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Zoning Committee
Monday, June 8, 2009, 5:30 PM
North General Hospital
1879 Madison Avenue
New York, NY 10035

Present: LaShawn Henry, Alvin Johnson, Danny Perez, Garry Anthony Johnson, Diane Collier, Cora Shelton, Derrick Taitt and Lee Chong

Absent: George Figueroa, Hilda Vives-Vasquez, Israel Miranda and Scott Keatley

Excused: Joseph Goldbloom

Guest(s): Hunter Armstrong, Allen Strouse, Jodi Byrum and Beverly Jimenez-Talavera

The meeting was called to order by Committee Chair LaShawn Henry at 5:45 PM

Discussions and Presentations:

FRESH Rezoning Proposal – Zoning Text Amendment

Jodi Byrum from the Department of City Planning reviewed their zoning text amendment proposal that would provide floor area bonuses in exchange to the inclusion of fresh food grocers. Ms. Byrum stated that the City conducted a study to identify which communities were in most need of supermarket and grocers, and identified East Harlem as a community in need. They are proposing to amend the zoning text to incentivize the inclusion of supermarkets with the goal of making healthier fresh food more available in CB11, and other communities in similar need.

To qualify for the 1:1 floor area bonus (up to 20,000 sq.ft.), the building would need to include a full-line grocery store that occupies a minimum of 6,300 sq.ft. (with minimum space requirements for fresh foods). So as not to compete with the Inclusionary Housing bonus, in contextual districts the City will permit height increase of no more than 15 feet to accommodate the increased floor area (City Planning will review requests).

If the developer loses the supermarket or grocer they have 6 months to refill the space with a similar use to fulfill the requirement. If they are not able to lease the space to a supermarket, they can opt out of the program by making the case that locating a supermarket is financially unfeasible. Ms. Byrum stated that she is confident landlords will not opt out as they would lose the financial incentives that are offered along with the zoning bonus (tax abatement and sales tax exemption).

Allen Strouse from the United Food and Commercial Workers (UFCW) Local 1500, which is a union for supermarket workers, stated that his organization is in support of the zoning proposal but identified several conditions for their support (see attached memo).

East Harlem Rezoning

Committee Chair LaShawn Henry stated that because of time constraints she is requesting those committee members who volunteered to do existing conditions surveying in the rezoning target area pick up their maps from George Sarkissian at the Board office.

Action Items

Diane Collier made a motion to support the FRESH zoning text amendment with the conditions outlined by the UFCW memo (see attached). The motion was seconded by Cora Shelton and approved: 5 in Favor, 0 Against, 2 Abstentions (Daniel Perez, Garry Anthony Johnson).

Adjournment

Diane Collier made a motion to adjourn. The motion was seconded by Alvin Johnson and passed unanimously.

The meeting was adjourned at 6:40 PM

To: The Land Use Committee

From: United Food & Commercial Workers Local 1500

Re: FRESH Rezoning Proposal Recommendations

UFCW Local 1500 is a local labor union that represents 10,000 supermarket workers in New York City. On behalf of our members, we are asking that the Community Board support the FRESH rezoning program. We are also asking that the Community Board call for the rezoning program to include clear standards that will guarantee good food and good jobs.

The goals and objectives of the FRESH program are excellent. Local 1500 applauds the proposed FRESH program and would like to thank all members of the New York Supermarket Commission, the Mayor, and the Department of City Planning. Their hard work makes substantial progress in addressing barriers to supermarket development. These zoning incentives will make it easier for supermarkets to open up in neighborhoods that need them. By increasing access to healthy, affordable food, FRESH will decrease rates of diabetes and obesity.

Local 1500 believes that zoning changes should strengthen the fabric of existing neighborhoods. While we are pleased about the steps that the city is taking to promote supermarket development, we believe that FRESH will only succeed if it includes standards to ensure that supermarkets create good jobs and provide good food. To ensure that the FRESH program benefits underserved neighborhoods, applicants for incentive programs should meet clear standards in the following areas:

Good Jobs: The supermarket should be required to commit, in order to be eligible for the program, that all jobs at the store will meet minimum good jobs standards, defined as providing wages and contributions for benefits that are no lower than those prevailing in the New York City supermarket industry (taking into account a differential between full-time and part-time employees). The prevailing wage and benefits contribution standard should be determined by the City Comptroller.

Job Creation: Because the public should see maximum return from public investments, priority should be given to supermarkets that will create the most jobs per public dollar spent with a preference for supermarkets with more than 25 employees.

Local Hiring: The supermarket should participate in a “First Source” hiring system that links employers with community residents and low-income New Yorkers.

Community Involvement in Planning Process: Supermarkets seeking loans and assistance should appear before the community board to consider community input on issues including, but not limited to, products, diversity in hiring, local hiring, pricing, and auxiliary services being provided.

Transparency: The participating supermarket should be required to report publicly on a bi-annual or annual basis with information necessary to evaluate the food quality and employment standards (e.g.

job and wage data) at the supermarkets participating in the loan program. All information should be available online.

EBT/WIC: The participating supermarket should be required to accept EBT and WIC.

Warehouse Clubs: The program should clearly define the term “supermarket” so that incentives only go to true supermarkets and not to big box stores.

M1 Zones: Some questions have been raised regarding the rezoning of M1 zones in targeted neighborhoods, and we hope that these concerns will be thoroughly investigated so that the FRESH program does not inadvertently displace manufacturing jobs.

We encourage the Community Board to solve that the FRESH program be implemented with the community and job standards we have outlined.

As the FRESH program is reviewed over the next few months during the ULURP process, Local 1500 would like to continue to work with community groups, Community Boards, and with Borough Presidents to craft the best program possible. We believe that public policies are only effective when they are shaped by the voices of local residents, workers, and elected officials. Please call 570-441-9074 with any questions and let us know how Local 1500 can make sure that the voices of working people are heard on this issue.

Thank you for your consideration.

Yours in solidarity,

United Food & Commercial Workers Local 1500