

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

LAND USE SUBCOMMITTEE ON
ZONING AND FRANCHISES

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September 2, 2008
Start: 10:00am
Recess: 10:30am

HELD AT: Council Chambers
City Hall

B E F O R E:
TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Simcha Felder
Michael E. McMahon
Larry B. Seabrook
Helen Sears
Albert Vann

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

Jacques M. Leandre, Esquire
Vice President
Concerned Citizens of Laurelton

Kim Francis
President
Concerned Citizens of Laurelton

Jacqueline Boyce
143-18 185th Street
SDFD GDN NY 11413

Vernel Bennett
President
224-225th Civic Association of Laurelton

Judy Rivera
Federated Blocks of Laurelton

Dwight T. Johnson
Federated Blocks of Laurelton

Richard C. Hellenbrecht
Chair
Community Board 13

Liz Errico
New York City Department of City Planning
Queens Borough Office

John Young
New York City Department of City Planning
Queens Borough Office

Bess DeBetham
Federated Blocks of Laurelton
Community Board 13

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2 YVETTE MOLINA: Testing. Today's
3 date is September 9, 2008. This is a committee
4 hearing on Zoning and Franchises and is recorded
5 by Yvette Molina.

6 CHAIRPERSON AVELLA: Good morning,
7 everyone. I'd like to call this meeting of the
8 Subcommittee in Zoning and Franchises to order. I
9 apologize for the delay, but we do have to have
10 quorum before we can start. Joining me this
11 morning are our Council members Simcha Felder,
12 Larry Seabrook, Helen Sears, Michael McMahon and
13 Al Vann. There were three items on the agenda,
14 however, two of them, Land Use number 864,
15 Domino's Pizza, which is in Council member
16 Gerson's District and Land Use number 865, Papa
17 John's Pizza, which is in Council member Lappin's
18 District, both of them are un-enclosed sidewalk
19 café applications, are going to be laid over at
20 the request of the council members. So, the one
21 item we have is the long-awaited Laurelton
22 rezoning, C080462ZMQ, and I'd like to call up City
23 Planning to give their presentation.

24 [Break in Audio]

25 JOHN YOUNG: Good morning, Chair

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2 Avella, City Council Members, ladies and
3 gentlemen. My name is John Young and I'm the
4 Director for the Queens Office for the Department
5 of City Planning. On behalf of City Planning
6 Director, Amanda Burden, I am very pleased to be
7 here this morning to present the Department's
8 efforts to update zoning designations for 220
9 blocks in the Laurelton neighborhood in southeast
10 Queens. I am joined by Liz Errico, who will
11 present our rezoning proposal to you.

12 The Laurelton rezoning proposal is
13 a comprehensive neighborhood-wide effort to
14 provide zoning designations that more closely
15 match building patterns and will ensure more
16 predictable and orderly development. It will
17 complement rezonings that the City Council has
18 adopted for two adjacent communities. Brookville,
19 which was rezoned in 2004, and Cambria Heights,
20 rezoned in 2005. This rezoning is the 30th one
21 that the Department has sponsored since 2002 to
22 protect the character of Queens' cherished
23 neighborhoods and build on the borough's
24 strengths. With the Laurelton rezoning, more than
25 3,900 blocks will have been rezoned in Queens, or

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2 more than one quarter of the borough.

3 As you will learn in today's
4 hearing, if you're not already aware, Laurelton is
5 a very well-tended and beloved Queens community
6 and its desirability has, in recent years, caused
7 a worrisome increase in new development, which,
8 most of it has been out-of-context with
9 traditional building types and density. For this
10 proposal, the Department has developed a carefully
11 delineated rezoning strategy to ensure that future
12 housing more closely corresponds to established
13 development patterns of one or two family
14 residences that predominate in most of the
15 neighborhood, while allowing moderate density,
16 mixed use developments to strengthen a portion of
17 the community's main street, Merrick Boulevard,
18 where residential use is currently prohibited.
19 The proposal will also update commercial overlay
20 designations to ensure that non-residential uses
21 do not encroach on residential block portions.
22 This contextual rezoning is consistent with many
23 of the Department's more recent rezoning efforts
24 to support orderly growth that curb inappropriate
25 development and provide for targeted future

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2 development opportunities to strategically spur
3 reinvestment.

4 Protecting the low density and
5 appealing qualities of the Laurelton neighborhood
6 has been an important goal for its many very
7 committed civic groups, including the Concerned
8 Citizens of Laurelton and the Federated Blocks of
9 Laurelton, as well as Community Board 13 and local
10 elected officials. It has been the Department's
11 privilege to have worked closely and intensively
12 with them for more than three years to shape and
13 refine this proposal. We know it has taken
14 considerable effort to reach this point with
15 substantial discussion and debate, but we could
16 not have made it here without their contributions.
17 Likewise, Councilmember James Sanders, Jr. has
18 provided valuable leadership and advocacy during
19 the rezoning process and we're very grateful for
20 his partnership in achieving consensus on this
21 proposal.

22 Following the June 2nd
23 certification of the rezoning, we're very pleased
24 to have received support from Community Board 13
25 as well as Borough President, Helen Marshall, and

1
2 thank them for expediting their reviews of the
3 proposal. We know how important it is for the
4 community stakeholders that this rezoning be
5 implemented as quickly as possible. We hope that
6 you, too, will support this well-considered
7 rezoning initiative to reinforce the build
8 character and development patterns of the highly
9 prized Laurelton neighborhood. And now Liz will
10 present the rezoning proposal to you.

11 LIZ ERRICO: Good morning,
12 Councilmember Avella and other council members.
13 The Department of City Planning is proposing
14 zoning map changes for approximately 220 blocks in
15 the southeast Queens neighborhood of Laurelton in
16 Community District 13. The rezoning area is
17 bounded to the north by Montefiore Cemetery on
18 121st Avenue, on the east by Laurelton Parkway, on
19 the south by the Belt Parkway and North Conduit
20 Avenue, and on the west by Springfield Boulevard.
21 The Laurelton area has, existing zoning has two
22 residential zones, the R2, which is predominantly
23 north of Merrick Boulevard, which is a single-
24 family zone, allows only single-family detached
25 homes. There's another small portion south, in

1 the center of the southern portion of the rezoning
2 area. There is also an R3-2 District, which is
3 predominantly in the southern, south of Merrick
4 Boulevard, which is a low density multi-family
5 general residence district that allows all types
6 of housing. Along Merrick Boulevard, which
7 bisects the neighborhood, there, it's the
8 commercial center of Laurelton. On the west side,
9 west of 225th Street, is a C8-1 zone, which is
10 basically a heavy commercial, and warehouse,
11 automotive uses in those areas. And east of 225th
12 Street to the Laurelton Parkway is a local
13 commercial R3-2 zone with C1 and C2 overlay
14 districts. It's a local shopping district for
15 Laurelton. All of these zones were put in place,
16 have been in place, and have not been altered
17 since 1961. The Department's rezoning proposal
18 affects approximately to the, you know, more than
19 200 blocks. It's comprised of three components; a
20 residential rezoning, which will change these
21 general residence districts and the R2 to
22 something more contextual. There is a corridor
23 rezoning, which will change the nature of the C8
24 District along Merrick Boulevard and allow, for
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1 the first time, housing opportunities. And the
2 third element is the commercial overlay, changes
3 to the commercial overlays in the neighborhood,
4 which will reflect the more local commercial
5 nature of the District. The existing R2 Districts
6 are proposed to be expanded in two areas. In the
7 north, we would be expanding-- let me use the use
8 the proposed zoning. We're basically going from
9 three districts in this community to eight
10 residential districts that will closely reflect
11 the building patterns in the neighborhood. In the
12 north, we're proposing an extension of the
13 existing R2 to encompass single-family homes that
14 are now zoned C8-1 and R3-2. In the south, there
15 is a portion that is being rezoned that is now R3-
16 2, which is a general residence district, a multi-
17 family that will now reflect the single-family
18 homes that are there. R2A is being proposed for
19 almost 90 blocks in the northern portion of the
20 District. And the R2A, although it is also a
21 single family detached district, reflects the
22 smaller context of the buildings that are in that
23 area and will determine future development that
24 will be, reflect the surrounding small one, one
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2 and a half story residences that are there. R3A
3 is being proposed for large swaths of the existing
4 multi-family R3-2 district. R3A will limit
5 development in the future to one and two-family
6 detached homes that are on lots that are 25 feet
7 wide, narrow lots. The existing zoning now allows
8 multi-family development. R3X zone is proposed
9 for approximately 50 blocks in the southern area
10 and this is also, this will also limit development
11 to one and two family detached homes but the lot
12 sizes in R3X are just a little bit larger than
13 R3A. They would be 35 feet wide. R31 is proposed
14 for a very small area that encompasses about five
15 blocks, just south of Merrick Boulevard, and the
16 R31 was selected to reflect the semi-detached one
17 and two-family homes that are in that area. We
18 are doing an up-zoning from R2 to R3-2 on about
19 five blocks north of Merrick Boulevard and that's
20 because the R3-2 permits all housing types.

21 Included in the all housing types are garden
22 apartment complex, which occupy these five blocks.
23 This rezoning will bring this apartment complex
24 into compliance and conformance with the zoning.
25 It's now zoned for single-family detached homes.

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2 We're also proposing an R4B on
3 approximately 15 blocks throughout the area.
4 North, there are about six or seven blocks north
5 of Merrick Boulevard that were previously zoned
6 R3-2. South, along Mentone area in the southern
7 portion of the District there are about five
8 blocks that are being rezoned R4B. R4B allows
9 only one and two-family homes. The prototypical
10 development in this particular zone is a row house
11 development. It has a very low height limit of 24
12 feet. This particular zone does not allow front
13 yard parking. No curb cuts are allowed in the
14 front yard. So, therefore, this particular
15 streetscape, you'll see in some of your handouts
16 there are some Tudor row houses, this zoning will
17 preserve that type of streetscape where there will
18 be a continuous front yard. This development also
19 has all of its parking in the rear. There's
20 common parking in the rear.

21 An R5D district is being proposed
22 for the portion of Merrick Boulevard that is
23 currently zoned C8-1 and a small portion that is
24 zoned R3-2. This area along Merrick Boulevard is
25 now zoned C8-1 and does not allow housing

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2 development there. What it does provide for is
3 heavy commercial uses and it provides an area
4 where there are open storage areas, open vehicular
5 storage areas, which is really not conducive to--
6 it doesn't relate very well to the surrounding
7 residential development. The R5D zoning district
8 permits all types of residential buildings and it
9 has a maximum FAR of 2 with a maximum building
10 height of 40 feet, which is only five feet higher
11 than what the surrounding zones allow. Group
12 parking is required behind the home, behind
13 residential developments and that is for 66
14 percent of the dwelling units. What the proposed
15 R5D district will provide for is a modest
16 reinvestment opportunity and will, hopefully,
17 promote redevelopment of some of these noxious
18 uses that are currently occupying some of the lots
19 along Merrick Boulevard.

20 Now, the commercial overlay
21 modifications in the area are basically to change
22 the C1 and C2 districts that are in the area to
23 C1-3 and C2-3 and the area along Merrick Boulevard
24 will be changed to C1-3. There will be a C2-3
25 established within the R5 district so that ground

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2 floor commercial can be included in a mixed use
3 development if that is proposed along there.

4 Some of the areas along the Long
5 Island Railroad will be changed from C2-2 to C1-3
6 and also along the southwest portion of the area.
7 Where it is C2-2 will now be C1-3. And the intent
8 of this and the intent of this is to recognize the
9 very local nature of the retail that we would like
10 to bring into the community and also to eliminate
11 commercial overlays on parcels of land that are
12 currently developed residentially. The other
13 intent behind the commercial modifications is to
14 eliminate the ability of commercial uses to
15 intrude into the residential side streets and
16 we're doing that by reducing the depth of most of
17 these commercial overlays to 200 feet, which would
18 match the commercial development patterns along
19 Merrick Boulevard.

20 These recommendations, as Mr. Young
21 had said, are intended to protect the low-density
22 character of Laurelton and to ensure that the
23 future development is consistent with the
24 surrounding area. Thank you.

25 CHAIRPERSON AVELLA: Well, thank

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2 you, because I know the community's been waiting
3 anxiously for this rezoning. Questions from
4 committee members? And I should say, for the
5 record, Councilman Sanders is obviously in favor
6 of the applications. Seeing no questions, we have
7 a number of speakers who are actually all in favor
8 of the application, so I'll start to call them up
9 in two panels of three. First of all, Richard
10 Hellenbrecht, the Chair of Community Board 13,
11 Judy Rivera from the Federated Blocks of Laurelton
12 and Dwight Johnson, Federated Blocks of Laurelton.

13 [Break in Audio]

14 RICHARD HELLENBRECHT: Good
15 morning, Chairman Avella and members of the
16 committee. My name is Richard Hellenbrecht. I
17 have the pleasure of chairing Community Board 13
18 in Eastern Queens. And Laurelton is one of the 10
19 communities within our wonderful area. I'm very
20 pleased to be here today. Today is truly a great
21 day. We have been fighting so hard for Laurelton
22 rezoning for many years. I think it is probably
23 the first zoning application that I put in as
24 chair since 2001. So this has been here a long
25 time. We've spent many, many Saturdays together

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2 with City Planning and I want to congratulate and
3 thank City Planning for the hard work and effort
4 that they put in with the community. And at each
5 meeting there were 100 people or better, very
6 vocal and very anxious to make sure that we get
7 the best zoning opportunity that comes along. And
8 this surgical approach that they've used here is
9 just perfect. It's right on. I have a minor
10 objection to the R5D, which I've stated on many
11 occasions, but the community has made a conscious
12 decision to go ahead with that in light of
13 everything else, all of the other protections that
14 are afforded to the community here. So we support
15 100 percent. Community Board 13 voted unanimously
16 in favor of this. We worked very carefully and
17 very closely with the Borough President's office
18 and with City Planning to make sure that these
19 hearings got moved forward and quickly. I urge
20 your quick action on this and I look forward to a
21 quick action by the full Council to protect this
22 wonderful historic community in Eastern Queens.
23 Thank you very much for your time.

24 DWIGHT JOHNSON: Good morning to
25 everyone. My name is Dwight Johnson. I'm with

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2 the Federated Blocks of Laurelton. Yes, okay. My
3 name is Dwight Johnson. I'm with the Federated
4 Blocks of Laurelton and I want to thank all of the
5 people who have been working so very, very hard
6 over the years to bring this to the point that it
7 is right now. There has been a lot of
8 construction and destruction of the homes in our
9 area. The integrity of the neighborhood has
10 changed quite a bit, but is still one of the best
11 neighborhoods or best areas here in Queens. We'd
12 like to continue to try to do everything within
13 our power to see to it that it stays that way.
14 Construction that's going on and that has taken
15 place in the past hasn't been up to standard.
16 Some of the houses that are being built are
17 inferior to the construction that has taken place
18 over the years. But through the efforts of the
19 City Planning and all of the local civic and
20 community groups, they have finally come upon a
21 plan to help rezone the area and to, again, try to
22 bring some sort of stabilization to our community.
23 So, again, I just want to say thank everybody for
24 their help and we hope that this gets passed real
25 soon.

2 JUDY RIVERA: Good morning. Judy
3 Rivera from Federated Blocks of Laurelton and I
4 approve the plan. Also, on behalf of the
5 community, who I've had extensive contact over the
6 years, speaking at the local senior centers,
7 knocking on doors, and there is consensus. We,
8 the community, accept this plan. Thank you.

9 CHAIRPERSON AVELLA: Thank you. If
10 the Sergeant-at-Arms can put one more chair up
11 there, I'll call the last panel of four.
12 Jacqueline Boyce, Bess DeBetham, Vernel Bennett,
13 and Jacques Leandre. I hope I pronounced it
14 right.

15 [Break in Audio]

16 JACQUELINE BOYCE: Thank you and
17 good morning. It's a pleasure to be here. I want
18 to say good morning, especially to you, Councilman
19 Avella, for heading up this fight, to my good
20 friend Albert Vann from Brooklyn, good morning, my
21 good friend Larry Seabrook from the Bronx. It's a
22 pleasure to get down here to City Hall. I don't
23 get down here too often. But I thank you for this
24 opportunity to speak to you in regard to this
25 zoning. I'm especially pleased and happy to say

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2 that I approve of it and everything that has been
3 said before I sat here certainly is in order. But
4 I have a special problem or one particular problem
5 that I'm interested in. In all that's happening,
6 they're trying to build a hotel in our area, right
7 off the North Conduit, between a high school and a
8 local Junior High School, which will create many,
9 many problems; and I can go into a few of the
10 serious problems that it would create but I'm sure
11 that you know that. I don't want to take up the
12 time. I'm especially concerned because we've been
13 working against the clock to keep this foundation
14 out and, Councilman Avella, you're probably aware
15 of what I'm talking about, this hotel and the
16 foundation going into the ground and people have
17 been parading day and night trying to stop this.
18 So I'm hoping that this vote and this decision
19 will help us to stop this hotel. We thought,
20 several years ago, that it was out of the picture,
21 that it would no longer be there; so we were told
22 that it was finished, it was a done deal, it would
23 not come up. But then, the next thing we know,
24 its ugly head raises again. So we are very
25 concerned about the change in this community and

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2 what this hotel will do to our surrounding
3 community so I hope that the vote will come
4 quickly and that we'll be able to do something in
5 order to stop this hotel from coming up. Thank
6 you for allowing me to appear before you today and
7 I want to thank all of my community, friends and
8 neighbors who have been working on this so many
9 years. And finally, the day has come. Thank you
10 so much.

11 BESS DEBETHAM: Good morning,
12 Councilmember Avella and the committee. My name
13 is Bess DeBetham and I'm a member of the Federated
14 Blocks of Laurelton, also a member of Community
15 Board 13. I have lived in Laurelton for 37 years
16 and arriving here today is one of the happiest
17 moments since the changes came about, or took
18 place in our community. I'm extremely pleased and
19 happy with the representation that we've gotten
20 from Queens City Planning, John, Liz and Debbie.
21 I would like to say that again, publicly, thank
22 them very, very much. I will not be repetitive as
23 to what has been said already but we're hoping, we
24 wish it could be today but I understand it will
25 be, perhaps, on Thursday that the full Council

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2 will vote. I will be so happy. It will be, I
3 will have the feeling as Obama had on Thursday
4 night when he accepted the nomination to be
5 president, I accept the nomination to change and
6 correct the wrongdoings in my community. Thank
7 you so very, very much.

8 VERNEL BENNETT: Good morning,
9 Councilman Avella and the rest of the committee.
10 My name is Vernel Bennett and I'm the president of
11 the 224th through 25th Civic Association of
12 Laurelton and, again, I'm here and I'm happy to be
13 here. It was a long fight that we had getting to
14 this point. I would like to also thank City
15 Planning and John Young and his staff for the work
16 and effort that he put into reaching this point
17 and, again, not to be repetitive of what you've
18 heard already; again, I'd like for you, for the
19 Council, to okay what the community have already
20 okayed and it will be a double Obama. We'll be
21 there twice. Thank you again.

22 JACQUES LEANDRE: Good morning,
23 Committee, my name is Jacques Leandre. My memory
24 doesn't work as well as some of my other community
25 members here and so I'm going to read from notes.

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2 On behalf of the Concerned Citizens of Laurelton,
3 our president, Kimberly Francis, we, at this time,
4 would like to bring greetings from all of our
5 members. This process was initiated over six
6 years ago when CCOL members began to notice the
7 overdevelopment and inappropriate development of
8 Laurelton and the surrounding areas. CCOL members
9 immediately jumped into action by approaching
10 urban planning and consultant, Paul Graziano, who
11 volunteered his services by assisting the CCOL
12 family with the arduous process of rezoning
13 Laurelton. This was far from easy as CCOL
14 members, comprising both the youth and elderly,
15 walked block by block in inclement weather to
16 conduct necessary surveys for the rezoning plan.
17 CCOL work was also bolstered when other
18 organizations, such as the 224th and 225th Street
19 Civic Association, the Federated Blocks of
20 Laurelton, as well as the 228th Street Block
21 Association joined the rezoning efforts. Of
22 course, however, without the participation of our
23 elected officials, we would not be here today. We
24 extend sincere gratitude to you, Chairman Avella.
25 Although you do not reside in our beautiful

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2 Rosedale area, you saw fit to come to, excuse me,
3 Laurelton, to come to Laurelton and see the beauty
4 and the charm of Laurelton and assisted us with
5 this process in retaining the beauty and the charm
6 of Laurelton. We also would like to thank
7 Councilman James Sanders, Jr., our beloved
8 District leaders, Alma H. Blackburn and Jacqueline
9 Boyce, who stood side by side with us throughout
10 the duration of this rezoning process. Queens
11 Borough president Helen Marshal and we also thank
12 Richard Hellenbrecht and the community board for
13 voting and approving the zoning plan on their
14 level. Last but not least, much thanks to the
15 Department of City Planning for working with all
16 the members of our community and, of course, our
17 consultant, Paul Graziano. At this time, we
18 respectfully request that this - - body approve
19 this plan. Thank you much.

20 CHAIRPERSON AVELLA: Thank you. We
21 have one more person who signed up to speak, Kim
22 Francis, President of the Concerned Citizens of
23 Laurelton. Kim? You get the panel all to
24 yourself now.

25 KIM FRANCIS: Thank you. Actually,

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2 I'm going to speak on behalf of Paul Graziano, who
3 I just spoke with him. He's actually in transit
4 here. Our Vice President, Jacques Leandre spoke
5 on our behalf. Paul wanted to say, if he can fax
6 his full 100 percent testimony to you guys, if you
7 can give me the fax number and I'll have him fax
8 it. But he did want to say that as the planning
9 consultant for the Laurelton Community, that he
10 supports the Department of Planning 100 percent in
11 the proposal that they proposed today and that we
12 hope that it gets pushed through and he thanks
13 you, Councilman Avella, and everyone on the panel.
14 So, that's it.

15 CHAIRPERSON AVELLA: Thank you.

16 And, as I said before, I know this has been a long
17 awaited thing by the Laurelton community and I
18 really congratulate them for working together to
19 get this thing done. With that, I will call the
20 vote and recommend approval.

21 MALE SPEAKER: Chair Avella?

22 CHAIRPERSON AVELLA: Aye.

23 MALE SPEAKER: Councilmember
24 Felder?

25 SIMCHA FELDER: Yes.

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MALE SPEAKER: Councilmember
McMahon?

MICHAEL E. MCMAHON: Aye.

MALE SPEAKER: Councilmember
Seabrook?

LARRY B. SEABROOK: Aye.

MALE SPEAKER: Councilmember Sears?

HELEN SEARS: Just, if I may have a
comment. I really wish to congratulate City
Planning and the entire community. We all know
what it is to do this. This is a mammoth
rezoning. It's just huge. And so much has gone
into that in Community Board 13, so I vote aye and
thank you for the time that you put into that.

MALE SPEAKER: Councilmember Vann?

ALBERT VANN: Mr. Boncore
[phonetic], do you support this plan?

MR. BONCORE: Yes.

ALBERT VANN: I vote aye.

MALE SPEAKER: By a vote of six in
the affirmative, none in the negative and no
abstentions, LU859 is referred to the full Land
Use committee.

CHAIRPERSON AVELLA: Thank you,

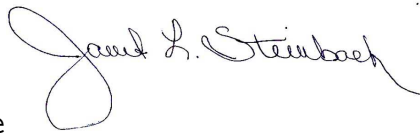
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everyone. This closes this meeting of the
Subcommittee in Zoning and Franchises.

C E R T I F I C A T E

I, Janet L. Steinbach, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script that reads "Janet L. Steinbach". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date September 9, 2008