

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

LAND USE SUB COMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

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March 4, 2009
Start: 1:51pm
Recess: 2:17pm

HELD AT: Committee Room
City Hall

B E F O R E: DANIEL R. GARODNICK
Chairperson

COUNCIL MEMBERS:
Sara M. Gonzalez
Inez E. Dickens

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

Theresa Arroyo
Director of Land Use, Intergovernmental Affairs
Department of Housing Preservation & Development

Wendell Walters
Commissioner for Housing Production
Department of Housing Preservation & Development

2 CHAIRPERSON GARODNICK: Good
3 afternoon everybody and welcome to the Sub
4 Committee on Planning, Dispositions and
5 Concessions, a Sub Committee of the Land Use
6 Committee of the New York City Council. My name
7 is Dan Garodnick. I have the privilege of
8 chairing the Sub Committee and am joined by
9 Council Members Inez Dickens, of Manhattan; and
10 Sara Gonzalez, of Brooklyn. We have a rather
11 short agenda today, so we're going to get right
12 into it and invite HPD to the witness table to
13 start us off with Land Use number 931 at 1157
14 Fulton Avenue, Bronx Community Board 3, C090073HAX
15 in the District of Council Member Foster.

16 [Pause]

17 THERESA ARROYO: Good afternoon.

18 CHAIRPERSON GARODNICK: Good
19 afternoon and welcome.

20 THERESA ARROYO: Thank you. I am
21 Theresa Arroyo, Director of Land Use at HPD's
22 Intergovernmental Affairs. LU, I believe you said
23 984, correct? 931, I'm sorry.

24 CHAIRPERSON GARODNICK: No, 931.
25 We're starting with.

2 THERESA ARROYO: I apologize. 931
3 consists of the proposed disposition of one
4 occupied, city-owned building located at 1157
5 Fulton Avenue, under HPD's damp Special Projects
6 Program. In 2007, HPD completed rehabilitation of
7 the four-story building with 13 bedrooms. The not
8 for profit sponsor, Good Counsel Incorporated, who
9 has leased the property since 1985, will continue
10 to operate it as transitional housing for homeless
11 single expecting mothers. These women are allowed
12 to stay at the shelter for one year after the
13 birth of their child. Good Counsel will provide,
14 continue to provide on-site social services as
15 well as follow up services when the client leaves
16 the site. Council Member Foster has reviewed the
17 project and indicated her support.

18 CHAIRPERSON GARODNICK: Thank you.
19 Let's just make sure we understand all of this.
20 So in 2007 HPD rehabilitated 1157 Fulton Avenue.

21 THERESA ARROYO: Right.

22 CHAIRPERSON GARODNICK: And from
23 1985 on it had been operated by Good Counsel?

24 THERESA ARROYO: Good Counsel has
25 been the month-to-month tenant since 1985. So in

1 anticipation of being able to dispose of the
 2 property, transfer the property to Good Counsel,
 3 in 2007 we did the rehabilitation of the property.

4 CHAIRPERSON GARODNICK: Okay. And
 5 this is for the one-year use of, you described as
 6 homeless, single, expecting mothers.

7 THERESA ARROYO: Right. It's a
 8 transitional housing facility--

9 CHAIRPERSON GARODNICK:
 10 [Interposing] And--

11 THERESA ARROYO: Where each client
 12 stays around one year after birth.

13 CHAIRPERSON GARODNICK: Okay. And
 14 they pay rent to Good Counsel?

15 THERESA ARROYO: Unfortunately, I
 16 do not know. Being that-- considering the facts,
 17 I would imagine-- the whole point of the project,
 18 I don't believe there's rent as much to prepare
 19 them for the birth of their child, prepare them
 20 for the afterwards, continue their studies,
 21 parenting skills. So I don't believe there's any
 22 kind of fee as such.

23 CHAIRPERSON GARODNICK: Okay. So,
 24 the-- whether it's a nominal amount or no amount--
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THERESA ARROYO: [Interposing]
Right.

CHAIRPERSON GARODNICK: The point
is that it's 13 apartments.

THERESA ARROYO: Bedrooms, yeah.
It's-- they have the bedrooms, they have the
common areas. It is a transitional facility.

CHAIRPERSON GARODNICK: Thank you.
And Council Member Foster has expressed her
support of this.

THERESA ARROYO: Yes.

CHAIRPERSON GARODNICK: Seeing no
members of the public wishing to testify on this
item, we're going to close the hearing on Land Use
931 at 1157 Fulton Avenue, C090073HAX. I want to
note that we do have on the agenda today, we
already had the hearing, it's Land Use number 982,
that's the Puerto Rican Traveling Theatre Company,
in the district of Speaker Quinn. We are going to
move now on to Land Use number 1009 to 1013,
they're related items in the district of Council
Member Barron, Gateway Estates, in Brooklyn
Community Board 5. And I will ask HPD to present
this item as well.

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2 WENDELL WALTERS: Good afternoon,
3 of course. My name is Wendell Walters, a
4 Commissioner for Housing Production at HPD. I'm
5 here to introduce, as you said, Land Use numbers
6 1009 through 1013, and known as the Gateway
7 Estates Phase II project, which consists of five
8 related ULURP actions. Land Use number 1009
9 consists of the proposed third amendment to the
10 Fresh Creek Urban Renewal Plan. This will
11 facilitate the development of a mixed-use project
12 containing affordable housing, local retail and
13 community facility and uses of the remaining
14 undeveloped land in the Fresh Creek Urban Renewal
15 area. Land Uses 1010, 1011 and 1013 consist of a
16 proposed amendment of the zoning map, the approval
17 of a special permit to modify the sign regulations
18 within a general large scale development, and the
19 amendment of the City map, all to facilitate the
20 development of the project known as Gateway
21 Estates II and known before the Council as Land
22 Use number 1012. Land Use 1012 consists of the
23 proposed disposition of ten city-owned vacant lots
24 located at Flatlands Avenue, Elton Street,
25 Vandalia Avenue and Meadow Street, for

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2 development, through HPD's Large Scale Development
3 Program. The proposed sponsors, Gateway Center
4 Properties Phase II, LLC, and Gateway Elton Street
5 I, LLC, along with Nehemiah Housing Development
6 Fund Company, would develop these lots along with
7 a 21-acre State-owned vacant lot in multiple
8 phases. The project includes the construction of
9 420 total residential buildings, containing
10 approximately 1,858 dwelling units, and
11 approximately 620,000 square feet of commercial
12 improvements. Councilman Barron has been briefed
13 on the project and has indicated his support.
14 Within the residential development itself, as I
15 mentioned, there was 1,858 units, 1,118 of those
16 units will be developed by the Nehemiah Housing
17 Fund Corporation, and 740 of those units would be
18 built along the main north-south Elton Street
19 corridor, with the joint venture partnership of
20 the Related Companies and Hudson Companies, broken
21 down within a homeownership project, which is 462
22 units of rental project, which is 198 units, and a
23 small senior housing portion that will be a total
24 of 80 units. The overall affordability for the
25 project, among all those different categories will

1
2 be 80% of the homeownership units will be at 80%,
3 up to 80% of AMI and lower. 20% of the
4 homeownership units in the project will be in the
5 80 to 110% of AMI, and the rental units will all
6 be affordable under 80% of AMI. This project has
7 gone through extensive discussion and briefing
8 within the community, as well as negotiations with
9 the local Council Member. As I mentioned before,
10 a 21-acre portion of the site is owned by the
11 State of New York, which there is a proposed
12 agreement with the State for the acquisition of
13 that portion of the site. We're very excited
14 about this project in an area of East New York,
15 Brooklyn, that definitely deserves this kind of
16 development. And again, we've had much discussion
17 with the local Council Member about this project,
18 and he's indicated his support. Thank you.

19 CHAIRPERSON GARODNICK: Thank you
20 very much. So the actions that you're seeking are
21 the demapping and remapping of streets, as you
22 said; an amendment to the Urban Renewal Plan; a
23 special permit resignation; the UDAAP and
24 disposition of ten sites owned by the City for the
25 purpose of the development of both commercial and

1 residential.

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3 WENDELL WALTERS: That's correct.

4 CHAIRPERSON GARODNICK: And just to
5 make sure that I have the numbers correct, you
6 noted that there were 1,858 units, divided--

7 WENDELL WALTERS: [Interposing]
8 1,000-- I'll go through it again with you. I
9 don't mind, sir.

10 CHAIRPERSON GARODNICK: Sure.

11 WENDELL WALTERS: 1,118 units will
12 be developed by the Nehemiah Housing Development
13 Fund Company.

14 CHAIRPERSON GARODNICK: Got it.

15 WENDELL WALTERS: Then there will
16 be another 740 units built along the main north-
17 south corridor called Elton Street.

18 CHAIRPERSON GARODNICK: By?

19 WENDELL WALTERS: That will be
20 developed by the joint venture partnership of the
21 Related Companies and the Hudson Companies, of
22 which they'll be broken down within three
23 different segments. Actually only two of the
24 segments there will be done with the joint venture
25 partnership. There's a third section, the senior

housing, that we are working with Nehemiah on.

But the 740 units-- of the 740 units, 462 of them will be homeownership. 198 of them will be low-income rental, and another 80 of them will be senior housing.

CHAIRPERSON GARODNICK: I see.

Okay, that was where I--

WENDELL WALTERS: [Interposing] Of the 740.

CHAIRPERSON GARODNICK: That was where I was confused. So the breakdown that you gave on homeownership, rental and senior, that was of the 740?

WENDELL WALTERS: With the senior, that's correct.

CHAIRPERSON GARODNICK: Okay. And then the 1,118?

WENDELL WALTERS: Is the Nehemiah Housing, which will be one and two-family and what we call octet, eight-unit buildings that have all homeownership volume.

CHAIRPERSON GARODNICK: Any affordability restrictions there?

WENDELL WALTERS: All of the

Nehemiah housing will be affordable, and a large percentage of them, 80% of them will be under 80% of AMI.

CHAIRPERSON GARODNICK: Okay. Tell us about the commercial space here. There's already retail, commercial on one end of this development. What's anticipated for the rest?

WENDELL WALTERS: Well that portion of the site will be developed with the Related Companies. As you mentioned, there's already an existing shopping center there. They're going to pretty much double up on the size of that to 620,000 square feet. The kind of stores that have contemplated there are still under discussion, and there are representatives from Related who can talk a little bit more about that here today if necessary. But it's a big driver, economic driver, for the whole project. There is acquisition costs associated with that for the City of New York that we'll be using to offset some of the other costs that we'll be using to subsidize Nehemiah for the affordable portion.

CHAIRPERSON GARODNICK: What is the overall cost to the City for the subsidies of

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2 Nehemiah or infrastructure improvements associated
3 with the project?

4 WENDELL WALTERS: It's a fairly
5 large number. We do subsidize the Nehemiah
6 Housing to the tune of \$46,000 a unit. And the
7 infrastructure for the project, as you can well
8 imagine, the area has been barren for many years;
9 there's nothing out there. So we're doing all of
10 the water mains and storm drainage and sanitary
11 lines, and it's costing upwards towards
12 \$100,000,000 for the total cost of the
13 infrastructure.

14 CHAIRPERSON GARODNICK: Sorry, the
15 number was 100?

16 WENDELL WALTERS: That's correct.

17 CHAIRPERSON GARODNICK:
18 \$100,000,000.

19 WENDELL WALTERS: I should add that
20 there are-- there are currently two phases of
21 construction of prior Urban Renewal Area Plan
22 approvals from 1996 that are currently in
23 construction with the Nehemiah housing. And we're
24 building at this point 233 houses and 361 total
25 units are currently in construction out there

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under the prior plan.

CHAIRPERSON GARODNICK: Okay. And which-- I assume the infrastructure comes first, is that right?

WENDELL WALTERS: That's correct. We do design it and built it approximately a year, a year and a half prior to doing the construction on the housing.

CHAIRPERSON GARODNICK: And in light of the climate that we're in, I mean I'm all for developing infrastructure in the City, are there obligations, what sort of obligations are there on related Hudson, Nehemiah, to do what is anticipated in light of the fact that the City will be putting out its money first?

WENDELL WALTERS: Well, right now the legal definition of their status with the City of New York is under negotiation. We do of course go through the approvals through the Council and the legal obligations are not memorialized until we actually enter into contracts with them for disposition. So--

CHAIRPERSON GARODNICK:
[Interposing] So the answer is at the moment?

2 WENDELL WALTERS: At the moment--

3 CHAIRPERSON GARODNICK:

4 [Interposing] There's no obligation for anybody to
5 do anything.

6 WENDELL WALTERS: There's no
7 obligation for anybody to do anything at the
8 moment.

9 CHAIRPERSON GARODNICK: Okay.

10 WENDELL WALTERS: Until we actually
11 sign the land disposition agreements with the
12 groups.

13 CHAIRPERSON GARODNICK: What sort
14 of-- will this be part of the negotiations, I
15 guess, is really what I would ask at this moment?
16 Will that element be part of the negotiations,
17 ensuring that if the City is putting forth
18 \$100,000,000 that they're actually be or that
19 there is actually enough money to or financing to
20 be able to achieve what is intended to be achieved
21 here?

22 WENDELL WALTERS: Well as you can
23 well imagine, financing for these projects are
24 increasingly difficult. And as I said before,
25 there are currently two prior phases that are

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2 under construction, and it is part of our overall
3 plan for the area. So there is every expectation
4 that we'll be moving forward with the level of
5 affordability that is outlined, particularly for
6 the Nehemiah side, it's part of their mission to
7 provide affordable homeownership opportunities.

8 CHAIRPERSON GARODNICK: Okay. Well
9 you understand my question though, which is, how
10 are we going to feel confident as a City, HPD,
11 this Council, that we are not simply laying pipes
12 where there is no financing in the private sector
13 to be able to accomplish what we're discussing
14 here? My question to you is, is that going to be
15 part of the negotiations, a certain assurances on
16 the part of the development team here, whether
17 it's Nehemiah or Related or Hudson, that they have
18 financing in place to be able to do what we are
19 allowing them to do here, or is that something
20 that will just be a hope for the best sort of
21 situation on the part of the City?

22 WENDELL WALTERS: I understand your
23 question, but it's hard for me to say that they
24 will-- do they have a deal on the table with their
25 construction lender. We anticipate that being the

1 case; it has been the case for the earlier phases.
2 The units are priced at a certain level that-- and
3 subsidized at a certain level that allow for
4 construction financing to more than likely happen.
5 The requirement that we have as an agency for
6 really all of our projects is that we don't sell
7 or convey the land or consummate a deal until
8 construction financing is in place and committed
9 to by a construction lender.
10

11 CHAIRPERSON GARODNICK: Okay.

12 Thank you for that. We have questions from
13 Council Member Dickens.

14 COUNCIL MEMBER DICKENS: Thank you,
15 Mr. Chair. Good to see you Mr.--

16 WENDELL WALTERS: [Interposing]
17 Walters.

18 COUNCIL MEMBER DICKENS: Walters.
19 I know your name. Now, I have a couple-- just
20 clarity for me. Now, there's 740 units, of which
21 the breakdown is 462 are homeownership? Is that
22 correct?

23 WENDELL WALTERS: That's correct.

24 COUNCIL MEMBER DICKENS: And what's
25 the AMI? Is subsidy in place for that?

2 WENDELL WALTERS: There are two
3 different sections of the project for home
4 ownership. The first section would be the
5 Nehemiah housing, which would be really the
6 biggest part of it--

7 COUNCIL MEMBER DICKENS:

8 [Interposing] I didn't get to that. That's the--

9 WENDELL WALTERS: [Interposing] The
10 740, I believe the point of your question?

11 COUNCIL MEMBER DICKENS: Yes.

12 WENDELL WALTERS: There's 462 units
13 of homeownership on that. And--

14 COUNCIL MEMBER DICKENS:

15 [Interposing] At what AMI?

16 WENDELL WALTERS: And for the AMI
17 of the project, it ranges from 60% to 110% of AMI.

18 COUNCIL MEMBER DICKENS: Oh, that's
19 very good. I didn't know you could do that. The
20 198 units of the 740 low-income, what's the AMI on
21 that?

22 WENDELL WALTERS: We'll be taking
23 advantage of our low-income rental subsidy
24 programs our normal low-income rental subsidy
25 programs, that are all at 60% of AMI and lower.

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2 There will be a tier of 20%-- 80% of AMI for that
3 section.

4 COUNCIL MEMBER DICKENS: But is 60%
5 AMI--

6 WENDELL WALTERS: [Interposing]
7 Mostly 60%.

8 COUNCIL MEMBER DICKENS: Very, very
9 good. And the 80 units on senior? I just want
10 this on the record, so in the future when you and
11 I have a meeting; we have clarity and
12 understanding from whence I come.

13 WENDELL WALTERS: Understood.

14 COUNCIL MEMBER DICKENS: The 80
15 senior units, tell me about that? What is the AMI
16 for our seniors?

17 WENDELL WALTERS: We anticipate
18 using the same low-income rental subsidy programs
19 and perhaps other sources, particularly from the
20 federal government section 202 to finance the
21 senior housing component of the project, which
22 will anticipate having AMIs under 60% of AMI.

23 COUNCIL MEMBER DICKENS: I think
24 this is excellent that HPD was able to put in this
25 type of subsidy. This is great. Now let's go

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2 into the 1,118. Now those are all one to two-
3 families. Is that correct?

4 WENDELL WALTERS: Not all. There's
5 going to be a substantial portion of apartments
6 there that will be homeownership units as well.
7 So--

8 COUNCIL MEMBER DICKENS:
9 [Interposing] Well how many of those are going to
10 be the one to two-family?

11 WENDELL WALTERS: They'll be 300--
12 well, total houses, they'll be 320, one and two-
13 family houses. And then they'll be another 720
14 co-op and condo units.

15 COUNCIL MEMBER DICKENS: 700 and
16 what?

17 WENDELL WALTERS: 20.

18 COUNCIL MEMBER DICKENS: I didn't
19 hear you.

20 WENDELL WALTERS: 720.

21 COUNCIL MEMBER DICKENS: Will be
22 how much?

23 WENDELL WALTERS: Co-op and condo
24 units.

25 COUNCIL MEMBER DICKENS: And what

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2 will be the AMI for those co-op, condo units?

3 WENDELL WALTERS: Those--

4 COUNCIL MEMBER DICKENS:

5 [Interposing] And what constitutes the difference
6 between co-op and the condo?

7 WENDELL WALTERS: Well we're still
8 working on the structure of that. The structural
9 makeup of the project will have either an
10 underlying mortgage in the form of a co-op that
11 each resident has shares of the corporation--

12 COUNCIL MEMBER DICKENS:

13 [Interposing] I know what a co-op is. I just want
14 to know--

15 WENDELL WALTERS: [Interposing] And
16 the condo will just have a fee simple title
17 ownership of the condos--

18 COUNCIL MEMBER DICKENS:

19 [Interposing] I understand. I know the
20 definition. I'm trying to get an understanding of
21 how-- what was the breakdown, how you arrived a
22 co-op versus condos. What will be the AMI on the
23 co-ops?

24 WENDELL WALTERS: They'll range
25 from 60 to 110.

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2 COUNCIL MEMBER DICKENS: And on the
3 condos?

4 WENDELL WALTERS: The same percent.
5 We're still-- I must say that the development of
6 this portion of the project will be a number of
7 years, maybe FY 13, perhaps even FY 14 for that.
8 So we're still kind of working through the
9 structure of that. At this point it's anticipated
10 to be co-ops.

11 COUNCIL MEMBER DICKENS: And pardon
12 my redundancy but on those one to two-family
13 homeownerships, what was the AMI on that?

14 WENDELL WALTERS: We'll have 80% of
15 the units on the one and two-family houses will be
16 below 80% of AMI.

17 COUNCIL MEMBER DICKENS: Below 80%?

18 WENDELL WALTERS: Up to and below.

19 COUNCIL MEMBER DICKENS: Up to
20 what? Up to 80.

21 WENDELL WALTERS: Up to 80, right.

22 COUNCIL MEMBER DICKENS: Oh, so it
23 could be anywhere between 60-- some may even go as
24 low as 50.

25 WENDELL WALTERS: Traditionally the

1 Nehemiah single-family houses, that are the
2 smallest family houses and are constructed--

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4 COUNCIL MEMBER DICKENS:

5 [Interposing] It might go down to about 70?

6 WENDELL WALTERS: I must say are--
7 could be around that level-- constructed in a
8 manner that allows for us to save considerable
9 const on construction, which allows us to then
10 price them accordingly.

11 COUNCIL MEMBER DICKENS: All right,
12 now this type of subsidy, is this available only
13 on homeownership, one to two-family, condos, co-
14 op? Because I see you have 740, well not 740.
15 You've got 198, plus 80, which is rentals.

16 WENDELL WALTERS: We have a number
17 of rental units in the project as well.

18 COUNCIL MEMBER DICKENS: Yeah, I
19 know, that's what I'm saying. Those types of
20 subsidies are they available throughout the City
21 or was this just for East New York?

22 WENDELL WALTERS: We have subsidy
23 and money in our budgets to finance all of our
24 projects where appropriate. This project has been
25 in the works for a very long time. We currently

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2 have two phases of the project in construction.
3 We have worked with the Nehemiah brand for, as I'm
4 sure you know, quite a number of years, and its
5 mission of providing affordable homeownership
6 opportunities is a longstanding one. And we've
7 been able to do so quite well with them. To
8 answer your question, we provide subsidies to all
9 of our projects, where appropriate, including
10 other districts in New York City where
11 homeownership possibilities are possible.

12 COUNCIL MEMBER DICKENS: Or in the
13 case of some rentals, not just homeownership but
14 rentals as well.

15 WENDELL WALTERS: As well, correct.

16 COUNCIL MEMBER DICKENS: Well I
17 commend my colleague Council Member Barron on
18 obtaining such a phenomenal, phenomenal
19 affordability for his district; I think that's
20 great. And I realize that, you know, that HPD
21 possibly has a-- you know, he's been able to work
22 very well with HPD. So I thank you for that
23 knowledge. That's all, Chair.

24 CHAIRPERSON GARODNICK: Thank you,
25 Council Member Dickens.

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2 WENDELL WALTERS: You're welcome.

3 CHAIRPERSON GARODNICK: Okay,
4 seeing no other members of the public wishing to
5 testify on these items, and Council Member Dickens
6 having made her points extremely clearly, we will
7 close the hearing on Land Use numbers 1009 to 1013
8 the related items of Gateway Estates, the sequel.
9 And we will open the hearing, I'm going to note
10 that we are going to lay that item over until the
11 next meeting of our subcommittee, and you were
12 correct to point out that Council Member Barron
13 has expressed his strong support for this item and
14 regrets that he wasn't able to join us, but we got
15 started a little late and he had to run off. And
16 he asked me to communicate that to you and to put
17 it on the record. We'll now open the hearing on
18 Land Use number 984, Non-ULURP number 20095295HAX,
19 463 East 159th Street in the Bronx, in the
20 district of Council Member Arroyo. Ms. Arroyo?

21 THERESA ARROYO: Thank you. I'm
22 not related. LU 984 consists of the proposed
23 disposition of a vacant city-owned building
24 located at 463 East 159th Street through HPD's
25 Asset Sales Program. The purchaser, 142-05

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 2 Rockaway Boulevard, Queens, LLC, proposes to
 3 acquire the neighboring distressed property from
 4 the private owner. This gets interesting. They
 5 will then combine the two lots and construct an
 6 eight-unit building. That is the proposed plan.
 7 However in the event they are unable to acquire
 8 the adjacent property, the purchaser will demolish
 9 the existing one-family home, which is what we are
 10 seeing disposition approval for, and will build
 11 instead a two-family handicap-accessible home.
 12 Council Member Arroyo has reviewed the project and
 13 indicated her support.

14 CHAIRPERSON GARODNICK: Thank you.

15 Okay, let's just understand. If they're
 16 successful in acquiring the lot next door and
 17 creating the eight-units, what is the
 18 affordability of those units?

19 THERESA ARROYO: That's not
 20 something-- we're not holding anything on that. I
 21 mean eight-units would be rent stabilized, would
 22 be market.

23 CHAIRPERSON GARODNICK: Market
 24 rate--

25 THERESA ARROYO: [Interposing]

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Right.

CHAIRPERSON GARODNICK: But rent stabilized apartments. Same thing is true for the development of the two-family home if they're not successful in their negotiations?

THERESA ARROYO: The two-family home would be market also.

CHAIRPERSON GARODNICK: Also market. Right. And that's not-- that would not be rent-stabilized?

THERESA ARROYO: Right.

CHAIRPERSON GARODNICK: Okay. And Council Member Arroyo is supportive of this?

THERESA ARROYO: Yes.

CHAIRPERSON GARODNICK: And the purchaser was chosen through any particular process?

THERESA ARROYO: Competitive process. Competitive request for offers.

CHAIRPERSON GARODNICK: Okay.
Thank you. Seeing no members of the public wishing to testify on this item, I close the hearing on Land Use 984, Non-ULURP 20095295HAX.
And just clarify for the purposes of voting today;

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2 we're going to lay over all of the items on
3 today's calendar, with the exception of Land Use
4 931, 982 and 984. So for those of you playing at
5 home, that means Gateway we're holding, and the
6 other items we heard today plus the Puerto Rican
7 Traveling Theatre Company are on the agenda. And
8 to be voted on, the Chair is recommending an Aye
9 vote, and we'll ask the Counsel to call the roll.

10 CAROL SHINE: Carol Shine, Counsel
11 to the Sub Committee. Chair Garodnick?

12 CHAIRPERSON GARODNICK: I vote Aye.

13 CAROL SHINE: Council Member
14 Gonzalez?

15 COUNCIL MEMBER GONZALEZ: Aye.

16 CAROL SHINE: Council Member
17 Dickens?

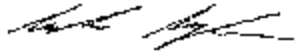
18 COUNCIL MEMBER DICKENS: Aye.

19 CAROL SHINE: By a vote of three in
20 the affirmative, none in the negative and no
21 abstentions, the aforementioned items are approved
22 and referred to the full Committee.

23 CHAIRPERSON GARODNICK: Thank you
24 very much. And with that we're adjourned.

C E R T I F I C A T E

I, Erika Swyler 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 _____

Date March 17, 2009 _____