

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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August 11, 2015
Start: 10:14 a.m.
Recess: 11:00 a.m.

HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:

DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS:

Daniel R. Garodnick
Jumaane D. Williams
Antonio Reynoso
Ritchie J. Torres
Vincent J. Gentile
Ruben Wills

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

Frederick A. Becker
Representative
Bright Horizons Children's Center

Robert Callahan
Representative
Third Avenue Cafés, LLC

Jennifer Steinberg
West Side Federation of Senior and
Supportive Housing

Laura Jervis
Executive Director
West Side Federation of Senior and
Supportive Housing

Amy Shakespeare
Architect
Red Top Architects

Melanie Meyers
Representative
West Village Residences, LLC

Rick Parisi
Architect
M. Paul Friedberg Architects

J. J. Gilbert
Rudin Management

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

Colleen Ulgeson
New York City Parks and Recreation

[gavel]

CHAIRPERSON RICHARDS: Alrighty, good morning; this hearing is officially beginning. First I'll acknowledge my colleagues who have joined us, Council Member Rosie Mendez, Council Member Dan Garodnick, Council Member Ritchie Torres, who gets the gold star today [background comment], yeah, Ritchie Torres gets the gold star; also Council Member Antonio Reynoso and our esteemed Land Use Chair, David Greenfield from Brooklyn. Alrighty; almost had a senior moment there.

So the first item we'll call up is in Council Member Jimmy Van Bramer's district and the applicant is Bright Horizons Children's Center, LLC; the applicant representative is Frederick Becker and I'll allow him to give more of a description, but this is for a child care/preschool provider seeking a located facility in a portion of the ground floor of the Gotham Center building, the large commercial building where the Department of Health and Mental Hygiene is located.

Under current zoning, much of the block 420's ground floor frontage along Queens Plaza South is restricted to commercial use only; the applicants

2 would therefore like a zoning change to allow the
3 community facility use on the ground floor so they
4 can locate a child care or preschool facility there.
5 The proposed text change would apply to three block
6 frontages; the zoning would still prohibit ground
7 floor residential as it does currently, and I'll just
8 note that Council Member Van Bramer supports this
9 application, as well as the community board and the
10 borough president and the City Planning Commission
11 has approved it and that's why we are here today.
12 Alrighty, Mr. Becker. Hit your mic.

13 FREDERICK BECKER: Thank you
14 Mr. Chairman; other Council Members. Good morning;
15 Frederick A. Becker. You didn't leave me much to
16 say, Mr. Council Member, but thank you.

17 Yes, this is to allow the Bright Horizons
18 Children's Center; 52 of the 55 block fronts in the
19 subdistrict allow community facility use at the
20 subject area; we are partially within a permitted
21 area and partially not within the permitted area and
22 this zoning text change would allow our entire space
23 to be occupied by the Bright Horizons Children's
24 Center. It is a small text change; it is deemed
25 appropriate for the areas mentioned; the Community

2 Boards 1 and 2 unanimously support this, as do the
3 City Planning Commission, the borough president, the
4 borough board and Councilman Van Bramer. We think
5 this is a vital use for the area, the area's looking
6 forward to it with the changed residential nature of
7 the area, as well as the increasing commercial nature
8 of the area.

9 One additional point I would like to
10 bring up is that Council Member Richards asked about
11 employment in the local area; we have reached out and
12 we have also contracted with the America's Job
13 Exchange, which helps to get out jobs to local career
14 offices and the New York Department of Labor. So we
15 have already started our outreach to the local
16 community, as well as through various job boards and
17 such and will continue the outreach until the
18 facility is opened, which has not yet occurred. So
19 thank you very much.

20 CHAIRPERSON RICHARDS: Thank you,
21 Mr. Becker.

22 Alright, any questions from my colleagues
23 on this particular item? [background comments]
24 Council Member Greenfield.

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COUNCIL MEMBER GREENFIELD: Thank you.
Counsel, what was the reason originally that these
partial blocks were restricted from community
facilities?

FREDERICK BECKER: The two block fronts
or partial block fronts are the two block fronts that
are on the overpass, if you will, of Queens Plaza,
Queens Boulevard going easterly, as well as a portion
of our block. These were undeveloped block fronts;
when the area was rezoned approximately 10 years ago,
it was felt that a community facility use might not
engender the appropriate street traffic that
commercial use would bring. In the time since then,
they realized that the planning is not as they had
hoped for; that commercial use, i.e. a CVS or a Duane
Reade or a bank doesn't do much for the street
frontage either, so they felt that this was an
appropriate change for those three remaining blocks
fronts.

COUNCIL MEMBER GREENFIELD: Thank you.

FREDERICK BECKER: You're welcome.

CHAIRPERSON RICHARDS: Alrighty. Are
there any other speakers on this item? Alrighty, if

2 not, we are closing this item. Thank you,
3 Mr. Becker.

4 FREDERICK BECKER: Thank you very much,
5 Mr. Council Member.

6 CHAIRPERSON RICHARDS: Alrighty, on to
7 cafés. Alrighty, we'll have the first café; it is
8 Tonic Café and the first speaker is Robert Callahan,
9 representing the Third Avenue Café, LLC.

10 Alrighty, this particular item is in
11 Council Member Rosie Mendez's district and this is a
12 petition to establish a new unenclosed sidewalk café
13 with 13 tables and 29 chairs at 411 Third Avenue in
14 Manhattan, Community Board 6, for a two-year term,
15 and I will allow you to begin.

16 ROBERT CALLAHAN: Thank you,
17 Mr. Chairman.

18 I'm going to read a letter of agreement
19 that was previously submitted to Council Member
20 Mendez's office.

21 "Dear Council Member Mendez: Please
22 accept this letter as confirmation that as per our
23 agreement, we have removed all planters and will not
24 put them back in the future. We have removed the
25 winter door enclosure and will only use it during

2 permitted dates. We will remove the illegal planter
3 on Third Avenue and not put it back. We will reduce
4 the number of tables and chairs from 13 tables to 11
5 tables and 29 seats to 24 seats. We will accomplish
6 this by removing one seat from the four-seat table at
7 the east end of the café and removing the two tables
8 closest to the service door, one on either side of
9 it. If anything else is required, please contact my
10 representative, Michael Kelly at 914-632-6036.
11 Sincerely, Mario Arcari, President."

12 CHAIRPERSON RICHARDS: Alrighty. Thank
13 you, we'll go to Council Member Mendez.

14 COUNCIL MEMBER MENDEZ: I wanna thank you
15 and Tonic for workin' with me and reducing the number
16 of chairs. Through the years I've gotten a lot of
17 complaints about noise and Tonic has worked with me
18 on that, so I'm a little apprehensive about the
19 sidewalk café, but I am looking forward to Tonic
20 being responsible, as they have shown to be in the
21 past and responding to my office when my constituents
22 complain about these matters. So thank you.

23 ROBERT CALLAHAN: And thank you; we are
24 looking forward to working with your office also.

2 CHAIRPERSON RICHARDS: Alrighty. We'll
3 go to... Any other questions from my colleagues on this
4 issue? Anyone here from the public to testify on
5 this issue? Alrighty, if not; we'll close this
6 particular item and move on. I guess you're staying
7 there, right?

8 ROBERT CALLAHAN: Yes I am.

9 CHAIRPERSON RICHARDS: Alright, you're in
10 the hot seat today. Alrighty. [background comments]
11 Alrighty, we're gonna go now to Banc Café and this
12 particular café is in Council Member Mendez's
13 district again. And this is a petition to renew an
14 unenclosed sidewalk café with 22 tables and 44 chairs
15 at 431 Third Avenue in Manhattan for a four-year
16 term. We'll go to you to speak on that item.

17 ROBERT CALLAHAN: Thank you,
18 Mr. Chairman. And again, I'll read from a letter of
19 agreement previously submitted to Council Member
20 Mendez's office.

21 "Please accept this letter as
22 confirmation that as per our agreement we have
23 removed all planters, signs, umbrellas, waiter
24 station, A-frame and garbage can from in front of our
25

2 establishment; we will not put them back in the
3 future.

4 We also agree to reduce our current
5 seating from 22 tables and 44 seats to 19 tables and
6 38 seats. We will remove 1 table and 2 seats from
7 the Third Avenue side, leaving 1 row of 4 tables and
8 8 seats. We will remove the 2 tables and 4 seats
9 next to our service door on the East 30th Street and
10 combine two 2-seat tables so they are no longer
11 separated on East 30th Street. The tables on East
12 30th Street will be 18" in width; this will enable us
13 to have metal and canvas barriers to surround the
14 café. If anything else is required, please contact
15 my representative Michael Kelly at 914-632-6036.

16 Sincerely, Andrew Breslin, Managing Member."

17 CHAIRPERSON RICHARDS: Back to Council
18 Member Mendez.

19 COUNCIL MEMBER MENDEZ: Okay. Thank you,
20 Mr. Chair and thank you again. I met with one of the
21 owners yesterday and we went through the plans and
22 revised them and we were both in agreement with this.
23 I think we said 18", but I guess that's standard; you
24 know he actually made the tables and... and...

25 [crosstalk]

2 ROBERT CALLAHAN: Yeah, so standard is
3 24, so to... to reduce to... [crosstalk]

4 COUNCIL MEMBER MENDEZ: Right, and... and
5 it's currently 24 and if one of the wooden planks,
6 which is like 5-1/2" was removed, it would give more
7 space and allow for the removable barriers...
8 [crosstalk]

9 ROBERT CALLAHAN: Yes.

10 COUNCIL MEMBER MENDEZ: to be put in. So
11 you know; 18" or 20" for the tables I think would
12 work and I don't know if that makes a difference
13 being put in the record, Mr. Chair.

14 CHAIRPERSON RICHARDS: Thank you, Council
15 Member Mendez.

16 COUNCIL MEMBER MENDEZ: Okay. Thank you.

17 ROBERT CALLAHAN: Thank you.

18 CHAIRPERSON RICHARDS: Alrighty, we'll...
19 Anybody here from the public to testify on this
20 issue? Alrighty, if not; we will close this item and
21 move on to the next one and you're staying there for
22 this one too.

23 This particular item is in Council Member
24 Garodnick's district and this is a petition to
25 establish a new unenclosed sidewalk café with 7

2 tables and 14 chairs at 398 East 52nd Street in
3 Manhattan Community Board for a 2-year term. And the
4 particular café is La Villetta Café and I'll let you
5 speak on that.

6 ROBERT CALLAHAN: Thank you,
7 Mr. Chairman. Again, I'll read the letter of
8 agreement that was previously submitted to Council
9 Member Garodnick's office.

10 "Dear Honorable Council Member: Please
11 accept this letter as confirmation that as per our
12 agreement we will remove the barrels with the
13 advertising signs on them. We will also remove the
14 benches in front of our establishment. If anything
15 else is required, please contact me at the below
16 number. Luigi Scarpelli, Managing Member."

17 CHAIRPERSON RICHARDS: Alright, we'll go
18 to Council Member Garodnick on this issue.

19 COUNCIL MEMBER GARODNICK: Thank you;
20 just briefly. Has that happened yet?

21 ROBERT CALLAHAN: It should have happened
22 two days ago, I believe.

23 COUNCIL MEMBER GARODNICK: Thank you very
24 much.

2 CHAIRPERSON RICHARDS: Alrighty. And
3 when do you plan to submit your revised plans to DCA?

4 ROBERT CALLAHAN: With all of these
5 cafés, as soon as the architect is done with the
6 plans and he's been notified of all the changes, the
7 day we receive them we'll submit them to DCA and
8 we'll submit them to the Council also.

9 CHAIRPERSON RICHARDS: Okay. Thank you
10 and I trust that your clients are going to uphold
11 these agreements and work with the local council
12 members to ensure the quality of life of these
13 particular communities is protected, even as they,
14 you know, look to improve their businesses.

15 ROBERT CALLAHAN: They will and we'll
16 periodically check in on them too to make sure that
17 they're complying.

18 CHAIRPERSON RICHARDS: Alrighty. Anybody
19 from the public here to testify on this issue?
20 Alrighty, if not; these three items are closed on the
21 agenda. Thank you so much.

22 ROBERT CALLAHAN: Thank you.

23 CHAIRPERSON RICHARDS: Alrighty.

24 [pause]

2 CHAIRPERSON RICHARDS: Alrighty. Good
3 morning. Alright, so we're going to go to the next
4 item on the agenda and that is Tres Puentes, and I've
5 heard you changed the name; now Cassia Gardens
6 rezoning. So we'll hear from Amy Shakespeare from
7 Red Top Architects, Jennifer Steinberg from WSFSSH
8 and Laura Jarvis from the West Side Federation.

9 [background comments]

10 JENNIFER STEINBERG: Hello, Mr. Chair and
11 thank you for having us... [interpose]

12 CHAIRPERSON RICHARDS: Alright, no
13 problem. And if you can state your name and the
14 organization... [crosstalk]

15 JENNIFER STEINBERG: Absolutely. My name
16 is Jennifer Steinberg with the West Side Federation
17 for Senior and Supportive Housing, or WSFSSH. I'm
18 here with our esteemed Executive Director, Laura
19 Jarvis to my left and our architect, Amy Shakespeare
20 on my right.

21 So Tres Puentes is in Council Speaker
22 Mark-Viverito's' district; we're in South Bronx and
23 Mott Haven. Currently we are in an R6 district and
24 one of the reasons we're coming here is to get a
25 rezoning to an R7-2 with a commercial overlay.

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2 What we are building is 178 units of low-
3 income senior housing; we're going to be constructing
4 two buildings around our existing Borinquen Court
5 building. Borinquen Court is currently 145 units of
6 low-income senior housing; we'll be building a west
7 building. On the image to your left of the three-
8 wing structure, that's the west building; it'll be
9 122 units of low-income senior housing and to the
10 right of the existing building will be the east
11 building, which will be 56 units of low-income senior
12 housing.

13 We have a contract with NYCHA for 171
14 Section 8 units, which means we'll be serving a very,
15 very low-income population, as they only have to pay
16 30% of their income towards rent. On the site we
17 will have a commercial overlay, which will allow us
18 to have about 12,000 square feet of commercial space
19 on the ground floor of the west building. Currently
20 we have two interested parties; one a federally
21 qualified health center and another; a pharmacy.
22 We've been working with the community board to make
23 sure that their interests are represented on the site
24 and that we're serving the need, both with the
25 housing as well as the commercial development.

1 The existing Borinquen Court has a senior
2 center on-site; we are going to expand that senior
3 center in the east building for about a 7,900-square-
4 foot senior center that will hopefully serve the
5 entire community, as well as our residents.

6 In terms of the green features on the
7 site, we will have three generators for the existing
8 building and each of the new buildings; we will be
9 participating in the Enterprise Green Communities
10 Program, as well as the NYSERDA Multifamily
11 Performance Program and we've also engaged a solar
12 consultant to see whether solar will be applicable on
13 the site. We're also doing water retention measures
14 on the site through blue roofs and we are also trying
15 to pursue as much of an active design as possible for
16 the seniors. We also have a lot of open space on the
17 site; we have a roof garden as well as existing
18 ground floor space for the seniors. We will have
19 social services on the site as well in addition to
20 the senior center; we're gonna add about four social
21 workers to our staff as well as hopefully, funding
22 allowing, a part-time existing nurse for the
23 population. So we hope to be serving our population
24 well; this is a wonderful addition to the WSFSSH
25

1 family of buildings; we currently have 24 buildings
2 that serve majority seniors; majority low-income, so
3 this is very much in our wheelhouse.
4

5 In terms of the workforce development on
6 the site, I'm gonna turn it over to our Executive
7 Director, Laura Jervis and she could tell you a
8 little bit about what we've done in the past and how
9 we anticipate doing that at this project.

10 LAURA JERVIS: Thank you. Mr. Chair, we
11 were pleased that you had raised that yesterday in
12 our premeeting.

13 So WSFSSH has long-term relationships
14 with two Bronx workforce development programs; one is
15 Bronxworks and the other is the Osborne Foundation,
16 and in fact, the Osborne Foundation, their work
17 development program caters the meals to our current
18 Borinquen Court now, so we will certainly be working
19 with them on this project.

20 We are also going to reach out to SoBro
21 and we actually have placed a call to them, at your
22 encouragement, and we have reached out to the Bronx
23 Overall Development Corporation. This will be our
24 fourth and fifth buildings in the Bronx and we have
25

1 worked with BOEDC in the past on our other workforce
2 initiatives in the last 10 years.

3
4 JENNIFER STEINBERG: And then just
5 lastly, the reason we're here, the ULURP items that
6 we're asking approval for, I had mentioned; we are
7 changing from the R6 to the R7-2 zoning with a C1 and
8 C2 floor overlays, which will allow us to have those
9 community facilities and commercial development and
10 it allows us to have a much better site plan, both
11 for the new residents and the existing residents on-
12 site. We are going to have a large-scale general
13 development which allows the whole site to be
14 considered as one and it gives us some leeway in
15 terms of our setback requirements, our distance
16 between buildings, our outer core requirements; those
17 types of things.

18 We have a parking waiver on-site which
19 allows us to have 10 parking spaces, which will be 10
20 of the existing parking spaces that we have and we
21 will not be having any indoor bicycle parking on-
22 site.

23 The reason that we started ULURP is that
24 the existing building came with a restrictive
25 declaration from in the 70s and 80s when the building

2 was developed that said that there could be no more
3 development on-site than the existing 145-unit
4 building, so in order to get that modified to allow
5 the new buildings on-site, we needed to begin the
6 ULURP process. So thank you very much and we're
7 happy to answer any questions you have.

8 CHAIRPERSON RICHARDS: Alrighty. Thank
9 you. Thank you so much and great to see you again
10 and very happy to hear about the workforce
11 development portion of this particular project and
12 interested in knowing; have you guys set any goals in
13 terms of local hiring?

14 LAURA JERVIS: We haven't. As you know,
15 the general contractor for this project has to be a
16 bid, so as soon as we go through that bid and have a
17 contractor, we're going to be negotiating with him.
18 And I wonder if perhaps you could tell us on other
19 projects what a percentage is that has been
20 realizable and a good goal.

21 CHAIRPERSON RICHARDS: I would love 100%,
22 [laughter] in a perfect world... [interpose]

23 FEMALE VOICE: Right. Right.

24

25

2 CHAIRPERSON RICHARDS: but at least I
3 would say a starting number, standard is around 20%
4 we try to aim for... [crosstalk]

5 LAURA JERVIS: Twenty percent.

6 FEMALE VOICE: Okay.

7 LAURA JERVIS: Thank you.

8 CHAIRPERSON RICHARDS: Uh-huh [sic].

9 JENNIFER STEINBERG: And I did neglect to
10 mention and Council Member Richards, we spoke about
11 this yesterday; it is a prevailing wage project...
12 [crosstalk]

13 CHAIRPERSON RICHARDS: Okay.

14 JENNIFER STEINBERG: so I wanted to make
15 sure that we were... and we're all aware of that.

16 CHAIRPERSON RICHARDS: Okay. Alright,
17 great on that, and then I just wanted you to go into
18 transportation a little bit... [crosstalk]

19 JENNIFER STEINBERG: Sure. Absolutely.

20 CHAIRPERSON RICHARDS: so you're gonna
21 have a lot more seniors coming in; what's your plan
22 -- you're not anticipating these seniors are gonna be
23 driving, [background comment] so what's your
24 transportation plan or will the layout be
25 transportation-friendly for the seniors in particular

2 coming out of the building, so if they're coming out
3 their buildings, will they be able to get Access-A-
4 Ride... [interpose]

5 JENNIFER STEINBERG: Absolutely.

6 CHAIRPERSON RICHARDS: at every exit?

7 JENNIFER STEINBERG: Those are great
8 questions and I'm glad you're here to prompt me. The
9 building itself and the two new buildings are in an
10 incredibly public transportation-friendly zone.
11 There is a 6 subway stop directly adjacent to the
12 west building, along 138th Street... [interpose]

13 CHAIRPERSON RICHARDS: Is it handicap
14 accessible?

15 JENNIFER STEINBERG: It is not.
16 [interpose]

17 CHAIRPERSON RICHARDS: I mean I know this
18 is out of your... [background comment] but okay.

19 JENNIFER STEINBERG: I would love it if
20 we could just... if we could fix it up, we would be
21 happy to, but unfortunately we're not allowed... it is
22 not handicapped accessible... [interpose]

23 CHAIRPERSON RICHARDS: Okay.

24 JENNIFER STEINBERG: we do have six
25 separate bus lines within .1 miles of the site, a

2 number of which are directly on either 3rd Avenue or
3 138th Street that we know that the existing tenants
4 use very frequently; they go both into Manhattan as
5 well as further into the Bronx. So just to cover
6 that existing public transportation there, we are in
7 a very transit-friendly zone.

8 In terms of Access-A-Ride, as part of the
9 renovations to the existing building that Amy took
10 care of, we created a circular driveway that allows
11 Access-A-Ride to come almost directly up to the main
12 entrance of Borinquen Court, which is a really
13 wonderful amenity for our tenants so they don't have
14 to sit out in the rain.

15 I should have mentioned that each of the
16 east and west buildings are gonna be physically
17 connected by indoor walkways to Borinquen Court, so
18 although they will have their entrances and Access-A-
19 Ride is welcome to pull up on the street at 138th
20 Street or 3rd Avenue, where the west and east
21 building entrances are, all tenants will be able to
22 enter and access that main circular driveway to wait
23 for Access-A-Ride from their apartments and be able
24 to stay inside for that. So it will be very easy for
25 them to access Access-A-Ride.

2 CHAIRPERSON RICHARDS: Okay. Well great,
3 thank you; I appreciate... [interpose]

4 JENNIFER STEINBERG: Thank you.

5 CHAIRPERSON RICHARDS: all of the follow-
6 up from yesterday and we certainly will open this up
7 for questions from any of my colleagues; I think
8 Council Member Antonio Reynoso has a question.

9 COUNCIL MEMBER REYNOSO: Hello; how are
10 you? [interpose]

11 JENNIFER STEINBERG: Hi.

12 COUNCIL MEMBER REYNOSO: I just wanted to
13 ask a couple of questions... [interpose]

14 JENNIFER STEINBERG: Sure.

15 COUNCIL MEMBER REYNOSO: So it's 170,000
16 square feet, the hard costs like \$68 million and
17 we're looking at about \$407 a square foot in building
18 costs...

19 JENNIFER STEINBERG: Or so.

20 COUNCIL MEMBER REYNOSO: That's pretty
21 high... [interpose]

22 JENNIFER STEINBERG: That is very high.

23 COUNCIL MEMBER REYNOSO: Is it the
24 prevailing wage that makes it so that you have to go
25 up that high?

[background comments]

JENNIFER STEINBERG: I could go into a lot of detail [laughter] about what makes it so high. The prevailing wage is absolutely the driving factor; you're a 100% correct, it is the driving factor in making sure that the costs are as high as they are. The site also has a number of specific challenges that we have to face that make it more expensive.

The first is just the existing building; it's hard to build in that narrow area around an existing building; this is basically an in-fill site, so that's the first factor that makes it more expensive.

The second factor is the wonderful transit that we were talking about; the 6 train runs along 138th Street...

COUNCIL MEMBER REYNOSO: Uhm-hm.

JENNIFER STEINBERG: which means the entire site is subject to MTA approval and regulations. They could put whatever premium they would like on our construction, so that is yet another factor that adds to our cost.

The third factor is the site is a brownfield; we remediated it as part of our Phase 1

2 renovation of the existing building, so happily we do
3 not have to do any official remediation, but all the
4 work on the site has to be done in compliance with
5 what's called the Site Management Plan, which adds a
6 lot of cost in terms of consultants, a lot of
7 documentation; it's a lot of work that the GC will
8 put on us to separate all of the clean fill from the
9 dirty fill, to monitor the air quality, to monitor
10 the soil vapor; that sort of thing.

11 Lastly, off the picture on Alexander
12 Avenue is the Mott Haven Historic District, so that's
13 -- although we are not part of the historic district,
14 we have extensive vibration and settlement monitoring
15 requirements for all of those buildings in addition
16 to the MTA settlement vibration monitoring. So if
17 you put all of those together, that adds up to a
18 pretty expensive site. [background comments]

19 We have been in consultation with HPD and
20 scarily, it is not out of the range of what they're
21 seeing for affordable housing these days; I'm sure
22 you see in this committee the market is out of
23 control, which is a wonderful thing for the City;
24 it's a little harder for affordable housing, but
25 they're very well aware of it and that's one of the

1 reasons that, as Laura mentioned, we're going out to
2 an invited bid, so we'll have at least five bidders
3 that will be bidding on the site and hopefully that
4 will help drive the cost down slightly.
5

6 COUNCIL MEMBER REYNOSO: Hopefully. You
7 know this being one of the first projects that we're
8 seeing coming out of a NYCHA development and I think
9 it's a great return on what we're getting, but if
10 this is the type of money we're talking about to get
11 these types of projects done, then it's gonna be very
12 difficult. And in Williamsburg or Bushwick we're not
13 seeing these types of costs, [background comments]
14 hard costs, nowhere near this; I think we're looking
15 at 225 to like 275 max... [interpose]

16 JENNIFER STEINBERG: For prevailing wage?

17 COUNCIL MEMBER REYNOSO: No, no
18 prevailing wage. I get it, but then we are talking
19 about maybe a 40% increase on the cost... [interpose]

20 JENNIFER STEINBERG: Exactly.

21 COUNCIL MEMBER REYNOSO: and I just wanna
22 say; I don't necessarily think you know that 40%
23 increase is solely, you know, the ownership of like a
24 prevailing wage and just want to... And it's just... I
25 know you don't have the numbers and details here and

2 I didn't expect you to have them there; just it is
3 very expensive and I'm supporting the project, of
4 course; I think it's great, it's just we've really
5 gotta start talking about how we could make things
6 more affordable so that we can get more done; not
7 less. But thank you for your time; I appreciate it...
8 [crosstalk]

9 JENNIFER STEINBERG: Thank you; we'd be...
10 we'd happy to part of... [crosstalk]

11 COUNCIL MEMBER REYNOSO: I...

12 JENNIFER STEINBERG: be part of any of
13 that conversation. Yeah.

14 COUNCIL MEMBER REYNOSO: I believe you.
15 I believe you. Thank you, guys.

16 JENNIFER STEINBERG: Thank you.

17 CHAIRPERSON RICHARDS: Thank you so much.
18 Being there are no other questions [background
19 comment] -- Oh... okay. Oh, Council Member [background
20 comments] Council Member Torres; we'll go to Council
21 Member Torres; then Council Member Greenfield.

22 COUNCIL MEMBER TORRES: In your building
23 prevail you're required to comply with Davis-Bacon...
24 [interpose]

25 JENNIFER STEINBERG: We are, but...

2 COUNCIL MEMBER TORRES: because you're
3 receiving federal funding.. [crosstalk]

4 JENNIFER STEINBERG: It's the NYCHA
5 Section 8 vouchers... [interpose]

6 COUNCIL MEMBER TORRES: Ah.

7 JENNIFER STEINBERG: require us to build
8 prevailing wage.

9 COUNCIL MEMBER TORRES: So whenever you
10 accept the vouchers... and I notice there are 178
11 units, but you only have contracts for 171 of them?

12 JENNIFER STEINBERG: Correct. So we only
13 have 171 vouchers and we have to give credit for
14 NYCHA; we actually originally only had 139 vouchers
15 and they actually increased us to 171, so we're very
16 thankful that we cover the majority, almost 95% of
17 the units with that. The remaining units will be 60%
18 of AMI...

19 COUNCIL MEMBER TORRES: Okay.

20 JENNIFER STEINBERG: so they will still
21 be affordable and unfortunately, you know we don't
22 have [background comments] the full full coverage for
23 the Section 8, but we will still be building those
24 affordable as well.

2 COUNCIL MEMBER TORRES: And I noticed
3 that one of the sources of funding, which is... just
4 so... if you can elaborate, the Medicaid Redesign.

5 JENNIFER STEINBERG: Oh yes, that's...
6 [crosstalk]

7 COUNCIL MEMBER TORRES: So Medicaid
8 dollars for affordable housing; if you can just...

9 JENNIFER STEINBERG: Medicaid Redesign
10 Team is actually housing capital dollars from the
11 state Homes and Community Renewal; it is capital
12 dollars that come as an arrangement that, thankfully,
13 has nothing to do with us; basically it's capital
14 dollars that came about because they believe that by
15 housing high Medicaid users they will be reducing
16 their operating costs on the Medicaid side...

17 COUNCIL MEMBER TORRES: Right.

18 JENNIFER STEINBERG: so the Medicaid
19 Redesign Team looks to us as if we are just receiving
20 capital for housing high Medicaid users and I think
21 there's a lot of interworking between the state and
22 the federal government to get that funding available.

23 COUNCIL MEMBER TORRES: And so that's
24 what explains the preference for high Medicaid users...
25 [crosstalk]

2 JENNIFER STEINBERG: Correct.

3 COUNCIL MEMBER TORRES: Okay.

4 JENNIFER STEINBERG: Exactly. Exactly.

5 COUNCIL MEMBER TORRES: Okay; that's the
6 extent of my questioning. Thank you.

7 JENNIFER STEINBERG: Thank you.

8 CHAIRPERSON RICHARDS: Council Member
9 Greenfield.

10 COUNCIL MEMBER GREENFIELD: Thank you
11 very much. Thank you, Mr. Chairman. Thank you all;
12 this certainly seems like a great project and
13 obviously we're all very excited. I did just want to
14 touch on some of Council Member Reynoso's points
15 about the financing. Can you sort of just give us a
16 little more background on how this financing is
17 coming together for the \$100 million project...?

18 [interpose]

19 JENNIFER STEINBERG: Sure. Sure. The
20 majority of the financing, as you could see on your
21 sheet, is coming from the bond financing and the low-
22 income housing tax credit. So the bond financing
23 through the State HFA gives us access to the as-of-
24 right 4% low-income housing tax credits. We are also
25 receiving direct subsidy from HPD, as well as the

1 Medicaid Redesign Team that we touched upon; we will
2 be contributing our own deferred developer fee to the
3 project and the brownfields that we discussed
4 previously, they do come with a wonderful benefit
5 that there is a brownfield cleanup program tax
6 credit, so for the work that we're doing -- the dirt
7 on the site, the caps on the site; the consultants on
8 the site -- we do receive a tax credit that will
9 amount to about \$5 million. And we have been also
10 very, very lucky and feel very -- they're receiving a
11 very generous subsidy from Council Member Mark-
12 Viverito, as well as the Borough President.

14 COUNCIL MEMBER GREENFIELD: Okay. Thank
15 you.

16 JENNIFER STEINBERG: Thank you.

17 CHAIRPERSON RICHARDS: Alrighty. Well
18 congratulations on a great project... [interpose]

19 JENNIFER STEINBERG: Thank you.

20 CHAIRPERSON RICHARDS: and I'm sure our
21 seniors will certainly love it. Anyone else here to
22 testify on this particular issue? Alrighty. Seeing
23 none, I'm closing the public hearing on these
24 particular items. Thank you.

25 JENNIFER STEINBERG: Thank you.

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FEMALE VOICE: Thank you.

[pause]

CHAIRPERSON RICHARDS: Alrighty. Next we're going to [background comments] applicant West Village Residences, LLC and NYC DPR and the application representative is Melanie Meyers and this is in Council Member Johnson's district; this particular application would allow for the creation of park land and subsequent conveyance of open space to the City and Greenwich Village neighborhood of Community Board 2 and the actions needed are obviously to amend the zoning resolution to allow open space being developed within the West Village Residences, large-scale general development to be mapped as a park and conveyed to the City of New York and also to amend the City map involving the establishment of a park bounded by 7th Avenue, Greenwich Avenue and West 12th Street and modification of block dimensions and legal grades, including authorization for any acquisition or disposition of real property. And with that being said, we've been joined by J. J. Gilbert from Rudin Management; Rick Parisi from WVR, LLC; Melanie Meyers from WVR, LLC, and Colleen Ulgeson [sp?] of the New

2 York City Department of Parks. Welcome and you may
3 begin.

4 MELANIE MEYERS: Hi. Thank you very
5 much. My name's Melanie Meyers and I'm representing
6 WVR, LLC, but I'm with Fried, Frank, Harris, Shriver
7 and Jacobson. And Rick Parisi is here and Rick is
8 the architect from M. Paul Friedberg Architects who
9 designed the park that we're going to be showing you,
10 and Colleen is Colleen and J.J. is with the
11 developer.

12 There are two actions before you, which
13 if approved will allow for open space constructed at
14 the intersection of 7th Avenue and West 12th Street
15 in Manhattan in Council Member Johnson's district to
16 be formally mapped as a city park and transferred to
17 the City. Next slide.

18 The actions themselves are an outgrowth
19 of approvals that were received from this Council in
20 2012 regarding the redevelopment of the St. Vincent's
21 campus in Lower Manhattan. That project included the
22 redevelopment of the hospital on the east side of 7th
23 Avenue and included the creation of privately-owned
24 but publicly accessible open space on the west side.
25 Next slide.

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The open space was designed by Rick and his colleagues with a great amount of participation with the community board and created what I think everybody wanted, which was a park that was reflective of the character of many of the smaller Greenwich Village and West Village parks and the next couple of slides sort of show what the character is like. And the next.

And so at that point in 2012 the developer really made two additional commitments. The first commitment was to work with the New York City AIDS Memorial Foundation to allow for the Foundation to incorporate a memorial commemorating the HIV/AIDS epidemic and to include that within the design of the park. And we are very pleased to report that that goal was accomplished with the strong support of Council Member Johnson and we appreciate those efforts and we appreciate the collaboration of the AIDS Memorial Foundation in getting that done. I think the next image shows what that particular memorial will be.

The second commitment that was made at that time was to formally map the open space as

2 parkland and transfer the property to the City and
3 that is why we're before you today.

4 So there are two actions; the first is
5 the actual mapping of the park and the entire
6 property between 12th Street, 7th Avenue and
7 Greenwich will become part of the park.

8 And the second action is the zoning text
9 amendment under Section 7474 of the Zoning
10 Resolution, and what will allow is for space that had
11 been approved at a technical level as open space
12 that's privately owned to actually become a park and
13 become part of the City's property. And second, to
14 allow for the City to make decisions about the park
15 without getting the approval of the developer across
16 the street.

17 Just two additional things. One, we are
18 very pleased with the progress of the park and we're
19 just about to open it, so we have a couple of images
20 of where the park is today.

21 So this is sort of looking from last
22 week, Rick?

23 RICK PARISI: Yes.

24 MELANIE MEYERS: And the next slide shows
25 what the park looks like at this point, so the main

2 part of the park is ready to be opened and we hope
3 that will happen this week. The AIDS memorial you
4 can see at the far corner of that image and we expect
5 that to be completed at the beginning of next year.

6 And the one other thing I wanted to
7 mention is that while the property will be
8 transferred to the City and will become part of the
9 Parks' portfolio, the maintenance of the park will
10 remain with the development across the street and so
11 the costs of maintaining will continue to be with
12 them and will be working with the Parks Department
13 pursuant to a maintenance and operation agreement.

14 So thank you very much and we're happy to
15 answer any questions.

16 CHAIRPERSON RICHARDS: Well thank you so
17 much for the wonderful project and I think more green
18 space in New York City is always welcomed. And with
19 that being said, I also wanted to say
20 congratulations, Council Member Johnson on such an
21 outstanding project and we'll go to Council Member
22 Johnson.

23 COUNCIL MEMBER JOHNSON: Good morning.
24 Thank you, Mr. Chair for holding this hearing today.
25 Thank you Melanie and the team for being here. You

1 laid it out, but this park is at the corner of 7th
2 Avenue and West 12th Street; I live at 7th Avenue and
3 West 15th Street, so I walk by this block every day
4 and have for the last 13 years as I've lived on that
5 block and previously that particular space was very
6 depressing, dilapidated; I would say even a blight in
7 many ways on the neighborhood. I guess it was a site
8 that was used for storage for St. Vincent's Hospital
9 for oxygen tanks and other storage facilities and
10 over the past many months Rudin Management I think
11 has done an incredible job in working with its
12 architect in doing demolition on the site and then
13 fully rebuilding the site to be a beautiful park.
14 The park is in the same vein as Jackson Square, which
15 is just a couple of blocks away, and also Abington
16 Square, which is just a couple of blocks away, a
17 beautiful triangle park in the heart of the West
18 Village.

19
20 Outside of the unfinished Hudson River
21 Park and the High Line, Community Board 2 ranks 58th
22 out of 59th in public open space in New York City.
23 So the handful of other public open spaces that are
24 located further west in Greenwich Village, such as
25 Seravalli Playground and Jackson Square Park, as I

1 mentioned, are each less than one small square block.
2 This park -- it looks like it's ready to be opened,
3 which is great; I've walked by it, I walked by it
4 yesterday, and it's quite beautiful; it's going to
5 feature water fountains, trees, a grassy lawn,
6 flowerbeds and provide a place of solace for
7 neighborhood residents and workers; it will also
8 feature interactive water jets so children can play
9 in those.
10

11 Perhaps most importantly for me, this
12 park will feature an AIDS memorial at its western
13 edge and angle. A memorial to those we've lost to
14 HIV and AIDS at this site is most poignant and
15 appropriate, as the former St. Vincent's Hospital, a
16 tragic loss there for 161 years across the street,
17 played an important role in treating victims of this
18 epidemic. St. Vincent's Hospital housed the first
19 and largest AIDS ward on the East Coast in the United
20 States, treating victims when they were shunned
21 elsewhere. It has been referred to as Ground Zero of
22 the AIDS crisis and thousands, if not tens of
23 thousands of people died at St. Vincent's of AIDS or
24 treated there.
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The site is also a block away from the City's LGBT Center, which I look at as sort of the birthplace of HIV and AIDS activism in New York City; it's where ACT UP was founded; it's a place where GMHC held its early meetings, Gay Men's Health Crisis and it's where our community planned its response to the devastation of this epidemic.

At this new memorial, New Yorkers and people from around the world will have a place to pause and remember all of those who were so tragically taken from us; I think the gay community literally lost an entire generation of gay men who are no longer with us because of this epidemic. And it will be a place of learning for future generations, god willing, and hopefully a world without AIDS.

So I wanna thank every one who made this park and this memorial possible, including Rudin Management, Community Board 2, my colleagues, other elected officials, the AIDS Center, Brad Hoylman, Assemblywoman Deborah Glick, former Speaker of the Council, Christine Quinn, my predecessor, and I also particularly wanna thank the AIDS Memorial Park Board of Directors and founders, Christopher Tepper, who's

1 here today, and Paul Kelterborn -- is Paul here? No
2 -- and Paul Kelterborn. And I'll just end with this;
3 I remember that when this initial rezoning went
4 through, after the hospital had closed down, it was
5 of course very, very contentious in the community
6 because of the loss of St. Vincent's Hospital, which
7 we still are feeling the affects of today, and after
8 that rezoning had already taken place and already
9 happened, two wonderful, smart, energetic guys came
10 forward and said, hey we want a corner of that park
11 to be an AIDS memorial and at that point it was sort
12 of, the deal's done, it's over, the rezoning has been
13 completed, the battle has been fought, sorry; we
14 don't think that's gonna be able to happen. And
15 through the tenacity and grit and hard work and
16 enthusiasm of Christopher Tepper and Paul Kelterborn,
17 relentlessly meeting with the Community Board, with
18 Rudin Management, with all of the local stakeholders
19 and community in one of the I think most difficult
20 places in New York City, given the premium and value
21 of land, they were able to sort of peel away a corner
22 of the park for a very appropriate use, given the
23 site. It wasn't easy, it wasn't flowery; it didn't
24 all just happen with a magical handshake; there was
25

2 hard fighting and hard work involved in that and I
3 think that in many ways speaks to the story around
4 the HIV and AIDS epidemic; things not coming easily,
5 but people fighting to get things done because of
6 what it means.

7 So I'm really grateful; I am incredibly
8 supportive; I've put a significant amount of my own
9 discretionary capital money into this park and I look
10 forward to the park opening in the next week,
11 hopefully and also the memorial being finished in the
12 next year. Thank you, Mr. Chair for the ability to
13 speak today.

14 CHAIRPERSON RICHARDS: Thank you. Thank
15 you. Congratulations, Council Member Johnson.
16 Alrighty. Any other questions from my colleagues on
17 this item? No? Anyone here from the public to
18 testify on this issue? If not, we are closing this
19 portion of the public hearing.

20 MELANIE MEYERS: Thank you.

21 CHAIRPERSON RICHARDS: Alrighty, we've
22 made it to the promised land.

23 Alrighty. So I will couple the following
24 items for a vote to approve today -- Land Use No.
25 257, sidewalk café; Land Use No. 258, sidewalk café;

2 Land Use No. 259, sidewalk café; Land Use Nos. 260,
3 261, 262, 263, Tres Puentes; Land Use Nos. 264 and
4 265, St. Vincent's Park; Land Use No. 266, Bright
5 Horizons and now I'll ask the counsel to call the
6 roll on these items.

7 COMMITTEE COUNSEL: Chair Richards.

8 CHAIRPERSON RICHARDS: I vote aye on all.

9 COMMITTEE COUNSEL: Council Member
10 Garodnick.

11 COUNCIL MEMBER GARODNICK: Aye.

12 COMMITTEE COUNSEL: Council Member
13 Williams.

14 COUNCIL MEMBER WILLIAMS: With
15 congratulations to Corey Johnson on a great project
16 and everyone; I think this is... is this Richard's
17 first one... this his first one? [background comments]
18 No? [laugh] Oh... [interpose]

19 CHAIRPERSON RICHARDS: No, you missed the
20 first one, obviously.

21 [laughter]

22 COUNCIL MEMBER WILLIAMS: Well
23 congratulations. I was tryin' to say
24 congratulations, but I take that back. I vote aye.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMITTEE COUNSEL: Council Member
Reynoso.

COUNCIL MEMBER REYNOSO: I vote aye.

COMMITTEE COUNSEL: Council Member
Torres.

COUNCIL MEMBER TORRES: I vote aye and I
wanna congratulate my colleagues... [background
comment] my colleague, Council Member Johnson for
making possible a heartfelt tribute and memorial to
the civil rights and treatment activism of the LGBT
community, so thank you.

COMMITTEE COUNSEL: Land Use Nos. 257,
258, 259, 260, 261, 262, 263, 264, 265 and 266 are
approved, with 5 votes in the affirmative, 0 in the
negative and 0 abstentions; they're referred to the
Full Land Use Committee.

CHAIRPERSON RICHARDS: Alrighty, with
that being said, this hearing is officially closed.

[gavel]

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 13, 2015