

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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DECEMBER 18, 2018
Start: 11:30 A.M.
Recess: 11:48 A.M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: RAFAEL SALAMANCA, JR., CHAIR

COUNCIL MEMBERS: ADRIENNE E. ADAMS
INEZ D. BARRON
COSTA G. CONSTANTINIDES
CHAIM M. DEUTSCH
RUBEN DIAZ, SR.
VANESSA L. GIBSON
BARRY S. GRODENCHIK
BEN KALLOS
ANDY L. KING
PETER A. KOO
RORY I. LANCMAN
STEPHEN T. LEVIN
I. DANEEK MILLER
FRANCISCO P. MOYA
ANTONIO REYNOSO
DONOVAN J. RICHARDS
CARLINA RIVERA
RITCHIE J. TORRES
MARK TREYGER

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

MATTHEW DISTEFANO, Committee Clerk

2 SARGEANT AT ARMS: This is a sound check
3 for the Committee on Land Use being recorded by Sakim
4 Bradley. Uhm taking place Committee Room,
5 approximately 11:00 a.m. December 18, 2018.

6 CHAIR RAFAEL SALAMANCA: (Gavel
7 pounding). Good morning everyone. Welcome to the
8 Committee on Land Use. I am Council Member Rafael
9 Salamanca, Chair of this Committee. I would like to
10 welcome my esteemed colleagues who are members of the
11 Committee who are present today. We have Council
12 Members Gibson, Barron, Constantinides, Deutsch,
13 Chair Kallos, Koo, Lancman, Levin, Richards,
14 Grodenchik, Chair Adams, Diaz, Chair Moya and Rivera.
15 I would like to thank Chair Moya, Chair Adams and
16 Chair Kallos for their work on our Land Use
17 Subcommittees. Today we will be voting on
18 applications referred out of our Landmarks and Zoning
19 Subcommittees. We will vote to approve LU287 for the
20 Site Selection for a 432-seat primary school and 231-
21 seat K3 and UPK Facility at the Former St. John Villa
22 Educational Campus, block 3081 lot 1 and block 3089
23 lot 59 in Community District 31 in Minority Leader
24 Matteo's District in Staten Island. We will also
25 vote to approve LUs 288 for the Site Selection of a

2 new approximately 380-seat primary school facility on
3 the site of former St. Rosalia Church located at
4 block 5741 lot 5 Community School District 20 in
5 Council Member Manchaca's District in Brooklyn. From
6 our Zoning Subcommittee we will vote to approve LU
7 289 an application by 380 East Ventures LLC, DBA
8 Factory 380 for a new revocable consent to operate an
9 unenclosed sidewalk café at 380 3rd Avenue in Council
10 Member Rivera's District in Manhattan. We will be
11 voting to modify LU 272 through 277 the Marcus Garvey
12 Village application for zoning, map amendments,
13 zoning text amendment, acquisition, disposition and
14 special permits. Modifications will require lower
15 heights and setbacks for the proposed buildings in
16 order to address the scale and relationship to the
17 existing buildings and to ensure more light and air.
18 A modification will also ensure that 68 parking
19 spaces are provided and will strike MIH option 2 and
20 add to the deep affordability option. We will vote,
21 we will be voting to modify LU 259 the citywide L1
22 Hotel Special Permit Text Amendment. Modifications
23 will ensure that areas new LaGuardia and JFK Airports
24 are subject to the new special permit requirements.
25 Strengthen the findings related to adjacencies to

2 industrial businesses and ensure that hotel
3 operations do not have negative impacts on our
4 surrounding communities. We will also be adding an
5 exclusion to facility, unique, mixed use, adaptive,
6 reuse projects in which a hotel use will help enable
7 additional employment, public policy objectives where
8 hotel use comprising 30% or less of the total project
9 will help enable the activation of space for light,
10 industrial, art, officer users resulting in
11 significant job creation and reroutization of an
12 area. We will be voting to modify LU 269, the
13 Special Garment Center Text Amendment to allow for
14 inclusion of a hotel in a mixed-use project and
15 permanently affordable housing subject to an HPD
16 regulatory agreement without LL special permit if a
17 site received a certificate of no harassment by a
18 date certain. I know the speaker has worked very
19 hard and closely with the Manhattan Borough
20 President, Gail Brewer and his Community in addition
21 to the fashion industry and manufacturing community
22 to address a variety of concerns around the
23 preservation of existing manufacturing space while
24 acknowledging that there is a real need to permit the
25 conversation of buildings to office space. We will

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2 vote to approve LU 270, 271, 1451 Franklin Avenue
3 Rezoning for property in Majority Leader Cumbo's
4 District in Brooklyn. This application is for
5 rezoning from R6A, R6A/C1-3 and R8A to R8X and
6 R8X/C2-4 and would apply MIH option 1 to the rezoning
7 area. We will be voting to modify LUs 280 and 281,
8 an application for a Zoning Map Amendment to Rezone
9 25-29 J Street and a Zoning Text Amendment to
10 facilitate both modifications in Council Member
11 Levin's District in Brooklyn. We will be modifying
12 the application so that the increase in height only
13 applies to the predominantly commercial or
14 manufacturing buildings. Are there any questions or
15 remarks by members of the Committee? Alright, seeing
16 none I will now call on a vote in accordance with the
17 recommendations of the Subcommittees and the Local
18 Council Members to approve 270, 271, 287, 288 and 289
19 and to modify LUs 259, 269, 272 though 277 and 280
20 and 281. Will the Clerk please call the roll?

21 CLERK MATTHEW DISTEFANO: Matthew
22 Distefano, Committee Clerk, Committee on Land Use,
23 Roll Call Vote on the aforementioned LUs with
24 accompanying resolutions. Chair Salamanca?

25 CHAR RAFAEL SALAMANCA: Aye on all.

2 CLERK MATTHEW DISTEFANO: Gibson?

3 VANESSA GIBSON: Aye.

4 CLERK MATTHEW DISTEFANO: Barron?

5 INEZ BARRON: Permission to explain my
6 Barron.

7 CLERK MATTHEW DISTEFANO: Council Member
8 Barron to explain her vote.

9 INEZ BARRON: Thank you I just want to
10 call your attention to LU272 through 277, it's a
11 project that is in my project and it is the other
12 half of the project is in Council Member Alicka
13 Samuels District. There is literally a train line
14 along Lavonia. I have the southern side, she has the
15 northern side. It is the Marcus Garvey Development
16 Extension. It is operated by L&M and what they have
17 come with is a proposal for housing, affordable to
18 the people whose incomes meet their standard and will
19 not be displaced. There will be housing for formerly
20 homeless. There will be housing at 30% AMI, 40, 50,
21 60% of AMI. There will be a few units at 80% of AMI
22 and that's because my community has an AMI of about
23 \$34,000. That's the median in my community and I
24 continue to say that when we bring in projects in a
25 particular District that don't in any way approximate

2 the income bands of the people who live there, we are
3 causing displacement and causing increased rents.
4 So, I would invite you to look at the description of
5 272 through 277 and I urge you to vote yes on this
6 project so I vote aye on all with the exception of
7 270, 271 of which I am abstaining for the usual
8 reasons. I don't think that the income bands match
9 what is in that community and I think that having uhm
10 a large percentage coming in at market rate displaces
11 a number of people. Thank you.

12 CLERK MATTHEW DISTEFANO: Constantinides?

13 COSTA CONSTANTINIDES: I vote aye.

14 CLERK MATTHEW DISTEFANO: Deutsch?

15 CHAIM DEUTSCH: Aye.

16 CLERK MATTHEW DISTEFANO: Kallos?

17 BEN KALLOS: Aye.

18 CLERK MATTHEW DISTEFANO: Koo?

19 PETER KOO: Aye.

20 CLERK MATTHEW DISTEFANO: Lancman?

21 RORY LANCMAN: Aye.

22 CLERK MATTHEW DISTEFANO: Levin?

23 STEPHEN LEVIN: Uhm with appreciation to
24 uhm Chair Salamanca and Chair Moya and my colleagues

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2 on their patience on 29 J Street I want to vote aye
3 on all. Thank you.

4 CLERK MATTHEW DISTEFANO: Richards?

5 DONOVAN RICHARDS: Aye.

6 CLERK MATTHEW DISTEFANO: Grodenchik?

7 BARRY GRODENCHIK: Aye.

8 CLERK MATTHEW DISTEFANO: Adams?

9 ADRIENNE ADAMS: Aye.

10 CLERK MATTHEW DISTEFANO: Diaz?

11 RUBEN DIAZ: Aye.

12 CLERK MATTHEW DISTEFANO: Moya?

13 FRANCISCO MOYA: Aye.

14 CLERK MATTHEW DISTEFANO: Rivera?

15 CARLINA RIVERA: Aye.

16 CLERK MATTHEW DISTEFANO: The following

17 is a breakdown of today's Land Use Vote in regard to

18 LU 287, 288 and 289, these items pass by a vote of 15

19 in the affirmative, 0 in the negative and no

20 abstentions in regard to LU 270 and 271, these items

21 passed 14 in the affirmative, 0 negative and 1

22 abstention. In regard to LU 259, 269, 272 through

23 277, 280 and 281. These items were approved with

24 modifications and they passed by a vote of 15 in the

25 affirmative 0 in the zero and no abstentions.

2 CHAIR RAFAEL SALMANCA: I would like to
3 thank Members of the public, my colleagues, Council
4 and Land Use Staff for attending today's hearing. I
5 will leave the roll open for 10 minutes. Thank you.

6 CLERK MATTHEW DISTEFANO: Continuation of
7 Land Use Vote, Council Member Treyger?

8 MARK TREYGER: I vote aye.

9 CLERK MATTHEW DISTEFANO: Continuation of
10 Land Use Vote, Council Member Torres?

11 RITCHIE TORRES: I vote aye, thank you.

12 CLERK MATTHEW DISTEFANO: The vote is
13 updated, the following items were approved by a vote
14 of 17 in the affirmative, 0 in the negative, no
15 abstentions, LU287, 288 and 289. LU 270 and 271 were
16 approved by a vote of 16 in the affirmative, 0 in the
17 negative and 1 abstention. LU 259, 269, 272 through
18 277, 280 and 281 which were approved with
19 modifications were approved by a vote of 17 in the
20 affirmative, 0 in the negative and no abstentions.

21 CHAIR RAFAEL SALAMANCA: Alright, I want
22 to thank all of my colleagues and Land Use Staff for
23 today's meeting. This meeting is hereby adjourned.
24 (gavel pounding).

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 JANUARY 18, 2019