

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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October 5, 2010
Start: 10:00 am
Recess: 11:40 am

HELD AT: Committee Room
250 Broadway, 16th Floor

B E F O R E:
MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:
Mark S. Weprin
Leroy G. Comrie, Jr.
Daniel R. Garodnick
Jessica S. Lappin
Diana Reyna
Joel Rivera
Larry B. Seabrook
James Vacca
Albert Vann
Vincent M. Ignizio
Brad Lander
Margaret Chin

A P P E A R A N C E S

Peter Bourbeau
Managing Member
High Hawk LLC

Judith Gallent
Partner
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Ariel Aufgang
Project Architect
Subotovsky Architects

Richard Sica
Vice President
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S. Andrew Katz
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Michael E. Levine
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Manhattan Community Board 1

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

Carol Samol
Director of Bronx Office
Department of City Planning

Juton Horstman
Project Manager
Department of City Planning

Calvin Jackson
Co-chair of Economic Development Committee
Bronx Community Board 6

1
2 CHAIRPERSON WEPRIN: Good morning
3 everyone. Good morning and welcome to the 16th
4 Floor of 250 Broadway. My name is Mark Weprin.
5 I'm the Chair of the Zoning and Franchises
6 Subcommittee of the Land Use Committee. I am
7 delighted to be joined by my colleagues: Dan
8 Garodnick, Vincent Ignizio, Jimmy Vacca, Joel
9 Rivera and Al Vann. In addition, Brad Lander is
10 here on one of the items. Without further ado,
11 we're going to get started.

12 The first item I want to just
13 mention is an item we had a hearing on last week.
14 This is called the Culver El rezoning. The Land
15 Use numbers are 177 through 193. We had some
16 discussion since the last meeting and there have
17 been some amendments made to the original plan.

18 From what I understand, the
19 Bergament site, property bounded by 36th Street
20 and Old New Utrecht Road--which luckily we didn't
21 change the road because then it would have to be
22 New Old New Utrecht Road--and 37th Street and 13th
23 Avenue, will be changed to a C8-2 and block 5300
24 Lot 45 and block 5299 Lot 37 which was generally
25 located in the southeastern portion of the

1
2 proposed rezoning shall be deleted from the mixed-
3 use district and shall be zoning M1-2 and linked
4 up with the other M1-2s.

5 Brad Lander, who represents the
6 site and has been very involved in this
7 negotiation and discussion of what's best is here
8 and would like to make a statement on the matter.
9 Anywhere you want to go there, Brad.

10 COUNCIL MEMBER LANDER: Thank you,
11 Mr. Chairman. I just want to say very quickly a
12 few thank yous. I'm very enthusiastic and
13 appreciative of the work that went into making
14 some of these changes.

15 You'll recall from last week, there
16 was a site that could have as-of-right been over
17 100 units of market rate housing. That's been
18 pulled out and recognized that it's commercial
19 use. A couple of other sites that are appropriate
20 for manufacturing are going to stay that way.

21 We're still going to get all of the
22 affordable housing, the 68 units in this excellent
23 Sevco project. I'm pleased that Sevco, working
24 with HPD and City Planning, has agreed to double
25 the affordability period from 15 years, the normal

1
2 period under new foundation, to 30 years. So
3 twice as long, the project will remain affordable.
4 That's not quite forever, but it's a great, great
5 step.

6 Also, Sevco has agreed and HPD the
7 New York City Partnership have supported it to
8 allow the Bergament Department Store that's there,
9 for 18 months beyond to continue to use the site
10 they're now using as parking. They'll build the
11 project in phases so we don't make a severe harm
12 to an existing meaningful business in the
13 neighborhood. So a lot of great improvements to
14 the project and lots of thank yous. I'll say them
15 very quickly.

16 The staff here: Carol and Amy and
17 Gail were great. City Planning, the whole
18 Brooklyn office: Purnima, Winston, David Parish,
19 Carolyn. HPD: Jack Hammer, Holly Leicht and Carol
20 Clark. Sevco in general and especially Adam Roth
21 Group, the Bergament counsel all did a lot of work
22 to help us put this together. I really appreciate
23 everybody's help.

24 This has to now go to City Planning
25 to approve the modifications. So we won't see it

1
2 in the full Council until the 27th. I am still
3 hopeful on two issues: the school crowding issues
4 and moving forward on the capital plan to get
5 enough school seats in the neighborhood to
6 accommodate growing population and making long-
7 term plans to accommodate open space and parks in
8 the neighborhood, that we can have some progress
9 to report by the time of the full Council meeting.

10 I'm grateful for the work that went
11 in to making these changes and to the committee
12 for helping and when it comes time will recommend
13 and ask that you vote yes in support of the
14 project with the modifications. Thank you.

15 CHAIRPERSON WEPRIN: Thank you very
16 much, Mr. Lander. Did anyone else want to
17 comment? Thank you and congratulations.

18 We are going to move on to the next
19 item. Last week, we did have a café request on
20 the agenda. As it turns out, that request has not
21 been withdrawn. It's in Council Member Lappin's
22 district, who I know stepped out for a minute, but
23 will back.

24 They wrote a letter, which I'll
25 read for the record which says "Dear Council

1
2 Member Weprin." That would be me. "SWA
3 Architects PLLC, as an authorized representative
4 of Jasper Hospitality LLC, doing business as East
5 End Bar and Grill, submit this withdrawal letter
6 for the unenclosed sidewalk application without
7 prejudice. If there are any questions, please
8 call my office. Thank you." That's from Shlomo
9 Steve Wygoda. So that request has now been
10 withdrawn.

11 We will now move on to the next
12 item on our agenda. I'm glad we have many Bronx
13 members here today. We're joined by Larry
14 Seabrook, also from the Bronx, and we have a
15 number of Bronx items coming up, so that's good
16 timing. We're going to move on to Land Use 213,
17 known as the High Hawk Rezoning, C 070550 ZMX in
18 Council Member Rivera's district, as I mentioned.

19 We would like to call up Peter
20 Bourbeau. He's going to come up and describe the
21 project. Welcome, make yourself comfortable.
22 Please restate your name for the record. You may
23 start when you can.

24 PETER BOURBEAU: Hello.

25 CHAIRPERSON WEPRIN: Hello.

1
2 PETER BOURBEAU: My name is Peter
3 Bourbeau. I'm with High Hawk LLC. We're before
4 the committee to request a zoning change at 1776
5 Boston Road and the complete block, which covers
6 other lots. We're looking to change from strictly
7 commercial zoning to commercial and housing.

8 We have 68 apartments proposed,
9 approximately 9,400 square feet of retail space
10 and 9,800 square feet of community facility space.

11 On May 10th, we were certified by
12 the City Planning Commission to go forward. We
13 went before Community Planning Board 3 and passed
14 in June. We also went before the borough
15 president and passed in August. I believe on
16 September 13th we passed the City Planning
17 Commission, full commission to go forward. We are
18 now here to hopefully get approval before going
19 before the full City Council next week.

20 As you can see, it's a project that
21 I believe is tastefully done. It's very
22 attractive. It's only a few feet from the number
23 2 train, number 5 train on 174th Street and
24 Southern Boulevard. Naturally, we would attenuate
25 the noise considerations for the tenants through

1
2 extra insulation, extra windows, that sort of
3 thing. It would be a tax credit project for 60
4 percent of AMI. I believe on page three you have
5 the income and the rent levels before you.

6 We're very excited about going
7 forward. We believe it's an excellent project.
8 The neighborhood certainly can use additional
9 housing. Our philosophy, if I might say, on the
10 retail end of it, is to gear ourselves strictly to
11 mom and pop type stores.

12 We believe that mom and pop type
13 stores are more beneficial in the sense that not
14 only would you have a variety of stores rather
15 than one or two large ones, but we believe when
16 you put your investment in a store and generally
17 if you're from the neighborhood, and most of the
18 time that occurs, you're more inclined to stay and
19 weather the tough times that we're in. So I just
20 wanted to put that forward before the Council.

21 CHAIRPERSON WEPRIN: Thank you, Mr.
22 Bourbeau. As you mentioned, the Community Board I
23 understand voted 27-nothing and also City Planning
24 also was a shutout. Mr. Joel Rivera, who
25 represents the district, has told me he supports

1
2 this project. Do any of my colleagues have any
3 question on this affordable housing development?
4 Seeing none, we thank you.

5 PETER BOURBEAU: Okay. Thank you.

6 CHAIRPERSON WEPRIN: It wasn't so
7 bad, right.

8 PETER BOURBEAU: No.

9 CHAIRPERSON WEPRIN: I didn't even
10 give you a hard time about being a Pittsburgh
11 Steelers fan.

12 PETER BOURBEAU: Thank you, I
13 appreciate that, knowing that I'm outnumbered.

14 CHAIRPERSON WEPRIN: Staying in the
15 Bronx, we are going to Land Use 219, 3500 Park
16 Avenue, C 080129 ZMX in Council Member Foster's
17 district. We have a group of people to come up:
18 Judith Gallent from Bryan Cave, Ariel Aufgang,
19 Richard Sica, and Jordan Smith. Would you all
20 please come forward? Judith, you're all by
21 yourself? Did you get rid of those guys? Are the
22 other two here? Okay.

23 Please reintroduce yourself and you
24 may start when you want.

25 JUDITH GALLENT: Good morning, Mr.

1
2 Chairman and members of the subcommittee. I'm
3 Judith Gallent from Bryan Cave on behalf of 3500
4 Park Avenue, which is the hopeful developer of an
5 eight-story, 61-unit affordable housing building.
6 To facilitate the building, the applicant is
7 seeking a rezoning of Block 2389 Lot 20, which is
8 a 15,207 square foot lot located at East 168th
9 Street and Park Avenue in the Bronx.

10 At the Department of City
11 Planning's request, the rezoning affects not only
12 the lot at issue but also five other lots on the
13 block. I'll give a very brief overview of the
14 rezoning and then Ariel Aufgang, the project
15 architect, will take you through a design of the
16 building, which I think is showing.

17 The proposed affordable housing
18 building would be located at the southeast corner
19 of East 168th Street and Park Avenue in the Bronx
20 with 150 feet of frontage along 168th Street and
21 100 feet of frontage on Park Avenue. It's
22 currently used as an at-grade parking lot. The
23 surrounding area is very mixed-used in nature. To
24 the west are the Metro north tracks in an open
25 cut. To the north is PS 132 and the Morgan

1
2 playground. Also, to the north are several NYCHA
3 developments, including the Butler, Webster and
4 Claremont Houses.

5 The block itself on which the
6 building would be constructed is also mixed-use in
7 nature, with several multifamily residential
8 buildings with ground floor retail uses, a church,
9 the African Wholesale Market, and here and there
10 an automotive use as well.

11 To the south, the character of the
12 area is more automotive and industrial in nature.
13 To the southwest, there are some residential
14 buildings with ground floor retail.

15 East 168th Street is a kind of de
16 facto boundary line between the more industrial
17 automotive uses to the south and the predominately
18 residential character to the north. The site is
19 currently zoned M1-1, which is a low intensity
20 manufacturing district that allows general
21 commercial, general service and light
22 manufacturing uses at an FAR of 1 and some very
23 limited community facilities at an FAR of 2.4.

24 Excuse me.

25 [Pause]

1
2 JUDITH GALLEN: That's being
3 rezoned, there is an existing R7-1 district, which
4 is a middle density, a mid density residential
5 district that allows residential uses at an FAR of
6 4 and community facilities at an FAR of 4.8. So
7 the proposed rezoning would simply extend that R7-
8 1 district west to cover the parking lot, to allow
9 the construction of the building.

10 At City Planning's request, the
11 rezoning would also map a C2-4 commercial district
12 overlay on the site, which would allow a local
13 commercial establishment, sort of service
14 establishment on the site, and also on five other
15 lots to the east, on the block front between Park
16 Avenue and Washington Street where there are some
17 preexisting non-conforming commercial uses. The
18 overlay would make those uses conforming. So at
19 City Planning's request, we're cleaning that up
20 and mapping the overlay.

21 The developer intends to use either
22 HDC's LAMP or mixed-income programs, which have
23 targeted AMI's of between 40 and 60 percent AMI.

24 The development team has renovated
25 and built approximately 5,000 affordable housing

1
2 units in 250 buildings throughout mainly the Bronx
3 and Brooklyn.

4 On July 29th, Community Board 3
5 voted unanimously to approve the project on the
6 condition that the developer attempt to provide
7 local job opportunities, both during and after
8 construction, and that the developer return to the
9 community board when the financing program is
10 selected to apprise the community board of the
11 income guidelines, the eligibility requirements
12 for that program. We have agreed to do both of
13 those things, although the financing has not yet
14 been determined.

15 The borough president also
16 recommended approval of the rezoning with the
17 following conditions. The developer tries to
18 partner with the African Wholesale Market, which
19 is located just south of the site. It's a
20 wholesale establishment without retail. The
21 developer would be happy to speak with them and
22 see if they're interested in the unit. There are
23 two spaces on the ground floor of the building
24 that would be available. The developer had
25 thought that perhaps a daycare center might be

1 something that would be welcome in the area.

2
3 There is a school across the street. So those are
4 the thoughts but we're certainly willing to speak
5 with the African Market.

6 The borough president also
7 requested that the developer use due diligence in
8 obtaining LEED certification for the building.

9 While the building will absolutely meet the
10 standards for LEED certification, actually
11 obtaining that certification is costly. It's
12 estimated be about \$100,000 for this building.

13 So there will be elements of
14 certification here and maybe all of them,
15 including a light colored roof, motion sensor
16 lighting in the stairs and hallways, Energy Star
17 appliances, an efficient boiler, et cetera, but
18 actually obtaining the certification, the budget
19 for the project may not allow for that. If the
20 budget does allow, the developer is certainly open
21 to pursuing the actual certification.

22 The borough president also
23 requested that the developer hire locally. The
24 developer is actually a joint venture, one of the
25 elements of which is the general contractor for

1
2 the project. They are experienced affordable
3 housing developers. Their practice is always to
4 hire locally and to the extent that they have
5 workers on the job, they will do so. They intent
6 to work with the Bronx Overall Economic
7 Development Corporation that does have job
8 training programs and outreach to identify people
9 in the community who are looking for this kind of
10 work. It also will request that all of its subs
11 hire locally.

12 Galaxy Contracting itself, which is
13 Bronx-based, employs 100 people, the majority of
14 whom are members of minority groups. Also,
15 typically minority subcontractors represent 30 to
16 35 percent of subs on these types of jobs, which
17 exceeds HPD's requirement of 20 percent by 10 to
18 15 percent.

19 Finally, the borough president also
20 requested, which was more of a request to City
21 Planning I think for referral out that MTA
22 consider enhanced bus service in the area, because
23 the nearest subway station is two-thirds of a mile
24 away. Although it is accessible by bus, the
25 feeling is that there's been a lot of development

1
2 along Webster and Third Avenue without much real
3 access. City Planning did make a referral out to
4 the proper agencies to have that considered.

5 City Planning voted unanimously in
6 favor of the project on September 15th. I'll turn
7 it over to Ariel Aufgang for a description of the
8 building itself.

9 ARIEL AUFANG: I'm Ariel Aufgang
10 from the firm of Subotovsky Architects. We're
11 proposing here an eight-story building made up of
12 61 apartments and 5,000 square feet of community
13 or commercial space. The apartment distribution
14 is ten studio apartments, 19 one-bedroom, 27 two-
15 bedroom and 5 three-bedroom. The total
16 residential square footage is 53,300 square feet.

17 We're proposing what we think to be
18 a handsomely proportioned brick building with
19 large expanses of glass and metal panels. We're
20 including a stone water table to add a pedestrian
21 scale to the street wall, and we're using recesses
22 and breaks in the façade to add proportion and
23 rhythm.

24 Amenities in the building include a
25 1,500-square foot indoor recreation room and a

1
2 3,500-square foot partially planted and shaded
3 outdoor recreation space. There will be two
4 elevators and an indoor laundry room for the
5 tenants to use.

6 As far as security is concerned, we
7 will be providing cameras in all public areas and
8 lighting in all public indoor and outdoor spaces.

9 CHAIRPERSON WEPRIN: Council Member
10 Foster is not here, but I know you've had
11 discussions with her and she's in support of the
12 project. Can you just say that for the record?

13 JUDITH GALLEN: Yes, we met with
14 Council Member Foster's chief of staff and they are
15 quite enthusiastic about the project and support
16 it.

17 CHAIRPERSON WEPRIN: Do any members
18 of the panel have a question? Mr. Vacca?

19 COUNCIL MEMBER VACCA: I think the
20 building looks beautiful. I hope that these
21 pictures we see are really in place when the
22 building goes up. I hope that they're just as
23 nice as the pictures. I could envision that
24 building going up at that location. Aesthetics
25 are also important when we do work. Tell us about

1
2 trees and planting. I see just two trees or three
3 trees in the picture. Did you go over that with
4 the community board where there would be planting
5 and trees?

6 ARIEL AUFGANG: We'll be planting
7 street trees every 25 feet. In our renderings, a
8 lot of times, we have to omit trees in order to
9 make sure the building shows in the image. There
10 will be trees every 25 feet with the new ten-foot
11 tree pits all along both frontages of the
12 sidewalk.

13 COUNCIL MEMBER VACCA: Now, City
14 Planning Commission adopted our green regulations
15 some time ago. I don't know if they were
16 officially called green regulations, but they
17 enhanced open space greenery around new
18 construction. So, are you complying with that?
19 Did you check?

20 ARIEL AUFGANG: We'll be complying
21 with all required regulations that pertain to
22 apartment buildings.

23 COUNCIL MEMBER VACCA: Multifamily
24 units are included in that. Okay.

25 ARIEL AUFGANG: Right.

2 COUNCIL MEMBER VACCA: Tell me
3 about parking.

4 ARIEL AUF GANG: We're proposing 20
5 sub-grade parking spaces, 15 of which are required
6 and 5 are voluntary.

7 COUNCIL MEMBER VACCA: That would
8 be sub-grade. Do you mean underneath the
9 building?

10 ARIEL AUF GANG: Yes, in the cellar.

11 COUNCIL MEMBER VACCA: You know
12 that that's very expensive?

13 ARIEL AUF GANG: We do know it costs
14 money.

15 COUNCIL MEMBER VACCA: I'm not a
16 builder, I'm not a doctor either, but I can tell
17 you that that's very expensive. So as long as
18 you're prepared to do that, I think it's great
19 because parking is important to a development like
20 that and its success.

21 ARIEL AUF GANG: It's not very
22 expensive to put on the plans, so I'm perfectly
23 prepared to do it.

24 COUNCIL MEMBER VACCA: When will
25 you know from HPD what program you are included

1
2 in? You said you requested LAMP and you requested
3 another program.

4 JUDITH GALLENT: The mixed-income
5 program.

6 COUNCIL MEMBER VACCA: The mixed-
7 income program. Did you tell HPD which one you
8 prefer? Is there a preference?

9 JUDITH GALLENT: I'd have to have
10 Richard Sica, who is signed up.

11 CHAIRPERSON WEPRIN: Please make
12 your way to the mike and make sure you're on the
13 record.

14 RICHARD SICA: Thank you very much.
15 My name is Richard Sica. I'm here representing
16 3500 Park LLC. I also happen to be vice president
17 of Galaxy General Contracting Corp and we'll be
18 the contractor.

19 On your point about the parking, it
20 is expensive, but we feel it's very important.
21 It's an amenity that we feel is important for this
22 particular project, so we've included it in the
23 plans.

24 With regard to the funding, most
25 likely it would be the LAMP, but we haven't ruled

1
2 anything else out. We've had very, very
3 preliminary conversations with HPD about the
4 project. We were waiting to have the zoning
5 approved and actually have a project that we can
6 submit to the Buildings Department and then
7 proceed with negotiating the financing with HPD.

8 There are also applications that
9 will be pending for tax credits, which is a
10 funding source that we'll also look into.

11 COUNCIL MEMBER VACCA: I just want
12 to end by saying that I see this is in an R-7
13 district. It's very seldom if you build something
14 in an R-7 district that that does not require the
15 approval process that you're now engaged in. Very
16 few developers will include parking above what is
17 required in the R-7. So I do think that that's a
18 good point.

19 I'm online every day. I check the
20 Building Department website every day to see
21 what's going on in the Bronx and my district.
22 There are very few permits these days. So you
23 doing this and you constructing housing right now
24 in our borough is the exception and not the rule.
25 I wish you luck.

RICHARD SICA: Thank you.

ARIEL AUFANG: Thank you, very much Councilman.

CHAIRPERSON WEPRIN: Any other comments, besides Mr. Vacca needing a new hobby?

COUNCIL MEMBER VACCA: It's really very informative. It's not a hobby. It's more of an addiction I think, because I had problems in 2004 and I still am addicted to that website. But it's great.

CHAIRPERSON WEPRIN: Anyway, we are joined by Jessica Lappin, by the way. I didn't mention that. She's back in the committee room. There are no other questions. I think we're fine now and we appreciate it and we'll be voting on that today.

RICHARD SICA: Thank you very much.

CHAIRPERSON WEPRIN: Thank you. Our next item, we're going to stay in the Bronx, Land Use 220, the Crossings at Southern Boulevard, C 100036 ZMX. That's in Council Member Arroyo's district. Here to testify on this is S. Andrew Katz and Ethan Goodman, on behalf of the applicant.

1
2 Gentlemen, whenever you're ready,
3 please state your name for the record and get
4 started. Thank you.

5 ETHAN GOODMAN: Good morning,
6 Council Members, Chair Weprin. My name is Ethan
7 Goodman and I'm with the firm of Wachtel & Masyr.
8 We represent Crossings Partners LLC, the
9 applicant. I'm joined by Andrew Katz, a principal
10 for Crossings Partners.

11 Crossings Partners is seeking
12 approval for the rezoning of an approximately
13 55,000 square foot area at the intersection of
14 Southern Boulevard, Hunts Point Avenue, and
15 Bruckner Boulevard in the Longwood section of the
16 Bronx. The application proposes to change the
17 site's zoning from its current R7-1 with a
18 commercial overlay to a C4-5x contextual district.

19 This is a high visibility site in
20 the South Bronx. It sits directly across the
21 street from the number 6 subway and at the end of
22 the Southern Boulevard retail corridor. You can
23 also see it in this rendering that's in front of
24 you that it sits in clear visibility of the
25 elevated Bruckner Expressway.

1
2 It's also a greatly underutilized
3 site. Currently, the land is occupied by a one-
4 story retail building, a gas station and a large
5 vacant lot that's been that way for more than ten
6 years. That vacant lot was actually the subject
7 of another rezoning over a decade ago for proposed
8 housing at the time that never went forward. It
9 was excavated but remained vacant and it's vacant
10 to this day.

11 The rezoning will facilitate
12 construction of what is currently envisioned to be
13 an approximately 277,000 square foot mixed-use
14 project with two floors of small and mid-sized
15 retailers, totaling about 90,000 square feet; four
16 stories of office uses along Bruckner Boulevard,
17 totaling approximately 48,000 square feet; and
18 eight stories of affordable housing, containing
19 approximately 136 residential dwelling units.

20 The project has been met with a
21 great deal of enthusiasm, both locally and borough
22 wide. In June, Bronx Community Board 2 voted
23 unanimously to recommend unconditional approval of
24 the rezoning. In July, the Bronx borough
25 president's office issued a recommend to approve

1
2 the project, stating the rezoning would allow the
3 site to "become a beacon of revitalization that
4 has taken place in this once-devastated
5 neighborhood."

6 In September, the City Planning
7 Commission voted unanimously to approve the
8 rezoning.

9 The project is also supported
10 wholeheartedly by the local business community, as
11 it will serve as an anchor to the local retail
12 strip along Southern Boulevard and allow local
13 residents to shop locally.

14 The Southern Boulevard BID, newly
15 formed, unfortunately was unable to attend this
16 meeting, but is fully supportive of the project
17 and has written a letter of support that I'd like
18 to formally introduce into the record.

19 As I mentioned, I'm joined here by
20 the developer Andrew Katz. Rather than going into
21 detail through every party of the project, we'd be
22 happy to take any questions you may have. We'd
23 like to thank you very much for your time.

24 CHAIRPERSON WEPRIN: Thank you very
25 much. I apologize; I hadn't seen it before in the

1
2 drawing. So the residential floors, are they
3 going to be the top floors of the plan?

4 ETHAN GOODMAN: The residential
5 floors are actually the top eight floors. The
6 first two floors would be retail.

7 CHAIRPERSON WEPRIN: Are the
8 retail?

9 ETHAN GOODMAN: Yes.

10 CHAIRPERSON WEPRIN: Then the
11 offices are the next level up and then the
12 residential on top.

13 ETHAN GOODMAN: Right. In the
14 rendering that's shown along Bruckner, the office
15 is shown in a slightly different color. It's a
16 slightly lighter beige color, four stories.

17 CHAIRPERSON WEPRIN: Right.

18 ETHAN GOODMAN: I should mention
19 one thing and that's that the Community Board did
20 ask if there was any way we could increase the
21 number of affordable units. There is a
22 possibility, if we can get financing from HPD on
23 it, that we could convert the office to additional
24 affordable housing and the unit total might
25 approach about 200 units, if that's the case.

2 CHAIRPERSON WEPRIN: I see. Does
3 anyone have any comments or questions for this
4 group? I guess not. Well good. Thank you very
5 much. We appreciate you coming down and putting
6 together such nice drawings. You're excused.
7 Thank you very much.

8 ETHAN GOODMAN: Thank you very
9 much.

10 CHAIRPERSON WEPRIN: We're going to
11 move on. We've been joined by Council Member
12 Diana Reyna and the chair of the Land Use
13 Committee, Leroy Comrie, who is here. I think I
14 got everybody else. We're going to move to the
15 next one.

16 We have closed that hearing on 220
17 and we're going to move on to a Land Use in
18 Manhattan, Land Use 221 and 222, the North Tribeca
19 Rezoning, C 100369 ZMM and 100370 ZRM, in Council
20 Member Chin's district. I did see her here
21 before. Do we know if she's coming back? Carol
22 and she were speaking. Margaret was here. I
23 didn't know if she wanted to speak on this item.

24 Joining us is Edith Hsu Chen and
25 Grace Han. Michael Levine, do you want to have

1
2 him come up? Why don't you come up with them?
3 Michael is with the Community Board. Come on, Mr.
4 Levine, you can join these lovely ladies. You can
5 start when you're ready. Please state your name
6 again for the record. Good morning.

7 EDITH HSU CHEN: Good morning,
8 Council Members. My name is Edith Hsu Chen. I'm
9 the director of the Manhattan Office and the
10 Department of City Planning. I'm here with my
11 colleague Grace Han and with Michael Levine from
12 Community Board 1. We're very happy to talk to
13 you today about the North Tribeca rezoning.

14 This rezoning has been a long time
15 in the making. I think you would all recognize
16 and agree that for several years the North Tribeca
17 neighborhood has been not just a thriving or a
18 flourishing but also an established residential
19 neighborhood.

20 The zoning for the area, however,
21 has been manufacturing. It's an M district. We
22 all recognize, the community board, the Department
23 of City Planning, property owners, neighbors,
24 store owners, that the M district zoning was
25 obsolete for the neighborhood.

1
2 So we've been in discussions with
3 the community board for the past four years to
4 talk about a rezoning to establish special
5 regulations for the neighborhood. We were very
6 excited, beginning this year, we got a very
7 enthusiastic letter of support from the community
8 board to proceed with the rezoning that you have
9 before you today.

10 The rezoning does do four things
11 that were very important to both the City Planning
12 Department and to the Community Board. Number
13 one, it allows for residential development. The
14 existing zoning is obsolete in that it generally
15 does not allow new residential construction or
16 even conversions. There are very, very strict
17 limitations on residential land use. It also
18 allows a wider range of commercial uses.

19 Second, it introduces a contextual
20 bulk envelope, which is very important to both of
21 us, including height limits for the neighborhood.
22 Also, in working with the community board, we
23 established areas for affordable housing for the
24 Inclusionary Housing Program. Finally, we
25 developed a set of tailored regulations for the

size of retail and other land uses.

So together, we believe we've put together a very unique and appropriate package for the North Tribeca neighborhood. I will now turn the microphone to Grace Han, who will walk you through the details of the rezoning. Thank you.

CHAIRPERSON WEPRIN: Thank you.

GRACE HAN: Good morning, Council Members. I'm going to walk through the packet that was just handed out. Starting with this first page, this shows a few of the different building types that are in North Tribeca. The buildings on your left, these are actually two new construction buildings that were approved by the BSA under the current zoning as Edith Hsu Chen explained. New residential construction is allowed and you must get approval by the BSA.

The second one sort of shows the larger footprint buildings that exist. This neighborhood was historically a food distribution warehouse. In the 1970s and 1980s, artists began to move in to take advantage of the large floor plates. Finally, the building on the right shows some of the more cast iron style buildings with

1
2 the narrow frontages and building heights of about
3 five to six stories.

4 The next page shows the rezoning
5 area. Currently, the entire rezoning area lies in
6 the special Tribeca mixed-use district. This is a
7 special zoning district that was established in
8 1995. Areas A-1 and A-2 and A-3 are considered
9 South Tribeca and those are rezoned to allow
10 commercial and residential uses as-of-right, but
11 at that time, areas B-1 and B-2 were considered to
12 be still more manufacturing uses and those
13 remained a manufacturing zone.

14 Area A-4 was created in 2006 and
15 was rezoned to a commercial district, kind of
16 showing that the neighborhood was already becoming
17 a very solid residential and commercial
18 neighborhood.

19 The next page shows the existing
20 land uses in the area. As you can tell, the
21 yellow represents buildings that are fully
22 residential and the orange represents mostly
23 buildings that have ground floor retail and
24 residential above. The current zoning doesn't
25 allow retail on all streets, and it also has

1 limited residential uses for smaller buildings.
2 But on the whole, residential is not allowed.
3

4 Buildings shown in purple are
5 existing manufacturing uses. Most of those are
6 photography studios, furniture showrooms, clothing
7 showrooms or just storage facilities.

8 Also, something to note, is the
9 Holland Rotary exits in the middle. These are the
10 exits for the Holland Tunnel and are kind of a
11 dominate feature in sort of dividing up North
12 Tribeca from the west side and the east side.

13 The next map shows the existing
14 zoning. As I mentioned, A-4 was rezoned to C6-3
15 and C6-2A to allow residential uses in 2006. Area
16 B-1 and B-2 is an M1-5 zoning district. Also, in
17 Area B-2, there are the special district limits,
18 also retail and hotel uses are currently not
19 permitted in the B-2 district. So this rezoning
20 would allow residential uses and ground floor
21 retail, and also hotels in area B-2.

22 The next page shows the proposed
23 zoning. There are two actions here. The zoning
24 map action would map the C6-2A throughout and
25 create three new sub-areas. The zoning text

1
2 amendment would create three new sub-areas: Area
3 A-5, A-6 and A-7. Sub-areas B-1 and B-2 would be
4 eliminated. Each of these sub-areas would have
5 distinct bulk envelopes that are fine tuned to
6 their existing built environment. The text
7 amendment would specify specific floor area
8 ratios, street wall height and maximum building
9 heights.

10 These would also allow residential
11 conversions as-of-right, which are currently not
12 permitted without a special permit by the City
13 Planning Commission.

14 I'm going to walk through each of
15 the sub-areas, beginning with Area A-5. Area A-4,
16 which was rezoned, will remain unchanged and this
17 will only change Area A-5, A-6, and A-7.

18 So Area A-5, which we also call the
19 Washington and Greenwich Street area, is bounded
20 by Canal Street to the north and a northerly
21 extension street called Collister Street and also
22 a mid-block boundary between West and Washington
23 Streets.

24 This area is unique because it's
25 actually a grid of very narrow streets.

1 Washington Street is one of the few narrow
2 north/south streets in the area. This zoning is
3 an expansion of the exiting C6-2A in Area A-4. It
4 was a bulk envelope that was agreed upon by the
5 City Council and the Commission when it was
6 rezoned in 2006. That has a 5.5 FAR, 110 maximum
7 building height and a street wall of 60 to 70
8 feet.

9
10 Moving further west is the Holland
11 Rotary Area. This area is near the Holland Tunnel
12 exits. It's unique because it has especially wide
13 streets. Hudson, Varick, Avenue of the Americas
14 are all passing through Area A-6. The Holland
15 Tunnel and also two small parks help to draw more
16 light and air here.

17 For those reasons, it was discussed
18 with the community and also determined that this
19 was for the Inclusionary Housing zoning district
20 should be applied. So that would give a base FAR
21 of 5.4 and with the provision of affordable
22 housing, it could go up to 7.2. This is our
23 standard citywide C6-2A Inclusionary Housing
24 zoning district. The existing buildings here,
25 because they do front Hudson Street and Varick

1
2 Street, also do tend to be much taller and higher
3 in bulk.

4 Finally, the Lispenard Street area
5 is four blocks. This is actually the area where
6 the name Tribeca first was coined. It's bounded
7 by Avenue of the Americas on the east and Broadway
8 on the west. Here we would keep the same 5.0 FAR.
9 Most of the buildings here would probably have a
10 one story enlargement since they are in historic
11 districts. We would keep the standard C6-2A bulk
12 envelope, which is a 60 to 85 foot street wall and
13 120 maximum building height.

14 Finally, this is existing special
15 district. There were other text amendments that
16 are included. In addition to creating the three
17 new sub-areas, there are also restrictions on
18 retail establishment size. Currently, in South
19 Tribeca, there are restrictions limiting ground
20 floor establishments. This would limit ground
21 floor establishments to 5,000 square feet on
22 narrow streets and 10,000 square feet on the wide
23 streets. Also, hotels with over 100 rooms would
24 not be permitted, except by a City Planning
25 Commission special permit.

2 In addition, to ensure that the
3 artists who are there and the furniture showrooms
4 and photography studios that are there can keep
5 working, we would continue to allow some light
6 manufacturing uses. The existing residential
7 conversions requirements, which are very unique to
8 Tribeca and are based on square footage, would be
9 eliminated and replaced with citywide standards,
10 which allow for greater flexibility in unit types
11 and a mix of that city.

12 We're happy to take any questions.

13 CHAIRPERSON WEPRIN: Mr. Levine,
14 why don't you speak on behalf of the community
15 board and then we'll get into some questions.

16 MICHAEL E. LEVINE: Thank you for
17 the opportunity to speak. My name is Michael
18 Levine. I'm the director of planning for
19 Manhattan Community Board 1. I'm here to testify
20 on behalf of our chair, our Tribeca Committee and
21 our full community board, which has unanimously
22 adopted a resolution in support of the proposed
23 zoning change.

24 What I'd like to do first is thank
25 the Department of City Planning, the Manhattan

1
2 office and the full agency for the cooperation we
3 received in what we consider to be a joint
4 endeavor between the department and the community
5 board members. We had both come to the conclusion
6 that the southern portion of Tribeca, which was
7 rezoned in 1995, now had the northern section of
8 Tribeca resembling it in the mixed-use character
9 and nature of the district.

10 So when we discussed with the
11 Department of City Planning it's time to rezone
12 northern Tribeca to make the regulations similar
13 to those in southern Tribeca, we came to similar
14 conclusions as to what we felt should occur.

15 Our committee and our community
16 board adopted several resolutions in which we
17 requested six specific considerations that were of
18 utmost importance to our community. I'd like to
19 quickly review those six characteristics and then
20 you'll understand why we support this zoning in
21 its entirety.

22 The first item we were very
23 concerned about is the proliferation of large
24 scale liquor selling establishments in Lower
25 Manhattan. We've seen what it can do to other

1
2 communities. We want to keep the small scale
3 mixed-use character of Tribeca intact. We asked
4 the Department of City Planning to limit the size
5 of retail uses on the ground floor and the
6 Department has done so: 5,000 square feet on the
7 side streets and 10,000 square feet on the
8 avenues. We are assuming this will assist us in
9 preventing the proliferation of large scale clubs
10 in the district.

11 Number two, we wanted to limit the
12 size of large scale retail uses. We're very
13 concerned that they drive our small businessmen
14 from the community. There were those who estimate
15 that we lost more than half of the small
16 businesses in the Lower Manhattan area, south of
17 Canal Street, after 9/11. We'd like to make sure
18 that large scale retail uses do not replace them.
19 This zoning will preserve the small scale
20 character of retail uses by keeping storefronts,
21 again, in the small range and now allowing for the
22 combination of retail stores on several lots.

23 Number three, we want to prevent
24 the high density proliferation in the northern
25 Tribeca area. We're very pleased that the FAR

1
2 restrictions will be very similar to southern
3 Tribeca and will, in fact, allow us to keep a
4 mixed-use medium scale residential commercial and
5 somewhat manufacturing area. We're very pleased
6 with the FAR proposals as you see them in the text
7 before you.

8 Number four, we want to make it
9 possible for existing illegal dwellings to become
10 legalized. The main provision of this zoning is
11 that all residential uses will be as-of-right, as
12 they are in southern Tribeca. This is something
13 we have looked forward to for a very long time.
14 It recognizes the change in use in the northern
15 Tribeca area.

16 Number five, we are very pleased to
17 see that there will be the encouragement of
18 affordable housing in certain portions of the
19 area. There will be an incentive zoning provision
20 as the Department of City Planning has described
21 to you, for certain sites that could be potential
22 redevelopment sites in northern Tribeca.

23 For these reasons, we are very
24 pleased to lend our support to the proposed zoning
25 before you today. We encourage this committee to

1
2 recommend adoption of the proposed zoning text.

3 If there are any questions, I'll be
4 pleased to answer them.

5 CHAIRPERSON WEPRIN: Thank you, Mr.
6 Levine. We are joined by Council Member Margaret
7 Chin, who represents this area. She had some
8 questions she'd like to ask.

9 COUNCIL MEMBER CHIN: I think my
10 first comment is I wanted to thank the community
11 board for their hard work on this. I know this
12 took years in coming, and also the cooperation and
13 collaboration with City Planning.

14 It's an impressive plan. I think
15 it takes into consideration the changing character
16 of the neighborhood. I was just wondering, in
17 terms of the whole idea of creating opportunity
18 for more affordable housing. So, I guess, how
19 real is it? Because I know in the other rezoning
20 and in Lower Manhattan we always try to seek this
21 opportunity. Sometimes it hasn't happened. In
22 this North Tribeca rezoning, maybe can you address
23 that realistically where you think it can happen?

24 My second question is you know that
25 we have overcrowding in our public school. Have

1
2 you taken that into consideration in terms of
3 increasing school capacity and also whether there
4 will be some site that might be good for school
5 siting, for elementary school and things like
6 that? Just the two questions.

7 MICHAEL E. LEVINE: Grace, do you
8 want to address the issue?

9 EDITH HSU CHEN: Good morning,
10 Council Member Chin. On your first question
11 regarding the application of the Inclusionary
12 Housing program. First, in terms of where we
13 mapped it, again, in consultation with the
14 community board, we established that the area
15 around the Holland Tunnel Rotary area was the
16 right area for this program. As you know, the
17 Inclusionary Housing program does provide for a
18 slight increase in the allowable FAR. This is the
19 bonus floor area in exchange for the provision of
20 affordably housing units.

21 So around the Holland Tunnel Rotary
22 area, the maximum FAR can get to 7.2 FAR whereas
23 in the other sub-areas Grace described, the
24 maximum FAR is at 5.5 or 5 FAR.

25 GRACE HAN: Again, we deemed that

1
2 the Holland Tunnel Rotary area to be appropriate
3 because it does already have existing bigger
4 buildings. It has the wide streets. It has the
5 Holland Tunnel Rotary area itself, which provides
6 for a lot of light and air. So we deemed this
7 area to be good to handle the slight uptick in the
8 FAR.

9 There are some development sites.
10 There aren't a lot in North Tribeca. But we
11 believe that this incentive is robust enough to
12 deliver the affordable housing units. Of course,
13 this will be dependent on the developer and the
14 property owner. But we are confident, as we have
15 been throughout many of our rezonings, all our
16 rezonings that include the Inclusionary Housing
17 program, that this is the right amount of
18 incentive to get the affordable housing units.
19 Not too much and not too little.

20 COUNCIL MEMBER CHIN: Because there
21 is still a height cap.

22 GRACE HAN: There is still a height
23 cap, yes, which is 120 feet. The 7.2 FAR can fit
24 in the 120 feet height limit. So, there is no
25 problem with the capacity of the FAR within the

1
2 bulk envelope.

3 MICHAEL E. LEVINE: Thank you. Let
4 me address the second question, Council Member
5 Chin, regarding the Board of Education and school
6 seats in the district. The one characteristic of
7 this proposed rezoning is that it's not radical.
8 It will not introduce a large number of new
9 housing units very, very rapidly. It recognizes
10 the change that has already occurred in the
11 northern Tribeca area and encourages a small
12 amount of new housing units to come on the market
13 in the years to come. It's not radical overnight
14 change in the district. It recognizes what's
15 there now.

16 We on the community board have been
17 working with the Department of Education, with the
18 local school board, with the local community
19 district representatives to increase the number of
20 seats in the Tribeca area. All of Lower Manhattan
21 has increased a three-fold increase in population
22 in the past 30 years. We have worked very hard to
23 try and provide sufficient school seats in the
24 financial district, in the civic center area,
25 Battery Park City and, of course, in Tribeca. We

1
2 will continue to work with the Department of
3 Education to make sure there are sufficient seats.

4 We have included additional school
5 seats in every budget request we have made every
6 year to the city government and the City Council
7 for funding in the capital budget each year. We
8 hope that this committee and the Council will
9 support our requests in the future. So thank you
10 for raising the question.

11 COUNCIL MEMBER CHIN: Thank you
12 very much. Thank you, Chair.

13 CHAIRPERSON WEPRIN: Thank you.
14 Council Member Reyna has a question.

15 COUNCIL MEMBER REYNA: Thank you,
16 Mr. Chair. I just want to go to the other text
17 amendments you had pointed out. Light
18 manufacturing, can you just explicitly discuss
19 what you mean by light manufacturing as far as
20 text amendment is concerned?

21 GRACE HAN: Thank you. Basically,
22 there are not a lot of light existing
23 manufacturing, but there are furniture showrooms,
24 photography studios, garment manufacturing. We
25 want to allow those uses.

1
2 COUNCIL MEMBER REYNA: These are
3 all live/work spaces that are illegal?

4 GRACE HAN: The majority of them
5 are live/work spaces.

6 COUNCIL MEMBER REYNA: They're
7 legal or illegal?

8 GRACE HAN: They're legal.

9 COUNCIL MEMBER REYNA: They're
10 legal?

11 GRACE HAN: They're legal. This
12 zoning would continue to allow them to operate
13 legally under the zoning, but these uses would
14 continue to be allowed.

15 COUNCIL MEMBER REYNA: You said
16 they're not live/work spaces?

17 GRACE HAN: Some of them are, yes.

18 COUNCIL MEMBER REYNA: Some or
19 most, but if they are live/work spaces they're not
20 legal.

21 GRACE HAN: They're currently
22 legal.

23 COUNCIL MEMBER REYNA: They are
24 legal.

25 GRACE HAN: They are legal and they

will continue to be legal.

COUNCIL MEMBER REYNA: You're considering the artist space light manufacturing. Is that my understanding?

GRACE HAN: Well there is some woodworking, some garment manufacturing, some carpentry, some photography studios, and furniture showrooms.

COUNCIL MEMBER REYNA: So how is that being protected within this zoning?

GRACE HAN: Under the new zoning, they would not be permitted uses, but we are keeping them in the text and allowing them to continue.

COUNCIL MEMBER REYNA: So their current zoning is?

GRACE HAN: M1-5.

COUNCIL MEMBER REYNA: M1-5.

GRACE HAN: It's being rezoned to a C6-2A.

COUNCIL MEMBER REYNA: C6-2A. A as in apple.

GRACE HAN: Yes.

COUNCIL MEMBER REYNA: These

2 spaces, as far as, obviously these are unique
3 spaces. They don't create commercial spaces like
4 this, but yet we're going to be designating them
5 as commercial spaces. Are they going to have
6 residential use as well because they're considered
7 under the loft law?

8 GRACE HAN: Sorry, I'm not sure I
9 understand your question.

10 COUNCIL MEMBER REYNA: They're
11 live/work spaces in manufacturing zoned areas.
12 Correct?

13 GRACE HAN: Correct.

14 COUNCIL MEMBER REYNA: So are they
15 lofts under the loft law, registered lofts?

16 GRACE HAN: Some of them are
17 registered under the loft law, but not all of
18 them.

19 COUNCIL MEMBER REYNA: This zoning
20 will continue to protect this space.

21 GRACE HAN: Exactly.

22 COUNCIL MEMBER REYNA: To continue
23 to be commercial use as well as residential.

24 GRACE HAN: Right.

25 COUNCIL MEMBER REYNA: So that if

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there's a turnover?

GRACE HAN: They can continue to use.

COUNCIL MEMBER REYNA: Provide this space for future light manufacturing.

GRACE HAN: To do those similar uses, yes.

COUNCIL MEMBER REYNA: Was there an analysis conducted concerning what type of business?

GRACE HAN: Yes, it was looked into our EAS and we listed all of these sorts of furniture showrooms, the one that I listed and they are listed and described in the EAS.

COUNCIL MEMBER REYNA: So there is a documented report concerning the analysis of light manufacturing to protect further use of this space for future preservation?

GRACE HAN: Yes.

COUNCIL MEMBER REYNA: Thank you very much.

CHAIRPERSON WEPRIN: Thank you.
Council Member Chin has a follow-up question.

COUNCIL MEMBER CHIN: So in terms

1
2 of the Inclusionary zoning, affordable housing
3 component, how many units of affordable housing do
4 you anticipate can be created in that area?

5 EDITH HSU CHEN: Around the Holland
6 Tunnel Rotary area, our most conservative estimate
7 is that there would be 16 affordable housing units
8 projected. The Inclusionary Housing program, of
9 course, we have to take into consideration a
10 maximum FAR that is appropriate for the
11 neighborhood. So going beyond the 7.2 wouldn't
12 reflect the character of the neighborhood.

13 So maintaining the Inclusionary
14 Housing program equation and taking into
15 consideration what the right maximum amount of FAR
16 is, we got to 7.2 FAR for this area. Then when we
17 took a look at the potential development sites, we
18 did end up conservatively at 16 units.

19 COUNCIL MEMBER CHIN: Thank you.

20 CHAIRPERSON WEPRIN: Council Member
21 Reyna again.

22 COUNCIL MEMBER REYNA: I'm sorry.
23 As chair of Small Business, I just want to get a
24 full understanding as to the commercial space
25 you're referring to. Obviously, this is unique

1 space that at one point had heavy manufacturing.
2 So today, we're turning it into light
3 manufacturing. It's a live/work space. You run
4 the risk of taking away that type of space from a
5 market that no longer is building this type of
6 space.
7

8 You're telling me you're protecting
9 it for further use into the future to continue to
10 have commercial establishment but you live in them
11 as well. Have you run the numbers as far as how
12 will the protection that you have designated here
13 be able to not allow for there to be only
14 residential use?

15 GRACE HAN: The first comment I
16 will say is that the zoning that's in place today
17 is actually a light manufacturing zoning. The M1-
18 5 is a light manufacturing zoning.

19 COUNCIL MEMBER REYNA: It's M1-5?

20 GRACE HAN: Yes, correct, M1-5.

21 COUNCIL MEMBER REYNA: It doesn't
22 include 2, 3 or 4?

23 GRACE HAN: It does not, which are
24 the heavier manufacturing districts.

25 COUNCIL MEMBER REYNA: Correct.

2 GRACE HAN: So this has always been
3 a light manufacturing at a maximum FAR of 5. This
4 rezoning proposal very specifically wants to
5 preserve the character of the Tribeca
6 neighborhood, which includes still some light
7 manufacturing. The reality is, it is, indeed, an
8 established residential neighborhood with some
9 mixed-use, with some commercial and with some
10 light manufacturing, with some community
11 facilities, but the balance has tipped towards
12 residential land use now.

13 Our proposed rezoning for the C6-
14 2A, again, would allow for the continuation of
15 some of the light manufacturing uses that you
16 normally do not get in a normal C6-2A. We are
17 establishing a C6-2A within the special Tribeca
18 mixed-use district that also has this special
19 continuation regulation. So we share your
20 interest in making sure these light manufacturing
21 uses can continue.

22 MICHAEL E. LEVINE: May I offer an
23 additional piece of information about the
24 transformation of Tribeca? This zoning text would
25 allow existing manufacturing uses to remain and

would allow them to be as-of-right. The problem right now is we get so many cases at the community board, at the City Planning Commission and at the Board of Stands and Appeals where building owners are requesting variances--

COUNCIL MEMBER REYNA:

[interposing] I agree.

MICHAEL E. LEVINE: --because they cannot rent the space.

COUNCIL MEMBER REYNA: Correct.

MICHAEL E. LEVINE: Therefore, we're putting property owners and building owners into enormous expense to come to the Board of Stands and Appeals, to come to the Community Board if they're seeking a special permit to come before the City Planning Commission and go through the public review process to allow one floor in the building to be rented for residential purposes because there is no longer a market for manufacturing or heavy commercial use.

So we see this zoning district as allowing as-of-right residential, commercial and light manufacturing and allowing the market forces to determine how the space shall be used, without

1
2 putting an unexpected burden on the property owner
3 to seek a variance every time they want a change
4 in use, they will have the full menu of
5 appropriate uses. The market will determine the
6 future use of the spaces in northern Tribeca.
7 That's the way it works in southern Tribeca and
8 very successfully at the present time.

9 COUNCIL MEMBER REYNA: Well,
10 southern Tribeca, Mr. Levine, is part of a city.
11 So there are five boroughs. I understand very
12 well what the BSA process is and the variances
13 that are imposed as an option for landlords.
14 There is also what I have seen in my own district,
15 self-created hardship. So when people claim there
16 isn't a market for something, they're also forcing
17 there to be not a market for it. So I'm just
18 trying to understand what protections are built
19 into this zoning.

20 What I'm hearing from you then is
21 that there's going to be an option for all three,
22 of which will be dictated by a market as opposed
23 to a protection to preserve these spaces for
24 continued use of commercial as opposed to tipping
25 it over to just residential.

1
2 MICHAEL E. LEVINE: That is
3 correct. That will reflect what is occurring
4 right now. The tipping has moved towards almost
5 predominately residential with an attempt to
6 preserve the commercial and the light
7 manufacturing and the retail that are there now.
8 That trend is occurring right now.

9 COUNCIL MEMBER REYNA: But the
10 trend will evaporate the business aspect of it and
11 will continue to just tip over for only
12 residential, because it's what you've seen in the
13 past.

14 MICHAEL E. LEVINE: Time will tell.
15 We will see where the economy takes us.

16 COUNCIL MEMBER REYNA: Is this part
17 of the exclusion zoned for 421A.

18 MICHAEL E. LEVINE: That I do not
19 know.

20 GRACE HAN: No.

21 COUNCIL MEMBER REYNA: So there's
22 an as-of-right 421A tax credit exclusion.

23 EDITH HSU CHEN: [off mic]

24 GRACE HAN: I want to just add
25 that, again, this rezoning, while it doesn't have

perhaps what you're looking for, overt protections for light manufacturing, it actually does build in that the light manufacturing uses can continue as-of-right. Whereas, a normal C6-2A, those uses would not be allowed anymore, except for under certain grandfathered uses. But new light manufacturing uses would not be allowed.

COUNCIL MEMBER REYNA: It's disheartening to think that we're going to create protections when there really aren't, because we're leaving it up to the market. Obviously, the landlord is going to go with the highest market price. You get more for residential than you do for commercial which is why there's such a demand for Tribeca to be rezoned.

Having said that, as far as the 421A exclusion zone, if there's Inclusionary Zoning as well as a 20 percent mandate for 421A tax credits, does that increase the number of affordable units or does it remain at 16 units?

EDITH HSU CHEN: No, I don't think it would increase the units, it just strongly encourages that those units would be provided.

COUNCIL MEMBER REYNA: Sixteen

units was the maximum amount of plausible ideas?

GRACE HAN: The minimum.

MICHAEL E. LEVINE: The minimum.

COUNCIL MEMBER REYNA: The minimum.

So the maximum would be?

GRACE HAN: That is dependent upon
the--

COUNCIL MEMBER REYNA:
[interposing] The cap on the FAR?

GRACE HAN: That in part, yes.

COUNCIL MEMBER REYNA: So having
the cap on the FAR, can you just calculate for me
what would be the maximum?

GRACE HAN: The Inclusionary
Housing works for new construction. It's not for
conversion.

COUNCIL MEMBER REYNA: It's also
preservation.

GRACE HAN: For preservation also.
In this area there are a limited number of
developments. We are certain that there is a
development site there. It's vacant today and you
could build today. Anymore additional units would
be on the condition that somebody would tear down

1
2 maybe a small building that's existing there and
3 rebuild a bigger and taller building. That's more
4 of what we call a potential site versus sort of a
5 projected site. I don't know off the top of my
6 head how many smaller buildings could be torn down
7 to be built for a new development.

8 COUNCIL MEMBER REYNA: I think that
9 would be helpful for Council Member Chin to
10 address her constituency having that information
11 because there is always the potential for.
12 Sixteen units minimum is great, but we want to,
13 obviously, adhere to the fact that there is a
14 potential for more. To know where that more is,
15 is very important. Thank you.

16 CHAIRPERSON WEPRIN: Thank you.
17 Any other comments or questions from the panel?
18 We're going to close this hearing. Thank you all
19 very much.

20 We're going to move on to our final
21 item. Our final item is in the Bronx, Land Use
22 numbers 223 and 224. This is the Third
23 Avenue/Tremont Avenue rezoning. You're welcome.
24 Thank you. On behalf of these items, we have from
25 City Planning Juton Horstman and Carol Samol.

Welcome back, Mr. Hylton. You may start whenever you're ready. Please state your name again for the record.

CAROL SAMOL: Thank you, good morning. My name is Carol Samol and I'm director of the Bronx Borough Office of the Department of City Planning. I'm joined by Juton Horstman who is the project manager for the Third Avenue/Tremont avenue rezoning.

I would just say a few words of introduction. We've been working on this project and on this proposal since 2006. Community Board 6 has been a very good partner in developing this kind of fine grain approach for the Central Bronx and revitalizing these two major corridors of Third Avenue and Tremont Avenue. Really designed the proposal to provide affordable housing, improve and control urban design by providing height limits, attracting private investment and creating and preserving jobs in the area, as well as preserving the neighborhood character of some of the surrounding neighborhood streets.

Community Board 6 was instrumental in shaping the extent of the proposal. During the

1
2 process, they encouraged us to expand ours study,
3 which was previously just focused on Third Avenue,
4 to include Tremont Avenue, which they consider
5 their downtown. If you go there, it really does
6 have a downtown feeling. It's an active street,
7 kind of low scale. Third Avenue is very
8 different.

9 During the public review process,
10 we had approval from the community board,
11 unanimous, no conditions and also, from the
12 borough president as well as City Planning
13 Commission. So we're very happy to be here today
14 to present this proposal in the final phase of
15 review.

16 You have in front of you some
17 materials that Juton will use to kind of walk
18 through the proposal. You have the current land
19 use and current zoning as well as the proposal,
20 our stated goals and some photos that demonstrate
21 the existing conditions as well as what could be
22 built under the proposal as well as a zoning
23 comparison chart with all the numbers and things
24 like that. So I'll turn it over to Juton
25 Horstman.

1
2 JUTON HORSTMAN: Good morning, City
3 Council Members. My name is Juton Horstman from
4 the Department of City Planning. This is a map
5 amendment to change the zoning on 75 blocks along
6 the Third Avenue and Tremont Avenue corridors and
7 the residential area to the west.

8 The study area consists of the two
9 main corridors, the Third Avenue corridor which
10 begins at Fordham Plaza in the north and goes down
11 to the Cross Bronx Expressway in the south. Then
12 the Tremont Avenue corridor which goes from
13 Webster Avenue in the west to just past Southern
14 Boulevard, Daly Avenue in the east.

15 The existing zoning has been in
16 place since 1961 and has been outmoded since the
17 elevated train, which ran along Third Avenue was
18 removed in 1973.

19 Due to the elevated train, which
20 ran along Third Avenue corridor, this consists
21 most auto related and light manufacturing uses,
22 with St. Barnabas Hospital having a strong
23 presence in this area. Along Tremont Avenue, the
24 area is underdeveloped due to the limitations in
25 the current zoning but contains mostly single

1
2 story commercial uses and it's the regional
3 downtown for the local residents.

4 The area to the west of the Third
5 Avenue corridor is our stable neighborhoods which
6 have seen out of context development occurring in
7 the last couple of years, a number of 12, 13-story
8 buildings out of scale with the smaller scale
9 residential neighborhood.

10 In the southernmost area is a
11 manufacturing district which isn't really your
12 typical manufacturing district. It has a library,
13 three schools. We've seen two Boards of Standard
14 and Appeals projects for new residential projects,
15 parks, playgrounds, all in this area.

16 So the issues with the current
17 zoning are that because the zoning is outdated,
18 not residential development is allowed along Third
19 Avenue or the manufacturing areas in the south.
20 They must currently go through the Board of
21 Standards and Appeals to get residential here.
22 This has created a number of parking lots and
23 vacant land along the corridor and breaks up the
24 neighborhood connectivity of the neighborhood of
25 the west as well as the neighborhoods to the east.

1
2 Along Tremont Avenue, the area is
3 vastly underdeveloped, which is limiting the
4 commercial development on this important corridor.
5 The neighborhood area is seeing out of scale
6 development, leaving the small scale homes
7 unprotected.

8 The goal of the rezoning is to
9 strengthen Third Avenue and Tremont Avenue as
10 major corridors that will promote a healthy mix of
11 uses, including affordable housing, retail and
12 commercial, while preserving the neighborhood
13 character. By doing this, we would expand the
14 development potential along Third Avenue and
15 Tremont Avenue corridors, create new opportunities
16 for housing and private investment, incentivize
17 permanently affordable housing, retain the viable
18 light manufacturing and auto related uses and
19 creating jobs, knitting together the neighborhoods
20 of Belmont, Tremont, Fordham and Bathgate,
21 providing support for major institutions including
22 St. Barnabas Hospital and unifying the urban
23 design and preserving the neighborhood character
24 by imposing height limits in this area.

25 So with the proposed zoning, there

1
2 are three commercial districts, the C4-5X, the C4-
3 4A, and the C4-4D. These districts would allow a
4 wide range of commercial uses and include
5 flexibility to build multistory retail and office
6 uses. It would incentivize permanently affordable
7 housing while establishing height limits and
8 unifying the urban design.

9 The difference between the C4-5X,
10 C4-4A and the C4-4D, as far as FAR goes, is
11 minimal. Along the C4-5X areas is just south of
12 Fordham Plaza and on the Third Avenue and Tremont
13 Avenue intersection where there is strong public
14 transportation access in this area. You have the
15 Metro North stops in both of those.

16 The C4-4A areas are major nodes at
17 180th Street and Third Avenue intersection and
18 then along Tremont Avenue. This would expand the
19 development potential to allow for full office and
20 commercial uses here.

21 The C4-4D is along St. Barnabas
22 Hospital which would allow for full residential
23 and community facility use for the hospital.

24 The R7X/C1-4 zoning district is on
25 the intersection of Tremont and Southern

1
2 Boulevard. This would help incentivize
3 permanently affordable housing and establishing
4 height limits on this important intersection.

5 The mixed-use districts, which are
6 the M1-4, R7-A and R7-X districts are in three
7 sections, and they're in gray on the map. These
8 would help provide opportunities for new
9 residential development while preserving the light
10 industrial uses in these areas. They would create
11 permanently affordable housing while establishing
12 height limits, requiring street walls.

13 There are three areas. The one in
14 the north, we found a strong presence of auto
15 related uses here. So this would really help
16 preserve this area and maintain the jobs and the
17 auto related uses that are here. The middle
18 section, there's a number of light industrial type
19 uses here, some plumbing and welding shops, things
20 of that nature. This would also, again, help
21 maintain those uses. Then the southern area, it's
22 a manufacturing area today. We have a couple of
23 very strong industrial uses that are here. So
24 that would, again, help preserve those.

25 The area to the west of Third

1 Avenue, we would be proposing the R-6A and R-5
2 zones. This would help ensure new development
3 better matches the existing development, which
4 would help discourage tear downs and establish
5 height limits. This is lowering the zoning from
6 what is currently allowed today from R-7 to this
7 R-6A and R-5. But with the R-5, you have a lot of
8 owner occupied home with the partnership homes
9 program. So this would help preserve those and
10 the neighborhood context of those areas.
11

12 Based on our goals, the rezoning
13 would increase the overall development by over
14 700,000 square feet. It would create
15 approximately 700 new units of housing with at
16 least 114 being permanently affordable housing.
17 It would create jobs and retain the current light
18 manufacturing jobs and related jobs that are in
19 this area.

20 The community has been quite
21 supportive as we've worked with them closely
22 throughout the process. They gave us unanimous
23 support for the rezoning, as well as the borough
24 president, who had no conditions. Thank you.

25 CHAIRPERSON WEPRIN: Great. I know

1
2 Council Member Rivera, who represents the
3 district, is supportive of the project as well.
4 Are there any questions? Do you have questions,
5 Diana?

6 COUNCIL MEMBER REYNA: Sure.

7 CHAIRPERSON WEPRIN: I'm not
8 forcing you. But I saw you taking notes. Diana
9 Reyna has questions.

10 COUNCIL MEMBER REYNA: Thank you,
11 Mr. Chair. I just wanted to understand, again,
12 you're referring to light manufacturing and jobs
13 being protected. How are you going about that?
14 What makes it a protection? The previous
15 presentation doesn't protect it. It gives is an
16 option.

17 CAROL SAMOL: We're doing a couple
18 of things. We are using the MX district in areas
19 where there is a concentration of active firms.
20 However, there is also very much capacity there to
21 redevelop to provide much needed affordable
22 housing there. We have many, many vacant lots,
23 parking lots, just dead storage that provides no
24 jobs whatsoever. There are a lot of those in this
25 area, much more than I think active industrial

uses, really.

COUNCIL MEMBER REYNA: Right.

CAROL SAMOL: The MX district would allow those active uses to remain and grow and new ones to locate there. I think one of our largest employers in the area owns their own property. They've expanded in the past. We wanted to support that.

COUNCIL MEMBER REYNA: Right.

CAROL SAMOL: By allowing them to grow and expand and not have to worry about the zoning.

COUNCIL MEMBER REYNA: Correct.

CAROL SAMOL: In addition, not related to--

COUNCIL MEMBER REYNA:

[interposing] If you can just pause. Can you show me on the map where that particular situation is?

CAROL SAMOL: You want to show them the site?

COUNCIL MEMBER REYNA: In that area, is that part of an IBZ?

CAROL SAMOL: No, the IBZ is directly south of there.

2 COUNCIL MEMBER REYNA: Is this part
3 of the abutment area?

4 CAROL SAMOL: No. This was an
5 interesting area, because there are so many
6 community facilities and BSA residential uses
7 there that you go there and you hardly believe
8 that it's manufacturing except that there are
9 still these strong manufacturing uses in the area
10 that we wanted to retain. So the MX was our
11 solution to that that would allow both of those.

12 Actually, in the Bronx we've found
13 MX to be really successful in exactly that. We've
14 had it in Port Morris, in Morrisania. We just
15 recently mapped it in the Lower Concourse. We
16 find, we've had probably ten years of experience
17 in the Bronx with MX districts, that industrial
18 uses expand and residential either buildings are
19 converted to residential or new residential is
20 developed. They work very well together.

21 COUNCIL MEMBER REYNA: There's a
22 little box that is by Alden Place. It's an M1-1 I
23 believe.

24 CAROL SAMOL: Yes.

25 COUNCIL MEMBER REYNA: It's being

converted into a C4-5X.

CAROL SAMOL: Yes. That is a grocery store and open parking and just and old--

COUNCIL MEMBER REYNA:
[interposing] A supermarket or a grocery store?
That's a big lot.

CAROL SAMOL: It's a Western Beef with a big opening parking--

COUNCIL MEMBER REYNA:
[interposing] That's a supermarket.

CAROL SAMOL: With a big open parking lot and an old warehouse that's not active today. The property owner there approached us and he was interested in doing affordable housing. We thought this was a good marriage. So we tried to work it into the procedure so we could ensure the right densities and heights and uses. He wants to replace the supermarket in the new development.

COUNCIL MEMBER REYNA: City Planning has conducted an analysis concerning the businesses that exist there today.

CAROL SAMOL: Correct.

COUNCIL MEMBER REYNA: What has been converted due to a BSA variance, do they have

1
2 that information?

3 CAROL SAMOL: Do you mean how BSA
4 cases? We could get that. I just know that
5 especially in this southern section here by
6 Tremont Park, a really strong number of BSA cases
7 for residential. What I think we'd find more is
8 just under utilization of the land. Along Third
9 Avenue where the El ran, we see just parking lots,
10 vacant land, and vacant buildings, except for the
11 area right around St. Barnabas, that's another
12 area where we're trying to encourage jobs by
13 encouraging and supporting the expansion of the
14 hospital.

15 We have, to the north you'll see,
16 there's like a beverage distributor and that kind
17 of thing. That's really more of what we've seen
18 along Third Avenue. That's been the predominant
19 response.

20 COUNCIL MEMBER REYNA: I'm
21 interested on a separate note, just in the
22 business aspect and what businesses exist and to
23 monitor all of this because we have to learn to
24 just have a comparison as to what we've zoned.
25 I've seen a lot of M zones disappearing. There's

1
2 established areas, such as the IBZs, but beyond
3 that no other protection for the M zones. So the
4 mix works for a certain period I'm assuming and
5 then it starts tipping over.

6 CAROL SAMOL: I can point to our
7 experience with the Port Morris MX, which we
8 mapped. It was the very first MX in the city and
9 it was further expanded in 2005. We've actually
10 seen existing businesses growing. We've seen some
11 vacancies, only because of the economy. That's
12 the bad thing. We've seen new residential, our
13 first new residential construction. We've mostly
14 seen conversions in that area. That's what I can
15 give you today. We do pay attention to these
16 things to understand what the dynamics are in the
17 Bronx.

18 COUNCIL MEMBER REYNA: Right. I
19 just don't want to see us creating a trend where
20 we're going from living prevailing wage jobs to
21 minimum wage jobs, which tend to happen when we
22 start diluting our manufacturing zones. So just
23 trying to keep a current database of what we had,
24 what we currently have and what we foresee to be
25 able to understand the correlation between land

1
2 use and small business. Thank you.

3 CHAIRPERSON WEPRIN: Any other
4 comments or questions from my colleagues? Thank
5 you very much. We do have someone else here to
6 testify in favor of this project. So we're going
7 to bring up Calvin Jackson. Mr. Jackson, come on
8 up. When you're ready, Mr. Jackson, just restate
9 your name. You can start when you're ready.

10 CALVIN JACKSON: Good morning, City
11 Council, ladies and gentlemen and a special hello
12 to Joel Rivera, who is the councilman in my
13 district, District 6.

14 My name is Calvin Jackson. I'm the
15 co-chair of the Economic Development Committee of
16 Bronx Community Board 6. I'm also privileged to
17 be the president of the Tremont Business and
18 Community Organization, TBCO for short.

19 As an active member of the
20 community, and president of the TBCO, I strongly
21 support the Third Avenue/Tremont rezoning. In
22 2006, TBCO was formed by our current Chairman,
23 Radame Perez and several of the business and
24 community leaders for the Bathgate and East
25 Tremont neighborhoods of the Bronx.

1
2 It is the mission of our nonprofit
3 organization to preserve and enhance the East
4 Tremont business corridor. We are primarily
5 focused on helping our neighborhood retailers and
6 store owners to succeed, while offering our local
7 residents and shoppers of this regional downtown
8 the best in quality and value.

9 Over the past few years, TBCO has
10 held events bringing the business community and
11 those that they serve together. These events have
12 proven charitable and promotional, yet create a
13 climate of genuine collaboration during these
14 economically difficult times.

15 TBCO, for example, has organized
16 the Lights Up Tremont event in which we provide
17 holiday street lighting along the East Tremont
18 commercial strips. We have also sponsored a Santa
19 Claus during the holidays to give back to the
20 neighborhood residents. For example, TBCO hosts a
21 yearly turkey giveaway, serving over 100 local
22 residents. In this month, we once again invite
23 everyone to our annual Halloween event. If you
24 were to join us at the East Tremont Banco Popular
25 Branch, you would witness over 1,000 children and

1 families within the Tremont neighborhood receiving
2 Halloween safety tips, treats and having a great
3 time.
4

5 With activities such as this, in
6 which we strive to build a vibrant community
7 foundation, we aim to encourage the city to
8 support our goal of forming the first ever
9 business improvement district, BID, for the
10 residents in the Tremont business community.

11 With the city's support, we have
12 confidence that our neighborhood will very soon
13 obtain its own BID. We have recently joined
14 forces with another strong based organization,
15 SoBRO. With their assistance over the coming
16 year, we'd like to provide merchant based service
17 to our surrounding neighborhoods and promote
18 business growth.

19 As such, we can encourage advocacy
20 to local and state governments for better access
21 to municipal services, promotional activities like
22 holiday lights and supplemental sanitation.

23 It is the greater mission of the
24 TBCO to make certain that the residents also
25 benefit from the work being put into creating a

1
2 vibrant East Tremont. Not simply by having a
3 first class shopping district, but by helping to
4 elevate so much of the problems that local
5 residents face on a daily basis. We need to
6 provide new opportunities for housing so families
7 don't look at East Tremont as a simply gateway
8 community but as a permanent community to raise
9 generations, with economically stable, and social
10 community facilities.

11 We need to expand development
12 potentials along Third Avenue and Tremont Avenue
13 so that we could create jobs and opportunities for
14 some of our local light manufacturers,
15 construction and industrial companies. It's time
16 that we increase commercial retail and office
17 opportunities to add to the already strong
18 commercial district.

19 Council Members, we need your
20 support. Please assist us in producing a more
21 appealing East Tremont and Bathgate neighborhood.
22 It is our hope that the New York City Council will
23 helps us achieve TBCO's goal by voting to approve
24 City Planning's proposal to strengthen our major
25 corridor with the Third Avenue/East Tremont

rezoning.

We know that the proposed rezoning would promote a strong mix of affordable housing, retail and commercial opportunities, while preserving the surrounding neighborhoods' character in a way that makes us truly proud of our community.

On behalf of TBCO, I would like to extend my utmost appreciation for City Planning, Community Board 6 and the community support and we anticipate the City Council's future partnership in our role to help protect and preserve the vibrancy of the Tremont Avenue community.

Thank you and I look forward for your support.

CHAIRPERSON WEPRIN: Thank you, Mr. Jackson. I know Council Member Rivera has a comment.

COUNCIL MEMBER RIVERA: Yes, thank you very much, Chairman. First, I want to thank City Planning, obviously, for working with my office, working with the borough president's office and the community board in establishing this rezoning.

1
2 I especially want to thank Calvin
3 Jackson and, of course, the TBCO and the local
4 business community for coming together and working
5 with the various government entities and residents
6 and businesses along the Third Avenue/Tremont
7 corridor to make sure that this rezoning is going
8 to be a successful one and does lay down a
9 foundation for future success for our business
10 community there.

11 It has been a real collaborative
12 effort and that is why I'm honored and privileged
13 to be working with the various government entities
14 and the various organizations there to make this
15 rezoning happen. I recommend my colleagues to
16 vote aye on this. Thank you, Chairman.

17 CHAIRPERSON WEPRIN: Thank you, Mr.
18 Rivera. Thank you, Mr. Jackson for your
19 testimony. We're going to move to close this
20 hearing. Now I am going to couple all the items
21 we heard today as well as the Culver El rezoning
22 which was Land Use numbers 177-193. In addition,
23 we're going to couple Land Use 213, the High Hawk
24 rezoning; Land Use 219, 3500 Park Avenue, which we
25 heard; Land Use 220, the Crossing at Southern

1
2 Boulevard; and Land Use 221 and 222 which was the
3 North Tribeca rezoning; and finally, Land Use 223
4 and 224, the Third Avenue/Tremont Avenue rezoning.
5 Those items will all be coupled.

6 Also, you should know that, once
7 again, Land Use 216 East End Bar and Grill's
8 application for an enclosed sidewalk café has been
9 withdrawn.

10 So all of those aforementioned
11 items are now coupled. The recommendation is an
12 aye vote. I'm going to ask Christian Hylton, the
13 counsel to the committee to please call the roll.

14 CHRISTIAN HYLTON: Chair Weprin?

15 CHAIRPERSON WEPRIN: Aye.

16 CHRISTIAN HYLTON: Council Member
17 Rivera?

18 COUNCIL MEMBER RIVERA: I vote aye.

19 CHRISTIAN HYLTON: Council Member
20 Reyna?

21 COUNCIL MEMBER REYNA: Aye.

22 CHRISTIAN HYLTON: Council Member
23 Comrie?

24 COUNCIL MEMBER COMRIE: I just want
25 to congratulate the Bronx City Planning division

1
2 and Manhattan City Planning for all of the work
3 that they did on Fordham Avenue, Third Avenue and
4 Tremont Avenue rezoning and the North Tribeca and
5 to all of the other parties, and also to Council
6 Member Lappin for making sure that a sidewalk café
7 that was going to be negative in her community,
8 she had a very effective set of meetings to have
9 that withdrawn. Aye on all.

10 CHRISTIAN HYLTON: Council Member
11 Seabrook? I'm sorry. Council Member Vann?

12 COUNCIL MEMBER VANN: Aye.

13 CHRISTIAN HYLTON: Council Member
14 Garodnick?

15 COUNCIL MEMBER GARODNICK: Aye.

16 CHRISTIAN HYLTON: Council Member
17 Lappin?

18 COUNCIL MEMBER LAPPIN: Thank you,
19 Council Member Comrie. Aye.

20 CHRISTIAN HYLTON: Council Member
21 Vacca?

22 COUNCIL MEMBER VACCA: Aye.

23 CHRISTIAN HYLTON: Council Member
24 Ignizio?

25 COUNCIL MEMBER IGNIZIO: Aye.

2 CHRISTIAN HYLTON: By a vote of
3 nine in the affirmative, none in the negative and
4 no abstentions, LU 213, 219, 220, 221, 222, 223,
5 224 are approved and referred to the full Land Use
6 Committee. LU 177-193 are approved with
7 modifications and referred to the City Planning
8 Department. LU 216, motion to file pursuant
9 withdrawal is approved and referred to the full
10 Land Use Committee.

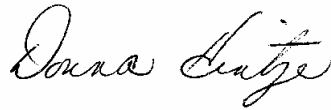
11 CHAIRPERSON WEPRIN: Thank you, Mr.
12 Hylton. Ladies and gentlemen, that will be the
13 end of this meeting. We are going to leave the
14 rolls open for a few minutes. Council Member
15 Seabrook stepped out and will be back in a few
16 minutes. Without any further comments, we are now
17 adjourned. Thank you.

18 [Pause]

19 CHRISTIAN HYLTON: This meeting of
20 the Zoning and Franchises Subcommittee of October
21 5th, 2010 is adjourned.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date October 27, 2010_____