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COMMITTEE ON LAND USE

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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SEPTEMBER 30, 2021  
Start: 11:07 A.M.  
Recess: 11:22 A.M.

HELD AT: REMOTE HEARING VIRTUAL ROOM 2

B E F O R E: CHAIR RAFAEL SALAMANCA

COUNCIL MEMBERS: RAFAEL SALAMANCA  
ADRIENNE ADAMS  
DIANA AYALA  
INEZ BARRON  
JOSEPH BORELLI  
OSWALD FELIZ  
VANESSA GIBSON  
BARRY GRODENCHIK  
PETER KOO  
STEPHEN LEVIN  
I. DANEEK MILLER  
FRANCISCO MOYA  
KEVIN RILEY

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

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2 SGT POLITE: Chair Lugo, you may begin  
3 with your opening statement.

4 SGT. LUGO: Good morning, everyone.  
5 Welcome to today's remote New York City Council  
6 hearing of the Committee on Land Use. At this time  
7 would all panelists please turn on your video. To  
8 minimize disruption, please place electronic devices  
9 to vibrate or silent. If you wish to submit  
10 testimony, you may do so at  
11 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Again, that's  
12 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Thank you for your  
13 cooperation. Chair Salamanca, we are ready to begin.

14 CHAIR RAFAEL SALAMANCA: Thank you,  
15 Sergeant at Arms. Good morning, and welcome to the  
16 Committee on Land Use. I am Council Member Rafael  
17 Salamanca. I chair this committee. I would like to  
18 welcome my colleagues who are with use today. We  
19 have Council Members Koo, Adams, Ayala, Barron,  
20 Borelli, Feliz, Gibson, Grodenchik, Levin, Miller,  
21 Chair Moya, and Chair Riley. I would also like to  
22 thank Chair Moya and Chair Riley for their work on  
23 our two subcommittees. Today, we will vote on a  
24 number of applications referred out from our zoning  
25 subcommittee, but before we begin, I would like to

2 recognize the Committee Counsel to review the remote  
3 meeting procedures.

4 COMMITTEE COUNSEL JULIE LUBIN: Thank  
5 you, Chair Salamanca. I am Julie Lubin, Counsel to  
6 this committee. Council members who would like to  
7 ask questions or make remarks should use the Zoom  
8 raise hand function. The raised hand function should  
9 appear at the bottom of the participant panel. I  
10 will announce the members who have questions or  
11 remarks in the order that they raise their hands.  
12 Chair Salamanca will then recognize members to speak.  
13 We ask that you please be patient if any technical  
14 difficulties arise today. Chair Salamanca will now  
15 continue with today's agenda items.

16 COUNCIL MEMBER RAFAEL SALAMANCA: Thank  
17 you, Counsel. We will vote to approve LUs numbers  
18 832 and 833 for the 2840 Knapp Street rezoning  
19 proposal related to property in council district 48  
20 in Brooklyn. The Proposal 6, a zoning map amendment  
21 an R5 district to an R6 district, and a related  
22 zoning tax amendment to establish a mandatory  
23 inclusionary housing area utilizing options 1 and 2.  
24 We will also vote to approved modifications LUs 834  
25 for the Windmere special permit proposal which

2 relates to property in Speaker Johnson's district in  
3 Manhattan. The application seeks to modify various  
4 use in both regulations to facilitate the conversion,  
5 alternation, and enlargement of the Windmere  
6 Apartment building, an individual landmark at 400-406  
7 West 57th Street. A proposed, the developers sought  
8 the option of constructing either hotel or office, in  
9 either case or 20 affordable housing units. Our  
10 modification would be to strike the hotel scheme  
11 which would result in an office development with 20  
12 affordable housing units. We will also vote to  
13 approve the modifications LUs number 838 for a  
14 citywide zoning tax amendment proposed by the  
15 Department of City Planning in the MTA known as  
16 zoning for accessible or ZFA. The proposal would  
17 require developers of transit adjacent sites to  
18 obtain a determination as to the need for a  
19 (inaudible) to facilitate future station access  
20 before constructing their buildings. It would create  
21 an authorization framework for the transit  
22 improvement for area bonus program, expand the area  
23 of applicability through R9 and R10 districts  
24 citywide and apply the program to a larger radius of  
25 eligible sites. Our modification would include

2 adding the city council to the list of recipients of  
3 the MTA's annual report for easement program, will  
4 clarify that resiliency measures in conjunction with  
5 accessibility improvements would be among the  
6 allowable types of station upgrades and would  
7 establish a maximum threshold of additional floor  
8 area for sites using the new authorization. We will  
9 also vote to approve LUs numbers 839 for the 106-02  
10 Rockaway Beach Boulevard rezoning proposal related to  
11 property in Council Member Ulrich's district in  
12 Queens. The proposal 6, a zoning map amendment to  
13 change an R5D/C2-3 district to an M1-5 district. We  
14 will also vote to approve LU number 840 and 841 for  
15 the 307 Kent Avenue rezoning proposal related to  
16 property in Council Member Levin's district in  
17 Brooklyn. The proposal 6, a zoning map amendment to  
18 change an M3-1 district partially to an M1-5 district  
19 and partially to an M1-4/R6A special mixed-use  
20 district as well as a zoning tax amendment to  
21 establish a mandatory inclusionary housing area in a  
22 special mix use district portion of the rezoning  
23 area. However, approval will facilitate a new nine  
24 story preliminary commercial and community facility  
25 building. We will also file pursuant to a letter of

2 withdrawal LUs 836 and 837 for the 629-639 West 142nd  
3 Street rezoning proposal. On September 23rd, 2021,  
4 the applicant submitted a letter of withdraw of the  
5 application. Council members who have questions or  
6 remarks about today's items should use the raise hand  
7 button now. Counsel will announce members in the  
8 order that their hands were raised.

9 COMMITTEE COUNSEL JULIE LUBIN: Chair, I  
10 see no raised hands.

11 CHAIR RAFAEL SALAMANCA: Oh, great.  
12 Seeing none, I will now call for a vote in accordance  
13 with the recommendation of the subcommittees and  
14 local council members and note that a vote I on all  
15 will be adopt the following: To approve LUs 832,  
16 833, 839, 840, and 841, and approve the modification  
17 as I described LUs 834 and 838, and file LUs 836 and  
18 837. Will the clerk please call the roll?

19 COMMITTEE CLERK WILLIAM MARTIN: Good  
20 morning. William Martin, Committee Clerk. Roll call  
21 vote, Committee on Land Use. All items are coupled.  
22 Chair Salamanca.

23 CHAIR RAFAEL SALAMANCA: I on all.

24 COUNCIL MEMBER I. DANEEK MILLER: My hand  
25 is raised.

2 CHAIR RAFAEL SALAMANCA: (Crosstalk). I  
3 recognize Council Member Miller.

4 COUNCIL MEMBER I. DANEEK MILLER: I had  
5 some questions about the districts, the mandatory  
6 inclusionary zoning, what districts they were in, and  
7 the positions of them members. Obviously, they  
8 agree, but which districts were they specifically in?

9 COMMITTEE COUNSEL JULIE LUBIN: Which  
10 (inaudible) are you asking about? (Crosstalk).

11 COUNCIL MEMBER I. DANEEK MILLER: The  
12 zoning, the mandatory inclusionary zoning.

13 CHAIR RAFAEL SALAMANCA: There is a  
14 mandatory inclusionary zoning in Council Member, in  
15 district in 48 in Brooklyn, 2840 Knapp Avenue  
16 rezoning proposal, and that's it, council member.

17 COUNCIL MEMBER I. DANEEK MILLER: Okay.  
18 Thank you.

19 CHAIR RAFAEL SALAMANCA: Is that all?

20 COUNCIL MEMBER I. DANEEK MILLER: That's  
21 it. Thank you.

22 CHAIR RAFAEL SALAMANCA: All right, thank  
23 you. All right, Clerk, you may resume.

24 COMMITTEE CLERK WILLIAM MARTIN: Thank  
25 you. Council Member Gibson.



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2 COUNCIL MEMBER VANESSA GIBSON: Good  
3 morning. I vote I on all.

4 COMMITTEE CLERK WILLIAM MARTIN: Thank  
5 you. Barron.

6 COUNCIL MEMBER INEZ BARRON: Good  
7 morning. I vote I on all, thank you.

8 COMMITTEE CLERK WILLIAM MARTIN: Thank  
9 you. Council Member Koo. Council Member Koo?

10 COUNCIL MEMBER PETER KOO: Good morning.  
11 I vote I on all.

12 COMMITTEE CLERK WILLIAM MARTIN: Thank  
13 you, sir. Levin.

14 COUNCIL MEMBER PETER KOO: (Crosstalk) I  
15 vote I on all.

16 COUNCIL MEMBER STEPHEN LEVIN: I vote on  
17 I on all, and I like Council Member Gibson's glasses,  
18 for the record.

19 COMMITTEE CLERK WILLIAM MARTIN: Miller.

20 COUNCIL MEMBER I. DANEEK MILLER: I'm I  
21 on all with the exception of, I'm sorry, the rezoning  
22 of 48.

23 COMMITTEE CLERK WILLIAM MARTIN: Thank  
24 you. Grodenchik.

25 COUNCIL MEMBER BARRY GRODENCHIK: I.

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2 COMMITTEE CLERK WILLIAM MARTIN: Council  
3 Member Grodenchik voting I. Adams.  
4 COUNCIL MEMBER ADRIENNE ADAMS: I.  
5 COMMITTEE CLERK WILLIAM MARTIN: Thank  
6 you. Ayala.  
7 COUNCIL MEMBER DIANA AYALA: I vote I.  
8 COMMITTEE CLERK WILLIAM MARTIN: Thank  
9 you. Moya.  
10 COUNCIL MEMBER FRANCISCO MOYA: I vote I.  
11 COMMITTEE CLERK WILLIAM MARTIN: Thank  
12 you. Riley.  
13 COUNCIL MEMBER KEVIN RILEY: Good  
14 morning. I vote I.  
15 COMMITTEE CLERK WILLIAM MARTIN: Thank  
16 you, Feliz.  
17 COUNCIL MEMBER OSWALD FELIZ: Good  
18 morning. I on all.  
19 COMMITTEE CLERK WILLIAM MARTIN: Thank  
20 you. Borelli.  
21 COUNCIL MEMBER JOSEPH BORELLI: I.  
22 COMMITTEE CLERK WILLIAM MARTIN: Thank  
23 you. One moment. Okay by a vote of 13 in the  
24 affirmative, zero in the negative and no abstentions,  
25 all items have been adopted by the committee with the

2 exceptions of rezoning item district number 48 is  
3 adopted by the committee, 12 in the affirmative, one  
4 in the negative, and no abstentions.

5 CHAIR RAFAEL SALAMANCA: All right, I  
6 would like to thank you all. I would like to thank  
7 the public, my colleagues, council staff and Sergeant  
8 at Arms for attending today's hearing. We will we  
9 leave the roll open for five minutes. Thank you.

10 COMMITTEE CLERK WILLIAM MARTIN: Council  
11 Member Miller.

12 COUNCIL MEMBER I. DANEEK MILLER: Thank  
13 you, Mr. Chair.

14 COMMITTEE CLERK WILLIAM MARTIN: Council  
15 Member Miller, this is William Martin, Committee  
16 Clerk.

17 COUNCIL MEMBER I. DANEEK MILLER: Yeah.

18 COMMITTEE CLERK WILLIAM MARTIN: Can I  
19 just verify that you were a no or abstention on the  
20 rezoning?

21 COUNCIL MEMBER I. DANEEK MILLER: That is  
22 affirmative.

23 COMMITTEE CLERK WILLIAM MARTIN: You are  
24 a no?

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2 COUNCIL MEMBER I. DANEEK MILLER: That is  
3 correct.

4 COMMITTEE CLERK WILLIAM MARTIN: Thank  
5 you, sir.

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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 October 26, 2021