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SUBCOMMITTEE ON ZONING AND FRANCHISES 1

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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JANUARY 24, 2023
Start: 10:21 A.M.
Recess: 11:01 A.M.

HELD AT: 250 BROADWAY - COMMITTEE ROOM
14TH FLOOR

B E F O R E: Kevin C. Riley,
Chairperson

COUNCIL MEMBERS:
Shaun Abreu
Erik D. Bottcher
David M. Carr
Kamillah Hanks
Farah N. Louis
Francisco P. Moya
Lynn C. Schulman

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Dan Egers
Land Use Attorney of Greenberg Traurig

Jeff Reubin
Planner with Philip Habib & Associates

Deirdre Carson
Greenberg Traurig

Eran Pollock
HAP Investment

Toku Saito

2 SERGEANT AT ARMS: Good afternoon, good morning,
3 testing, testing. This is a test for today's
4 Subcommittee on Zoning and Franchises. Today's date
5 is January 24, 2023. Location is 14th Floor
6 Committee Room, recorded by Walter Lewis.

7 CHAIRPERSON RILEY: Good morning everyone and
8 welcome to a meeting on the Subcommittee of Zoning
9 and Franchises. I am Council Member Kevin Riley,
10 Chair of the Subcommittee. This morning, I am joined
11 by Council Member Bottcher, Schulman, Chair Louis,
12 Council Member Carr.

13 Today, we will hold public hearings for two
14 parking special permits in Manhattan. Before we
15 begin, I recognize the Subcommittee Counsel to review
16 the hearing's procedures.

17 COMMITTEE COUNSEL: Thank you Chair Riley. I am
18 Angelina Martinez Review of Counsel to the
19 Subcommittee. This meeting is being held on hybrid
20 format, so members of the public who wish to testify
21 remotely may testify by signing into – going into our
22 website and signing on www.council.nyc.gov/landuse.
23 And for those of you here in Chambers, please see one
24 of the Sergeant at Arms to prepare and submit a
25 speaker card.

2 Members of the public may also view a livestream
3 broadcast of this meeting at the Council's website.
4 When you are called to testify before this
5 Subcommittee, if you are joining us remotely, you
6 will remain unmuted until recognized by the Chair or
7 I to speak. When the Chair or I recognize you, your
8 microphone will be unmuted. Please take a moment to
9 check your device and confirm that your mic is on
10 before you begin speaking.

11 We will limit public testimony for this hearing
12 to two minutes per witness but if you have additional
13 testimony you would like the Subcommittee to consider
14 or if you have written testimony you would like to
15 submit instead of appearing before the Subcommittee,
16 you may email it to landusetestimony@council.nyc.gov.

17 Please indicate the LU Number and/or project name
18 in the subject line of your email. We request that
19 witnesses joining us remotely to remain in the
20 meeting until excused by the Chair, as Council
21 Members may have questions for you.

22 Finally, there will be pauses over the course of
23 this hybrid meeting for various technical reasons and
24 we ask that you please be patient as we work through
25

any issues. Chair Riley will now continue with today's agenda items.

CHAIRPERSON RILEY: Thank you Counsel. I will now open the public hearing on LU's Numbers 165 and 166 relating to the 213-227 West 28th Street Parking Special Permits in Council Member Bottcher's District in Manhattan.

These Applications seek zoning special permit pursuant to Sections 13-45 and 13-451 of the zoning resolution, which would allow to two adjacent parking facilities located in the Manhattan Core both to exceed the maximum permitted as of right number of accessory spaces. Allowing the combined maximum capacity of 77 parking spaces on portions of the ground floor and subcellars of two recently constructed mixed-use developments.

For anyone wishing to testify on this item remotely, if you have not already done so, you must register online and you may do that now by visiting the Council's website at council.nyc.gov/landuse. And once again, for anyone with us in person, please see one of the Sergeants to prepare and submit a speakers card.

1 Counsel, may we please call the first panel for
2 this item?
3

4 COMMITTEE COUNSEL: Chair, do we want to let the
5 - okay, apologies. Uhm, so the first panel for this
6 item will be Dan Egers joining us remotely, Jeff
7 Reubin, Deirdre Carson, Eran Pollock and Toku Saito.
8 Apologies if I mispronounce any of your names.

9 CHAIRPERSON RILEY: Counsel, please administer
10 the affirmation.

11 COMMITTEE COUNSEL: Applicants can you please
12 raise your right hands? Do you affirm to tell the
13 truth, the whole truth and nothing but the truth in
14 your testimony before this Subcommittee and in your
15 answers to all Council Member questions?

16 PANEL: I do.

17 CHAIRPERSON RILEY: Thank you. For the viewing
18 public, if you need accessible version of this
19 presentation, please send an email request to
20 landusetestimony@council.nyc.gov. And now the
21 Applicant team may begin. Panelists, as you begin,
22 I'll just ask you to please reinstate your name and
23 organization for the record. You may begin.

24 DAN EGERES: Hi, this is Dan Egers. I don't think
25 my video is enabled. When I try to start it, it says

1 you can't start your video because the host has
2 stopped it.

3
4 COMMITTEE COUNSEL: Mr. Egers, let me see if we
5 can get our team behind the scenes to help you out
6 with that.

7 DAN EGRERS: Thank you.

8 COMMITTEE COUNSEL: Give us just one second.

9 DAN EGRERS: Sure.

10 COMMITTEE COUNSEL: Can you try your video now?
11 I'm told it's been resolved.

12 DAN EGRERS: There we go.

13 COMMITTEE COUNSEL: There you go, okay.

14 DAN EGRERS: Hi. Hi all. Dan Egers Land Use
15 Attorney of Greenberg Traurig. I wish I could be
16 there in person with you but after three years of
17 successfully avoiding COVID, it finally, it finally
18 got to me but good to see you albeit virtually.

19 Chair Riley, Council Member Bottcher,
20 Subcommittee Members, we represent the Applicants 215
21 West 28th Street Property Owner LLC and 225 West 28th
22 Street Property Owner LLC affiliates of HAP
23 Investments and Daiwa House. I will briefly
24 introduce the project site and requested actions and
25 then discuss how the required findings have been met.

2 Jeff Reuben from Philip Habib & Associates will
3 discuss the parking study and census data. And then
4 my colleague Deirdre Carson will address comments
5 made during the ULURP process. And then Eran Pollock
6 will say a few words on behalf of ownership.

7 Next slide, the Applicants own two sites that are
8 part of a single zoning lot on the north side of West
9 28th Street between 7th and 8th Avenues; 215 West 28th
10 Street, that's Lot 31 and 225 West 28th Street, Lot
11 25. Two new as-of-right mixed-use buildings have
12 been constructed on our zoning lot. We are applying
13 for special permits under Section 1345 and 1345-1 of
14 the Zoning Resolution to allow for additional -

15 COMMITTEE COUNSEL: Mr. Egers, I think we need to
16 load your presentation. Apologies, it had not been
17 loaded.

18 DAN EGERS: Well, I couldn't see that from where
19 I am.

20 COMMITTEE COUNSEL: We have your first page. Is
21 there a page we should move to?

22 DAN EGERS: Yes, next slide please, the area map.

23 COMMITTEE COUNSEL: Hold on, let me - can we
24 forward the slides? Just one second Mr. Egers.
25 There we go.

1 DAN EGGERS: Uh, there we are, alright. So, as
2 you can see, this site is on West 28th Street between
3 7th and 8th Avenues. The special permit would allow
4 41 spaces in 215 West 28th Street. That's a condo
5 with 87 units, 20 spaces are permitted as-of-right
6 and the special permit would allow 36 spaces in 225
7 West 28th Street for rental with 112 units, 24 spaces
8 are permitted as-of-right for a total of 77 spaces.
9 An increase of 33 spaces over the 44 permitted as-of-
10 right.
11

12 Next please. As you see the garage entrances are
13 at opposite ends of the zoning lot, about 160 feet
14 apart. Next please. Here is an enlargement of 215
15 West 28th Streets garage entrance. Next please.
16 Here is 225 West 28th Streets garage entrance and
17 plan view. Next please. And an enlarged view.

18 Next please. The five required findings are as
19 follows: First at the location of the vehicular
20 entrances and exits will not unduly interrupt the
21 flow of pedestrian traffic or create any undo
22 conflict between pedestrian and vehicular moments due
23 the entering and leaving of vehicles.

24 Here are the number of cars entering the garages
25 at peak hours will be low and the amount of foot

1 traffic on the street is moderate. Specially during
2 the p.m. peak hour, that's 5:00 p.m. to 6:00 p.m.,
3 would be approximately eight minutes between a car
4 entering or exiting each garage.
5

6 Second, the location of vehicular entrances and
7 exits will not interfere with the efficient
8 functioning of streets. The garages curb cuts are in
9 midblock and the operating system will prioritize
10 entering vehicles over exiting vehicles and will
11 provide reservoir spaces to prevent vehicles from
12 cueing on the street.

13 Third, such use will not create or contribute to
14 serious traffic congestion and will not unduly
15 inhibit surface traffic and pedestrian flow. The
16 garages are far from the corner and will be on the
17 midblock of the street with moderate pedestrian
18 traffic at the blocks peak pedestrian traffic hour.
19 This peak pedestrian traffic hour is the a.m. peak
20 hour, will not overlap with the peak garage traffic
21 hour, the p.m. peak hour.

22 Fourth, such parking facility will not be
23 inconsistent with the character of the existing
24 street scape. As you can see here entrances are
25 small, less than 25 percent of the ground floor

1 façade and would be consistent with other buildings
2 on West 28th Street and include entrances for loading
3 for commercial buildings.
4

5 The fifth finding, which relies on the parking
6 study will be discussed by Jeff Reuben of Philip
7 Habib & Associates will speak now. Thank you so
8 much.

9 CHAIRPERSON RILEY: Jeff, you could just press
10 the power button and just state your name for the
11 record before you begin.

12 JEFF REUBEN: One moment please. Testing, okay,
13 it works. Thank you, good morning. Good morning, my
14 name is Jeff Reuben, I'm a Planner with Philip Habib
15 & Associates and of course part of the applicant
16 team. Next slide please.

17 The fifth and most important finding for granting
18 this special permit, is that the number of parking
19 spaces proposed is reasonable and not excessive in
20 relation to recent trends in close proximity to the
21 proposed facility with regard to one, the increase in
22 the number of dwelling units and two, the change in
23 the number of public and accessory off street parking
24 spaces taking into account the construction of new
25 off street parking facilities and the reduction in

1 the number of such spaces in existing parking
2 facilities. The Department of City Plannings if
3 formulating guidelines for analyzing the
4 reasonableness of parking. They require a ten-year
5 set back, look back pardon me at developments within
6 a one-third mile radius of the project.

7
8 The parking proposed is deemed reasonable if the
9 ratio of change in residential parking spaces to
10 change in residential units does not exceed 20
11 percent. Next slide please. Thank you. The ratio
12 here is far less than 20 percent. We found that
13 1,683 housing units have been added to this study
14 area. 299 residential parking spaces were eliminated
15 and 173 spaces were created for a net loss of 126
16 residential parking spaces. This is a ratio of -7.5
17 percent.

18 The proposed 33 additional spaces do not even
19 replace the net 126 spaces lost over the last ten
20 years. The ratio produced with our project is -3
21 percent. Again, the standard for the finding is
22 positive 20 percent. So, we are far below the
23 standard to meet the finding easily.

24 Secondly, Community Board 5 cited census tracked
25 low rate of car ownership at 17 percent as evidence

1 that parking is not needed. However, the most recent
2 American community survey data from 2020 shows that
3 30.4 percent of owner occupied units in census tracts
4 within a third of a mile of the project site have one
5 or more vehicles.
6

7 In addition, when accounting for households with
8 more than one vehicle for owner occupied units in
9 these census tracts, the rate of total vehicles to
10 households is 37.8 percent. Thank you.

11 DEIRDRE CARSON: Good morning Chair Riley,
12 Council Member Bottcher and Members of the
13 Subcommittee. I'm Deirdre Carson of Greenberg
14 Traurig. My colleagues, Mr. Egers and Mr. Reuben
15 have shown you that HAP Investments request for
16 special permits for additional parking spaces meets
17 the findings of Section 13-451 of the Zoning
18 Resolution. We believe really there is no dispute
19 about that that fact.

20 As we proceeded through ULURP, however, it has
21 been apparent that opposition to these applications
22 as predicated, not on a failure to satisfy the
23 findings, but on a general community view that
24 because the applicant's property is located near a
25 transit hub and the community as a whole has a low

1 car ownership ratio, the application should be
2 denied. These considerations, which would might be
3 appropriate if this body were being asked to revise
4 the Zoning Resolution to eliminate the special
5 permit, are not we content relevant to the issues
6 before you.
7

8 In fact, the proposed additional parking is
9 entirely consistent with the public policies
10 enunciated by the City Planning Commission in its
11 Manhattan Core Public Parking Study in 2011. The
12 study on which the revision of Article I, Chapter 3
13 of the Zoning Resolution in 2013 was based. And
14 Article I, Chapter 13 is the parking, set of parking
15 regulations for the Manhattan Core.

16 In that study, City Planning mad the following
17 findings: The Manhattan Core parking regulations,
18 which were first enacted 1982, had been successful in
19 reducing automobile traffic into Manhattan.

20 Two: The supply of off-street parking in the
21 Core had declined by one-fifth since 1982 and as our
22 study shows, has markedly further declined in the
23 area of the applicants project over just the past ten
24 years as parking lots and old garages are redeveloped
25 for other uses.

1
2 Three: Most new parking facilities in the
3 Manhattan Core operate as public garages in effect.
4 Largely because they accommodate residential monthly
5 parking by people who reside in buildings that don't
6 provide parking, sometimes in fact up to 70 percent
7 of all parkers in a public garage are residential
8 monthly parkers.

9 Four: Automobile use as a primary means of
10 travel declined after 1982 despite the increased
11 number and share of households owning vehicles.

12 Five: Limited amounts of new parking would still
13 be needed they found, because people will continue to
14 own cars, even if they don't drive to work.
15 Residents will use off street parking to store their
16 vehicles, not for local commuting.

17 And finally, rates of car ownership are
18 substantially higher in households with children and
19 households with higher income, in households in newer
20 buildings and in owner occupied housing. Conditions
21 which are present are characteristic of parts or all
22 of applicants projects.

23 None of the essential facts upon which City
24 Planning relied in enacting the Manhattan Core
25

1 parking regulations have changed according to the
2 American Community Survey for 2020.

3
4 The number of parking spaces in the area
5 continues to decline, automobile ownership remains
6 steady or has increased. People in this neighborhood
7 don't use their cars to drive to work, only about 4.5
8 percent do so and auto ownership in higher income
9 households, owner-occupied housing, new housing and
10 households with children is higher than in the
11 population as a whole.

12 In light of these facts, the conclusion of the
13 Department of City Planning in 2011 remains entirely
14 valid today. The Article I, Chapter 3 parking
15 regulations that authorize the special permits sought
16 by the applicant "strike a balance" between
17 discouraging auto commuting in a traffic-congested
18 part of the city where transit access and walkability
19 are excellent. And those words are City Plannings
20 words. "While recognizing that the need for off
21 street parking remains even when auto commuting is
22 restrained."

23 The proposed parking in the applicants two
24 garages will address that need. Accordingly, the
25 special permits should be granted. Thank you.

1 Hi, good morning and I thank you everyone for
2 having me and letting me speak. I'm going to speak
3 about two topics. Oh, sorry, my name is Eran Pollock
4 and I'm from HAP Investment. So, I'm going to speak
5 about two topics that I think that are very relevant
6 and important.
7

8 Number one, is that we are buying a lot of
9 inclusionary rights from projects that we're creating
10 affordable units and we also created an affordable
11 unit ourself in the building. We maximize the amount
12 of affordable units that we can create and maximize
13 designing and a big part of the economic plan around
14 that was to get those parking spaces that allowed us
15 to really maximize the amount of affordable units
16 that we created in the building.

17 The other thing we're checking that is also very
18 important to take into consideration is that 100
19 percent of the parking facility will be accommodating
20 every car would be able to charge. So, in the future
21 when everything is electrical, that facility would be
22 able to have 100 percent of the cars on the
23 electrical and charging. And I think that if we
24 think about it and I know it's I think 2035, so
25 there's still time until everything will move to

1
2 electrical. The city really needs the infrastructure
3 in order to move to electrical. The city needs the
4 infrastructure to have 100 percent electrical charge,
5 meaning parking that can charge.

6 The other thing and there is no research here
7 about it but I'm sure that a lot of the parking that
8 we have right now, will never be useful in an
9 electric ward. Meaning, we will not be able to
10 change them and make them a space that you can bring
11 a car and charge. So, I think we will see a lot of
12 the parking being with use in a neighborhood like
13 Chelsea or in Manhattan in general because you cannot
14 put the charge over there or you cannot find a way to
15 make it usable for an electric car.

16 And if you think about the amount of parking that
17 we are asking extra that will be able to charge a car
18 it's negligible against the amount of parking that we
19 will lose during these years. Thank you very much
20 for listening.

21 CHAIRPERSON RILEY: That's it?

22 COMMITTEE COUNSEL: That's it.

23 CHAIRPERSON RILEY: Thank you so much for the
24 presentation. I just have a few questions for the
25

1 Applicant team then I'm going to pass it to Council
2 Member Bottcher.
3

4 Research shows that building parking incentivizes
5 car ownership and leads to increased congestion. In
6 2013, the CPC wrote in their revision of this special
7 permit that these limits on parking would over time
8 reduce the overall number of public parking spaces
9 and with fewer parking spaces available, fewer motor
10 vehicles will enter Manhattan's most traffic
11 congested areas.

12 As the climate crisis becomes more urgent and the
13 city and states move to curbe transportation
14 admissions, what is your argument for how we could
15 justify acting to simultaneously incentivize car
16 ownership in the location where less than a quarter
17 of residence own cars and they have some of the best
18 transit access in North America?

19 DEIRDRE CARSON: Okay, so congestion is a
20 function, not of local commuting. It is not -
21 automobile congestion in Manhattan is not a product
22 of people who get up in the morning and say I'm going
23 to drive six blocks to work. In fact, in this
24 particular census tract, a very high percentage of
25 people walk to work, which is and I think, a higher

1 percentage, according to what I saw in the American
2 Community Survey Data, is higher than average.

3
4 But that doesn't decide whether a person owns a
5 car. A person often owns a car because they have a
6 need or a desire to get out of New York City. They
7 don't use it on a regular basis. They use the garage
8 for storing a vehicle but then enables sometimes to
9 visit family. Sometimes to get to a location outside
10 of the city that they go to for other purposes.

11 Sometimes educational, sometimes recreational but in
12 fact, it is not used on a daily basis for commuting.

13 So, to the extent that we talk about congestion,
14 studies have shown that LYFT and UBER are
15 contributing a lot more to congestion in Manhattan
16 than private car ownership in this part of town.

17 That people, because those cars, which are privately
18 owned, come into the borough and then they drive
19 around waiting to pick up a ride. And there are
20 studies that show that. That they are major
21 contributors and I don't think we're talking about
22 doing away with them. We are talking about
23 congestion pricing, which I know there're probably
24 some members of this Committee who wouldn't be
25 thrilled about but that would something that would

1 also tend to discourage local commuting. I mean if
2 you're going to pay \$23 every time you take your car
3 out of the garage. And you would you know, if you
4 were in this area of Manhattan, you would be subject
5 to congestion pricing, so unless your income was low.

6
7 So, those are things that I think are important
8 factors for – important issues that need to be
9 addressed about controlling congestion but it is not
10 private ownership of automobiles by the people who
11 live in these parts of town that are causing the
12 congestion.

13 The other thing about greenhouse gas emissions
14 and it is important and I'm by no means suggesting
15 that it's not important but the answer to that is the
16 answer that we're all looking forward to which is the
17 conversion to electric vehicles, which is coming by
18 mandate to us.

19 And as Mr. Pollock has said, this is a building
20 that has been designed to actually accommodate
21 electric vehicles to accommodate charging rather than
22 vehicles that are fueled with fossil fuels. So, we
23 believe that number one, this garage with its very
24 relatively small number of parking spaces, which will
25 be used by residents, not just the residents of the

1 building but also people who live in those buildings
2 that have, those 1,600 units that have been built
3 around us, most of which don't have parking. Those
4 people looking for a place to park can park in our
5 building. And that is the objective here, is to
6 provide local parking for residents in the
7 neighborhood. This is not the kind of facility that
8 is going to lend itself to transient parking by
9 people who are coming in to go to the theater. Not
10 that I think that they would find their way to this
11 parking garage in any event.

13 I hope that answers; is responsive to your
14 question.

15 CHAIRPERSON RILEY: Yes, very responsive.
16 Reducing the predominance of cars in Community Board
17 5 is urgent to the community. Just within Community
18 Board 5, there were 224 pedestrian injuries, 194
19 bicyclists injuries, and 244 motorist injuries from
20 vehicle crashes so far this year. Two pedestrians
21 died on 29th Street. It is the most dangerous
22 community district in the city for traffic injuries
23 over the past eight years.

24 How would the additional parking work to benefit
25 pedestrians or bicyclists? And also, the proposed

1
2 garages are side by side with two curb cuts. Having
3 two separate curb cuts is if not absolutely
4 necessary, doubles the number of locations where
5 vehicles can conflict with pedestrians and if you're
6 walking, doubles the numbers of locations where you
7 have to be extra weary of any vehicles potentially
8 entering or exiting. Why are these proposed as two
9 separate garages? What is the justifications for
10 that and can you combine them, so there is only one
11 entrance and one curb cut?

12 DEIRDRE CARSON: There are two separate garages
13 because they're two separate buildings and they were
14 structured in order to limit the size with respect to
15 each building. The garage for the rental building is
16 smaller than the garage for the condominium building
17 and they reflect that difference in the structure of
18 the ownership. It would be difficult now because if
19 we were to - they're not a single building. There
20 are two buildings and we have to maintain certain
21 ratio's of frontage in retail, in lobby entrance, and
22 in parking entrance. And we would have difficulty
23 achieving - we couldn't - we have small reservoirs,
24 not small reservoir spaces but we have a small number
25 of reservoir spaces required for each of these

1 garages. Partly because we're trying to limit the
2 amount of space that has to be dedicated in the
3 frontage to cars entering and exiting.
4

5 So, if we were to have a single garage, we would
6 have to have a lot more reservoir spaces, which would
7 mean a complete redesign of the entire ground floor
8 of both buildings and I'm not sure we could
9 accomplish it in compliance with law.

10 ERAN POLLOCK: I just want to add, first of all,
11 it's right. It's two different buildings, two
12 separate buildings but the fact that we had to
13 everything two separate and it's two buildings and
14 we're contributing the future, the system would be
15 able to use the two entrance in a way that is much
16 more efficient and much more I would say, like you
17 said, less dangerous, faster and smoother for the
18 neighborhood.

19 So, you know we did, we thought about it but
20 decided instead of fighting the two entrances and
21 reduce it to one, that seems like as a developer, it
22 seems like it would be cheaper to have only one
23 elevator, one shaft, one everything. But eventually
24 we realized that we can benefit from that by letting
25 the technology manage it better and using two

1
2 entrances but in a much better way, in a much safer
3 way than using one.

4 DEIRDRE CARSON: It would require a major
5 overhaul of the design of the ground floor. That's
6 very important. There are two buildings by the way,
7 because the law here prohibited a longer frontage.
8 You can't have a single building with the amount of
9 frontage that they had. So, they had to build it as
10 two separate buildings and one of the peculiarities
11 of the M160 zoning district in this location.

12 I did want to say that the parking garage
13 entrances were 160 feet apart. So, they're not
14 really close to each other. There is quite a bit of
15 space between them, so you're not you know just
16 passing one and then you know finding yourself in the
17 middle of another.

18 CHAIRPERSON RILEY: And can you answer the
19 question on how will the additional parking work to
20 benefit pedestrians and bicyclists?

21 DEIRDRE CARSON: Well, it reduces the need for
22 people to be circling the block looking for on street
23 parking. You know, people who live in the building
24 who want to make drop-off's or whatever, they don't
25 have to double park in front of the building. They

1 can come in and there is not a bike lane here. This
2 is not a bike lane street. So, uhm, while there are
3 undoubtedly people who ride bicycles, there's - I've
4 noticed, I grew up a long time ago and we used to
5 have rules of the road for riding bikes. We're
6 supposed to ride you know the same way the traffic
7 goes and kind of stick to the right on the street and
8 all that sort of stuff. People I know don't do that
9 but we are on the left. This is a one-way street.
10 We are on the left side of the street, so
11 technically, I think the bicycle should sort of be a
12 little over to the right and therefore would not be
13 conflicted with cars that are turning in or yeah,
14 cars that are turning into our garage.

16 You know, the number of bicycles is not the
17 subject of any data on this street. It's not the
18 subject of any data of which I'm aware. As I said,
19 it's not a bike lane street but it is as far as
20 pedestrians are concerned, the amount of traffic,
21 pedestrian traffic that is observed here and has been
22 measured by the engineers was not deemed to be that
23 significant that there was a prospect for conflict.
24 Eight minutes, every eight minutes at peak times in
25 theory because I don't actually believe there will be

1 that many cars going in and out during peak hours but
2 if you have a car going in every eight minutes, that
3 and the pedestrian traffic is moderate, it's just not
4 probable that there's likely to be much of a
5 conflict.
6

7 CHAIRPERSON RILEY: If the special permit that
8 you're seeking were not approved, how will you
9 utilize the space that would have been devoted to
10 additional parking?

11 ERAN POLLOCK: First of all, we'll do the
12 automatic parking with the amount of cars that is
13 allowed, with the 20 percent that is allowed. We
14 were thinking about storage, all kinds of things. We
15 didn't really dig into that I would say deep enough
16 to make a decision. Obviously because it doesn't
17 really making - you know there is nothing that will
18 make the same economics as the parking. And as I
19 mentioned, the amount of parking was a major,
20 important thing in the economic of the project.

21 CHAIRPERSON RILEY: Thank you. Council Member
22 Bottcher.

23 COUNCIL MEMBER BOTTCHEER: Thank you so much.
24 Thank you for the presentation.
25

2 CHAIRPERSON RILEY: Oh, Council Member Bottcher,
3 one minute, I'm so sorry. We've been joined by
4 Council Member Abreu and remotely by Council Member
5 Moya. Sorry Council Member Bottcher.

6 COUNCIL MEMBER BOTTCHEER: The 2013 update to the
7 Manhattan Core parking regulations of which this
8 special permit was part, increase the opportunity to
9 use accessory parking garages for car rental or car
10 share in an explicit attempt to increase Manhattan
11 residence access to those vehicle options, which
12 would reduce the need to own a car. How many spaces
13 here will be allotted for car rental or car sharing
14 vehicles?

15 ERAN POLLOCK: Yeah, so the system first of all
16 is giving the opportunity at least from a technology
17 perspective for a lot of things. That means that
18 obviously, the concept of car sharing. One of the
19 concepts that we are thinking to adopt is that they
20 can use it on the base of like availability. So, one
21 of those car companies or one of those companies that
22 are giving a review, that giving those services, they
23 can definitely you know instead of saying, we're
24 dedicating 20 spaces right now, we're thinking or
25 exploring the opportunity to just do that on

1 availability you know between the two systems. Like
2 technology with one of the companies, we have
3 transports available for the next day or for the next
4 two days. We can give that available also to people
5 that buy the parking.

6
7 So, let's say they are buying the parking. Now
8 they are going for a week, they can get income if
9 they give it to one of those services. So, the whole
10 concept of the system is obviously to be very green,
11 adopting a lot of new method of transportation and in
12 general, I feel so consciously that the younger
13 generation will use cars and parking as a
14 supplemental to public transportation. I don't see
15 them using cars like 20-years ago. You own a car and
16 you use it every day. You are doing everything with
17 your car. I don't see that happening no matter what.

18 So, the system is giving a lot of opportunity to
19 first of all adopt those in the future and also,
20 accommodate. Yes, absolutely, that's one of the main
21 goals.

22 COUNCIL MEMBER BOTTCHEER: Do you plan on making
23 any of the vehicle spaces available to people who
24 live in the surrounding community? And if so, at
25 what price?

1 ERAN POLLOCK: Monthly? You're talking about
2 monthly, a subscription or something like that, yeah.
3 We're looking to do that and what ever is the market
4 price. The only benefit that we might be able to
5 give on top of the regular monthly is that, you know
6 we might be able to give you only a week or two
7 weeks, so you don't need to really commit maybe to
8 \$1,000 or \$800 a month. That's what the price is
9 today.
10

11 We really see transportation now and in the
12 future different and also parking obviously and the
13 uses of like I said, it's going to be more as a
14 supplemental to public transportation and we go in
15 line with that.

16 COUNCIL MEMBER BOTTCHEER: How many bike parking
17 spaces will be available?

18 ERAN POLLOCK: In the buildings?

19 COUNCIL MEMBER BOTTCHEER: In the buildings.

20 ERAN POLLOCK: Uh, there is a lot. I don't know
21 maybe 100. A lot. More than they are requiring for
22 sure.

23 COUNCIL MEMBER BOTTCHEER: And do you plan on
24 making any of the bike parking spaces available to
25 members of the community?

2 ERAN POLLOCK: We never thought about it, so -

3 DEIRDRE CARSON: There's a bike parking room
4 which is separate from the -

5 ERAN POLLOCK: Yeah.

6 DEIRDRE CARSON: Just let me finish. There's a
7 bike parking room that is separate from the car
8 parking area. So, it would be accessed differently
9 and I don't know, I'm not sure that that issue has
10 been thought through, whether it would be possible to
11 make access available.

12 ERAN POLLOCK: Yeah, there is, actually there are
13 actually a few bike rooms, I think more than one in
14 each building and then there is a use of Fab and
15 security and things like that, we never thought about
16 the logistic of making that available to outside
17 people. Yeah, I mean when I look, it's an
18 interesting thought.

19 COUNCIL MEMBER BOTTCHEER: Thank you.

20 CHAIRPERSON RILEY: Thank you Council Member
21 Bottcher. DO we have any other Council Members with
22 questions for this applicant panel? Okay, there
23 being no further questions for this applicant panel,
24 you are now excused. Counsel, are there any members
25 of the public who wish to testify on 213-227 West

1
2 28th Street Parking Special Permit proposal, remotely
3 or in person?

4 COMMITTEE COUNSEL: Chair, we have no members of
5 the public who signed up to testify remotely and if
6 anyone here in the room would like to testify, please
7 identify yourself to one of the Sergeants.

8 It looks like we have no one in person either.

9 CHAIRPERSON RILEY: There being no other members
10 of the – excuse me, there being no members of the
11 public who wish to testify on LU's Numbers 165 and
12 166 relating to the 213-227 West 28th Street Parking
13 Special Permits Proposal, the public hearing is now
14 closed and the items are laid over. That concludes
15 today's business. I would like to thank the members
16 of the public, my colleagues, Subcommittee Counsel,
17 Land Use and other Council Staff and the Sergeant at
18 Arms for participating in today's meeting. This
19 meeting is hereby adjourned. Thank you. [GAVEL].

20 COMMITTEE COUNSEL: Thank you.
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23
24
25

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 January 29, 2023