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SUBCOMMITTEE ON ZONING AND FRANCHISES

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

December 3, 2019  
Start: 11:10 a.m.  
Recess: 11:23 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: FRANCISCO P. MOYA  
Chairperson

COUNCIL MEMBERS:  
BARRY S. GRODENCHIK  
RORY I. LANCMAN  
STEPHEN T. LEVIN  
ANTONIO REYNOSO  
DONOVAN J. RICHARDS  
CARLINA RIVERA

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SUBCOMMITTEE ON ZONING AND FRANCHISES  
A P P E A R A N C E S (CONTINUED)

[gavel]

CHAIRPERSON MOYA: Thank you. Good

morning and welcome to the meeting of the Subcommittee on Zoning and Franchises, I'm Council Member Francisco Moya, the Chairperson of the Subcommittee and today we are joined by Council Members Grodenchik, Richards, Barron, Perkins and Levin. If there... if there... if you are here to testify please fill out a speaker slip with the sergeant at arms indicating your full name, the application name or LU number and whether you are in favor or against the proposal. We will begin this meeting with our hearings. We will now open to hear LU 580, an application by OY Compensations LLC Sur La, La Baie for a new revocable consent for an unenclosed sidewalk café located at 3099 Emmons Avenue in Brooklyn in Council Member Deutsch's district. I now open the public hearing on this application. We will now also hear L... oh I'm sorry, I'm sorry, are there any members of the public who wish to testify? Seeing none I now close the public hearing on this application, and we will now hear LU 591, an application by Dai Hachi Sushi Corporation for a new revocable consent for an unenclosed sidewalk café

1 located at 4618 Vernon Boulevard in Queens in Council  
2 Member Van Bramer's district. I now open the public  
3 hearing on this application. Are there any members of  
4 the public who wish to testify? Seeing none I will  
5 now note for our members and for the public that this  
6 particular application was called up for a public  
7 hearing in order to resolve a specific question about  
8 the proximity of the proposed café to a bike rack on  
9 the sidewalk as shown in the proposed drawings. Based  
10 on a subsequent... based on subsequent communications  
11 with the Department of Consumer Affairs we have been  
12 assured that any assurances of a café license and  
13 revocable consent will be consistent with all  
14 required locational and physical criteria and  
15 therefore the authorization to operate will not be  
16 issued until the bike rack has been removed as is  
17 intended. I now open the public hearing on this  
18 application. I'm sorry, I now close the public  
19 hearing on this application. We will now continue  
20 this meeting with our votes. Today we will vote to  
21 approve with modifications LUs 564 through 567 for  
22 the La Hermosa proposal relating to property in  
23 Council Member Perkins's district in Manhattan. The  
24 application seeks approval for a zoning map and text  
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1  
2 amendments, a special permit to waive parking  
3 requirements and a special permit to modify height  
4 and set back regulations as modified by the City  
5 Planning Commission the actions will facilitate a  
6 mixed use development with community facility space  
7 within a 340 foot tall building with approximately  
8 180 dwelling units including approximately 45 units.  
9 Our modification will be to remove MIH option two  
10 while retaining option one. To address ongoing  
11 concerns over affordable housing within the community  
12 the applicant has further committed to dedicate seven  
13 million dollars under an agreement with JOE NYC that  
14 would help provide critical repairs and renovation  
15 work to 440 units of existing affordable housing  
16 within Council District nine, 236 of which serve  
17 households earning up to 50 percent of AMI and the  
18 remaining 104 of which consist of affordable senior  
19 housing and JOE NYC is a joint ownership entity New  
20 York City corporation, an organization of non profit  
21 affordable housing owners who's stated mission is to  
22 help secure long term viability for its non profit  
23 affordable housing members. With... these commitments  
24 along with our modification... I want to make a  
25 correction, I said 440 it's actually 340, 340 units

1 of existing affordable housing. Council Member  
2 Perkins is in support of this proposal. We will also  
3 vote to approve with modifications LU 581 for the POP  
4 signage and amenities text amendment relating to  
5 areas citywide in multiple council districts. The  
6 Department of City Planning's proposal related to  
7 privately owned public spaces or POPs would  
8 facilitate the updating of the city's public space  
9 symbol, required public space signage for various  
10 types of POPs and allow as of right the addition of  
11 publicly accessible tables and chairs. Our  
12 modification will change the signage rules to ensure  
13 that such spaces are open to the public by requiring  
14 that DCP public space file which is required to be  
15 represented on the signs to include the words open to  
16 public. We will also vote to approve LUs 572 through  
17 575 for the 115 Blake Avenue proposal relating to  
18 property in Council Member Barron's district in  
19 Brooklyn. The application by HPD proposes a series of  
20 actions to facilitate the replacement of an existing  
21 shelter building with four new mixed-use buildings  
22 with approximately 503 affordable housing and  
23 supportive housing units. The applicant seeks  
24 approval for the designation and project approval of  
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1  
2 an urban development action area project and  
3 disposition of city owned property, the zoning map  
4 and a zoning text amendment including establishment  
5 of a mandatory inclusionary housing area utilizing  
6 option one and a large-scale general development bulk  
7 special permit. In order to address affordability and  
8 housing concerns HPD has committed to maintaining 50  
9 percent of the total project units as affordable to  
10 families at 50 percent of AMI or below. And with this  
11 commitment Council Member Barron is in support of  
12 this proposal and I would now like to invite Council  
13 Member Barron to make some remarks prior to our vote.

14 COUNCIL MEMBER BARRON: Thank you Mr.  
15 Chair and thank you to the members of the Committee.  
16 I just want to briefly talk about 515 Blake Avenue, a  
17 project that has been proposed which initially  
18 included a shelter, supportive housing and permanent  
19 affordable housing and the problems were that we felt  
20 that we really needed to work with the administration  
21 to make this a project that was permanent housing and  
22 there was a lot of back and forth and a lot of  
23 discussion and over the weekend basically we have  
24 been able to come to this conclusion which I am very,  
25 very, very pleased with and pleased to be able to say

1                   that the project will go forth with this modification  
2                   and it will include permanent affordable housing,  
3                   when I say affordable I'm talking about matching the  
4                   income bans of the persons who presently live in the  
5                   42<sup>nd</sup> council district where the median income for our  
6                   neighborhood is about 36, 37,000 dollars. So, for  
7                   projects to come in and have my support it needs to  
8                   be reflective of that understanding yes, we do have  
9                   some small percentages at 100 percent and 130 percent  
10                  but that does not reflect the bulk of the population.  
11                  So, this is a project which I'm very pleased to  
12                  support and ask that the members would vote in  
13                  support of, it will have all permanent housing, it  
14                  will also have supportive housing which we know is  
15                  also a very critical need and it will be 503 units  
16                  and 353 of these units will be affordable and they  
17                  will be available through Housing Connects and there  
18                  will be 100 and.. 153 units that are supportive  
19                  housing and the project will have at least 50 percent  
20                  of the units for households making 50 percent of the  
21                  AMI or less, 50 percent of the units in this project  
22                  will be available for families making 50 percent of  
23                  the AMI or less and the others will be targeted at  
24                  60, 70 and 80 percent of the AMI, none of these  
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2 apartments will be over 80 percent of the AMI, this  
3 is significant, it's in keeping with what we've done  
4 in previous projects that we have supported that have  
5 come before the City Council but this is significant  
6 and I really want to acknowledge Raju Mann and Rosa  
7 Kelly and Amy and all of those persons who worked so  
8 diligently and I also want to commend the, the  
9 Mayor's people who worked on this project to come  
10 forth with this, we finally... we did have some fine  
11 tweaks to put on it but I'm confident that since  
12 we've come to this point that we'll be able to work  
13 that out and I do ask all of those who are voting to  
14 please vote in support of this project. I do fully  
15 support it, thank you and to those members that I  
16 dialogue with, you know who you are, thank you for  
17 your support as well. Thank you.

18 CHAIRPERSON MOYA: Thank you and, and  
19 congratulations again. And we will also vote to  
20 approve the two café applications that we heard  
21 today, we will also vote to approve LU 580 for the  
22 application by the OY Compensation LLC for a  
23 revocable consent to maintain, operate and use an  
24 unenclosed sidewalk café at three... 3099 Emmons Avenue  
25 in Council Member Deutsch's district in Brooklyn.

2 Council Member Deutsch is in support of the  
3 application. We will also vote to approve LU 591 for  
4 the application by the Dai Hachi Sushi Corporation  
5 for a revocable consent to maintain, operate and use  
6 an unenclosed sidewalk café at 4618 Vernon Boulevard  
7 in Council Member Van Bramer's district in Queens. As  
8 noted earlier and based on our understanding of DCA's  
9 clarification regarding the bike rack, Council Member  
10 Van Bramer is in support of the application. I now  
11 call for a vote to approve with modifications LUs  
12 564, 565, 566, 567, and 581 and to approve LUs 572,  
13 573, 574, 575, 580 and 591. Counsel please call the  
14 roll.

15 COMMITTEE CLERK: Chair Moya?

16 CHAIRPERSON MOYA: Aye on all.

17 COMMITTEE CLERK: Council Member Levin?

18 COUNCIL MEMBER LEVIN: Aye on all.

19 COMMITTEE CLERK: Council Member  
20 Richards?

21 COUNCIL MEMBER RICHARDS: Aye.

22 COMMITTEE CLERK: Council Member  
23 Grodenchik?

24 COUNCIL MEMBER GRODENCHIK: Aye.

25 COMMITTEE CLERK: Council Member Rivera?

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2 CHAIRPERSON MOYA: Before... yeah... we're  
3 going to keep the, the rolls open for a little bit  
4 longer but before we conclude I wanted to turn it  
5 over to Council Member Perkins for...

6 [off mic dialogue]

7 CHAIRPERSON MOYA: Yep.

8 COMMITTEE CLERK: Council Member Lancman?

9 COUNCIL MEMBER LANCMAN: [off mic] Aye.

10 COMMITTEE CLERK: By a vote of six in the  
11 affirmative, zero in the negative and no abstentions  
12 the items are approved and conferred to the full Land  
13 Use Committee.

14 CHAIRPERSON MOYA: And, and before we  
15 conclude today's meeting, I'd just like to turn it  
16 over to Council Member Perkins for some remarks.

17 COUNCIL MEMBER PERKINS: My remarks are  
18 going to be very brief. I support this project  
19 wholeheartedly, this is a community based  
20 organization that has had a sterling record in terms  
21 of its legacy in this neighborhood, they have been  
22 visible, they have been active and they have been  
23 very, very touchy in terms of embracing the issues of  
24 the neighborhood and this project I think is, is a...  
25 is a very good project for, for the district that I

1  
2 represent and therefore I would ask my colleagues to  
3 join me in supporting my neighbors that are doing  
4 what I consider to be a heroic thing of using their  
5 background in the neighborhood and, and their  
6 presence in the neighborhood that will enable this  
7 neighborhood to grow even better by virtue of this  
8 type of housing that'll be 340 units and will meet  
9 the needs of that... of my... of my district in that part  
10 of my neighborhood, yeah.

11 CHAIRPERSON MOYA: Thank you.

12 COUNCIL MEMBER PERKINS: And therefore, I  
13 vote aye and ask my colleagues to join me  
14 accordingly.

15 CHAIRPERSON MOYA: Thank you. This  
16 concludes today's meeting and I would like to thank  
17 the members of the public, my colleagues, council and  
18 Land Use staff for attending. This meeting is hereby  
19 adjourned.

20 [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 12, 2019