

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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May 2, 2013
Start: 12:45 p.m.
Recess: 1:13 p.m.

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

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

COUNCIL MEMBERS:
Council Member Leroy G. Comrie, Jr.
Council Member Daniel R. Garodnick
Council Member Robert Jackson
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
Council Member Margaret Chin

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2 CHAIRPERSON WEPRIN: Okay. Good
3 afternoon, everybody. I'm Mark Weprin, Chair of
4 the Zoning and Franchises Subcommittee. This is
5 the continuation of a recessed meeting of April
6 30th of the Subcommittee. We have one item on this
7 agenda that is not quite resolved. Any minute
8 we're waiting for the final resolution. But we're
9 going to start on the agenda, what we have here,
10 and we're hoping someone takes the hint and gets
11 up here really quickly. All right, so, we're
12 going to start with, we have had a hearing on 150
13 Wooster Street, 793 and 794 in Council Member
14 Chin's District. Council Member Chin has a
15 statement on this particular application. Council
16 Member Chin.

17 COUNCIL MEMBER CHIN: Thank you,
18 Chairman. And thank you to the Committee for
19 holding the hearing. I'd also like to start by
20 thanking community board two for their hard work
21 and leadership throughout this process. We worked
22 very closely during the course of this application
23 and their contribution has ensured that all party
24 had an opportunity to voice their opinion. I had
25 hoped that some agreement about this application

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2 could have been reached. My staff work with all
3 the parties to explore option that might work the
4 benefit of the applicant, residents and the
5 community board. Unfortunately, no such accord
6 could be reached. The Soho/Cast Iron Historic
7 District is a vital part of the first council
8 district. It is a community of creativity and
9 activism. It is because of the hard work and the
10 dedication of the resident that turn a former
11 manufacturing district into a haven for artists.
12 This - - equity of the resident led to the
13 adoption of law that recognize their right to live
14 in these converted buildings, it paved the way for
15 a renaissance of Soho that has made it one of the
16 most sought after and desirable places to live in
17 Manhattan. It is the same steadfastness which led
18 to the creation of the historic district and its
19 recent extension. One of the first land use
20 action to be taken up by my office. The
21 preservation of a particular bill environment is
22 what land marking and establishment of historic
23 district seeks to achieve. The text amendment
24 before the Council is of some concern. It is my
25 opinion that the 40 percent of less amendment to

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2 the zoning resolution would encourage the
3 demolition of buildings within the historic
4 district that continue to have value. It is my
5 belief that there are other option for these
6 structures that need to be fully studied.

7 Adaptive reuse of these structure would enhance
8 historic district. The revitalization of these
9 structures represent a unique opportunity for
10 property owners that should be more meaningfully
11 explored. It is because of this concern that I
12 must recommend to my colleagues on the Committee
13 that they vote to disapprove this application.

14 Thank you.

15 CHAIRPESON WEPRIN> Thank you,
16 Council Member Chin. After hearing from Council
17 Member Chin we're going to move to vote on this
18 particular item. I, the motion is for disapproval
19 on a motion to disapprove Land Use number 793 and
20 795, 4, excuse me, 793 and 794, 150 Wooster
21 Street. The clerk will call the roll, accounts
22 will call the roll on this particular item. There
23 are other items on the agenda. This particular
24 item the recommendation is a motion for
25 disapproval. The vote would be an aye vote in

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favor of the disapproval of this item.

FEMALE VOICE 1: Chair Weprin?

CHAIRPERSON WEPRIN: Aye.

FEMALE VOICE 1: Council Member
Rivera?

COUNCIL MEMBER RIVERA: I vote aye.

FEMALE VOICE 1: Council Member
Reyna?

COUNCIL MEMBER REYNA: Aye.

FEMALE VOICE 1: Chair Comrie?

COUNCIL MEMBER COMRIE: Aye.

FEMALE VOICE 1: Council Member
Jackson?

COUNCIL MEMBER JACKSON: Aye.

FEMALE VOICE 1: Council Member

Vann?

COUNCIL MEMBER VANN: Aye.

FEMALE VOICE 1: Council Member

Ignizio?

COUNCIL MEMBER IGNIZIO: Yes.

FEMALE VOICE 1: Council Member

Wills?

COUNCIL MEMBER WILLS: Aye.

FEMALE VOICE 1: [off mic] By a

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2 vote of eight in the affirmative, no negatives and
3 no abstentions, the motion to disapprove Land Use
4 items 793 and 794 has passed and those items were
5 referred to the full Land Use Committee.

6 CHAIRPERSON WEPRIN: Thank you.

7 Our next item on our agenda is Land Use number
8 790, this was Café Argentino. There is a letter
9 that has been submitted to the Council Member,
10 Diana Reyna, which she has. Council Member Reyna,
11 you want to read that letter into the record?

12 COUNCIL MEMBER REYNA: Thank you,
13 Mr. Chair. I just wanted to inform the Committee.
14 I represent 499 Grand Street, Brooklyn, New York,
15 Café Argentino who submitted a sidewalk café
16 renewal permit and they have agreed to the
17 following; the modification of sidewalk café plans
18 will reflect the accurate measurement of the
19 sidewalk, plants will within the boundaries of the
20 café, sidewalk café will be included within those
21 plans as well and the posting of sidewalk café
22 permits as indicated by the code will be located
23 visibly from the outside and delivery bicycles
24 will be locked in another place other than the
25 pedestrian, other than obstructing pedestrian

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2 clearance which is what was found in the visit for
3 investigation. I'd like to thank Café Argentino's
4 owner, Armando Orfina [phonetic] who was very
5 accommodating in making sure that he was following
6 the rules as was indicated by the application
7 process. Thank you, Mr. Chair, for your
8 indulgence and thank you to the Committee.

9 CHAIRPERSON WEPRIN: Thank you,
10 Council Member Reyna. Just to recap, so on Café
11 Argentino we are going to be voting on today, two
12 items that are on the agenda, 791, Ofrenda, and
13 792, Tin Martin, we did vote on the other day at
14 the last meeting. Those of you who were not here
15 at that meeting can vote on those items today as
16 well as Sugar and Plumm which was 801. That also
17 was voted and they can vote today. Great, so we
18 are going to now couple these café's. Okay, Land
19 Use number 790 is the one we are voting on today,
20 although you can leave your vote for the other
21 ones, those who missed last meeting. I am going
22 to couple this along with the Manhattan core
23 parking text amendment that we heard about from
24 City Planning which is Land Use number 795. So,
25 those two items are coupled as well as, if you

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2 weren't here the other day please specify that you
3 would like to cast your vote for the meeting the
4 other day. This leave the Cornell Tech Campus
5 still unresolved at the moment, which we're going
6 to do in a few minutes, we hope. Okay? So, don't
7 leave me if you can hang in there. So, right now
8 we're going to couple these items, 790, Café
9 Argentino and the Manhattan Core Parking Text 795.
10 I call on Counsel to please call the roll.

11 FEMALE VOICE 1: Chair Weprin?

12 CHAIRPERSON WEPRIN: Aye.

13 FEMALE VOICE 1: Council Member

14 Rivera?

15 COUNCIL MEMBER RIVERA: I vote aye.

16 FEMALE VOICE 1: Council Member

17 Reyna?

18 COUNCIL MEMBER REYNA: Aye.

19 FEMALE VOICE 1: Chair Comrie?

20 COUNCIL MEMBER COMRIE: Aye.

21 FEMALE VOICE 1: Council Member

22 Jackson?

23 COUNCIL MEMBER JACKSON: Aye on all

24 leaving the previous items that I missed on April
25 30th, I vote aye.

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FEMALE VOICE 1: Noted. Council

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Member Vann?

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COUNCIL MEMBER VANN: Aye.

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FEMALE VOICE 1: Council Member

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Wills?

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COUNCIL MEMBER WILLS: Aye.

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FEMALE VOICE 1: Council Member

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Ignizio?

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COUNCIL MEMBER IGNIZIO: Yes.

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FEMALE VOICE 1: By a vote of eight

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in the affirmative, no negatives, no abstentions,

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Land Use items 795 and 790 are approved and

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referred to the full Land Use Committee.

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CHAIRPERSON WEPRIN: Thank you very

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much members of the Committee. We are going to

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stand at ease for a few minutes. And I am going

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to try to be clear that it is only a few minutes

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that we are going to wait and if not they will

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have to put this item over. So, let me see if I

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can get an answer. Thank you, the meeting is at

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ease. [pause] All right. All right, if I could

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have everyone's attention. We are back from a

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brief break. We, the Zoning and Franchises

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Subcommittee has voted on the entire agenda with

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2 the exception of Land, Cornell New York City
3 Tech's Campus, which is Land Use Numbers 796
4 through 799 inclusive. So, that's 796, 97, 98,
5 and 99. I'd like to call on Council Member
6 Jessica Lappin who represents Roosevelt Island and
7 she has a statement she wants to read into the
8 record with the Administration and with Cornell.
9 Okay, Ms. Lappin?

10 COUNCIL MEMBER LAPPIN: So, first
11 of all I want to thank everybody for their
12 patience and for waiting around. I really do
13 appreciate it. And I want to start by saying that
14 this is an incredibly important project for the
15 City of New York. It is a \$2 billion investment
16 in our city, one that we anticipate should
17 generate around 30,000 jobs. But also it's just a
18 fantastic thing for the city to have Cornell and
19 the Tech - - Universities having this presence
20 here and really growing our city in a very
21 exciting and significant way. From the very
22 beginning Cornell, we discussed this at the
23 hearing, has been a really great partner and has
24 worked incredibly diligently and productively with
25 me, with my office, with the community, and they

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2 have been very thoughtful and very generous and
3 very interested in becoming a fully integrated
4 partner not just for Roosevelt Island but for the
5 entire city. And so, I'm not going to read the
6 entire document into the record because it is, the
7 document that Cornell is submitting is 13 pages.
8 So, that gives you a sense of the things that they
9 have addressed from MWBE outreach to adopting the
10 school on Roosevelt Island to looking at a parking
11 study that had come up at the hearing. I guess I
12 should at least highlight some of the things that
13 came up at the hearing for those who have
14 questions that I do think are important to a sort
15 of new information, make sure we're entered into
16 the record. One, Cornell has agreed to do
17 construction, air quality monitoring, meaning not
18 just during excavation and demolition but
19 throughout the duration of the construction
20 period. They have agreed to do, to analyze
21 parking needs with their corporate co location and
22 executive education center and also to do a
23 parking study upon the award of the contract with
24 the developer to do the first corporate co
25 location building. I think that will address the

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2 concerns that came up around the potential need
3 for more parking spots that was discussed at the
4 hearing. They are also going to be seeking to
5 reduce organic waste by 85 percent on site which
6 would greatly minimize the need to have trucks
7 take garbage off of the island. I mentioned that
8 they are going to be adopting PSIS 217 in addition
9 to doing a number of other things to help middle
10 school students all over the city. And barging,
11 barging is, I think the thing that was most
12 discussed in what is really an unprecedented
13 agreement. They are going to reduce by
14 approximately 40 percent the numbers of truck
15 trips that were identified in the EIS by barging
16 materials and not trucking them onto the island.
17 And if you looked at the way a conventional
18 construction project would happen, they're going
19 to reduce by more than half the number of
20 construction vehicles that are going to go on the
21 island. They're going to use barging to make sure
22 that any of the building material onsite that is
23 not reused will be removed by barge. Nearly all
24 bulk materials will be delivered and removed by
25 barge and the heavy materials, such a steel,

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2 curtain wall and large equipment will also be
3 delivered by barge. This really has never been
4 done before in the City of New York and it's a
5 very exciting thing and it really will help
6 minimize in a major way any significant impact on
7 the community. These have all been memorialized
8 in what will be a part of the lease document so
9 they will be binding and, as I've said, it's 13
10 pages submitted to the Chairman. In addition, we
11 are awaiting a letter from Deputy Mayor Steel and
12 I hope it is almost here. But the Deputy Mayor
13 has sent a letter regarding two important issues,
14 one is public safety, which, because this is going
15 to be a large campus and a partnership with the
16 technical university and we want to ensure that
17 the safety of the students and the island will be
18 protected. The police department has designated
19 Captain Michael Sheehan [phonetic] from the Office
20 of Management Analysis and Planning to serve as a
21 liaison with the community, with the elected
22 officials and other stakeholders to ensure that an
23 appropriate develop, plan for protecting our
24 citizens is developed. The Police Commissioner at
25 his discretion the NYPD will review the public

1 safety designs of the proposed Cornell campus.
2 This may include consideration of the
3 comprehensive range of security issues such as the
4 potential for increased monitoring or physical
5 presence as deemed necessarily by the NYPD. And
6 lastly, because transportation has been brought up
7 as an issue I have been trying to arrange for
8 ferry service to Roosevelt Island throughout my
9 tenure as a City Council member and the
10 administration is committing that if we were able
11 to privately obtain the capital funds and get all
12 of the applicable permits that we need from the
13 Coast Guard and the Army Corps and the Federal
14 Government that the City intends to contribute to
15 the operating costs of a one year pilot of
16 recreational summer ferry service. So, I am very
17 grateful for everybody who helped work on this. I
18 have to single out Jane Swanson from my staff who
19 has worked incredibly hard on this project and
20 Chuck Mira [phonetic] from the Speaker's office.
21 Of course, the Chairs, Mark Weprin and Leroy
22 Comrie and really Pete Crokendalis [phonetic]
23 who's worked very hard on this project with Kathy
24 Dove [phonetic] from Cornell and the entire
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2 Cornell team. I really want to thank you for
3 being, Andrew too and Melanie for being excellent
4 partners and for working so collaboratively with
5 us. So, given this, I am voting aye today and I
6 certainly would recommend that you join me in
7 voting in favor of this project. I think we just
8 are waiting for the signed letter. Do we have the
9 signed letter? We do not. So, we're waiting for
10 the signed letter from Deputy Mayor Steel. May I
11 vote aye on the other items on the calendar? Has
12 that been done or that has--

13 CHAIRPERSON WEPRIN: [interposing]
14 Yes, you can. We, sure. Well, she's going to
15 vote, just Council Member Lappin wasn't here for
16 the vote on the other items so she just wants to
17 cast her vote on those items while we still wait
18 for that letter to appear.

19 COUNCIL MEMBER LAPPIN: [off mic]
20 At least three seconds.

21 FEMALE VOICE 1: On a motion to
22 disapprove Land Use items 793 and 794, Wooster
23 Street, Council Member Lappin.

24 COUNCIL MEMBER LAPPIN: I vote aye.
25 [off mic]

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2 FEMALE VOICE 1: Land Use item 795,
3 Manhattan Core Parking Text, and Land Use item
4 790, Café Argentino, Council Member Lappin?

5 COUNCIL MEMBER LAPPIN: Those are
6 coupled?

7 FEMALE VOICE 1: Yes. Council
8 Member Lappin?

9 COUNCIL MEMBER LAPPIN: Can I pass
10 for a moment on that?

11 FEMALE VOICE 1: I'm sorry,
12 abstain? [off mic]

13 COUNCIL MEMBER COMRIE: Mr. Chair,
14 what are we waiting? What are we waiting for? We
15 can get that through the full Committee. Yeah, I
16 mean, we can get that before next week as long as
17 we have it. If we don't have it then we got
18 members that need to leave. [off mic] [pause]

19 COUNCIL MEMBER LAPPIN: I vote aye
20 on Land Use item number 790, abstain on number
21 795.

22 CHAIRPERSON WEPRIN: She abstains,
23 Council Member Lappin abstains on 795 and votes
24 aye on 790. We have a signed letter from Cornell,
25 Council Member Lappin. We're going to move to

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2 vote on Cornell. Again, we are going to couple
3 all the items that make up the Cornell New York
4 City High Tech Campus on Roosevelt Island. That's
5 Land Use item number 796, 797, 798, and 799.
6 Those items will be coupled to make one vote.
7 Those in favor cast an aye vote. I will call on
8 Counsel to please call the roll.

9 FEMALE VOICE 1: Chair Weprin?

10 CHAIRPERSON WEPRIN: Aye.

11 FEMALE VOICE 1: Council Member
12 Rivera?

13 COUNCIL MEMBER RIVERA: I vote aye.

14 FEMALE VOICE 1: Council Member
15 Reyna?

16 COUNCIL MEMBER REYNA: Yes - - .

17 MALE VOICE 1: She's saying the
18 word aye.

19 COUNCIL MEMBER REYNA: Mr. Chair,
20 may I please be excused to explain my vote?

21 CHAIRPERSON WEPRIN: Yes, you may.

22 COUNCIL MEMBER REYNA: Yesterday I
23 participated in an Economic Development Committee
24 where we have the Administration talk to us about
25 why they didn't support the certain policy that

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2 we've introduced as far as figuring out a better
3 way of planning forward and the impact of large
4 scale projects and the lack of connection between
5 communities so that we are able to build a better
6 city for everyone. And based on what was
7 discussed yesterday it feels to me like these
8 projects are agreed on paper but they don't
9 service the purpose of allowing for the career
10 ladders for everyone, especially when we talk
11 about immigrant communities, especially when we
12 talk about underprivileged urban areas, when we
13 talk about NYCHA, - - families, when we talk about
14 past rezoning that we can point to where a lot was
15 promised and very little was delivered. And so
16 based on those comments I will vote no on this
17 project.

18 CHAIRPERSON WEPRIN: Okay, just
19 want to be clear that this is on the Cornell Tech
20 Campus item alone?

21 COUNCIL MEMBER REYNA: I'm very
22 well aware of what this is about.

23 CHAIRPERSON WEPRIN: Okay, just want
24 to make clear 'cause you were out of the room.
25 Okay. Okay.

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FEMALE VOICE 1: Chair Comrie?

COUNCIL MEMBER COMRIE: Permission to explain my vote?

CHAIRPERSON WEPRIN: Yes, Mr. Comrie.

COUNCIL MEMBER COMRIE: I'm voting aye on the project, I just wanted to congratulate Council Member Lappin. I am concerned, though, about some of the language of the letter from the Deputy Mayor's Office to ensure that the ferry is something that will be built and not just given to the elected officials to have to put together the money for a capital funding for it. And I would hope that there's a stronger commitment from the City on its side to do the capital funding for a ferry landing. I think that that's a long term, major piece of what should be part of the infrastructure that was promised for the project. With that, I vote aye.

CHAIRPERSON WEPRIN: Council Member Comrie votes aye.

FEMALE VOICE 1: Council Member Jackson?

COUNCIL MEMBER JACKSON: I vote

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aye.

FEMALE VOICE 1: Council Member

Vann?

COUNCIL MEMBER VANN: Aye.

FEMALE VOICE 1: Council Member

Lappin?

COUNCIL MEMBER LAPPIN: Aye.

FEMALE VOICE 1: Council Member

Wills?

COUNCIL MEMBER WILLS: May I

explain my vote?

CHAIRPERSON WEPRIN: Mr. Wills to

explain his vote.

COUNCIL MEMBER WILLS: I also was

in the meeting, Economic Development with Diana Reyna and I strongly support everything that she said. I am going to vote aye on this particular project because of all of the work that Council Member Lappin has put into it. I want to commend you for the barging and the reduction of trucks coming across but I think that we really need to have a more intense look at every other project coming down the pipeline before we vote.

CHAIRPERSON WEPRIN: Thank you.

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COUNCIL MEMBER WILLIS: I vote aye.

CHAIRPERSON WEPRIN: Aye.

FEMALE VOICE 1: Council Member
Ignizio?

COUNCIL MEMBER IGNIZIO: Aye.

FEMALE VOICE 1: By a vote of eight
in the affirmative, one negative and zero
abstentions, Land Use items 796, 797, 798 and 799
are approved and referred to the full Land Use
Committee.

CHAIRPERSON WEPRIN: Okay, well,
thank you everybody for your cooperation. With
that, the Subcommittee on Zoning is now adjourned.
Remember, there is a Land Use meeting immediately
following this meeting.

FEMALE VOICE 2: Right now.

CHAIRPERSON WEPRIN: That would be
now. Thank you very much. The meeting is
adjourned.

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, which appears to read "Tara Juhl".

Date 3/23/13