

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

-----X

March 13, 2013  
Start: 10:15 a.m.  
Recess: 10:18 a.m.

HELD AT: Committee Room  
City Hall

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

COUNCIL MEMBERS:  
John Doe  
Council Member Leroy G. Comrie  
Council Member Daniel R. Garodnick  
Council Member Jessica S. Lappin  
Council Member Diana Reyna  
Council Member Joel Rivera  
Council Member Albert Vann  
Council Member Vincent M. Ignizio  
Council Member Ruben Wills

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

Anne  
Committee Clerk  
Subcommittee on Zoning and Franchises

CHAIRPERSON WEPRIN: Morning

everyone. Please settle down. We're going to call the Meeting of the Subcommittee of the Land Use Committee on Zoning and Franchises to order. We'll get them. Good morning, everyone. Today we are considering two land use items having to do with the Hudson Square rezoning. This is, to this end the Subcommittee on Zoning and Franchises will work today to help preserve the neighborhood's beloved character and commercial foundation while also bringing desired vitality and open space to the community. We are reconvening the March 5<sup>th</sup> meeting of the Subcommittee on Zoning and Franchises. The two items are on this morning and they are related and concern the application of Trinity Church for a rezoning, and establishment of a special Hudson Square zoning district which is located in Speaker Quinn's district. Bear with me, there's, I want to read this all onto the record so we are all clear. The public hearing on these applications was held on February 12<sup>th</sup>, 2013 where the Subcommittee received extensive public comments. In addition to the testimony from the applicants on its proposal as well as testimony

1  
2 from other property owners, community owners and  
3 the proposed special district. Since that time  
4 discussions with the applicant, stakeholders and  
5 other members of the community have continued.  
6 Today, we are here to vote on a decision of the  
7 City Planning Commission for the rezoning and  
8 creation of the special districts and we have now  
9 added the following modifications made by the City  
10 Council. In order to facilitate the maximum  
11 amount of affordable housing, which was a big  
12 concern, the height limit of buildings on narrow  
13 streets will be increased to 210 feet and 230  
14 feet, depending on the depth of the through block  
15 but only and only if the development provides  
16 affordable housing of at least 20 percent of the  
17 residential units. Second, we are eliminating a  
18 ten foot setback requirement above 125 feet for  
19 buildings which provide a minimum of 20 percent of  
20 affordable housing. And modifying the manner in  
21 which the rear yard equivalent is provided for  
22 buildings which provide a minimum of 20 percent  
23 affordable housing. Next, as a result of the  
24 above modifications there is now no longer a need  
25 for City Planning Commissions proposed special

1 permit to achieve a buildings height greater than  
2 185 feet as it can be reached as of right now,  
3 provided the affordable housing minimums are  
4 reached. So, we are eliminating the City Planning  
5 special permit. Next, we are proposing the CPC  
6 modify the environmental mitigation required with  
7 respect to the active open spaces impacts of the  
8 area. The applicant is required to make a  
9 contribution in the amount of \$5.8 million to  
10 partially mitigate anticipated open spaces. This  
11 was part of the discussion during the hearing.  
12 These funds were currently directed to the  
13 improvement of the Tony Dapolito [phonetic]  
14 Recreation Center. But as a result of local  
15 community input as to how to better address their  
16 open space needs an additional site at Pier 40 has  
17 been identified as partial mitigation. Therefore,  
18 the Council will request that the City Planning  
19 Commission modify the mitigation provisions to  
20 allow the \$5.8 million to be spent on both the  
21 Dapolito Recreation Center and the Pier 40 in  
22 equal amounts. Further, in response to local  
23 community's expression of the need for additional  
24 more immediate recreational opportunities,  
25

1 particularly in the southern area of the proposed  
2 district, the applicant has agreed to provide  
3 additional recreational space within the  
4 residential development proposed on Duarte Square  
5 in connection with the 440 foot seat elementary  
6 school. Should the Department of Education  
7 exercise its option they will work with the  
8 Community Board and the local Council Member to  
9 have the additional recreational space become a  
10 reality. In addition, in response to comments  
11 raised by the public and the historic preservation  
12 community the Landmarks Preservation Commission  
13 has agreed to study and consider the proposed land  
14 marking of the historic district in the south  
15 village. With the modifications I have described  
16 above as well as other commitments made by the  
17 applicant, the Department of Education, the Parks  
18 Department and the Landmarks Preservation  
19 Commission I understand the Speaker has agreed to  
20 these modifications and is now in support. I will  
21 now call on Council to please read the roll of the  
22 Committee. The recommendation is an aye vote on  
23 land use items 757 and 758 with the four described  
24 modifications. Anne, please. All right, we do  
25

1  
2 have a quorum here today joined by Council Members  
3 Rivera, Comrie, Jackson, Vann, Garodnick, is on  
4 his way, sorry, Lappin, Wills, and Ignizio. Okay.  
5 [off mic] Okay, all right, once again, land use  
6 number 757 and 758 as modified. The  
7 recommendation is an aye vote. Please call the  
8 roll.

9 ANNE: Chair Weprin?

10 CHAIRPERSON WEPRIN: Aye.

11 ANNE: Council Member Rivera?

12 COUNCIL MEMBER RIVERA: I vote aye.

13 ANNE: Council Member Reyna?

14 CONCIL MEMBER REYNA: Aye.

15 ANNE: Chair Comrie?

16 CHAIRPERSON COMRIE: Aye.

17 ANNE: Council Member Vann?

18 COUNCIL MEMBER VANN: Aye.

19 ANNE: Council Member Lappin?

20 COUNCIL MEMBER LAPPIN: I would  
21 like to thank Andrew Berman and his organization  
22 for their work on the south village restoration  
23 and preservation and I wanted to also thank all of  
24 the parents who were so outspoken and a part of  
25 this process. And vote aye on this item and on

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

all the items on the agenda.

ANNE: Council Member Wills?

COUNCIL MEMBER WILLS: Aye.

ANNE: Council Member Ignizio?

COUNCIL MEMBER IGNIZIO: Aye.

ANNE: By a vote of eight in the affirmative, no abstentions and no negatives, Land Use items 757 and 758 are approved with modifications and refer to the full Land Use Committee.

CHAIRPERSON WEPRIN: [pause] Okay. Right. We are going to leave the voting role open until we convene the Land Use Committee Meeting. With that in mind, the meeting is now adjourned. Okay, can we, Council Member Garodnick on the Subcommittee on Zoning.

COUNCIL MEMBER GARODNICK: Thank you, I vote aye.

MALE VOICE 1: Okay.

ANNE: Vote now stands, Land Use items 757, 758, nine in the affirmative, no abstentions, no negatives, refer to the Full Land Use Committee as modified.

CHAIRPERSON WEPRIN: Okay, we're



1

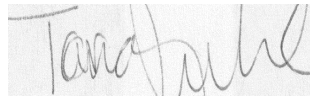
9

2 going to close this Subcommittee on Zoning, we're  
3 going to close this Subcommittee on Zoning and  
4 open the Full Land Use Committee Meeting. The  
5 Sergeant of Arms tells me that the tape is--

C E R T I F I C A T E

I, Tara Juhl 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

A rectangular box containing a handwritten signature in cursive script that reads "Tara Juhl".

Date 3/28/13