

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

-----X

April 3, 2013
Start: 10:37 a.m.
Recess: 11:37 a.m.

HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.
Daniel R. Garodnick
Robert Jackson
Jessica S. Lappin
Diana Reyna
Joel Rivera
James Vacca
Albert Vann
Vincent M. Ignizio
Ruben Wills

A P P E A R A N C E S

Ian Haggerty
Queens Office
NYC Department of City Planning

Noreen Doyle
Executive Vice President
Hudson River Park Trust

Greg Carney
Principal
Young Woo and Associates

Gary Handel
Handel Architects

Ross Moscovitz
Counsel to the developer

1
2 CHAIRPERSON WEPRIN: Okay. Good
3 morning. Good morning everyone. My name is Mark
4 Weprin. I am chair of the Zoning and Franchises
5 Subcommittee, and we are joined today by the
6 following members of the Subcommittee: Council
7 Member Jessica Lappin, Council Member Diana Reyna,
8 Council Member Ruben Wills, Council Member Dan
9 Garodnick, Council Member Al Vann, Council Member
10 Robert Jackson. We are also joined by Diana
11 Reyna's two young sons, Diego and Adrian
12 [phonetic], age seven and five respectively, and
13 we are happy to have them here. We have a couple
14 of items on the agenda. One is a larger project
15 that we are going to do second, the Pier 57
16 project. We are going to start with Land Use
17 number 787 having to do with the AirTrain
18 [phonetic]. City Planning is here to make a
19 presentation. I'd like to call Ian Haggerty up.
20 Mr. Haggerty, you know how to work the mics there?

21 IAN HAGGERTY: Yes, sir.

22 CHAIRPERSON WEPRIN: Very nice. He
23 does it all. Whenever you are ready, please state
24 your name for the record and describe what the
25 project is.

1
2 IAN HAGGERTY: Good morning,
3 Council Members. My name is Ian Haggerty. I am
4 with the Department of City Planning Queens
5 Office, and I am here today to present a text
6 amendment to the special downtown Jamaica
7 district, the zoning resolution. It's an
8 application by the Department of City Planning.
9 The amendment would modify locations where bulk
10 and sidewalk width requirements apply on just nine
11 blocks of the special Jamaica district in the
12 vicinity of the AirTrain terminal on Sutphin
13 Boulevard. Basically, the goal of the text
14 amendment is to remove bulk regulations that were
15 designed to accommodate specific buildings that we
16 know no longer are supposed to be built and
17 replace them with regulations that are more
18 consistent with the rest of the district. It
19 affects the western end of the special district,
20 and no changes are proposed to the allowed floor
21 area or the range of uses that are permitted at
22 any of these sites. It is only affecting the
23 streetscape. This proposal basically seeks to
24 address three shortcomings with the existing bulk
25 rules. The first is that as I mentioned the

1 original bulk regulations from 2007 in the Jamaica
2 plan were designed to accommodate very specific
3 proposals that we know are no longer going to be
4 built. Second, the regulations don't adequately
5 enhance new buildings' relationship to existing
6 buildings in some locations and we want to tidy up
7 the rules a little bit, and finally, previously
8 assumed assemblages of land are no longer likely
9 to be assembled in the same way, so we have some
10 smaller footprint buildings to expect in the
11 future. The rules that we are directly addressing
12 are restrictions on curb cuts and ground floor
13 use, the requirement to replace 100 percent of the
14 street wall at the street line, the maximum street
15 wall height and mandatory sidewalk widenings and
16 these are all prescribed in specific locations to
17 the use of maps in the zoning text. The massing
18 diagram that I brought on the left there shows two
19 potential development sites in the area and
20 examples of what could be built under the existing
21 rules on the top and the proposed streetscape
22 rules on the bottom. These aren't actual
23 proposals, but demonstrate likely outcomes under
24 each set of rules. We are looking ahead to the
25

1
2 future, and these sites will eventually be
3 developed. There are two areas that warrant the
4 most attention. One is at--and this is looking up
5 Sutphin Boulevard towards the underpass of the
6 AirTrain terminal, the portion just next to the
7 Long Island Railroad Overpass. For about 50 feet
8 there the rules that were applied in 2007 missed
9 those sections, and so we want to tidy up the
10 rules a little bit and bring everything that
11 applies on that block across the entire block so
12 we get a continuous street wall. You see the
13 proposed rules on the bottom would allow us to
14 accommodate a building that A) puts its entrance
15 to its curb cuts and other services around on 94th
16 Ave., so as not to interrupt traffic on Sutphin
17 Boulevard, and B) allows the building to address
18 the street in a uniform pattern that lines up with
19 the retail shops that have been developed
20 underneath the underpass over the last year. The
21 second site is the site just south of that. You
22 see it is sort of rendered mostly in yellow here
23 on Sutphin Boulevard between 94th and 95th Avenue.
24 You may know this is a cleared site that is
25 awaiting development, and it was originally

1
2 planned to host a wholesale market that would take
3 retail goods in off of cargo plans from JFK and
4 sell them at wholesale. That proposal fell
5 through and the site is now more likely to be
6 developed as a mixed use development, and so we
7 are planning in this proposal the same rules that
8 apply to the rest of the district. Instead of a
9 sheer wall on Sutphin Boulevard and on 95th and 94th
10 Avenues, we would require a setback between a
11 height of 40 to 60 feet, and we also would allow
12 recesses if the developer so chose to provide them
13 on 95th Avenue and 94th Avenue. Likewise the
14 prohibition on curb cuts would be maintained on
15 Sutphin Boulevard, but allowed on 95th and 94th
16 Avenue again to keep the cross traffic off of the
17 main street and maintain a viable pedestrian
18 corridor along Sutphin Boulevard. In addition to
19 adjusting the rules at these two locations there
20 is some general cleanup proposed to make the
21 sidewalk widening and street wall location rules
22 of the district more consistent. First we would
23 remove a 100 percent street wall location. In
24 other words, you have to when you redevelop a
25 building place, the entire street wall up against

1
2 the street line and create a solid wall. We would
3 remove that requirement from two streets--147th
4 Place and Waltham Street, both of which have a
5 lower density character and we felt didn't need to
6 have that sort of strong requirement. You still
7 can provide 100 percent of the street wall at the
8 street line if you so choose when redeveloping
9 these properties, but we now allow for this
10 district standard, which is 70 percent. Under the
11 2007 sidewalk widening rules, new developments in
12 certain locations are required to widen the
13 sidewalk on their own property, much like a front
14 yard requirement, and so in this proposal, we are
15 also addressing the sidewalk widening rules and I
16 have passed out a diagram. It's the last two
17 pages in your packets there that show the exact
18 rules, and I won't go into too much detail on the
19 exact locations of each and every change that we
20 made, but suffice it to say that we are
21 introducing a new regime, which scales back some
22 of the more broader, wider sidewalk widening
23 requirements that were required on Sutphin
24 Boulevard where we would be--as shown on the
25 diagram here, where we had these ten foot

1
2 widenings. We have actually eliminated those
3 because of the unnecessarily large sidewalks that
4 those would create, up to 33 feet in some
5 locations, but we are maintaining at least 16 feet
6 of sidewalk width down the entire width of Sutphin
7 Boulevard, which is the main corridor here, which
8 is enough for a tree pit and ten feet of clear
9 passage. On the side streets, we have readjusted
10 some of these to maintain at least a minimum of 12
11 feet. There are some locations where no sidewalk
12 widenings were required and we are now proposing
13 to require them. That would be on 94th Avenue
14 where we have a current ten foot sidewalk. If
15 that gets redeveloped, we would like to see 12
16 feet, so we are proposing 12 there. The other
17 location is down here at 146 Street. Again, it's
18 a rather narrow sidewalk, so we are looking for a
19 minimum of 12 feet, and we believe this regime
20 will basically allow for more reasonable
21 development at the north end here, but still
22 provide sidewalk widenings where they are
23 absolutely necessary, and so that concludes the
24 presentation. I will be happy to take any
25 questions.

1
2 CHAIRPERSON WEPRIN: Thank you very
3 much. This project incorporates three different
4 Council districts--Council Member Comrie, Council
5 Member Wills and a little piece of Council Member
6 Gennaro. We have Council Member Wills here with
7 us at the moment, and I know he has something he
8 wants to ask or state, and then we have other
9 questions from the panel.

10 COUNCIL MEMBER WILLS: Good
11 morning. You went over this with us in detail and
12 we are all supportive of this program. I had one
13 question for you. The Sutphin Boulevard between
14 Sutphin Boulevard and Waltham Street on 97th
15 Avenue, there was a proposed development for the
16 97th Avenue to 95th Avenue, a hotel to be there, and
17 then it would be attached to the Waltham Street
18 property going over to Liverpool. Would this
19 affect that in any way with the new residential
20 properties that would be placed there behind the
21 hotel on Waltham and Liverpool?

22 IAN HAGGERTY: The only way it
23 would affect it is with slightly more flexibility
24 in the street wall requirements on Waltham Street,
25 whereas previously they would be required to make

1
2 a sheer wall basically across the entire Waltham
3 Street before the setback, 100 percent at the
4 street line. Now they would be allowed to provide
5 up to 30 percent of the wall as recesses so there
6 would be more variation that is allowed. The
7 floor area and the use this will have no effect on
8 that.

9 COUNCIL MEMBER WILLS: Thank you.

10 IAN HAGGERTY: You're welcome.

11 CHAIRPERSON WEPRIN: Great.

12 Council Member Garodnick?

13 COUNCIL MEMBER GARODNICK: Thank
14 you. I just realized that I am a little confused
15 about the big picture here, which is it sounds
16 like there were rules put in place back in 2007
17 covering bulk in the sidewalk, et cetera, and that
18 there was an anticipated development that was
19 going to take place that is no longer being
20 assembled or taking place. Is that correct?

21 IAN HAGGERTY: Yes, sir.

22 COUNCIL MEMBER GARODNICK: And that
23 is what is precipitating the application by the
24 Department of City Planning today. Is that right?

25 IAN HAGGERTY: That is correct. We

1
2 were approached originally by Greater Jamaica
3 Development Corporation, who has an interest in
4 the property on the north side here 94th Avenue,
5 and they had asked us about the possibility of
6 basically they have issued an RFP. They are
7 looking for someone to develop this site as a
8 hotel use and the rules were written in such a way
9 that did not accommodate first of all such a small
10 sliver on that site, and secondly, because of some
11 strange ambiguities that were in the text that we
12 wanted to clear up, we felt we needed to do a text
13 amendment too.

14 COUNCIL MEMBER GARODNICK: So I
15 don't understand. Has Greater Jamaica Development
16 Corporation owned this site during the course of
17 this entire period?

18 IAN HAGGERTY: They have owned just
19 the corner site. It was assumed in 2007 that a
20 larger site would be assembled, but that has not
21 happened, and they are going ahead with the RFP
22 for just the corner site, which is a rather narrow
23 site.

24 COUNCIL MEMBER GARODNICK: And the
25 corner site is the area that is the orange

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

building over there?

IAN HAGGERTY: That is correct.

COUNCIL MEMBER GARODNICK: Okay.

Why would this have been more appropriate if the buildings had been assembled and had moved forward the way that was anticipated back in 2007?

IAN HAGGERTY: It would have been more appropriate because it would have allowed essentially all of the loading functions to be placed further down the block. In this site, basically--

COUNCIL MEMBER GARODNICK:

[interposing] Right. When you are pointing to that, I don't know what that is or what that leads to.

IAN HAGGERTY: - - Sutphin Boulevard and 94th is this corner here. With a longer site there--with their current site, which is just this corner piece, they would be forced to place the loading dock around on Sutphin Boulevard because of two things--number one, it's prohibited from the south side here and number two, it's not prohibited from this section here, which was an oversight on our part in the beginning when we

1
2 proposed the original 2007 rules, so this proposal
3 does two things. One, it prohibits the curb cuts
4 on Sutphin Boulevard, and number two, it allows
5 them on the south side of this block, basically
6 the north side of 94th Avenue. In the original
7 proposal all of that would have been further down
8 the block beyond the prohibited area, so this
9 basically allows for this smaller building to be
10 configured in such a way that doesn't impede
11 pedestrian traffic on Sutphin Boulevard.

12 COUNCIL MEMBER GARODNICK: Okay.

13 So this really--it is being done because of the
14 needs of the Greater Jamaica Development
15 Corporation and the EFP which is going out for the
16 development of that site right there on 94th--

17 IAN HAGGERTY: [interposing] That
18 was the original impetus for this, but as I
19 presented, there are a number of other things that
20 we cleaned up at the same time.

21 COUNCIL MEMBER GARODNICK: Alright.

22 Thank you, Mr. Chairman.

23 IAN HAGGERTY: You're welcome.

24 CHAIRPERSON WEPRIN: Okay. Council
25 Member Wills again.

1

2

COUNCIL MEMBER WILLIS: I am sorry.

3

I just wanted to clarify though to Council Member

4

Garodnick, the second property is something that

5

we are looking at and this helps us with the mixed

6

usage on it. We are hoping that we can maybe put

7

a college residence there mixed with the YMCA

8

which we have a dire need to have a new YMCA

9

there, so this also helps us do that, so I wanted

10

to make sure that it wasn't just an imposition on

11

the Greater Jamaica Development Corporation's

12

needs, but it also helps us do that and free up a

13

lot of the pedestrian traffic to go to that

14

building. Thank you.

15

CHAIRPERSON WEPRIN: Question for

16

Council Member Willis or City Planning, so that

17

second site, is that owned by--who is that owned

18

by?

19

COUNCIL MEMBER WILLIS: I believe

20

that is owned by - - Stark [phonetic]. It is a

21

huge lift to try to get the leasing deal done with

22

that property, but New York College right now is

23

going--their plan was to go north to south and we

24

are talking to them to try to expand the

25

university, so they can actually go from east to

1
2 west because of the groundwater and different
3 things like that we are having issues with. So
4 this property would be something to help with the
5 revitalization with the hotels that are supposedly
6 surrounding these properties. During the economic
7 downturn a lot of the projects had to be put on
8 hold.

9 CHAIRPERSON WEPRIN: Thank you.

10 Any other members of the panel have any questions?
11 Diego, you have a question? No questions. Okay,
12 good. I see none. Well, thank you very much. We
13 are going to close this hearing. I know members
14 of the public are here to testify on this. Okay.
15 We are going to close this hearing, and move on to
16 the next item on our agenda. Next item is in
17 Speaker Quinn's district. It is Pier 57. It is
18 Land Use number 786. I apologize. It is four
19 items made up on the Pier 57 project. It's Land
20 Use 783, 784, 785 and 786. The following four
21 people are here to testify: Noreen Doyle
22 [phonetic], Greg Carney [phonetic], Gary Handel
23 [phonetic] and Ross Moscovitz [phonetic].
24 Gentleman and lady, if you could please state your
25 name when you speak so the record can accurately

1
2 reflect who is speaking at the time. I don't know
3 who is starting, but whenever you are ready,
4 please proceed. Thank you.

5 NOREEN DOYLE: Good morning. My
6 name is Noreen Doyle. I am an executive vice
7 president at the Hudson River Park Trust, and I am
8 joined here today by Greg Carney, a principal at
9 Young Woo, Gary Handel, the architect for the
10 project and Ross Moscovitz, land use counsel.
11 Before we begin I thought it would be helpful to
12 provide a bit of context on Hudson River Park, and
13 what Pier 57 means for it. So Hudson River Park
14 is a five mile long park along Manhattan's West
15 Side from Battery Place to 59 Street. It
16 includes, piers, lands underwater and a rather
17 slim land section between the bulkhead and the
18 West Side Highway, and Hudson River Park is unique
19 in a number of respects. First, it was created by
20 New York State legislation; the Hudson River Park
21 Act of 1998 created the park and created the
22 Hudson River Park Trust to design, build and
23 operate the park. Hudson River Park is the first
24 of the parks in New York City to be identified
25 with the goal of being self-supporting, so while

1
2 the city and state have been very generous over
3 the years about giving funding to construct the
4 park, we generate all of our operating income
5 ourselves. We don't receive any city or state
6 operating income, and so we are making our 16.5
7 million annual operating budget generally through
8 a combination of rents from certain commercial
9 piers, Chelsea Piers, Circle Line are examples of
10 those that you may be familiar with. We also have
11 fees for certain guest events in the park, and are
12 able to accept donations through Friends of Hudson
13 River Park. We are also a 501(c)3. The park
14 contains a mix of New York State and New York City
15 property, and Pier 57 is actually state property.
16 It is owned by the New York State Parks
17 Department, but under the terms of the Hudson
18 River Park Act, Pier 57 is one of the permissible
19 commercial sites where we can have revenue
20 generating uses in the park, and Pier 57 like the
21 other commercial piers is subject to ULERP
22 [phonetic], which is why we are here today. Pier
23 57 is a hugely important opportunity for Hudson
24 River Park. You may have read in the newspapers
25 that we are actually trying very hard to address

1
2 our various financial budgeting issues, and if
3 Pier 57 is able to come online, it will provide
4 significant additional rental income to the park
5 that we would use for park operations, and we have
6 been working on Pier 57 for over four years at
7 this point. It's an approximately 375,000 square
8 foot historic structure located at 15th Street in
9 the park. The first page of the handout shows you
10 from a site perspective where it is located. The
11 pier was used for about three decades as a
12 municipal bus garage, and it is now vacant. In
13 2008, the Trust issued a request for proposals for
14 Pier 57, and among our standing goals were
15 creating a quality park enhancing development for
16 a combination of cultural, educational,
17 recreational maritime and other uses allowed by
18 the Hudson River Park Act, providing an
19 opportunity for park and water enhancing
20 activities to expand the public's enjoyment of the
21 waterfront and for restaurant, retail and other
22 commercial uses in a new and exciting setting and
23 respecting the pier's historic structure. I
24 should note that the pier is actually not a New
25 York City landmark, but it is listed on the state

1
2 and national registers of historic places. In
3 2009, with the unanimous support of our advisory
4 council, the Hudson River Park Trust mandates us
5 to have an advisory council which includes all of
6 the local elected officials, community boards and
7 other civic and environmental organizations, and
8 also our Pier 57 community working group, the
9 Hudson River Park Trust board of directors
10 conditionally designated Young Woo and Associates
11 as the developer for Pier 57 in 2009, and we have
12 been working with them since that time to advance
13 the planning and environmental review process for
14 Pier 57. We worked particularly hard on planning
15 high quality public open space, ensuring that in
16 water construction impacts respect the Hudson
17 River habitat, and of course, addressing traffic.
18 In this regard, we sought to balance the commuting
19 needs of pedestrians, cyclists and vehicles, those
20 that will be attracted to Pier 57 and those that
21 are already in the park, and we have been very
22 gratified throughout this process to hear
23 Community Board 4's support and the borough
24 president's support and the City Planning
25 Commission's support for all the community work we

1
2 feel we have done to get the project to this
3 stage. I look forward to answering your questions
4 later in the presentation. Now Greg Carney will
5 describe the actual goals of the project.

6 GREG CARNEY: Good morning. Again,
7 Greg Carney. I am one of the principals at Young
8 Woo and Associates, and I just want to
9 acknowledge Noreen and her team and the Hudson
10 River Park Trust and the great working partnership
11 we have had to get to this stage. The project we
12 are proposing today is really consistent with the
13 original vision and concept we laid out back in
14 2008 and into 2009 before we were designated, and
15 that is essentially to create a cultural hub on
16 the riverfront and to do it in this great historic
17 structure in a way that we don't do too much
18 intervention with the quality and the character of
19 the space, which you will hear more about from
20 Gary Handel. It really is meant to organize a
21 series of retail and entertainment and cultural
22 uses around an inside street. We want to make the
23 project an extension of 15th Street. The next page
24 in your handout shows the existing front elevation
25 of the project. In sum total, 438,000 square feet

1
2 of gross space and our program allows for up to
3 305,000 feet of gross leasable area. If you flip
4 to the next page I can tell you about the main
5 anchor use. Both in terms of setting a stage and
6 a tone for the project and also acting as a draw
7 the real principle occupant of the pier is a
8 creative urban marketplace. We have some images
9 of outdoor marketplaces from around the world, but
10 the idea is really to create a mix of smaller
11 merchants, vendors, startups, some existing brands
12 that would mix in with this totality of small
13 users to create an anchor in and of itself.
14 Really to make a destination and to create more of
15 an experience rather than a strict shopping
16 transaction--it is not a mall. It is not a flea
17 market. It really is a carefully curated mix of
18 these small tenants put into one place under
19 cover. The upper right hand corner is an image
20 from DeKalb Market, which is a project we did a
21 couple of summers ago in Brooklyn, similar
22 concept, smaller scale--in that case an outdoor
23 venue. You will see shipping containers. If you
24 flip to the next page, we will talk a little bit
25 about that in a second, but some of the other

1
2 program elements--the cultural anchor for the pier
3 is Tribeca Film Festival, which will come in to
4 program the rooftop and provide a variety of
5 entertainment and film screening starting with the
6 film festival, but extending into other program.
7 There is a real emphasis on food in the project.
8 A number of different kinds of venues--sit down,
9 we want exhibition on educational uses in the food
10 area, and also entertainment meant to create an
11 interactive experience with customers. There are
12 four larger restaurants that are planned for the
13 space around this marketplace. You also see
14 several of the water uses mentioned. We have made
15 that a focus from the beginning starting with a
16 small water launch, and then we also have assessed
17 a plan for a marina in response to some of the
18 feedback that came from the community throughout
19 the process to introduce more opportunities for
20 boat use. That is a second phase to the project.
21 The last collection of images is really to
22 introduce this signature element in the project.
23 We are making use of reclaimed and repurposed
24 shopping containers, and these will house a lot of
25 the smaller tenants and merchants in the project

1
2 and serve to organize the street front that we are
3 creating in both levels of the main structure of
4 the pier. You get an idea in the two diagonals of
5 what some of the interior space will look like,
6 which is also shown in the left board in front of
7 you, and then just a couple of illustrations on
8 the other diagonal with some creative ways that
9 retailers have been able to combine and - -
10 together these containers to create interesting
11 spaces for retail and with that I will pass on the
12 Gary Handel to take you through the program.

13 GARY HANDEL: Good morning. Gary
14 Handel of Handel Architects. Pier 57 is a unique
15 structure as you can see in this view from the
16 Hudson River. It was designed by an amazing
17 engineer, Emil Praeger, who came to prominence as
18 the chief architect for the navy during World War
19 II where he designed a series of floating concrete
20 breakwaters that were used in Operation Phoenix to
21 facilitate the landing in Normandy at D-Day. He
22 used a similar strategy for the creation of Pier
23 57, and up north on the Hudson River, he create
24 three concrete case - - structures, each one
25 longer than 360 feet long and 82 feet or wider,

1
2 floated them down the Hudson River and basically
3 sunk them into place where they became the
4 foundations for Pier 57. One of them if you look
5 at the structure forms the foundation for the head
6 house, which you can see as the lower structure
7 adjacent to the West Side Highway and two of them
8 form the foundations for the pier structure that
9 you can see extending out into the Hudson. The
10 structure is unique in a number of different ways.
11 You can see the two levels of sliding panel doors
12 and then the burtons on the top, which create this
13 filigree that was used to facilitate the loading
14 and unloading of freight. If you turn the page
15 you can see our view looking north, looking from
16 14th Street to the north and you can see the
17 project is basically a restoration project. Our
18 goal is to put this building back into good
19 service, but with a new use, and so you can see
20 the rehabilitated face. You can see the restored
21 burtons, and then you can see a little bit about
22 the rooftop programming behind the filigree
23 structure on the top, and then if you turn the
24 page you can see the elevations of the project,
25 and again, it is essentially, the project is on

1
2 the national register of historic places mostly
3 for its foundation construction that I described
4 briefly, but the image that Greg showed you
5 initially in terms of the photograph, the head
6 house will be restored, all the brick repointed,
7 the cast stone repaired, the windows replaced or
8 repaired. Each of the 128 four panel sliding
9 doors will be restored to use. If you turn the
10 page again, you will see the plan and in the
11 yellow and orange is the container market that
12 Greg mentioned, and it forms that internal street,
13 which actually meanders through the building
14 giving views out to the north and south so the
15 people can experience the river. The gray is a
16 ramp that will take you from the ground level up
17 to past the mezzanine level, which is up to the
18 third floor. If you turn the page again, you will
19 see an internal perspective of the project on the
20 ramp with the idea of these containers inserted
21 into the structure. Each of the two principal
22 levels of the pier is approximately 28 feet tall,
23 the structure is about eight feet deep, so two
24 levels of containers can be inserted into each
25 primary level. You can see that on the next

1 series of renderings basically where we have
2 arrived on the third floor and are looking back
3 down to the ramp, and then next you can see the
4 new public esplanade along the side of the piers
5 which will be put into public access. There will
6 be 30,000 square feet of complying public space.
7 There will be additional 5,000 square feet of
8 offsite public open space, which is an expansion
9 of the Hudson River Park esplanade and
10 approximately 65,000 square feet of publically
11 accessible open space on the roof, which you can
12 see on the next drawing the rooftop plan with the
13 open space, a rooftop pavilion and some shade
14 structures, and this would be where Tribeca Film
15 Festival would have their events. If you turn the
16 page you will see a perspective of the rooftop
17 pavilion, which will provide a small restaurant up
18 there as well as bleacher seating for Tribeca, and
19 then if you turn the page, you can see that
20 rooftop garden, which will comprise over 65,000
21 square feet of public open space as well as the
22 shade structures that we are planning to enliven
23 the park. In meetings with National Park Service,
24 they didn't want trees on the rooftop. They felt
25

1
2 that it wasn't in character, so we came up with
3 the idea of these sliding industrial shade
4 structures, which are more in character with the
5 building that will provide the amenity that we
6 think the public deserves, and then on the next
7 image you can see our setup for Tribeca using the
8 bleacher seating with the rooftop pavilion and
9 looking towards a screen that would be mounted on
10 one of those shade gantries, and I'll turn it over
11 to Ross now.

12 ROSS MOSCOWITZ: Thank you, Gary.
13 Ross Moscovitz at Strickland, Strickland and
14 counsel to the project developer. I am going to
15 briefly run through the actions that are before
16 the Committee on the Land Use side. The first
17 request is a rezoning from the M23 district what
18 currently exists to an M15. The second action
19 that is being asked for is a special permit
20 pursuant to 13561 to allow for an accessory
21 parking garage. As of right, we are allowed 35
22 parking spaces. The applicant is seeking to have
23 74 parking spaces totally accessory, not open to
24 the public. The third action is to modify section
25 4210 to allow for a in excess of 10,000 square

1 feet to retail, and I am going to back to this as
2 to why we are asking for that. That is also a
3 special permit, and the fourth action is a bucket
4 of special permits because of the waterfront
5 zoning. Everything we are doing here it's in
6 existing non-compliance under the waterfront
7 regulations, so anything that we are doing here
8 requires these special permits, so anything we are
9 putting on the roof increases the height, anything
10 that we are putting on the waterfront increases
11 the non-compliance, so that is a bucket of special
12 permits that because of this site obviously being
13 a pier being in the waterfront requires this. I'd
14 like to go back to the special permit on the
15 retail to understand why we are seeking that. As
16 Greg described to you, we are going to be in a
17 lease all position with the Trust. The Trust will
18 lease it to Greg and his team, and then part of
19 that then will be leased to what is called Urban
20 Space Management. Urban Space Management will be
21 the operator and controller of the 100,000 square
22 feet or so of these containers. Because it is a
23 series of licenses that will go into each of these
24 containers, we would be violating the 10,000
25

1 square foot. This is not meant to have a big box.
2
3 In fact we have specific rules within our deal
4 with the Hudson River Park Trust that we can't
5 have a big box, but because the way the zoning is
6 written, we have to seek this special permit. So
7 if you think about, we will have 100,000 square
8 feet leased as retail, but then they will have
9 subsequent leases, so therefore, we needed to
10 apply for this special permit because of the
11 10,000 square foot limitation. I am happy to
12 answer any questions or specifics as well.

13 CHAIRPERSON WEPRIN: Great.

14 Alright. Let me call on Council Member Wills who
15 had a question.

16 COUNCIL MEMBER WILLS: Good

17 morning, gentlemen and lady. Mr. Handel or anyone
18 else can answer it, the marketplaces, the pictures
19 that you have for the marketplaces, are these
20 representations the top left and bottom right
21 something that--are those true representations of
22 what you will be doing? Because I know that you
23 said that they are not going to be a mall or flea
24 market.

25 MALE VOICE: Can you hold up the

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

picture you are referring to?

COUNCIL MEMBER WILLIS: Oh, I am sorry. On the marketplaces bottom right.

MALE VOICE: Maybe I can help, the basic concept is similar in that the same notion of a collection of small vendors or kiosks would be assembled together. In this case since we are indoors and we have this idea of a more permanent configuration with retail storefronts, the containers would house similar uses, but it won't be in a tented kind of format, so to answer your question directly those containers yes it is representative, but I think the idea is--

COUNCIL MEMBER WILLIS:
[interposing] No, I am not talking about the containers. I am talking about the picture to the left and to the bottom of the containers, the canopies.

[background conversation]

GARY HANDEL: No.

COUNCIL MEMBER WILLIS: Alright.
Thank you. That was all I needed.

CHAIRPERSON WEPRIN: One quick question that I have, so the theater, the viewing

1
2 of the Tribeca Films is on which side, is on the
3 water side or on the highway side?

4 GARY HANDEL: You look back towards
5 the city so you can see the rooftop pavilion has
6 the bleacher seating, which basically steps down
7 towards the east, and then one of the gantry
8 cranes would be slid all the way back in a screen
9 mounted on one of the gantry cranes--

10 CHAIRPERSON WEPRIN: So it's on the
11 front here or towards the highway?

12 GARY HANDEL: Towards the highway.

13 CHAIRPERSON WEPRIN: Okay. It's
14 over down there. Okay.

15 GARY HANDEL: The city looks better
16 than New Jersey.

17 CHAIRPERSON WEPRIN: Well, we
18 agree. Has there been any concern raised by the
19 community or anyone else about the sound from the
20 movies or whatever else you might decide to do
21 there?

22 NOREEN DOYLE: I will try answering
23 that. No, for one Hudson River Park is requiring
24 that for the most part of the time, the rooftop is
25 just plain public open space; however, we have

1
2 very strong personal experience. Directly to the
3 south of Pier 57 Hudson River Park Trust has been
4 programming another public pier, Pier 54 for a
5 period of almost a decade also with free movies,
6 with free concerts, including rock concerts. It's
7 in the meat market area generally. We really
8 never receive complaints about the noise from
9 those events, and we would be requiring that Young
10 Woo be responsive if there were any.

11 CHAIRPERSON WEPRIN: Let me ask
12 another question, where do people park to come
13 here? What is the plan on parking?

14 NOREEN DOYLE: So the Hudson River
15 Park Act does not allow us to have public parking
16 at Pier 57, and among the things that we have
17 looked at very closely, and we actually have our
18 traffic consultants here if you want to dig into
19 this a little bit more deeply is we did modal
20 split surveys at Pier 54, which is the pier that I
21 was just referencing where people do public
22 events, and a large percentage of people for this
23 project are expected to come on foot, with public
24 transportation and in taxi cabs to some degree,
25 but we really are not intending for this to be a

1
2 public parking facility. There are a number of
3 parking garages nearby that we have identified in
4 our EIS [phonetic], and there is enough capacity
5 in those for the projected demand.

6 ROSS MOSCOWITZ: And if I could
7 just add, Council Member, the permit that we are
8 seeking again is just for accessory, not for
9 public.

10 CHAIRPERSON WEPRIN: Understood.
11 Okay. I just wanted to know if that causes an
12 issue. I know Chelsea Piers has a parking lot
13 that has always been the source of some problems.
14 It's expensive. It's hard to get to. They
15 complain about their parking. I assume this is an
16 issue that has come up and public transportation
17 is not that close by, is it? The subway is a
18 hike. Isn't it?

19 MALE VOICE: The subway, but there
20 is a very good bus system that does come very
21 close, but in terms of the number of spaces, it is
22 the only number of spaces because it is historic
23 down below. We can only really put 74 spaces in,
24 and we are only allowed 35, so we wanted to get at
25 least some more amount that would allow employees,

1
2 visitors, tenants to have some spaces, but
3 generally speaking, you are right, there is very
4 limited parking.

5 NOREEN DOYLE: I would also say
6 that Community Board 4 very much likes the fact
7 that there is such limited parking, and I think
8 that they would--from their perspective they
9 believe that there are existing public garages
10 nearby that should be used if somebody is going to
11 drive to the pier.

12 CHAIRPERSON WEPRIN: Okay. I bring
13 up parking and Council Member Comrie has a
14 question.

15 COUNCIL MEMBER COMRIE: Thank you,
16 Mr. Chair. Good morning. Question I had that I
17 didn't ask before. How about truck loading and
18 unloading for the materials and goods that are
19 going to be coming? How is that going to happen
20 and what is the plan for that?

21 GARY HANDEL: If you look at the
22 ground floor plan the area shaded in gray is a
23 truck loading facility for larger trucks. Because
24 of the way that the pier has been developed, we
25 can actually bring smaller vehicles right into the

1
2 facility and up the ramp, so we will have the
3 ability to handle smaller things directly in, and
4 then we have truck docks that are at the northern
5 edge of the head house to handle larger vehicles.

6 COUNCIL MEMBER COMRIE: And have
7 you worked out time of day for truck loading and
8 unloading? Is there going to be something where
9 you are focusing on evening loading or had that
10 been worked out with the community boards? Was
11 that an issue that had been brought up?

12 GREG CARNEY: We spent a lot of
13 time talking about what the mix and cycle of
14 deliveries might be for this kind of program, so
15 as Gary described, the loading dock is the main
16 receiving area. To the extent that there is
17 actual direct penetration into the building by the
18 larger trucks, that is for sure after hours, and
19 in fact probably a very limited window at night to
20 deal with that concern. We also in our
21 circulation plan, in the circulation road we have
22 allowed for the ability when needed to stage some
23 of that operation on the frontage road.

24 COUNCIL MEMBER COMRIE: Will that
25 impact the Chelsea Pier site? This site is right

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

adjacent to Chelsea Piers, correct?

GREG CARNEY: Yes.

COUNCIL MEMBER COMRIE: And is that where the trucks load and unload for Chelsea Piers as well?

[background conversation]

COUNCIL MEMBER COMRIE: Next to last page? Thank you.

[background conversation]

COUNCIL MEMBER COMRIE: So your truck loading and unloading will be on West 17th Street?

NOREEN DOYLE: Yes, just to walk you through this I have other copies if you would like to pass those along, and again, we have our traffic consultants here. Chelsea Piers has a whole separate dedicated service road. That is not used at all by the project. What you can see on this diagram as it makes its way down to you is a separate ingress where the arrow is turning. That is the ingress to the project. The Chelsea Piers egress is what you see immediately adjacent to it, and we have taken an extremely close look for every good reason at how any of the - - not

1
2 just trucks deliver and being delivered, but
3 taxis, all the vehicles coming to the project will
4 interact with the Chelsea Piers egress road with
5 Route 9A and with the frontage site. The project
6 in order for it to success obviously traffic has
7 to work. We can't create a bottleneck. The State
8 Department of Transportation will not accept a
9 bottleneck. Chelsea Piers will not accept a
10 bottleneck. Hudson River Park Trust will not
11 accept a bottleneck. And so we have done a lot of
12 calculations about assumptions for presumed taxi
13 drop offs, if there is a bus there, if there is a
14 deliver there to look at the length of the
15 frontage road. It is in fact one of the reasons
16 why the frontage road is as long as it is in order
17 to be able to be sure that we can accommodate the
18 number of vehicles on site without blocking the
19 Chelsea Piers egress.

20 COUNCIL MEMBER COMRIE: Thank you,
21 and just one last question. The chairs for the
22 Tribeca, are those permanent or temporary?

23 MALE VOICE: Those are temporary.
24 They are folding chairs similar to what they have
25 done in the Chelsea - - before they would be set

1
2 up for specific screening and then broken down and
3 stored.

4 COUNCIL MEMBER COMRIE: Okay, and
5 then that front area that you have on the top
6 here. Is that going to be green? It looks green.
7 That is not grass?

8 GARY HANDEL: On the roof, the idea
9 really is in that front zone that there will be
10 areas of lawn that people can use and relax on.
11 There will be areas that have hard surface where
12 there could be benches and other seating up there.
13 So the idea really is to provide a space that will
14 work for the community when Tribeca is there or
15 not, so it should be a calm place for people to
16 hang out and enjoy the river when Tribeca is not
17 using the space.

18 COUNCIL MEMBER COMRIE: And what do
19 you envision the hours of operation for the pier
20 to be? Is it 24-7? - - night and just sit out on
21 the rooftop?

22 NOREEN DOYLE: So I will speak to
23 that, and Greg can elaborate. Hudson River Parks
24 operating hours are 6am to 1am; however, each of
25 our tenants has different programs that they do.

1
2 We for example if I very much doubt that the
3 retail complex would open at 6am or 7am, and what
4 we have discussed is that essentially when the
5 pier is open, we expect the public open space to
6 be open. So because they are going to have
7 restaurants, the rooftop will be open in the
8 evenings when the restaurants are open, but we
9 would not insist that they stay open in February,
10 the rooftop at 10pm if they really have no
11 customers then.

12 COUNCIL MEMBER COMRIE: Okay.
13 Great. Is that marina as you envision it to be or
14 those are public docks or will they have to pay to
15 dock their boats there?

16 GREG CARNEY: It's a combination.
17 Again, we have a small boat launch that was
18 already part of the original program at the head
19 house side of the project in other words closer to
20 the West Side Highway, and the marina itself will
21 be a privately operated marina available for slip
22 rentals.

23 COUNCIL MEMBER COMRIE: Okay.
24 Alright. 'Cause you have a docking those small
25 boats will there be - - what do they call those

1
2 boats? Little rafts available people to kayak? I
3 have never been in one. I am not trying to get in
4 one anytime soon.

5 MALE VOICE: You can come out on my
6 boat.

7 COUNCIL MEMBER COMRIE: And the
8 other side will be with the larger ship, that will
9 be a rental also, or you are not going to be
10 competing with Chelsea Piers with their--they have
11 boat trips and catering boats?

12 GREG CARNEY: No, and there has
13 been some discussion around that specific question
14 and the size of any of those kinds of operations,
15 and we specifically have an understanding with the
16 Trust that we also have memorialized for community
17 board and City Planning, et cetera, that we won't
18 be running the bigger dinner boat operations.

19 COUNCIL MEMBER COMRIE: Okay.
20 Alright.

21 CHAIRPERSON WEPRIN: Okay. Thank
22 you. Council Member Reyna has a question.

23 COUNCIL MEMBER REYNA: Thank you,
24 Mr. Chair. I just wanted to take a moment to
25 understand a few things, and I am going to jump

1
2 around for the sake of time. In and around the
3 development area, are there going to be any bike
4 racks so that we encourage what would be
5 transportation mode by cyclists?

6 GREG CARNEY: Yes, and in fact one
7 of our main focuses for the front head house space
8 is to actually partner with a sports oriented--a
9 more generally sports oriented retailer or
10 operation that specifically can cater to the
11 bicycle users, the runners, the more typical users
12 of the green space in the park, and they have
13 talked about incorporating a valet operation, so
14 if one wanted to they could literally drop a bike
15 and go into the project, come and go as they want,
16 and there will also be passive bike racks.

17 COUNCIL MEMBER REYNA: At the
18 moment is this area being considered as part of
19 the bike share program?

20 NOREEN DOYLE: No, the Hudson River
21 Park has worked with the bike share program. This
22 area currently because this pier is vacant doesn't
23 probably have enough business for them, but we are
24 looking at a few places in the park for the bike
25 share program, and it would be an ideal spot I

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

think in the future.

COUNCIL MEMBER REYNA: Correct. I just wanted to take a moment to understand the loading and unloading opportunities. Is this development going to encourage what would be unloading and loading by barge?

NOREEN DOYLE: Probably not. I can explain why based on Hudson River Park experiences. Hudson River Park Trust has rebuilt a number of piers, 900 foot long piers in the park and we do use barges during construction for things; however, it costs a lot of money to load and unload the barges because it's longshoremen essentially for every aspect of those movements, and so it makes sense in some cases for construction particularly of the new piers that are being rebuilt from scratch, but for the small types of movements that would be for the project once it's operational, and also because of the historic structure. It is fortunately in very good condition. It does need a lot of money to make this project happen, but the pier itself unlike almost every other pier that we have built into a public pier is actually very sound, and so

1
2 it doesn't need the same kind of concrete piles
3 and everything else. In fact it is mostly not
4 even supported on piles, so the barge aspect of it
5 is less practical here, and Greg, maybe you have
6 something else to add?

7 GREG CARNEY: I would just add as
8 Noreen mentioned during the construction phase our
9 expectation we will make use of a barge just to
10 eliminate any more than necessary intrusion on the
11 bike path in the front of the project because we
12 don't have a large staging area to work from, so
13 that may provide a platform to do that.

14 COUNCIL MEMBER REYNA: But the
15 platform is only during the construction phase, so
16 that the barge capacity will not continue after
17 commencing what would be the completion of the
18 construction itself?

19 GREG CARNEY: Correct. That is the
20 plan now.

21 COUNCIL MEMBER REYNA: And the
22 marina is incorporated into this particular
23 development, but I didn't hear much in the
24 presentation regarding the marina. Is there a
25 permit already issued for the marina?

1
2 NOREEN DOYLE: No, separate from
3 these approvals the applicant has to go to both
4 the Department of Environmental Conservation on
5 the state side and the Army Corps of Engineers on
6 the federal side, neither of which can act until
7 the final environmental impact statement process
8 or the environmental review process is completed.
9 We actually have meetings scheduled with both of
10 those agencies within the next month, so permits
11 cannot be issued until after they have gone
12 through their respective permitting processes.

13 COUNCIL MEMBER REYNA: And then
14 once you have those process in place, a permit
15 will be issued on behalf of what would be the
16 state and the federal government, but as far as
17 the city is concerned, you still have an
18 additional process to go through?

19 NOREEN DOYLE: I am sorry. I
20 misunderstood your question then. No, the marina
21 is part of the ULERP application from the
22 perspective of the submissions that we have made
23 to the city. From a business deal perspective
24 Hudson River Park Trust and Young Woo have
25 contemplated that the marina might follow in kind

1
2 of a second phase of the project's operations once
3 they have gotten the retail aspect up and running,
4 but there is no additional city approval as far as
5 I am aware for the marina.

6 COUNCIL MEMBER REYNA: It is my
7 understanding that the Department of Small
8 Business Services is the dock master, so I am
9 assuming that there has to be some type of
10 permitting.

11 NOREEN DOYLE: There is not
12 actually. We go through the Department of Small
13 Business Services when we are constructing the
14 piers in order to get kind of the equivalent of a
15 Department of Buildings approval. In this case,
16 and this is almost beyond my knowledge level, but
17 I think that this is going through the Department
18 of Buildings, right, because of the kind of more
19 robust commercial uses here. Greg, am I correct?

20 GREG CARNEY: I'd probably turn to
21 Ross on that. I know just to add some flesh to
22 the marina, we have planned it. It is 141 slips.
23 We have given some thought to the mix of boats and
24 the operations to the extent they interface with
25 the promenade and the public space around the pier

1
2 and that the land side mostly in communication
3 with City Planning just to make sure we have
4 thought through what may add to the kinds of
5 things we were talking about before loading and
6 unloading, so to the extent it is brought into the
7 project those two things can work together.

8 Permitting, Ross, you might help me on that.

9 ROSS MOSCOWITZ: Council Member, it
10 would go before the Department of Buildings.

11 COUNCIL MEMBER REYNA: Before the
12 Department of Buildings.

13 ROSS MOSCOWITZ: Yes. Just like
14 any other project.

15 COUNCIL MEMBER REYNA: Not the
16 Department of Small Business Services despite the
17 fact that they are the dock master?

18 ROSS MOSCOWITZ: Correct.

19 COUNCIL MEMBER REYNA: Okay. And
20 as far as the construction of this particular
21 development and post construction, what is the
22 MWBE opportunities that have been put into place
23 for this development?

24 NOREEN DOYLE: The Trust is subject
25 to MWBE state requirements for MWBE participation,

1
2 and we have exceeded our 20 percent goal for a
3 number of years running, and the Governor is
4 extremely serious about this as you probably are
5 all aware, and I personally spend a lot of time on
6 MWBE issues. In the state system the operations
7 side of it is not actually subject to MWBE
8 participation, but we have talked about because
9 it's not a state dollar spend if that makes sense,
10 so there is no state money being spent, but we
11 have talked quite a lot with Young Woo about
12 opportunities along the way for MWBE
13 participation. One opportunity we see is that
14 because the containers themselves are in some
15 cases as few as 160 square feet they essentially
16 become like a micro enterprise opportunity, which
17 we think has the possibility to appeal to a lot of
18 people that are trying to enter the business or
19 retail market, so while we haven't formalized that
20 as an MWBE requirement, because the small pod
21 nature of them is really the foot in the door
22 opportunity, we think that that is in spirit what
23 we are being asked in part to try to achieve in
24 terms of creating opportunities for non-
25 established businesses to be able to enter the

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

market.

GREG CARNEY: I would just add not only is that the concept today in spirit, but that was our experience in Brooklyn at Dekalb Market where we ended up particularly because of the emphasis on fashion and art, we ended up having quite a large concentration of women owned businesses that started their business or expanded their business in that particular location, and so far the conversations are very similar here for the pier.

COUNCIL MEMBER REYNA: I'd like to understand the established criteria that you would be building around the MWBE commitment to this project just to have a better following as to what we should be making sure is the environment we are building because this is long term development, and if we don't do it right from the very beginning it gets lost in translation, and so I want to make sure that we have an ability on paper that you can submit to this committee regarding the MWBE commitment for this project, and not only for what would be construction, but post construction. I don't know the number of small

1
2 businesses that you anticipate would be taking
3 advantage of this space. Is that something that
4 you already have forecasted?

5 GREG CARNEY: We have a targeted
6 mix. In the container market there are
7 approximately 325 containers, and based on our
8 assessment of how the market will probably
9 populate, it will be somewhere between 150 and 200
10 smaller businesses, and then of course the rest of
11 the program will round out around the container
12 market.

13 COUNCIL MEMBER REYNA: Sure. And
14 the actual 150 small business that will take place
15 throughout the space, is that going to be an open
16 call similar to what they do with Grand Central
17 Station?

18 GREG CARNEY: Yeah, there has
19 actually been quite a bit of conversation about
20 this. We are thinking of multiple channels. One
21 would literally be online, so you could enter into
22 an application process, a reservation process for
23 specific spaces, demonstrate your concept and your
24 business plan so that we can sort of properly
25 curate the actual mix of tenants in the space, and

1
2 then also using traditional brokers. Doing a
3 version of the open call, we went through again a
4 very similar process in Brooklyn, and in that case
5 again smaller scale. I think we had 40 tenants,
6 and we had 500 some applications.

7 COUNCIL MEMBER REYNA: So this
8 could be considered to be space--I forgot the
9 terminology now. It gives the startup of a small
10 business that step up process, and they don't
11 necessarily have to remain here, but it could be
12 the starting point for what would be offline to
13 get online and then expand growth.

14 GREG CARNEY: Yes. You have the
15 model exactly. In fact part of the whole concept
16 is to take away a lot of those barriers for
17 someone to start a business in a traditional
18 storefront in Manhattan. In this case it's to
19 remove some of the legal barriers, the design
20 barriers, just the process of getting to an
21 occupancy agreement. We are trying to take all of
22 that away and make it as easy as possible, and the
23 two measures of success or the reasons for someone
24 leaving may be because they are either too
25 successful, they get too big in that container

1
2 based market or their concept doesn't work and
3 they go the other way, but that sort of change and
4 turnover is part of what we encourage. We want to
5 see that in the market, to keep it interesting and
6 sustainable.

7 COUNCIL MEMBER REYNA: And do you
8 believe that you will be able to retain that
9 turnover effect so that space does become
10 available, and it doesn't constrict you from the
11 true spirit of that mission?

12 GREG CARNEY: For sure, and that
13 really is the key to success of the model. We
14 step back a little after the initial leasing and
15 curation of that mix, and the idea is to let it
16 kind of flow on its own, and let that internal
17 community of tenants sort of figure out where the
18 mix needs to be, what works, what doesn't work,
19 what is more successful, what isn't too refer
20 other businesses into that model or to ultimately
21 decide maybe they are better served in a different
22 location, but we take care of it on the front end.
23 Of course we don't go away, but we may take a step
24 back, and then the community of merchants itself
25 helps sustain that model.

1
2 COUNCIL MEMBER REYNA: Which brings
3 you to what your land use lawyer has mentioned as
4 far as the permit of 100,000 square feet issue.

5 MULTIPLE VOICES: Yes.

6 COUNCIL MEMBER REYNA: And I notice
7 that--my last comment. As far as the accompanying
8 conditions from the community board I believe it
9 was, I don't know if you have a copy of the list
10 of those conditions. There were five points that
11 were mentioned if these have been met? From the
12 community board, correct.

13 NOREEN DOYLE: We believe that we
14 have provided the assurances through several
15 vehicles that we have put in writing to the local
16 Council Member and to the City Planning
17 Commission, but we can go through them now.

18 CHAIRPERSON WEPRIN: If you want,
19 maybe you can get us in writing for Council Member
20 Reyna a layout of the responses before the Land
21 Use Committee meeting.

22 NOREEN DOYLE: Sure.

23 CHAIRPERSON WEPRIN: So she can
24 understand and see in writing exactly what it is
25 instead of going through it all now.

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

Unfortunately, I have three members who have to leave so we won't be able to vote today if we continue.

COUNCIL MEMBER REYNA: And the MWBE aspect--

CHAIRPERSON WEPRIN: [interposing]
If you could do that all too before the Land Use meeting...

NOREEN DOYLE: Yes.

CHAIRPERSON WEPRIN: Okay. Sorry about that, Council Member Reyna. Alright. Are you finished? I'm sorry. Okay, great. Sorry about that. We just have some members that have to leave. We got a late start as you know. So we thank you. Nobody else is here to testify on this matter I don't believe, so we are going to close this public hearing. We are going to move to couple to following items; Land Use for Pier 57, which is Land Use 783, 784, 785, and 786. We are also going to couple with that the Land Use number 787, which was the AirTrain text amendment we heard earlier today. Furthermore, Land Use number 788, which was a sidewalk café is going to be an approval motion to file pursuant to a letter of

1
2 withdrawal. They have withdrawn that, and that
3 too will be coupled. The motion will be an aye
4 vote on all. We will include all of these items
5 including the withdrawal letter. I'd like on
6 counsel to now please call the roll.

7 COUNSEL: Chair Weprin?

8 CHAIRPERSON WEPRIN: Aye.

9 COUNSEL: Council Member Reyna?

10 COUNCIL MEMBER REYNA: Aye.

11 COUNSEL: Council Member Comrie?

12 COUNCIL MEMBER COMRIE:

13 Congratulations. Aye.

14 COUNSEL: Council Member Jackson?

15 COUNCIL MEMBER JACKSON: Aye.

16 COUNSEL: Council Member Vann?

17 COUNCIL MEMBER VANN: Aye.

18 COUNSEL: Council Member Garodnick?

19 COUNCIL MEMBER GARODNICK: Aye.

20 COUNSEL: Council Member Lappin?

21 COUNCIL MEMBER LAPPIN: Aye.

22 COUNSEL: Council Member Wills?

23 COUNCIL MEMBER WILLS: Aye.

24 COUNSEL: By a vote of eight in the
25 affirmative, zero abstentions, zero negatives.

1

2

All items are approved as described by the Chair

3

and referred to the full Land Use Committee.

4

CHAIRPERSON WEPRIN: The meeting is

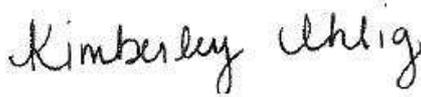
5

now adjourned. Thank you.

C E R T I F I C A T E

I, Kimberley Uhlig 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 _____4/16/13_____