

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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August 9, 2017
Start: 11:47 a.m.
Recess: 12:09 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: DAVID G GREENFIELD
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile
Annabel Palma
Daniel R. Garodnick
Darlene Mealy
Rosie Mendez
Ydanis A. Rodriguez
Peter A. Koo
Brad S. Lander
Stephen T. Levin
Jumaane D. Williams
Deborah L. Rose
Donovan J. Richards
Inez D. Barron
Andrew Cohen
Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger
Rafael Salamanca, Jr.

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

2 [sound check, pause]

3 CHAIRPERSON GREENFIELD: Good morning.

4 My name is David Greenfield. I am the Council Member
5 from the 44th Council District in Brooklyn. I'm
6 privileged to serve as the Chair of the Land Use
7 Committee. I want to welcome my esteemed colleagues
8 who are members of the committee and joining us.
9 Folks in the audience if you wouldn't mind, just
10 whispering please in your conversations. I know this
11 is very riveting information that's going on here
12 today. I want to recognize Council Member Gentile,
13 Council Member Mendez, Chair Koo, Council Member
14 Lander, Council Member Williams, Chair Richards,
15 Council Member Kallos, Council Member Reynoso,
16 Council Member Torres and Chair Salamanca. I want to
17 thank Chair Salamanca, Chair Richards and Chair Koo
18 for their excellent work on our Land Use
19 Subcommittees. Today, we'll be voting to approve LU
20 715 the Manhattan West Phase 3 Text Amendment for
21 property in the Special Hudson Yards District in
22 Manhattan. We will be voting to disapprove the Pret
23 A Manger unenclosed sidewalk café LU 712. We'll also
24 be voting to approve with modifications the ECF East
25 976th Street projects, LU 700 through 703. We'll

2 also be voting a motion to file the Baychester Square
3 Rezoning LU 694 to 699, which is in Council Member
4 King's district, which was withdrawn this morning.

5 The Manhattan West Phase 3 Application is
6 for a zoning text amendment that would alter design
7 requirements for a public access area associated with
8 the development of the Ninth Avenue Rail Yard in
9 Council Member Johnson's District. The Pret A Manger
10 application for revocable consent for an unenclosed
11 sidewalk café on Chamber Street is in Council Member
12 Chin's District was proposed for four tables and
13 eight chairs in a busy intersection on Chamber
14 Street. As we just heard in the Subcommittee,
15 Council Member Chin believes that a café obstructing
16 the sidewalk at this location at this time poses
17 safety concerns for pedestrians in this crowded area
18 undergoing significant construction activities.

19 Next, we'll be voting to approve with
20 modifications the ECF East 96th Street Application
21 LUs 700 through 703. This application is for a
22 zoning map amendment, zoning text amendment and two
23 special permits to allow for the development of a
24 full block site located in the Speaker's District.
25 The site currently contains the Marx Brothers

2 Playground in the Coop Tech High School. The new
3 development would include the reconstruction of the
4 Marx Brothers Playground a new space for the Coop
5 Tech High School, two new spaces for public high
6 schools containing 430 and 340 (sic) students and
7 nearly one million square feet of residents space.
8 That's three new public schools. Thirty percent of
9 the apartments will be reserved for affordable units
10 averaging 60% of the AMI, which is really an
11 incredibly low AMI where you consider how large of
12 percentage that at 30%. There will also be 20,000
13 square feet of retail. (sic) The Speaker supports
14 approval of this application with the modifications
15 of the plan to definitively cap the height of the
16 mix-used building at 673 feet and 10 inches. They
17 got it down to the inch, folks, and has also achieved
18 deeper affordability with more units reaching 40% AMI
19 and below and additional two (sic) units at 30% of
20 AMI. The plan also calls for improvements to a
21 nearby park and outreach for local hiring. The
22 Speaker also explained her vote in support at the
23 prior subcommittee hearing.

24 We'll also be voting to file LU 694
25 through 699 the Baychester Square Applications, which

2 have been withdrawn. I understand that Council
3 Member King has tried to work extensive with EDC, the
4 developer and other city agencies to find a
5 compromise in this application but in the end was
6 unable to support the approval or modification. I
7 want to thank EDC and the developer for all the time
8 and the effort they put in this project. We look
9 forward to continuing to work on the plan for this
10 very important site that would be more appropriate
11 and would have more community support in the future.
12 Are there any questions or remarks on these
13 applications. I want to recognize that we've been
14 joined by Council Member Levin as well. We will now
15 move onto a vote. In accordance with the
16 recommendations of the Subcommittees and the
17 recommendations of the Council Members to approve LU
18 715, approve LU 700 to 703 with modifications,
19 disapprove LU 712 and file 694 through 699. Would
20 our wonderful clerk please call the roll. Nice
21 haircut.

22 CLERK: William Martin, Committee Clerk,
23 roll call vote Committee on Land Use. All items are
24 coupled. Chair Greenfield.

2 CHAIRPERSON GREENFIELD: I vote aye on
3 all.

4 CLERK: Gentile.

5 COUNCIL MEMBER GENTILE: I vote aye on
6 all.

7 CLERK: Mendez.

8 COUNCIL MEMBER MENDEZ: Aye on all.

9 CLERK: Koo.

10 COUNCIL MEMBER KOO: Mr. Chair, can I say
11 something before I vote?

12 CHAIRPERSON RODRIGUEZ: Absolutely. I
13 want to thank you, Chair Koo. I hear that you had an
14 incredibly successful and wonderful Council Member
15 dinner this past week, and so thank you for bringing
16 all of your colleagues out to your district in such
17 collegial fashion. I heard the food was excellent,
18 and your stand-up comedy was especially appreciated.

19 COUNCIL MEMBER KOO: Oh, yes.

20 CHAIRPERSON RODRIGUEZ: The Chair
21 recognizes Chair Koo.

22 COUNCIL MEMBER KOO: So, I would like to
23 welcome the interns from the Korean-American Civic
24 Empowerment also known as KACE, who are here to learn
25 about the City Council and experience local

2 government in action. I would also like to thank
3 their two mentors Therese and Song (sic) for their
4 leadership, and with that, I vote aye for all.

5 CHAIRPERSON GREENFIELD: Thank you Chair.
6 I want to—certainly want to welcome Korean-American
7 Civic Empowerment Group. Thank you to all these
8 young folks for joining us here today. We appreciate
9 you coming out here, and you're fortunate to have
10 really one of the best council members in New York
11 City representing you, Chair Koo, and Chair we thank
12 you for your leadership as well. The Chair
13 recognizes Council Member Kallos for a vote.

14 COUNCIL MEMBER KALLOS: Permission to
15 explain my vote.

16 CHAIRPERSON GREENFIELD: You want to
17 explain your vote as well? We only gave you
18 recognition to vote? Alright, the Chair recognizes
19 Council Member Kallos to make comments on his vote as
20 well.

21 COUNCIL MEMBER KALLOS: I want to take a
22 moment. This project is outside my district. It is
23 literally across the street. I want to take a moment
24 to thank Speaker Melissa Mark-Viverito for—
25

2 CHAIRPERSON GREENFIELD: [interposing]

3 Can you see it from your district like Alaska and
4 Sarah Palin?

5 COUNCIL MEMBER KALLOS: So, again, I want
6 to just say I [laughter] want to thank the Speaker
7 Melissa Mark-Viverito for taking the time to review
8 this project for me—with me from the outside as well
9 as Manhattan Borough President Gale Brewer, who
10 really took interest in the sensitivities and
11 concerns that came from my district across the street
12 as well as Community Board 11, which did a great
13 amount of work with the community and hearing from
14 the community, and I think that this project is
15 better than when it started. The park is protected
16 and where as currently there's a demised, demolished
17 park that's been used to build the Second Avenue
18 Subway for some ten years, we will actually get a new
19 park, and without it I'm not sure how we could.
20 We'll be getting three new schools, which are first
21 three new schools in East Harlem in 50 years, and if
22 folks haven't ever heard me say this before, we
23 desperately need more schools in this city and
24 especially in Manhattan. And then in addition, they
25 got even more affordability into this project. We're

2 talking at 30% of AMI, 40% of AMI about over 100
3 units for people who are very low income who live in
4 East Harlem who will be able to actually move into
5 these apartments because so often we do affordable
6 housing where people ask affordable for whom because
7 no one in the area can afford it. And certainly last
8 but not least, they did all of this while hearing
9 concerns from the community that it might be a little
10 bit too tall, and they've reduced the height of the
11 building from 720 feet without the mechanicals to
12 under 700 feet with the mechanicals capping this at
13 673 feet and 10 inches. So, that is a lot of
14 victories while still getting the project to be
15 shorter. I just want to appreciate that, appreciate
16 the sensitivity. I thank the Speaker and everyone
17 involved in the staff. I vote aye.

18 CHAIRPERSON GREENFIELD: Thank you,
19 Council Member Kallos and thank you for your
20 significant input in this process as well. I'll turn
21 it over to the clerk to keep calling the roll.

22 CLERK: Rodriguez.

23 COUNCIL MEMBER RODRIGUEZ: Aye on all.

24 CLERK: Lander.

25 COUNCIL MEMBER LANDER: Aye.

2 CLERK: Levin.

3 COUNCIL MEMBER LEVIN: Aye.

4 CLERK: Rose.

5 COUNCIL MEMBER ROSE: Aye.

6 CLERK: Williams.

7 COUNCIL MEMBER WILLIAMS: Aye.

8 CLERK: Richards.

9 COUNCIL MEMBER RICHARDS: Aye.

10 CLERK: Reynoso.

11 COUNCIL MEMBER REYNOSO: Aye.

12 CLERK: Torres.

13 COUNCIL MEMBER TORRES: I vote aye.

14 CLERK: Salamanca.

15 COUNCIL MEMBER SALAMANCA: Aye.

16 CLERK: By a vote of 14 in the
17 affirmative, 0 in the negative and no abstentions,
18 all items have been approved as indicated on the
19 agenda by the committee. [background comments and
20 noise, pause]

21 CLERK: Council Member Barron.

22 COUNCIL MEMBER BARRON: I vote aye.

23 CLERK: All items now stand at 15 in the
24 affirmative.

25

2 CHAIRPERSON GREENFIELD: Alright, we are
3 officially waiting for Council Member Cohen. Because
4 it's his birthday we are going to wait for him as
5 long as it takes, but meanwhile folks who-it is
6 birthday. If it was your birthday we'd wait for you,
7 too. In the meanwhile we are done with the voting
8 portion. So, the folks who have voted you can feel
9 free to leave, and we will see you shortly at the
10 Stated Meeting. Thank you very much.

11 SERGEANT-AT-ARMS: Keep it down, please.

12 CHAIRPERSON GREENFIELD: Folks, quiet on
13 the set for one more vote. Will the Clerk please
14 continue to call the roll.

15 CLERK: Garodnick.

16 COUNCIL MEMBER GARODNICK: Aye.

17 CLERK: Treyger.

18 COUNCIL MEMBER TREYGER: Aye.

19 CLERK: The vote now currently stands at
20 17 in the affirmative. [pause] Hearing it-[pause]

21 CLERK: Continuation roll call the
22 Committee on Land Use. Council Member Cohen.

23 COUNCIL MEMBER COHEN: I vote aye.

24

25

2 CLERK: All items have been approved
3 today by a vote of 18 in the affirmative, 0 in the
4 negative and no abstentions.

5 CHAIRPERSON GREENFIELD: This concludes
6 the Land Use Committee for August 9, 2017. This
7 Committee 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 August 17, 2017