1	C	OMMITTEE ON LAND USE	1
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7	COMMITTEE ON LA		
8		June 20, 2018	
9		Start: 11:07 a.m. Recess: 11:32 a.m.	
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11		Committee Room - City Hall	
12	BEFORE:	RAFAEL SALAMANCA, JR. Chairperson	
13	COUNCIL MEMBER		
14		ADRIENE E. ADAMS INEZ D. BARRON	
15		COSTA G. CONSTANTINIDES CHAIM M. DEUTSCH	
16		RUBEN DIAZ, SR. VANESSA L. GIBSON	
17		BARRY S. GRODENCHIK BEN KALLOS	
18		ANDY L. KING PETER A. KOO	
19		RORY I. LANCMAN STEPHEN T. LEVIN	
20		I. DANEEK MILLER FRANCISCO P. MOYA	
21		ANTONIO REYNOSO	
22		DONOVAN J. RICHARDS CARLINA RIVERA	
23		RITCHIE J. TORRES MARK TREYGER	
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COMMITTEE on Land use A P P E A R A N C E S (CONTINUED) [gavel]

2	CHAIRPERSON SALAMANCA: Alright, good
3	morning everyone. Welcome to the Committee on Land
4	Use, I'm Council Member Rafael Salamanca, Chair of
5	this committee. This morning Landmarks Subcommittee
6	has been deferred. I want to welcome my esteemed
7	colleagues who are members of this committee; we have
8	Constantinides, Deutsch, Koo, Lancman, Reynoso,
9	Richards, Grodenchik, Chair Adams, Diaz, Chair Moya,
10	and Rivera. I want to thank Chair Moya, Chair Adams
11	and acting Chair, Chair Deutsch for their work on our
12	Land Use Subcommittees. Today we will be voting on a
13	number of items referred out of our subcommittees.
14	We'll be voting to approve the Modifications LU's 89
15	through 94, the block 675 application in Council
16	Member Johnson's district in Manhattan. These
17	applications for zoning map changes, tax amendments
18	and special permits will facilitate the transfer of
19	floor area for Hudson River Park as permitted by
20	state law and a zoning resolution to upland
21	development sites. The applications before us today
22	would establish a new granting site and new receiving
23	sites in a special Hudson River Park district, permit
24	a wider range of uses and higher density on two
25	development sites, require permanently affordable

housing and support certain identified improvements
to and the maintenance of Hudson River Park within
Manhattan district four. We will be modifying the
special permit plans for section for site A, the
Douglaston site on West 29 th Street to reduce the
tower height of the building to less than 600 feet.
We will be modifying both of the applications on West
29 th Street and West 30 th Street to ensure that the
specified park improvements are properly funded and
that the additional financial contributions totaling
four million dollars will facilitate the completion
of a stretch of the park between $32^{\rm nd}$ and $34^{\rm th}$ Street.
Last, we'll be modifying the restrictive declarations
associated with each site to ensure that open space
mitigation funds contributed by the developers are
applied by the Parks Department on Chelsea Park and
to better address child care impacts that may occur.
Speaker Johnson cannot be here today, but I
congratulate him on this important project which will
benefit Hudson River Park and all of it's users and
we will now read his statement into the record. Today
we're voting on two land use applications that I've
been working on for years even before I was sworn in
as Council Member when I chaired when I was Chair of

Bronx Community Board four. It presented a lot of
challenges and involved a wide range of diverse
stakeholders, but the proposals have the potential to
produce substantial affordable housing, create more
open green space and help us achieve many long-sought
goals of our community. I'm extremely proud to say
that after a long rigorous process involving much
negotiations, detailed and thoughtful input from the
community and my colleagues in government that
projects on block 675, Lalezarian at 606 West $30^{\rm th}$
Street and Douglaston Development at 601 West 29 th
Street are, are an all-around win for the people of
my district in the city. While both projects have and
will continue some of the nicest affordable housing
units in the country the main impress of these
projects is to help complete Hudson River Park,
putting needed putting much needed capital between
the area from 29^{th} to 34^{th} Streets. With the
additional investment approximately, ten percent more
will be coming to the park. We're seeing an
unprecedented, unprecedented level of support for
Hudson River Park from both state, city and the
private development community in the last two years.
In addition the Douglaston development will provide

12,300 square reet or for area to arrow the
construction of a new permanent FDNY EMS facility to
be the new homes of EMS station seven which is
currently on West 23 rd Street. EMS station seven
which provides vital emergency service will better
equip to serve the West side of Manhattan as a result
of this development. Both projects will also create
approximately 310 units of desperately needed
permanently affordable housing on the West side.
Through this process we were able to achieve an
equitable distribution of affordable units throughout
both buildings exceeding the 65 percent distribution
minimum, both the market rate and affordable rate
will provide the same fixtures and finishes, and
discounts that will be offered and fee-based
amenities to families and individuals who live in the
affordable units. Furthermore, to maintain the
character of the surrounding neighborhood, Douglaston
character of the surrounding neighborhood, Douglaston development has redesigned its tower and decreased
its maximum height to less than 600 feet and the
Lalezarian, there we go, has maximized its
development to include an out parcel and other,
otherwise would have been sandwiched between two
towers. There were many partners involved in this

۷	errore. I want to thank beputy Mayor Gren, City
3	Planning Chair Lago, my fellow elected officials and
4	Hudson River Park Trust President Madeline Wills and
5	the President Advocacy of friends of Hudson River
6	Park. I also want to thank community board four,
7	Chair Burt Lazarin and CB four members of Compton;
8	Betty McIntosh, J.D. Nolan and Joe Restuccia.
9	Finally, I want to acknowledge Steve Charno, Jeff
10	Levin from Douglaston Development and Kevin
11	Lalezarian for their spirit of cooperation to make
12	sure we delivered to the best of the public and the
13	best project possible. Thank you for your support. I
14	really botched those names but alright, there we go.
15	We will also be voting to approve the modifications
16	to South Portland Avenue rezoning, LU's 108 through
17	110 in Council Member Cumbo's district in Brooklyn.
18	This application is for a rezoning that would allow
19	properties within the rezoned areas to build 50 feet
20	higher than the existing zoning allows. The rezonings
21	will apply not only to the applicant's site but to a
22	number of other properties on the block. The proposed
23	rezoning area is located in a zoned neighborhood
24	which was the subject of 2007 for Green Clinton Hill
25	neighborhood rezoning intended to prevent out of

scale development. In connection with the present
rezoning application we heard many members of the
community testify against it due to concerns about
inappropriate bulk for this block and concerns that
the hard-worn conceptual zoning would be undone.
Witnesses who testified in favor testified about the
applicant's particular project not about any other
proposed development in the larger rezoning area. The
applicant's property will be developed with a 13-
story mixed use residential and community facility
building with a total of 100 apartments all of which
would be affordable. The applicant will be complying
with MIH option one but will be providing many, many
more affordable units than MIH option one requires
and in fact one of the actions, actions we will vote
to approve today is LU's 110, an application by HPD
for the Article XI tax exemption which will support
this project. The tax exemption will exempt all of
the land and proposed buildings except for commercial
and community facilities components for real property
taxes for a period of 40 years. Given that the
applicant's sites will provide 100 percent units all
of which will be affordable under the city's M
squared term sheet and will include community

facilities providing medical and social services. We
believe that the burdens of the additional bulk are
outweighed for this development site. According,
accordingly, we will be modifying the rezoning
applications to apply only to the project site, we
will also be striking MIH option two from the zoning
text map. We will be voting to approve LU's 111, the
180 to 188 Avenue of America's application for zoning
map changes for properties in Speaker Johnson's
district in Manhattan. The establishment of a new C2-
5 commercial overlay and removal of a C1-5 commercial
overlay would allow the operation of a gym and dance
studio in an existing mixed-use building. We'll be
voting to approve LU's 112, the 1568 Broadway Place
Broadway Palace Theatre text amendment effecting
property in Council Member Power's district in
Manhattan. The applicant seeks a text amendment to
modify the special Times Square district signage
requirement and the street wall and setback
requirements. These changes will facilitate
renovations of an existing 42 story building and in
connection with this approval the applicant will
fully renovate the landmark Palace theatre interior
and exterior. We will be voting to approve LU 113,

2	the 85 Mercer special permit application. This
3	application seeks a use waiver to allow retail use on
4	portions of the ground floor and cellar of an
5	existing five story on 85 Mercer Street in Council
6	Member Chin's district in Manhattan. We'll be voting
7	to approve LU's 107, the Seven Hills Mediterranean
8	Grill, an application for a revocable consent to
9	operate an unenclosed sidewalk café in Council Member
10	Rosenthal's district in Manhattan. We will be also
11	voting to approve LU 114, the Lavo Restaurant
12	application for revocable consent to operate an
13	unenclosed sidewalk café in Council Member Power's
14	district in Manhattan. Pursuant to LU rules land use
15	rules 11.10e I call up LU 115. We will vote to
16	approve the designation of the Emmet Building located
17	at 95 Madison Avenue, Manhattan as a historic
18	landmark. This 16-story limestone and terracotta
19	office building constructed between 1911 and 1912 is
20	located in Council Member Rivera's district, a
21	hearing was held and closed yesterday. We will also
22	be voting to approve LU 116, the landmark designation
23	of the Hotel Seville now James Nomad Hotel located at
24	22 East 29 th Street in Manhattan, it is located in
25	Council Member Power's district. We will be voting to

2	approve LU's 117, LU's118 and LU 119 to allow
3	landmark designation in Council Member Ayala's
4	district. LU 117 is, is a designation as a historic
5	landmark of public schools 109 now El Barrio's Art
6	space PS 109 located at 215 East 99 th Street in
7	Manhattan. The building was constructed in 18 in
8	1899 as a school, since 2015 the school has been used
9	as an affordable housing and studio space for local
10	artists. LU's 118 is a designation of the Benjamin
11	Franklin High School now the Manhattan Center for
12	Science and Mathematics. A two-block long brick and
13	limestone Georgian Revival School located at 20
14	located at 260-300 Pleasant Avenue in Manhattan. LU
15	119 is the designation of the Richard Webber Harlem
16	Packing House located at 207-215 East 119 th Street in
17	Manhattan. Constructed in 1895, the building was
18	formerly a meat market that was part of a larger
19	slaughter house, meat packing and retail complex. We
20	will also be voting to approve LU 120, the landmark
21	designation of the Dr. Maurice T. Lewis House. The
22	building is located at four… 404 55 th Street in the
23	Sunset Park section of Brooklyn in Council Member
24	Menchaca's district. Constructed as a mansion in
25	1907, the Dr. Maurice T. Lewis House was later

2	converted into an apartment building. We will also be
3	voting to approve LU 121, the designation of the Dime
4	Savings Bank of Williamsburgh as a historic landmark
5	completed in 1908 and is located at 209 Havemeyer
6	Street on Williamsburgh Bridge Plaza in Council
7	Member Reynoso's district. From our Planning
8	Subcommittee we will be voting to approve East
9	Village I and II for Pre-considered LU's 20185417 H,
10	HAM; 20185418 HAM; 20185436 HAM; 20185419 HAM;
11	20185420 HAM; 20185423 HAM. East Village I and II are
12	located in Council Member Rivera's district in
13	Manhattan. East Village I is comprised of
14	approximately 150 existing dwelling units which are a
15	part of the plan and project established in 1977
16	pursuant to Article V of the private housing finance
17	law. The first action is a termination of the Article
18	V tax exemption for the existing buildings and
19	replacement with a new partial Article XI tax
20	exemption. The second the second action is a removal
21	of a vacant parcel to the developed from to be
22	developed from the plan and project and the third
23	action is to approve the conveyance of the vacant
24	part parcel from the current owner to a new owner
25	who will redevelop it with new buildings containing

2	11 units. East Village II also has three applicants.
3	East Village II is comprised of approximately 150
4	existing dwelling units which are part of the plan
5	and project established in 1980 pursuant to Article V
6	of the private housing finance law. The first action
7	is a termination of Article V tax exemption for the
8	existing buildings and replacement with a new part,
9	partial tax exemption Article XI. The second action
10	is the removal of one vacant parcel from the plan
11	and, and project. The third action is to approve the
12	conveyance of the vacant parcel from the current
13	owner to a new owner who will redevelop it with a new
14	building containing 23 units. The last application we
15	will vote on today is La Cabana which has three
16	applicants; 20185415 HAK, 20185416 HAK, and 20185435
17	HAK. The project site is in Council Member Reynoso's
18	district in Brooklyn. It is comprised of 167 dwelling
19	units built in 1982 under Article V of the private
20	housing finance law as part of plan and project. The
21	first action is a termination of the Article V tax
22	exemption for the existing buildings and replacement
23	with a new partial Article XI tax exemption. The
24	second the second action is a removal of the two
25	vacant parcels from the plan and the plan and

COMMITTEE on LAND USE

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2	project. The third action is to approve the
3	conveyance of the two vacant parcels from the current
4	owner to a new owner who will redevelop them with a
5	new building containing approximately 60 dwellings.
6	These committees have been really busy, so I want to
7	congratulate the Chairs. Are there any questions or
8	remarks from members of the committee? Council Member
9	Antonio.
10	COUNCIL MEMBER REYNOSO: Thank you
11	[cross-talk]
12	CHAIRPERSON SALAMANCA: Reynoso… [cross-
13	talk]
14	COUNCIL MEMBER REYNOSO: Thank you Chair
15	Salamanca. First, I want to acknowledge the fact that
16	we've been joined by the Arbor School from
17	Williamsburgh, hello
18	[applause]
19	COUNCIL MEMBER REYNOSO: It's actually
20	the school I went to when I was growing up in
21	Williamsburgh, PS 19, Roberto Clemente, now known as
22	the Arbor School and also Rafael Perez from our
23	 Sergeant at Arms has his son and his grandchild both

go to the Arbor School as well so it's a, a family

affair here, that's his son right there standing up,

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it... like a... it's a... it's like a mini Ralph but I
thank you for being here and seeing the work that
we're doing in the city council and taking this tour,
I hope you enjoy it and hopefully in the future many
of you would be politicians and, and the future city
council members.

[off mic dialogue]

COUNCIL MEMBER REYNOSO: Yeah, run against me please, I'll be looking forward to it. Williamsburgh has changed drastically in the last two decades and it's hardly recognizable to those of us who grew up there. It is not just the physical character that has changed though, long term residents particularly low-income folks are increasingly being pushed out of the neighborhood. La Cabana represents one of the last havens for low income residents in my district. When I was approached by the owners of La Cabana and HPD with an opportunity to preserve the affordability for over... for over 20 years it was a no brainer, I would do whatever I can to protect the existing deeply affordability in my district. The people of Williamsburgh has always been as diversity and the preservation of the 167 units at La Cabana will

ensure we have a reservoir of deeply affordable
housing in Williamsburgh for years. As part of the
reservation the preservation of La Cabana the two
parking lots will be split off from the existing
development for potential of new development in the
future. The owners have agreed to a restrictive
declaration being put on the property which contains
a number of provisions regarding future development.
Within two years of the approval of this tax
exemption the owners will submit a viable development
plan to HPD which will outline an affordability
program with 25 percent of the units at 40 percent
AMI, ten percent of the units at 80, ten percent at
100 and five percent at 135. If the owner does not
submit a good faith proposal within two years the
restrictive declaration will be extended for a period
of time in which the owner is noncompliant. When HPD
and the owner agree to terms regarding future
development HPD will come back to this committee to
resize the tax exemption to aid in subsidizing the
affordable component of this project. The restrictive
declaration will run with the land for a period of 10
years. I want to be clear, future development of the
parking lots will in no way impact the affordability

of La Cabanas. Furthermore, I will be in close	
communication with HPD in the coming months to ensur	re
the owners are complying with the terms of the	
agreement. I am very pleased we are preserving the	
long-term affordability of La Cabanas and providing	
further opportunities for the creation of new	
affordable housing. However, I am deeply	
uncomfortable with the process that was conducted to	C
reach the agreement. At no point were the residents	
of La Cabana engaged on this proposal, I was	
approached about this deal weeks before the hearing	
to approve the Article XI, I was strongly advised,	
HPD and the ownership to reconsider the way they go	
about engaging residents and elected officials arour	ıd
these types of projects. This process lacked the	
democracy and transparency that I always strive to	
incorporate in my decision making. We as elected	
officials should never put in should never be put	in
the position of having to decide between an objective	<i>т</i> е
win for our constituents and an open and transparent	-
decision-making process. My office will be engaging	
with the residents at La Cabana in the coming months	3
to ensure folks understand all the details outlined	
in this agreement and address any concerns they may	

have. It is my expectation that HPD and the ownership
at La Cabana will join me in this effort and put
forth a good faith effort to ensure the existing
residents are meaningfully included in this process
moving forward. I want to thank the committee for
taking the time to examine this proposal and I
encourage my colleagues on the committee to vote in
favor of Article XI exemption at La Cabana and I also
want to thank Chair Moya for the great work that he
did in the Subcommittee and Council Member Salamanca
for the work here today. Thank you.

CHAIRPERSON SALAMANCA: Council Member
Reynoso congratulations on this project, you know I,
I agree with what you're saying in terms of that
there should be always be community involvement when
projects are affecting communities whether directly
or indirectly but it's also a good day when
Williamsburgh gets affordable housing so
congratulations on that.

COUNCIL MEMBER REYNOSO: Thank you, thank you very much Chair... [cross-talk]

CHAIRPERSON SALAMANCA: Alright, I want to recognize that we've been joined by Council Member

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Torres. Alright, bye guys. Next, we're going to hear from Chair Adams.

COUNCIL MEMBER ADAMS: Thank you very much Chair Salamanca. I too would like to thank my Committee on Landmarks, Public Siting and Maritime Uses for the work that we have done over the past few months, it's been a lot, it's been very different but we have... we've stood the course and I would really, really like to sincerely thank them for their hard work, you know it's, it's not easy determining landmarking for the city of New York, the most beautiful city in the country in my opinion. We have some of the most beautiful buildings right here in the city of New York, I'm so very, very proud to sit on a committee that appreciates the historical property and preservation of these buildings and I am very, very happy to sit here and say that we had I believe a record number of votes on these properties over the past few months and I'm very, very proud to have led this committee. Chair Salamanca it is my privilege to be a part of the Land Use Committee team and I thank you very much for your work as well and I thank you all of my colleagues for all of your support. Thank you.

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2 CHAIRPERSON SALAMANCA: Thank you Chair
3 Adams. Now we're going to hear from Council Member
4 Rivera.

COUNCIL MEMBER RIVERA: Thank you Chair Salamanca and to Chair Adams. I have a couple of agenda items here and I wanted to thank you all for your support. East Village I and II is preservation and creation of affordable housing in my district which is incredibly important, and Council Member Reynoso knows what I'm going through because he's going through something very similar in terms of displacement and of course transparency with HPD is always going to be I think our focus. Sometimes affordability, we get so desperate for affordability that we... you know we, we want to say yes to projects that are going to bring equity into our communities, but we really need to work with these agencies in the most transparent and accountable way possible, so I want to thank you for being honest about the process. And so, I'm asking of course for everyone's support East Village I and II. These buildings that are being preserved are low income families, families of color, people that have been there for multiple generations and it's very important to the East Village Lower

COMMITTEE on Land use

2	East Side neighborhood and of course for the other
3	items I want to thank everyone for their patience and
4	for your support in the end and looking forward to
5	working with you all on future projects.
6	CHAIRPERSON SALAMANCA: Thank you.
7	Alright, I will now call a vote in accordance with
8	recommendations of the Subcommittees and the local
9	members to approve with modifications that have been
10	described LU's 89 through 94 and 108 through 109 and
11	to approve LU's 107, 110, 111, 112, 113, 114, 115,
12	116, 117, 118, 119, 120, 121 and Pre-LU's East
13	Village I, Pre-LU's East Village II and Pre-LU's La
14	Cabana, La Cabana… yeah, Cabana. Will the Clerk
15	please call the roll?
16	COMMITTEE CLERK MARTIN: William Martin,
17	Committee Clerk roll call vote, Committee on Land
18	Use, all items are coupled, Chair Salamanca?
19	CHAIRPERSON SALAMANCA: Aye on all.
20	COMMITTEE CLERK MARTIN: Constantinides?
21	COUNCIL MEMBER CONSTANTINIDES: Aye on
22	all.
23	COMMITTEE CLERK MARTIN: Deutsch?
24	COUNCIL MEMBER DEUTSCH: Aye on all.
25	COMMITTEE CLERK MARTIN: Koo.

COMMITTEE on LAND USE

1	COMMITTEE ON BAND USE
2	COUNCIL MEMBER KOO: Aye on all.
3	COMMITTEE CLERK MARTIN: Lancman?
4	COUNCIL MEMBER LANCOUNCIL MEMBERAN: [off
5	mic] Aye on all.
6	COMMITTEE CLERK MARTIN: Reynoso?
7	COUNCIL MEMBER REYNOSO: I vote aye on
8	all, thank you.
9	COMMITTEE CLERK MARTIN: Richards?
10	COUNCIL MEMBER RICHARDS: I vote aye, aye
11	on all, congratulations all.
12	COMMITTEE CLERK MARTIN: Torres?
13	COUNCIL MEMBER TORRES: Aye on all.
14	COMMITTEE CLERK MARTIN: Grodenchik?
15	COUNCIL MEMBER GRODENCHIK: [off mic]
16	Aye.
17	COMMITTEE CLERK MARTIN: Adams?
18	COUNCIL MEMBER ADAMS: Aye on all.
19	COMMITTEE CLERK MARTIN: Diaz?
20	COUNCIL MEMBER DIAZ: Permission to, to
21	explain my vote?
22	CHAIRPERSON SALAMANCA: Council Member
23	Diaz to explain his vote.
24	COUNCIL MEMBER DIAZ: Thank you Mr.

Chairman and I just want to congratulate Council

1	COMMITTEE on land use
2	Member Rivera, Village I and Village II I think that
3	Council Member Rivera has been demonstrating that
4	she's a wonderful and exceptional Council Member who
5	who, who cares about her community and with these tw
6	projects her community keeps it keeps improving and
7	I am very proud, very honored to serve next to her
8	and to vote yes on all. Thank you.
9	COUNCIL MEMBER RIVERA: Wow.
10	CHAIRPERSON SALAMANCA: Thank you Council
11	Member Diaz, yeah, he
12	COMMITTEE CLERK MARTIN: Moya?
13	COUNCIL MEMBER MOYA: Aye on all.
14	COMMITTEE CLERK MARTIN: Rivera?
15	COUNCIL MEMBER RIVERA: Thank you Council
16	Member Diaz, also thank you acting Chair Deutsch for
17	the… for presiding over the meeting the other day, I
18	can't believe I forgot to thank you in my main
19	remarks. Aye on all.
20	COMMITTEE CLERK MARTIN: By a vote of 13
21	in the affirmative, zero in the negative and no
22	abstentions all items have been adopted by the

CHAIRPERSON SALAMANCA: I would like to thank members of the public, my colleagues, council

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committee.

COMMITTEE ON LAND USE

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2	and land use staff for attending today's meeting and
3	I will leave the roll open for 15 minutes.
4	COMMITTEE CLERK MARTIN: Council Member
5	Levin?
6	COUNCIL MEMBER LEVIN: Aye on all.
7	COMMITTEE CLERK MARTIN: The final vote,
8	Committee on Land Use, all items have been adopted by
9	the committee, 14 in the affirmative, zero in the
10	negative and no abstentions.
11	CHAIRPERSON SALAMANCA: Thank you all for
12	attending today's hearing. This meeting is hereby
13	adjourned.
14	[gavel]
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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

July 20, 2018