PRESS: Thank you Chair Cohen.

15 Once again, my name is Jordan Press; I'm Executive  
16 Director for Planning and Development in HPD's  
17 Government Affairs Unit. I'm joined by Kevin Parris  
18 from our Manhattan Planning Unit at HPD.

19 I'd like to reiterate my former statement  
20 on the previous project that we are very happy to be  
21 bringing three different projects to you today; a  
22 total of 172 100% affordable units at seven different  
23 income tiers across all three projects.

24 Land Use Nos. 559 and 560 consist of two  
25 ULURP actions related to 225 West 140th Street (Block

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2 2026, Lot 15), located in Manhattan Council District  
3 9 and is known as The Leroy. In order to facilitate  
4 development of The Leroy, HPD seeks to reacquire 225  
5 West 140th Street, which previously approved by the  
6 City Council for disposition through the Neighborhood  
7 Entrepreneur Program. Development of the lot proved  
8 to be financially infeasible and therefore it's  
9 remained vacant; therefore, under Land Use No. 560  
10 the City will reacquire the property and add it to  
11 the development site for The Leroy.

12 Land Use No. 559 seeks approval for UDAAP  
13 designation, project approval and disposition of 225  
14 West 140th Street, as well as approval of Article XI  
15 tax benefits that will coincide with the term of the  
16 regulatory agreement for a term of 40 years.

17 The sponsor for The Leroy proposes to  
18 construct one seven-story multiple dwelling under  
19 HPD's M2 Program, which is designed to provide rental  
20 housing to a mix of household incomes. The newly  
21 constructed building will contain 20 units, including  
22 one for a superintendent; the building will also  
23 contain approximately 2,500 square feet of community  
24 facility space that will be occupied by a local  
25

2 community organization, Street Corner Resources,  
3 which is an anti-violence organization.

4 The building will consist of a mixture of  
5 housing types, including 3 studios, 12 one-bedroom, 2  
6 two-bedroom, and 3 three-bedroom apartments, and will  
7 provide rental housing to low-income families.

8 Targeted income ranges are from 57% or 60% of AMI to

9 130% of AMI and rents will range from approximately

10 \$736 for a studio to approximately \$3,009 for a

11 three-bedroom unit. It should be noted that

12 development of The Leroy, including financing, is

13 tied to another project on today's agenda, Land Use

14 Nos. 561, 562 and 563, The Robeson. Both projects

15 will be under one regulatory agreement. Today HPD is

16 before the Council seeking approval for Land Use Nos.

17 559 and 560 in order to facilitate the development of

18 the project known as The Leroy.

19 HARRISON RAYFORD: My name is Harrison

20 Rayford of Lemor Development; I'm one of the

21 principals; my partner, Kenneth Morrison, is there in

22 the audience. And we come here today on this

23 project; it's been a long time coming; we've been

24 unable to develop the project as it was currently

25 zoned and we think that bringing these 20 additional

2 units will be very additive to the community. The  
3 Street Corner Resources occupying the community  
4 facility space, they do a lot of gang prevention  
5 work, so we feel like that's going to be very  
6 additive to the project and right now as the lot  
7 sits, the taxes were kind of building up on us and we  
8 just think it'll be a win-win for all involved. We  
9 have a very robust MWBE program that we kind of  
10 execute within our shop, where we give a lot of  
11 smaller MWBEs the opportunity to participate, be it  
12 [sic] construction; we work with some of the  
13 workforce programs in the neighborhood to make sure a  
14 lot of the people that are living in the community  
15 have an active opportunity to participate. And this  
16 project is going to be financed concurrently with The  
17 Robeson that we'll talk about a little later on --  
18 under one regulatory agreement.

19 CHAIRPERSON COHEN: Thank you. I guess  
20 -- my understanding is that when the City originally  
21 conveyed the property it was contemplated that there  
22 would be 1-4 units [background comment] built on the  
23 property?

24 JORDAN PRESS: Right, that's correct.  
25

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2 CHAIRPERSON COHEN: Alright, so... and in  
3 this reconceived version now we're getting 20 units  
4 of... so that... I think that's a good thing **[inaudible]**;  
5 that really I think is a... In terms of the period of  
6 affordability; where are we on that?

7 JORDAN PRESS: This will be a 40-year  
8 regulatory agreement.

9 CHAIRPERSON COHEN: Okay. Okay. Again,  
10 I ask my colleagues if you have any questions, Chair  
11 Greenfield.

12 COUNCIL MEMBER GREENFIELD: Thank you  
13 very much. So when did you come into possession of  
14 this property?

15 HARRISON RAYFORD: This was an NEP [sic]  
16 portfolio; my partner, Kenneth Morrison, was the  
17 principal; I think it started in like the 1980s, late  
18 1980s, and it was an NEP tax credit deal. So this  
19 lot, with the portfolio, I think there was a building  
20 there that had been torn down and the lot kind of  
21 just went with the -- he owned the adjacent  
22 buildings, so... [interpose]

23 COUNCIL MEMBER GREENFIELD: You've had it  
24 since the 1999 designation; correct...? [crosstalk]

25 HARRISON RAYFORD: Right. Correct.

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2 COUNCIL MEMBER GREENFIELD: Okay. So...  
3 [interpose]

4 HARRISON RAYFORD: Within a tax credit  
5 portfolio.

6 COUNCIL MEMBER GREENFIELD: As part of a  
7 portfolio. Okay. So what prevented you from  
8 developing it over the last 20 odd years?

9 HARRISON RAYFORD: Well the main reason  
10 is because you could only build four units, as it was  
11 zoned then and we didn't really find any programs  
12 within HPD that were workable.

13 COUNCIL MEMBER GREENFIELD: Is that  
14 correct, Jordan?

15 JORDAN PRESS: I can't... [crosstalk]

16 COUNCIL MEMBER GREENFIELD: Does that  
17 sound about right...

18 JORDAN PRESS: I can't testify to the  
19 history here... [crosstalk]

20 COUNCIL MEMBER GREENFIELD: Okay. Okay...  
21 [crosstalk]

22 JORDAN PRESS: I...

23 COUNCIL MEMBER GREENFIELD: so... sorry,  
24 back to you, sir. So you were saying the main reason

25



2 was that you couldn't find a program that made it  
3 work within HPD... [crosstalk]

4 HARRISON RAYFORD: Right, within...

5 COUNCIL MEMBER GREENFIELD: the 1-4  
6 units?

7 HARRISON RAYFORD: within an affordable  
8 housing program. And also, we'd need the approval  
9 of... [interpose]

10 COUNCIL MEMBER GREENFIELD: Can you just  
11 speak into the mic for the record **[inaudible]**, I'm  
12 sorry... [crosstalk]

13 HARRISON RAYFORD: We'd also need the  
14 approval of the tax credits indicator...

15 COUNCIL MEMBER GREENFIELD: Yeah.

16 HARRISON RAYFORD: and the only way they  
17 would let the lot out is if we were doing affordable  
18 housing and from the term sheets that HPD's had over  
19 the last couple years, they have not worked  
20 heretofore.

21 COUNCIL MEMBER GREENFIELD: Okay. I'm  
22 willing to -- even though we're not 100% sure, just  
23 if HPD could just verify that before we go on with  
24 the final vote, I'd appreciate that. But I do have a  
25 question then. So what's the time on this project,

2 just for the record, just because it has sat for  
3 decades with no active use on the project? So can  
4 you formatively state this is going to be the  
5 timeline public so that everybody knows what's going  
6 to happen and when it's going to happen?

7 HARRISON RAYFORD: Right. I mean I think  
8 I'd have to defer to HPD, but our goal would be to  
9 start the construction financing sometime between  
10 June or December of this year.

11 COUNCIL MEMBER GREENFIELD: Okay, and  
12 then completion of the project by when?

13 HARRISON RAYFORD: Twenty-four months,  
14 once we start. Twenty-four months from the start  
15 date.

16 COUNCIL MEMBER GREENFIELD: So let's...  
17 just be overly liberal, we'll say three years from  
18 today we'll have a building up, Leroy...? [crosstalk]

19 HARRISON RAYFORD: Right. Right.

20 COUNCIL MEMBER GREENFIELD: Yes?

21 HARRISON RAYFORD: Yes, that's...

22 COUNCIL MEMBER GREENFIELD: On the  
23 record?

24 HARRISON RAYFORD: Yes, on the record,  
25 yes... [crosstalk]

2 COUNCIL MEMBER GREENFIELD: Okay. Yes,  
3 Jordan; did you want to add something?

4 JORDAN PRESS: Yeah, I'd just like to  
5 confirm that it's HPD's intention to close on this  
6 project in the coming months and certainly before our  
7 June closing season closes.

8 COUNCIL MEMBER GREENFIELD: Okay, I just...  
9 you know, it's that this property has been vacant for  
10 decades; I just want the public to actually know that  
11 this time around it is the same owner, and I'm not  
12 blaming you **[inaudible]** part of a portfolio and  
13 you're saying that there were extenuating  
14 circumstances, but I think the public does deserve to  
15 know that this project will in fact have an actual  
16 completion date that is along the reasonable horizon...

17 JORDAN PRESS: Right.

18 COUNCIL MEMBER GREENFIELD: so thank you  
19 for that.

20 JORDAN PRESS: No problem [sic].

21 CHAIRPERSON COHEN: And I'm not defending  
22 anybody, but I think at least good things to those  
23 who wait; instead of getting 1 or 4 units we're  
24 getting 20 units, so I think that that is at least a  
25 positive outcome here. Again; do any of my other

2 colleagues have any questions? I will also say for  
3 the record that Councilwoman Dickens, before she  
4 left, did indicate her support for this project.  
5 I'll now ask if there's anybody from the public who  
6 would like to testify on this land use item. Going  
7 one; going twice. Alright, so we will go to our  
8 final item today.

9 We will now move to Land Use No. 561, 562  
10 and 563, The Robeson. In this application, HPD is  
11 seeking approval of a disposition of City property,  
12 an urban development action area project, a tax  
13 exemption under Article XI of the Private Housing  
14 Finance Law, a Zoning Map amendment to establish an  
15 R8A/C2-4 district and a zoning text amendment to  
16 establish a Mandatory Inclusionary Housing area. The  
17 approvals will facilitate the development of a ten-  
18 story building with 79 units of affordable housing,  
19 with approximately 7,500 square feet of commercial  
20 space and 2,500 square feet of community facility  
21 space. I am now opening the hearing on this item.

22 COMMITTEE COUNSEL: Again, please  
23 introduce yourselves before speaking.

24 JORDAN PRESS: Good afternoon. Once  
25 again, my name is Jordan Press; I'm Executive

3 Director for Planning and Development within HPD's  
4 Government Affairs Unit and I'm joined by Kevin  
5 Parris from our HPD's Manhattan Planning Office.

6 I'd like to once again note that we are  
7 presenting this project along with three others  
8 today, three 100% affordable projects, a total of 172  
9 units, with seven income tiers across the three  
10 projects between 30% and 130% of AMI.

11 Land Use Nos. 561, 562 and 563 consist of  
12 three ULURP actions related to a project known as The  
13 Robeson.

14 Land Use No. 561 is related to a Zoning  
15 Map amendment to modify the existing R7-2/C2-4  
16 district to change to an existing R7-2 to an R8A  
17 district. This change will allow for an increase in  
18 maximum building heights of fourteen stories in the  
19 rezoned area.

20 Land Use No. 563 is related to a zoning  
21 text amendment to allow for the Mandatory  
22 Inclusionary Housing area designation. The sponsor  
23 proposes uses Option 2, which requires 30% of the  
24 units (22) to be permanently affordable to families  
25 earning up to 80% of AMI.

2 Land Use No. 562 seeks approval for the  
3 disposition of three City-owned vacant parcels  
4 located at Block 1915, Lots 32, 33 and 36, as well as  
5 UDAAP designation and project approval for the three  
6 City-owned parcels (Block 1915, Lots 32, 33 and 36),  
7 and two privately-owned parcels located at Block  
8 1915, Lots 34 and 35. Collectively, the five blocks  
9 make up the project area, which is located in  
10 Manhattan Council District 9. Land Use No. 562 also  
11 seeks approval of Article XI tax benefits that will  
12 coincide with the term of a regulatory agreement for  
13 a term of 40 years.

14 The sponsor for The Robeson proposes to  
15 construct 1 ten-story multiple dwelling under HPD's  
16 M2 Program, which is designed to provide rental  
17 housing to a mix of household incomes. The newly  
18 constructed building will contain 79 units, including  
19 1 for a superintendent; the building will also  
20 contain approximately 7,600 square feet of commercial  
21 space and approximately 2,400 square feet of  
22 community facility space that will be occupied by the  
23 New Hope Spring Grove Downtown Baptist Church. The  
24 building will consist of a mixture of housing types  
25 including 16 studios, 25 one-bedroom, 31 two-bedroom,

3 and 6 three-bedroom apartments and will provide  
4 rental housing to low-income families of which 22 are  
5 required to be permanently affordable under the MIH  
6 program. The targeted household incomes for the  
7 project will range from 60, 80, 90, and 130% of AMI  
8 and rental average approximately \$736 for a studio to  
9 approximately, \$3,009 for a three-bedroom unit.

10 During the ULURP process, the agency,  
11 along with the sponsor and the church addressed  
12 several issues raised by the local homeowners block  
13 association and the Manhattan Borough President. The  
14 Manhattan Borough President recommended that the  
15 percentage of permanently affordable units be equal  
16 to the percentage of City-owned property at the site.  
17 In response to that recommendation, an additional 12  
18 units (15%) will be added to this project as  
19 permanently affordable, increasing the total number  
20 of permanently affordable units from 22 to 34.

21 The homeowners association raised a  
22 concern about building height and recommended that  
23 the building height be reduced to either nine or  
24 eight stories. Upon our analysis, it's been  
25 determined that a reduction in height would  
potentially eliminate 14 affordable housing units for

3 the community, bringing down the number of  
4 residential units from 79 to 65. A decrease in unit  
5 count will also affect the number of permanently  
6 affordable units required under MIH. Additionally,  
7 as designed, The Robeson will be ten stories in  
8 height, as previously stated, which will be in  
9 context with other buildings on the block.

10 The homeowners association also raised  
11 concerns regarding the entrance of the church soup  
12 kitchen and the entrance of planned commercial space  
13 in the context of how those items will affect quality  
14 of life. In response, the church will relocate the  
15 soup kitchen to another location and with regard to  
16 the church space which will front West 131st Street,  
17 the design was reviewed; it's been determined that to  
18 reposition the entrance would result in a reduction  
19 of approximately 25% of the commercial frontage.  
20 Such a reduction will impact the overall financing of  
21 the project, which includes cross-subsidizing the  
22 affordable housing units. For this reason it is  
23 important that the commercial frontage and entrance  
24 remain as originally designed.

25 Currently HPD believes, with the input  
from the sponsor and church, the concerns raised



3 during the ULURP process have been mitigated and the  
4 project as designed will facilitate the development  
5 of much-needed affordable housing, including  
6 additional units that will be permanently affordable.  
7 Therefore, the agency is before the Council seeking  
8 approval of Land Use Nos. 561, 562 and 563.

9 HARRISON RAYFORD: Harrison Rayford,  
10 Lemor Development. We come here today on two  
11 actions, obviously the rezoning from R7-2 to R8A and  
12 the land disposition for City-owned land. We're  
13 adding two privately-owned parcels to the HPD parcels  
14 for the rezoning to comprise of a larger project that  
15 will enable us to build 79 units. We feel like this  
16 project is a win-win for all the parties involved;  
17 the City gets affordable housing units, plus 12 more  
18 permanently affordable units. Spring Grove Downtown  
19 Baptist Church will get a new facility, a new church  
20 that they badly need and this particular section of  
21 Lenox Avenue, which is underdeveloped, which is  
22 vacant land, an abandoned building, a church that's  
23 disintegrating will be rebuilt and we hope that it  
24 will be thriving in a few years. For the retail,  
25 we've looked at many options; we feel like the area  
is under-banked; it's four or five blocks from Harlem

3 Hospital, so there is a good opportunity for some  
4 type of pharmacy there that could kind of be a bridge  
5 between 125th and the hospital. We've looked at some  
6 co-working ideas; obviously Downtown Baptist Church  
7 is going to come back in and we're going to have a  
8 small space for Street Corner Resources to do some  
9 activities for the kids in the neighborhood. So we  
10 just feel like this project is a win-win for all  
11 involved. With HPD, we've agreed to give 12 more  
12 permanently affordable units and through the rezoning  
13 and the MIH process, that'll bring us to 34  
14 permanently affordable units, so we think it's a  
15 great project for the neighborhood of Harlem.

16 CHAIRPERSON COHEN: Thank you for your  
17 testimony. You know I was just thinking, in terms...  
18 like if it were my district, I know that there might  
19 be concerns about the height of the project and you  
20 said there were some concerns raised at the community  
21 board, but it is my understanding that the way the  
22 building is configured that ten stories is the  
23 maximum that could be... that you cannot come back and  
24 add stories.

25 MALE VOICE: [00:28:08] Correct. So the  
development that's being proposed at this site is

2 going to be maxing out the FAR within the current  
3 configuration, which is at ten stories.

4 CHAIRPERSON COHEN: So there's really no  
5 possibility, under the current zoning, to come back  
6 and add additional, make the building taller [sic]...  
7 [crosstalk]

8 MALE VOICE: **[00:28:21]** There's not a lot  
9 of FAR left to do that.

10 CHAIRPERSON COHEN: The church, could you  
11 just describe a little bit of -- we're moving the  
12 church; the church, it intends to come back though, I  
13 guess...

14 MALE VOICE: **[00:28:34]** Correct.

15 CHAIRPERSON COHEN: how that's going to  
16 work.

17 HARRISON RAYFORD: So the church is going  
18 to... right now they're on Lenox and 131st, almost like  
19 half a lot up from 131st, south of 131st, and they're  
20 moving to the 131st Street side of the building;  
21 it'll be here. When we negotiated this deal with  
22 them, obviously the economics for them were very  
23 important; their congregation has been dwindling a  
24 little bit, so they were very concerned about the  
25 numbers that they're going to receive and the space.

2 So another reason that we kept the church on the side  
3 street is the economics were a little bit better for  
4 them; they're going to be coming back from -- our  
5 understanding in the talks with the Borough  
6 President, she's going to work with them and figure  
7 out how they can reposition the soup kitchen; instead  
8 of having it at their facility now, maybe they join  
9 up with Salvation Army, so she threw out a couple  
10 different ideas. So from our understanding, that the  
11 church, they're very happy with the deal that they  
12 have now in place and they're going to get a new  
13 facility that they feel like they can maintain for the  
14 foreseeable future.

15 CHAIRPERSON COHEN: Is the church part of  
16 your community facility space or is that separate?

17 HARRISON RAYFORD: Yes, it's part of the  
18 community... [interpose]

19 CHAIRPERSON COHEN: So are they taking  
20 all of the community facilities? Or I guess you  
21 have... [crosstalk]

22 HARRISON RAYFORD: Not all of... Yeah, they  
23 have a small piece.

24 CHAIRPERSON COHEN: For the anti...

25 HARRISON RAYFORD: Right.

2 CHAIRPERSON COHEN: anti-violence  
3 program.

4 HARRISON RAYFORD: **[inaudible]**

5 CHAIRPERSON COHEN: And then the 7,500  
6 square feet of commercial space we have not  
7 identified the tenant yet; we're in the process of...  
8 [interpose]

9 HARRISON RAYFORD: Right. Correct.

10 CHAIRPERSON COHEN: Okay. And again, all  
11 of the units, a 100% affordable project; I will  
12 indicate for the record again that Council Member  
13 Dickens, before she left, did indicate her support  
14 for this and I would just ask if my colleagues have  
15 any questions? [background comment] Chair  
16 Greenfield and then...

17 COUNCIL MEMBER GREENFIELD: Thanks. I  
18 just wanted to add that these are certainly important  
19 and welcome projects; I'm pleased to see that HPD is  
20 working with an MWBE developer as well, so thank you  
21 for that.

22 COUNCIL MEMBER TREYGER: Thank you very  
23 much. Just a quick question. Is there a local  
24 community board preference for these apartments?  
25

2 HARRISON RAYFORD: I'm sure it will be.  
3 Normally, when we do our lotteries within our  
4 community board there is a preference for the  
5 community boards, municipal employees; that hasn't  
6 all been negotiated yet, but from the lotteries --  
7 we've done about two in the last year and a half...  
8 [interpose]

9 COUNCIL MEMBER TREYGER: Because  
10 typically it's about 50% of... [crosstalk]

11 HARRISON RAYFORD: Exactly.

12 COUNCIL MEMBER TREYGER: local community  
13 board; is that correct?

14 [background comment]

15 MALE VOICE: **[00:31:15]** So as part of the  
16 regulatory agreement, the developer will have to  
17 agree to abide by HPD's marketing guidelines at that  
18 time; our marketing guidelines, as they currently  
19 stand and as they've stood for some time, include a  
20 50% community preference for residents of this  
21 community board.

22 COUNCIL MEMBER TREYGER: Right, 'cause I  
23 think that's critically important, particularly those  
24 folks who have been priced out because of rising  
25 markets; I think they should really get strong

2 preference. What kind of outreach is being done in  
3 the community to engage people; let me them know that  
4 this is actually happening?

5 HARRISON RAYFORD: What do you mean;  
6 about the lottery or just the project...? [crosstalk]

7 COUNCIL MEMBER TREYGER: Correct. Yeah,  
8 how do you plan to advertise this to the community so  
9 they're aware... [crosstalk]

10 HARRISON RAYFORD: Right.

11 COUNCIL MEMBER TREYGER: that this  
12 opportunity exists?

13 HARRISON RAYFORD: Well we do multiple  
14 things; obviously we're in the community, we own  
15 about 1,000 units, so we have a standard waiting list  
16 and any time people are on that waiting list, we let  
17 them know of any lotteries that are coming up; we  
18 advertise in various newspapers, you know, I guess  
19 the best answer is we're just in the community, so..

20 COUNCIL MEMBER TREYGER: So you already  
21 have existing waiting lists in other housing units?

22 HARRISON RAYFORD: Exactly.

23 COUNCIL MEMBER TREYGER: I think that  
24 that's... certainly these are folks that... who live  
25 there, who need this the most..

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2 HARRISON RAYFORD: Right.

3 COUNCIL MEMBER TREYGER: and you want to  
4 keep them in the neighborhood, right?

5 HARRISON RAYFORD: Right. Right.

6 COUNCIL MEMBER TREYGER: Great. Thank  
7 you very much.

8 CHAIRPERSON COHEN: Council Member... I  
9 just want to make sure I acknowledge that we were  
10 joined by Council Member Mealy. Council Member  
11 Rodriguez.

12 COUNCIL MEMBER RODRIGUEZ: What  
13 percentage of commercial square feet will you have  
14 there?

15 HARRISON RAYFORD: 7,500; what do you  
16 mean?

17 COUNCIL MEMBER RODRIGUEZ: So it's not a  
18 big one...

19 HARRISON RAYFORD: It's not a big space.  
20 Right, so it wouldn't be a big box [inaudible]...  
21 [crosstalk]

22 COUNCIL MEMBER RODRIGUEZ: And you're  
23 working with the Harlem Chamber of Commerce or any  
24 Business Improvement Districts who advertise the

25



2 opportunity for local small business, you know for  
3 the idea of the pharmacy or...

4 HARRISON RAYFORD: Right.

5 COUNCIL MEMBER RODRIGUEZ: or that you  
6 have identified whoever's going to be the small  
7 business coming to that location [sic].

8 HARRISON RAYFORD: Right. I mean I'll  
9 just say right now we haven't... we've done some  
10 pricing in terms of... to see what types of rents that  
11 we need for our **[inaudible]**, but we haven't started  
12 building the building... [crosstalk]

13 COUNCIL MEMBER RODRIGUEZ: **[inaudible]**...

14 HARRISON RAYFORD: so we can't you know  
15 really get down into the details about this is the  
16 space that we have to offer, but normally,  
17 historically we tend to trend towards smaller  
18 businesses, MWBEs or any... if you have a plan, come to  
19 us; we're more **[inaudible]**... [crosstalk]

20 COUNCIL MEMBER RODRIGUEZ: But you're  
21 going to be advertising in the community for any  
22 local small business...? [crosstalk]

23 HARRISON RAYFORD: Oh absolutely.  
24 Absolutely. Absolutely. We have one space now that  
25 we're doing on 7th Avenue where we did a Subway and

3 we did a local juice bar, so we try to work with  
4 people... the juice bar was in a smaller space two  
5 doors down, so we... you know he came to us with a  
6 plan; he said hey, this is kind of what I want to do,  
7 and we worked with him.

8 COUNCIL MEMBER RODRIGUEZ: Thank you.

9 CHAIRPERSON COHEN: Council Member Mealy.

10 COUNCIL MEMBER MEALY: Yes, I just wanted  
11 to... the two private lots; were they the church lot?

12 HARRISON RAYFORD: One of them was the  
13 church lot and the other one was the old fish market;  
14 it was owned by a private individual.

15 COUNCIL MEMBER MEALY: So the church is  
16 giving use... how can I... So you bought the church air  
17 rights?

18 HARRISON RAYFORD: No, no, no; we're  
19 buying the church.

20 COUNCIL MEMBER MEALY: The church... so you  
21 bought the church and now... [crosstalk]

22 HARRISON RAYFORD: And then they're going  
23 to come back in the space.

24 COUNCIL MEMBER MEALY: the land...

25 HARRISON RAYFORD: And then they're going  
to come back into the building. They're going to

2 have a condo for their church on the 131st Street  
3 side of the building. They're going to have their  
4 own separate condo in our building; it'll be their  
5 church; right? It'll be a commercial condo,  
6 community **[inaudible]**... [crosstalk]

7 COUNCIL MEMBER MEALY: But it was... it was  
8 their private land..

9 HARRISON RAYFORD: Right.

10 COUNCIL MEMBER MEALY: and they sold it  
11 to you..

12 HARRISON RAYFORD: Ri... well...

13 COUNCIL MEMBER MEALY: and they're  
14 getting one condo apartment and... [crosstalk]

15 HARRISON RAYFORD: No, no, no...

16 COUNCIL MEMBER MEALY: the nine other  
17 stories is yours and not the air rights still there..  
18 [crosstalk]

19 HARRISON RAYFORD: No, they're getting..  
20 they're getting a brand new church. We're buying  
21 their space, we're buying their church that's been  
22 approved by the Attorney General and we're giving..  
23 [interpose]

24 COUNCIL MEMBER MEALY: So they were  
25 losing their church?

2 HARRISON RAYFORD: I wouldn't say that  
3 they were losing it, no, no, no; they... they wanted a  
4 new facility; they felt like their facility was  
5 difficult for them to maintain and their congregation  
6 had changed some; I think that they had some problems  
7 with wheelchair accessibility, so they wanted to kind  
8 of recondition their space and when we came along  
9 with this opportunity, they just saw it as a way for  
10 them to maintain their congregation.

11 COUNCIL MEMBER MEALY: The MIH, are you  
12 going to go with that recommendation from the Borough  
13 President for 50 years?

14 HARRISON RAYFORD: Uhm...

15 MALE VOICE: **[00:35:31]** So the... the  
16 mandatory inclusionary units are permanently  
17 affordable units.

18 COUNCIL MEMBER MEALY: Okay. Alright.  
19 Thank you so much.

20 CHAIRPERSON COHEN: Thank you Council  
21 Member. Alright. And I did indicate that former  
22 Councilwoman Dickens supported this application. I  
23 will now ask if there's any members of the public who  
24 have any questions. Seeing none, I will close the  
25 public hearing and I will now ask counsel to call the

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3 roll on a vote to approve Land Use Items 559 through  
4 Land Use Items 566.

5 COMMITTEE COUNSEL: Chair Cohen.

6 CHAIRPERSON COHEN: I vote aye.

7 COMMITTEE COUNSEL: Council Member Mealy.

8 COUNCIL MEMBER MEALY: I vote aye on all.

9 COMMITTEE COUNSEL: Council Member  
10 Rodriguez.

11 COUNCIL MEMBER RODRIGUEZ: Aye.

12 COMMITTEE COUNSEL: Council Member  
13 Treyger.

14 COUNCIL MEMBER TREYGER: Aye.

15 COMMITTEE COUNSEL: By a vote of 4 in the  
16 affirmative, 0 in the negative and 0 abstentions,  
17 Land Use Items 559 through 566 are approved and  
18 referred to the Full Land Use Committee.

19 CHAIRPERSON COHEN: This concludes the  
20 meeting of the Subcommittee.

21 [gavel]

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 February 14, 2017