

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 3, 2019  
Start: 11:31 a.m.  
Recess: 11:45 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: Rafael Salamanca, Jr.  
Chairperson

COUNCIL MEMBERS: Adrienne E. Adams  
Inez D. Barron  
Chaim M. Deutsch  
Ruben Diaz, Sr.  
Vanessa L. Gibson  
Barry S. Grodenchik  
Peter A. Koo  
Rory I. Lancman  
Stephen T. Levin  
I. Daneek Miller  
Francis P. Moya  
Antonio Reynoso  
Donovan J. Richards  
Carlina Rivera  
Mark Treyger

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

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2           PEDRO LUGO: Check, check, this is a  
3 sound check for the Committee on Land Use. Today's  
4 date is December 3, 2019, located in the Committee  
5 Room. Recording done by Pedro Lugo.

6           CHAIRPERSON SALAMANCA: [gavel] All right,  
7 good morning and welcome to the Committee on Land  
8 Use. I am Council Member Rafael Salamanca, the chair  
9 of this committee. I would like to welcome my  
10 esteemed colleagues who are members of this committee  
11 and present today. We have Council Members Gibson,  
12 Barron, Deutsch, Koo, Levin, Miller, Richards,  
13 Treyger, Grodenchik, Diaz, Chair Moya, and Rivera. I  
14 would like to thank Chair Moya and Chair Adams for  
15 their work on our land use subcommittees. Today we  
16 will vote our projects from our zoning subcommittee.  
17 We will also vote to approve to sidewalk cafe  
18 applications, LUs 580, submitted by O.Y. Compensation  
19 LLC. It's for revokable consent to maintain and  
20 operate an unenclosed sidewalk cafe at 3099 Emmons  
21 Avenue in Council Member Deutsch's district in  
22 Brooklyn. LUs 591, the application of Dai Hachi  
23 Sushi Corporation is for a revocable consent to  
24 maintain and operate an unenclosed sidewalk cafe at  
25 46-18 Vernon Boulevard in Council Member Van Bramer's

1 district in Queens. We will also vote to approve  
2 modifications LUs 564 through 567, the Lamosa  
3 proposal for property in Council Member Perkins'  
4 district in Manhattan. The application seeks  
5 approval for zoning map and text amendment, a special  
6 permit to waive parking requirements, and a special  
7 permit to modify height and setback regulations. As  
8 modified by the City Planning Commission the actions  
9 would facilitate a mixed use development with  
10 community facility space within a 340-foot tall  
11 building with approximately 180 dwelling units,  
12 including approximately 45 affordable units. Our  
13 modification will be to remove MIH option 2, while  
14 retaining option 1. To address ongoing concerns over  
15 the affordable housing within the community, the  
16 applicant has further committed to dedicate 7 million  
17 dollars under an agreement with Joe NYC and would  
18 help provide critical repairs and renovation work to  
19 340 units of existing affordable housing within  
20 Council District 9. Joe NYC is the joint ownership  
21 entity New York City Corporation, an organization of  
22 nonprofit affordable housing owners whose stated  
23 mission is to help secure long-term viability for its  
24 nonprofit affordable housing members. We will also  
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2 vote to approve with modifications LU 581, the Pops  
3 Signage and Amenities text amendment relating to  
4 areas citywide in multiple council districts, the  
5 Department of City Planning's proposal for privately  
6 owned public spaces, or POPS, would facilitate the  
7 updating of the city's public space symbol, require  
8 public space signage for various types of POPS, and  
9 allow the addition of movable tables and chairs as-  
10 of-right. Our modification will change the signage  
11 rules to ensure that such spaces are open to the  
12 public by requiring the DCP public space symbol,  
13 which is required to be on the signs, to include the  
14 words "Open to Public." We will vote to approve LUs  
15 572 through 575, the 515 Blake Avenue proposal  
16 relating to property in Council Member Barron's  
17 district in Brooklyn. The application by HPD  
18 proposes a series of actions, UDAAP project and area  
19 designation, disposition of city-owned property,  
20 zoning map and zoning text amendment, including  
21 establishment of a mandatory inclusionary housing  
22 area utilizing option 1, and a large-scale general  
23 development bulk special permit. These actions were  
24 intended to facilitate the replacement of an existing  
25 shelter building with four new mixed use buildings

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2 with approximately 503 affordable housing and  
3 supportive housing units. Working with Council  
4 Member Barron to address affordability and housing  
5 concerns, HPD also committed to maintaining 50% of  
6 the total project units as affordable to families at  
7 50% of an AMI or below. Are there any questions or  
8 remarks from members of the committee? I would like  
9 to recognize Council Member Barron.

10 COUNCIL MEMBER BARRON: Thank you, Mr.  
11 Chair. I just want to comment on LU 572 through 575,  
12 515 Blake Avenue, which is located in my district,  
13 and the project as it was initially submitted has  
14 been significantly modified, and I'm very pleased  
15 with the modifications that have been submitted. The  
16 initial project included permanent affordable  
17 housing, supportive housing, but it also had a  
18 shelter and we met, expressed to the mayor and his  
19 representatives our concern about our oversaturation  
20 with shelters and I can stay that over the weekend  
21 there was significant negotiations that occurred. So  
22 I want to particularly thank Raju Mann, Vosa and Amy,  
23 and others on the staff who worked up until the  
24 twelfth hour to make sure that the adjustments were  
25 made, and what we now have before us is a project

1 that has permanently affordable housing and has  
2 supportive housing. There are 135 units of  
3 supportive housing that will be in this unit and  
4 there will be 353 units of affordable housing with  
5 30% of that affordable housing designated for  
6 formerly homeless. So we are aware that there's a  
7 great problem and need for housing for those who are  
8 homeless and we think that we need to have a greater  
9 movement of moving from temporary shelter to moving  
10 people into permanent shelter and that's what we have  
11 gotten here. And I just wanted to share with you, as  
12 has been indicated, at least 50% of the units that  
13 are going to be available for housing will be for  
14 people below 50% of the AMI. And that's significant  
15 because in the 42nd council [inaudible] district, 50%  
16 of the population earns less than \$35,000. So the  
17 median in my district is about \$37,000, \$36,000, so  
18 it's significant that we have a large number of units  
19 at those levels that match the income levels of the  
20 people in the community. And of the remaining 50% of  
21 the units they will all be under 80% of the AMI. So  
22 they will be at 60%, 70%, and 80%. And that's  
23 significant, and I'm very pleased that we're going to  
24 have this huge project. It will be developed in  
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2 stages, but once again we've got to make sure that as  
3 we move forward with projects that we address, that  
4 we come forward with a solution to reduce  
5 homelessness and that's by providing them with  
6 permanent affordable housing. And once again I want  
7 to say I thank all of those who were involved in this  
8 project. I want to also thank the Speaker for his  
9 efforts to make sure that what it was that I was  
10 asking for was able to become a reality, and I also  
11 want to acknowledge the mayor and his team for coming  
12 together and seeing how it was that we could come  
13 forward to meet the needs and the interests of both  
14 sides. So I'm very pleased with this project,  
15 extremely pleased with this project, and ask that all  
16 of my colleagues would support with their vote.  
17 Thank you.

18 CHAIRPERSON SALAMANCA: Thank you,  
19 Council Member. Are there other members from the  
20 committee that wish to speak? All right. Seeing  
21 none, I will now call for a vote in the quarters with  
22 the recommendations of the subcommittee and local  
23 members to approve LUs 572 through 575, 580, and 591,  
24 and to approve modifications LUs 564, 565, 566, 567,  
25 and 581. Will the clerk please call the roll.

2 COMMITTEE CLERK MARTIN: William Martin,  
3 committee clerk, roll call vote, Committee on Land  
4 Use. All items are coupled. Chair Salamanca.

5 CHAIRPERSON SALAMANCA: Before I vote, I  
6 just want to congratulate you, Council Member Barron,  
7 on really negotiating a great deal for your district.  
8 Congratulations. And I also want to give a big  
9 birthday shout-out to Steve Levin. Happy birthday,  
10 Steve. And with that, I vote aye on all.

11 COMMITTEE CLERK MARTIN: Gibson.

12 COUNCIL MEMBER GIBSON: Thank you. I  
13 also want to congratulate Council Member Barron and  
14 in recognizing this project in her district I also  
15 want to highlight that 30% of the housing is going to  
16 be set aside for formerly homeless families, and when  
17 you talk about making sure that every community takes  
18 its fair share, I think this is a project that speaks  
19 volumes to what every neighborhood should be doing  
20 across the City of New York, taking in more than the  
21 minimum of 10% of set-aside units for formerly  
22 homeless families. Only by doing that can we  
23 recognize that all of our communities should share in  
24 what we fundamentally believe is a citywide problem  
25 when you talk about homelessness across the City of

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2 New York and families that are living in shelters  
3 every single night. So I applaud Council Member  
4 Barron and I vote aye on all items on today's agenda.  
5 Thank you.

6 COMMITTEE CLERK MARTIN: Barron.

7 COUNCIL MEMBER BARRON: Permission to  
8 explain my vote?

9 CHAIRPERSON SALAMANCA: Council Member  
10 Barron to explain her vote.

11 COUNCIL MEMBER BARRON: Thank you. I  
12 vote aye on all, with the exception of 564 to 567,  
13 from which I am abstaining. I did attend the hearing  
14 where they did a presentation of the project and I  
15 was very concerned that this was a project, I don't  
16 know if it's happened before that we approved project  
17 that don't have a designated developer, and I asked  
18 the persons who were presenting it if in fact if they  
19 had perhaps acted a little prematurely in bringing it  
20 forward and they really seemed not to have had a firm  
21 answer. But I wish them well. I hope that it moves  
22 forward. But that's my vote. Thank you.

23 COMMITTEE CLERK MARTIN: Deutsch.

24 COUNCIL MEMBER DEUTSCH: Aye on all.

25 COMMITTEE CLERK MARTIN: Koo.

2 COUNCIL MEMBER KOO: Aye on all.

3 COMMITTEE CLERK MARTIN: Levin.

4 COUNCIL MEMBER LEVIN: Aye on all.

5 COMMITTEE CLERK MARTIN: Miller.

6 COUNCIL MEMBER MILLER: Permission to

7 explain my vote? I'm going to echo the sentiments of

8 my two colleagues here, and I particularly want to

9 congratulate Council Member Barron for her work on

10 this project in her district, and I would hope that

11 this becomes a microcosm as to how we house the

12 homeless throughout the city, that, that, um,

13 obviously the shelter system that we've seen is not

14 working and permanent housing and access to permanent

15 housing is the way to go, and this demonstrates that

16 we can do it, that we can walk and chew gum at the

17 same time, and I congratulate you once again, look

18 forward to working with you in the future.

19 COMMITTEE CLERK MARTIN: Richards.

20 COUNCIL MEMBER RICHARDS: Congratulations

21 to Council Member Barron. Happy birthday to Steve

22 Levin. I vote aye.

23 COMMITTEE CLERK MARTIN: Treyger.

24 COUNCIL MEMBER TREYGER: Aye.

25 COMMITTEE CLERK MARTIN: Grodenchik.

2 COUNCIL MEMBER GRODENCHIK: Aye.

3 COMMITTEE CLERK MARTIN: Diaz.

4 COUNCIL MEMBER DIAZ: Permission to  
5 explain my vote?

6 CHAIRPERSON SALAMANCA: Council Member  
7 Diaz to explain his vote.

8 COUNCIL MEMBER DIAZ: Mr. Chairman, I  
9 would take this opportunity to express my condolence  
10 to my good friend, my brother, my counsel, and my  
11 advisor, Christopher Lin, who just lost his mother a  
12 few days during this holiday season. And with that,  
13 Mr. Chairman, I vote yes on all.

14 COMMITTEE CLERK MARTIN: Moya.

15 COUNCIL MEMBER MOYA: I vote aye on all.

16 COMMITTEE CLERK MARTIN: Rivera.

17 COUNCIL MEMBER RIVERA: Aye.

18 COMMITTEE CLERK MARTIN: I have a vote of  
19 13 in the affirmative, zero in the negative, and no  
20 abstentions. All items are adopted with land use  
21 items 564 and 567, which are adopted by the  
22 committee, 12 in the affirmative, 1 in the negative,  
23 and no abstentions.

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

1 COMMITTEE ON LAND USE

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2 counsel, and land use staff for attending today's  
3 hearing. We will leave the roll open for five  
4 minutes.

5 COUNCIL CLERK: Continuation roll call,  
6 Committee on Land Use. Council Member Lancman.

7 COUNCIL MEMBER LANCMAN: Aye.

8 COMMITTEE CLERK MARTIN: Final vote,  
9 Committee on Land Use. Final vote, Committee on Land  
10 Use, all items have been adopted by the committee, 14  
11 in the affirmative, zero in the negative, and no  
12 abstentions, with the corrected revision of Land Use  
13 items 564 and 567 are adopted by the committee 13 in  
14 the affirmative, zero in the negative, and one  
15 abstention.

16 CHAIRPERSON SALAMANCA: Thank you all.  
17 This meeting is hereby adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 11, 2019