

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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June 5, 2018  
Start: 10:48 a.m.  
Recess: 10:53 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: BEN KALLOS  
Chairperson

COUNCIL MEMBERS: Chaim M. Deutsch  
Ruben Diaz, Sr.  
Vanessa L. Gibson  
Andy L. King

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

[sound check] [pause] [gavel]

SERGEANT-AT-ARMS: Quiet down, please.

Everyone have a seat.

CHAIRPERSON KALLOS: Good afternoon, and welcome to the Subcommittee on Planning, Dispositions and Concessions. I'm Council Member Ben Kallos the Chair of the Subcommittee. We're joined by Council Member Ruben Diaz, Sr. and Chaim Deutsch. Today we'll be voting members—a number of projects, which were laid over on hearing on May 30<sup>th</sup>. At the time, we recessed the hearing Land Use Item 102, the Berean Gardens Application for property located at 1-4-1479 to 1497 Saint Marks Avenue in Council Member Ampry-Samuel's district in Brooklyn in order the HPD to provide additional information in response to our questions. In this application HPD seeks approval of a new 40-year tax exemption pursuant to Article XI of Private Housing Finance Law for existing buildings and 77 dwelling units for low-income seniors eligible for six and eight vouchers. There's project rental assistance contract in place. The project recently has outstanding tax liens, and the owner has entered into a payment plan. The new Article XI tax exemption will facilitate the resolution of the liens

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2 for which HUD will pay the interest and approval of  
3 this application will also establish a new regulatory  
4 agreement ensuring affordability until 2058. We have  
5 received additional information from HPD. So, I will  
6 now close the public hearing on Land Use Item 102.

7 We have received the information requested. We will  
8 vote approve this tax exemption. We will also vote  
9 on Land Use Item 104, the Culver El Phase 1 for  
10 properties located at 37<sup>th</sup> Street between 12<sup>th</sup> and 13<sup>th</sup>

11 Avenue in Council Member Lander's district in  
12 Brooklyn. HPD seeks retroactive Article XI tax  
13 exemption for taxes including the past six years

14 during the construction phase. The homeownership  
15 units will be affordable to homeowners with incomes  
16 ranging from 80% to 100% of AMI. After the developer  
17 transfers the property to the individual homeowners

18 free and clear of prior taxes, Urban Development  
19 Action Area Project tax exemption pursuant to Article  
20 16 and the General Municipal will go into effect

21 respectively. We will vote to approve Land Use 105  
22 the NIHOP Van Buren Greene Application for properties  
23 located in seven blocks in Council Member Cornegy's  
24 district in Brooklyn. HPD seek amendments to a

25 previously approved UDAAP in order to avoid punitive

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2 taxes being imposed on the future homeowners. HPD  
3 seeks amendments to a previously approve Urban  
4 Development Action Area Project in order to avoid a  
5 mansion tax being imposed on the future owner of 10  
6 2-family homes. A change to the project will allow  
7 HPD to reduce the amount of land debt bringing the  
8 cumulative value of the subsidies below a level that  
9 incurs the mansion tax on any property in the city of  
10 New York with a value of more than \$1 million. The  
11 future homeowners will have incomes between 80% and  
12 130% of AMI, which equates to as much as \$122,000 for  
13 those watching at home. We will vote to approve—and  
14 I believe there have already been nine out of the ten  
15 units already at—getting ready to be sold to 9 or 10  
16 lucky winners who just won about a million dollars.  
17 We will vote to approve Land Use Item 106, the 501  
18 West 51<sup>st</sup> Street application for property in Speaker  
19 Johnson's district in Manhattan. HPD seeks a new  
20 Article XI tax exemption for a term of 40 years for a  
21 fully occupied building with 22 residential units.  
22 Some tenants were relocated during the original  
23 rehabilitation and have returned to the building, and  
24 the rest of the rehabilitation were marketed to  
25 families with incomes at 80% of AMI. The taxes then

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2 to be retroactive to 2010 since the building has  
3 existing tax arrears. We'll also vote to approve  
4 Land Use 103, Hudson Piers II for properties in  
5 Council Member Levine's district in Manhattan. A new  
6 partial Article XI tax exemption is set for two fully  
7 occupied buildings with 83 units located a 1626 and  
8 1640 Amsterdam Avenue. There is an existing Article  
9 5 tax exemption. This will be terminated and  
10 replaced with an Article XI. This will extend  
11 affordability as the Article 5 Tax Exemption expires  
12 in 2024. All units will remain income restricted at  
13 50% of AMI with tenants paying 30% of their incomes  
14 as rent. Last but not least, we will also be voting  
15 on Land Use Item 81, the ANCP 107 West 105<sup>th</sup> Street  
16 application that we heard at our May 15<sup>th</sup>  
17 subcommittee meeting. This application by HPD is for  
18 UDAAP approval as well as a new 40-year Article XI  
19 tax exemption to facilitate the renovation of two  
20 partially occupied city-owned residential buildings  
21 in Council Member Levine's district in Manhattan.  
22 After the conveyance or renovation, current tenants  
23 will have the opportunity to purchase their units for  
24 \$2,500 and vacant units will be sold to families  
25 earning between 97% and 100% of AMI. All the

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2 application I have described have the support of  
3 their local Council Member. We are joined today by  
4 Council Member Alicka Ampry-Samuel. Do you have a  
5 statement?

6 COUNCIL MEMBER AMPRY-SAMUEL: [off mic]  
7 Yes. [on mic] I just want to say that Berean  
8 Gardens, which sits within my district is HUD 202  
9 Development for low-income seniors, and they have  
10 been around for many years providing affordable  
11 housing and I would really ask that the committee  
12 vote to approve of this tax exemption for the  
13 development and I look forward to working with the  
14 seniors on the additional improvement capital repairs  
15 that are needed, and thank you so much.

16 CHAIRPERSON KALLOS: I will now call for  
17 a vote on Land Use Items, 81, 102, 103, 104, 105 and  
18 106. Counsel, please call the roll

19 LEGAL COUNSEL: A vote to approve Land  
20 Use Items 81, 102, 103, 104, 105 and 106. Chair  
21 Kallos.

22 CHAIRPERSON KALLOS: Aye on all.

23 LEGAL COUNSEL: Deutsch.

24 COUNCIL MEMBER DEUTSCH: Aye on all.

25 LEGAL COUNSEL: Diaz.

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2 COUNCIL MEMBER DIAZ: Aye on all.

3 LEGAL COUNSEL: The Land Use items are  
4 approved by a vote of 3 in the affirmative, 0  
5 negatives no abstentions and referred to the full  
6 Land Use Committee.

7 CHAIRPERSON KALLOS: I would like to  
8 thank the Committee Counsel, and Land Use staff for  
9 really digging on today's items, and to the members  
10 of the public and my colleagues for attending. This  
11 meeting is hereby adjourned. [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 25, 2018