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SUBCOMMITTEE ON ZONING AND FRANCHISES

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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July 22, 2013
Start: 9:55 a.m.
Recess: 12:01 p.m.

HELD AT: Council Chambers
250 Broadway - Hearing Room,
16th Fl.

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

COUNCIL MEMBERS:
Jessica S. Lappin
Daniel R. Garodnick
Leroy G. Comrie
Vincent M. Ignizio
Ruben Wills
Diana Reyna
Robert Jackson
Margaret S. Chin

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SUBCOMMITTEE ON ZONING AND FRANCHISES

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

Kelly Perkins
Representative
Frankie's 570 Spuntino

Christopher Perkins
Representative
Frankie's 570 Spuntino

Pamela Stubbs
Representative
Tertulia Restaurant

Gil Avital
Representative
Tertulia Restaurant

Robert Callahan
Michael Kelly, Inc.
Representing Piccolo Cucina

Abdulla Darrat
Representative
Cypress Hills Local Development
Corporation

Richard Lobel
Law Firm of Sheldon Lobel PC

Thomas Cusanelli
T.F. Cusanelli

Kate Levin
Commissioner
Department of Cultural Affairs

Elise Wagner
Kramer Levin

Erika Mallin
Executive Director
Signature Theatre

Richard Armstrong
Director
Solomon R. Guggenheim Museum & Foundation

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SUBCOMMITTEE ON ZONING AND FRANCHISES

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

Richard Flood
Director of Community Affairs
The Whitney Museum

Katy Clark
Executive Director
Orchestra of St. Luke's

Susan Feldman
Director
St. Ann's Warehouse

John Elderfield
Independent Curator
Former Chief Curator of Painting &
Sculpture
Museum of Modern Art

Leslie Koch
President
Trust for Governors Island

Angelo Casio
Member
New York Hotel Trades Council

Miranda Nelson
Policy Analyst
New York Hotel Trades Council

Laine Mirra
Representative
Build Up NYC

Mike Halpin
Representative
Build Up NYC

Michael Levine
Consulting Planner
Manhattan Community Board 1

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SUBCOMMITTEE ON ZONING AND FRANCHISES

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

Diana Switaj
Director of Planning & Land Use
Manhattan Community Board 1

Susan Carey Dempsey
Executive Director
Governors Island Alliance

Howard Redford
Member
New York Hotel Trades Council

Jimmy Chin
Member
New York Hotel Trades Council

Rafalina Moreno
Member
New York Hotel Trades Council

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: We ready to go?

Excellent. Good morning everyone. My name is Mark Weprin, I'm the chair of the Zoning and Franchises Subcommittee, and as I'm joined today by the following members of the Subcommittee, Jessica Lappin, Dan Garodnick, Leroy Comrie, Vincent Ignizio, Ruben Wills and Diana Reyna, believe. We're also joined by Council Member Margaret Chin, who represents Governors Island.

I wanted to let... we have a number of items on our agenda and I told some of the people here today I know most people are here for the Governors Island presentation, but unfortunately we're gonna do other items first because they aren't as controversial and won't be as long, so those of you who are here for Governors Island, I just wanna warn you, it'll be a little while 'til we get to it, so if you wanna take a little break you're welcome to do so. In the meantime we're gonna try to get through the rest of the agenda as expeditiously as possible.

So we have five cafes on the agenda, or is it six... five cafes. The first two, Land Use Number 857, Westville and Land Use Number 858, Café

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Deleted: And we will be soon joined, I hope, by Councilmember Oliver Koppell, whose bill is being considered today

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Condessa are go... off the agenda 'cause they... to be filed, they will be filed. The next three cafes; these are all in Councilmember Quinn's district, Speaker Quinn's district.

I'd like to call up 859, which is Frankie's 570 Spuntino and I'd like to call up, is it Kelly and Christopher Harkness? I can't read the last name Kelly, I apologize; it's my eyes.

So what we'd like you to do is please describe your application... sit down, don't worry, don't... just have a seat. You okay? What we just want you to do is just describe what you're asking for, the application, I know you've been dealing with Speaker Quinn's office and you know we preside a lot of issues, but if you could just tell us what you're asking for as far as the café tables, okay? So what I'd like you to do first is to state your name into the microphone and the name of your establishment.

KELLY PERKINS: [off mic] Oh... I'm Kelly Perkins; I'm here representing Frankie's 570 Spuntino...

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CHAIRPERSON WEPRIN: A little closer.

KELLY PERKINS: We have applied for a sidewalk café renewal; with our renewal we'd like to

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SUBCOMMITTEE ON ZONING AND FRANCHISES

put planters outside, which are in our plans, but not change any of the existing tables and chairs that we've had in years past.

CHAIRPERSON WEPRIN: Great, thank you. And I know Speaker Quinn's office... where'd you go? There she is... so we're alright with this, the way they described it? Excellent. I know you've been talkin' to Speaker Quinn's office... do you wanna add something sir or no? Okay, good. Does anyone on the panel have any questions for these two? I see none. Well we thank you for comin' and I'm glad we can get you out; time to get back to work. Thank you. Alright.

Land Use Number 860, Tertulia. Okay, both of these. Okay, we have Pamela Stubbs and Gil Avital.

CHAIRPERSON WEPRIN: Excellent.

CHAIRPERSON WEPRIN: Alright, well the same drill; I want you to please state your name for the record and also the name of your establishment and what is it your application entails. Thank you.

PAMELA STUBBS: Pamela Stubbs for Tertulia restaurant, and we... if I can just read the letter...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Try to get a little closer to the mic please... [interpose]

PAMELA STUBBS: Okay. Sorry. So we're looking to get our permit renewed from last year...

MALE VOICE: [off mic] little closer.

PAMELA STUBBS: Little closer? We're looking to revise and submit new plans to include planters that we have on our café; we have agreed to arrange the sidewalk café tables exactly how they are listed on the plans and we're also agreeing to only utilize the service aisles within the café instead of our servers going outside the café, going forward. So that's all we're looking.

CHAIRPERSON WEPRIN: 'Kay and this too, as I mentioned, is in Speaker Quinn's district and I got the nod and they've been dealing this issue and they agree with the changes you described. Does anyone on the panel have any questions on these... this café? I see none. We thank you very much.

PAMELA STUBBS: Thank you.

CHAIRPERSON WEPRIN: Now our last café on the agenda is Piccolo Cucina and I'd like to call up Robert Callahan. That's the last Robert, no?

[interpose]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ROBERT CALLAHAN: Good morning.

CHAIRPERSON WEPRIN: Please Mr. Callahan;
you know the drill.

ROBERT CALLAHAN: Yes. My name is Robert
Callahan of Michael Kelly Inc. and I'm representing
Piccolo Cucina. I'd like to read a letter that was
submitted to the Council previously. "Dear Council
Member Quinn, This letter serves as our agreement
with the Chair, Council Member Mark Weprin and the
encompassing members of the Subcommittee on Zoning
and Franchises that we will commit to the following.

Number one, we will ensure the French doors are used
as the primary entrance to allow for compliance with
plans and to ensure enough clearance for the
mandatory three-foot service aisle. Number two, we
will not place tables and chairs outside the
permitted sidewalk café area, designated by the plans
on file with the New York City Department of Consumer
Affairs and number three, we will arrange our
sidewalk café tables and chairs according to the
plans on file with the New York City Department of
Consumer Affairs. If there are any questions, please
call my office. Sincerely, Philip Guardione, Owner."

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Great. And once again, this is in Speaker Quinn's office and we are okay with the changes that were described. Anyone on the panel have any questions? I see none again. Thank you Mr. Callahan.

ROBERT CALLAHAN: Thank you.

CHAIRPERSON WEPRIN: Well that was quick, right; went through the cafés very quickly.

Land Use Number 821, which is the telecommunications authorization, is off the agenda for this week; will be taken up at a later meeting.

We are going to then move onto Land Use Number 863, right; cultureship?

COMMITTEE CLERK: Oh no, no, no...

CHAIRPERSON WEPRIN: No?

COMMITTEE CLERK: [off mic]

CHAIRPERSON WEPRIN: Alright. Alright, we're gonna do Land Use Number 864 in Council Member Dilan's district, it's Pitkin Avenue Rezoning and I'd like to call up Abdulla... boy my eyes are really goin' here... you know who you are.

[laugh]

CHAIRPERSON WEPRIN: Is it Darrat?
Darrat?

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ABDULLA DARRAT: Right.

CHAIRPERSON WEPRIN: 'Kay, Darrat.

[pause]

ABDULLA DARRAT: Good morning.

CHAIRPERSON WEPRIN: Thank you. So please state your name for the record... [interpose]

ABDULLA DURRAT: My name is Abdulla...

CHAIRPERSON WEPRIN: describe the application. Yeah.

ABDULLA DURRAT: My name is Abdulla Darrat and... and... and I represent Cypress Hills Local Development Corporation, which is a community development corporation that has served the East New York community for the last 30 years. Through career education programs, college prep and success programs, youth and family services, after-school programs, home ownership counseling and community development programs, Cypress Hills serves over 8,000 community residents per year. As a part of that broad range of services, Cypress Hills has brought nearly \$100,000,000 of affordable housing investment to our community. All of our developments are affordable and we pursue true affordability with over 90 percent of our units serving households making

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SUBCOMMITTEE ON ZONING AND FRANCHISES

below 60 percent of the area median income. We pursue permanent affordability as a matter of mission.

The zoning map change will facilitate the development of 60 units of affordable housing on top of 9,000 square feet of ground floor commercial space. This housing is designed with families in mind, with the majority of units being for two and three bedrooms. Housing will be affordable to households making below 60 and 40 percent of variant median income and we are pursuing retail tenants that will improve access to fresh and healthy food in our neighborhood, a designated food desert. The project will also contain an 8,000-square-foot rear yard.

Affordable housing, food retail and open space are all community priorities that we hear about during our community workshops and planning sessions.

So why do we believe this up-zone is appropriate? We see this project as a catalyst for the revival of commercial activity along Pitkin Avenue, a transit corridor, a wide street that has historically served as a commercial center the neighborhood.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Pitkin Avenue can handle it, it has transit on the corner of the block; as I mentioned, it's a wide street and we're interested in maintaining the kind of guts of the neighborhood, the internal parts of the neighborhood, so our zoning map change also included a reduction in the commercial overlay so that commercial activity doesn't creep up the side streets.

So this zoning map change ultimately provides more density which means more affordable housing that is more deeply affordable; a demand that is growing faster than we can keep up with it. Thank you.

CHAIRPERSON WEPRIN: Thank you very much. Council Member Dilan is not here, but he wanted us to express his support for this project. Does anyone on the panel have any questions?

COUNCIL MEMBER COMRIE: [off mic]

CHAIRPERSON WEPRIN: Council Member Comrie does; before you do that, Leroy, we've been joined by Council Member Robert Jackson.

COUNCIL MEMBER COMRIE: This is a spot zoning just for the one building, correct? This is just im... impacting the one particular building?

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ABDULLA DARRAT: It's... it's... it's im...
it's impacting the front of the block, which includes
this vacant loss... lot... lot plus five other buildings.

COUNCIL MEMBER COMRIE: Plus five other
buildings?

ABDULLA DARRAT: [off mic] Five other
buildings around here.

COUNCIL MEMBER COMRIE: Okay. And those
buildings will be redeveloped also or are tho...

[interpose]

ABDULLA DARRAT: No, just the vacant lot.

COUNCIL MEMBER COMRIE: Just the vacant
lot?

ABDULLA DARRAT: Yes.

COUNCIL MEMBER COMRIE: Okay. Thank you.

CHAIRPERSON WEPRIN: I'd like to call in
Council Member Wills who has a question.

RUBEN WILLS: Good morning. I'm really
impressed by the numbers, but I wanted to ask; the
9,000 square feet of commercial space that you have
projected; do you know what type of tenants that you...

[interpose]

ABDULLA DARRAT: Well we're... we're
currently pursuing the food re... food... people who can

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SUBCOMMITTEE ON ZONING AND FRANCHISES

improve food access to the neighborhood. We currently don't have a tenant at the moment, but that's something that we engage with City Planning and working on, particular the fresh program, about finding potential operators for the neighborhood.

COUNCIL MEMBER WILLS: So if you bring in one of the supermarkets, 'cause most of them require 9 to 10,000 square feet, but if you can't bring a larger supermarket are you gonna subdivide it and... [interpose]

ABDULLA DARRAT: We would subdivide it, that's right.

COUNCIL MEMBER WILLS: And if you subdivide it, what other types of tenants are you looking for?

ABDULLA DARRAT: We... we have actually another commercial facility that's a few blocks north of here and we have about four tenants, which are a tax... a tax services office... [interpose]

COUNCIL MEMBER WILLS: Mm-hm.

ABDULLA DARRAT: a child care center... [interpose]

COUNCIL MEMBER WILLS: Okay, that's what I... okay, that's... [interpose]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ABDULLA DARRAT: Yeah, those type of services. I mean we definitely pursue... we definitely try to pursue quality retail tenants and we keep the rents low to make sure that they can stay there and... and keep as sustainable as possible. In... in that building we've... it's been up for about three or four years and we have the same tenants we've had that whole time.

FEMALE VOICE: [off mic] [background comment]

COUNCIL MEMBER WILLS: Thank you.

ABDULLA DARRAT: Mm-hm.

FEMALE VOICE: Okay.

CHAIRPERSON WEPRIN: Okay. Anyone else have any questions in the panel? Hold on one sec...

[pause]

CHAIRPERSON WEPRIN: Sorry 'bout that. Council Member Ignizio has a question... [interpose]

COUNCIL MEMBER IGNIZIO: Yes... yes, Mr. Chairman. Serving on this committee for some time and being involved in many rezonings in my community, this not having to do with your rezoning, but I just wanted to put on the record somewhat of the hypocrisy of the Department of City Planning that

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SUBCOMMITTEE ON ZONING AND FRANCHISES

has told me in many occasions and many people in this council, that very small rezonings would be called spot rezoning and we could not do them, for those of us that want to more appropriately re-zone certain areas in my community. So I just hope that City Planning now has turned the page on what they consider spot rezoning and hopefully we can move forward on the one those of us have been trying to achieve. Thank you very much.

CHAIRPERSON WEPRIN: Thank you Mr. Ignizio. Anybody else? Great. Alright, great. Well thank you very much; we appreciate you coming down and so we'll be... we'll be voting on it a little later this morning... [interpose]

FEMALE VOICE: [background comment]

ABDULLA DARRAT: Thank you very much.

CHAIRPERSON WEPRIN: Great. Is anyone else here to testify on this item, on... on the Brooklyn item...

[background comment]

CHAIRPERSON WEPRIN: Pitkin Avenue? Anybody? No. Okay... [interpose]

FEMALE VOICE: [background comment]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: didn't think so. So we're gonna close this hearing and we'll move onto our next item; we're gonna move... do the 23rd Street rezoning.

FEMALE VOICE: [background comment]

CHAIRPERSON WEPRIN: 865... Land Use Number 865, 23rd Street, Avenue rezoning with Richard Lobel and... yes, Thomas Cassinelli [phonetic]. I'm missing a letter there, but... havin' a tough time with names today, sorry. So Mr. Lobel, whenever you're ready. Try to keep the mics near the mouth; for some reason the uh speakers aren't working so well.

MALE VOICE: [background comment]

CHAIRPERSON WEPRIN: Expecting a controversial one here, so... [interpose]

RICHARD LOBEL: Yes.

CHAIRPERSON WEPRIN: we'll move as quickly as we can.

RICHARD LOBEL: Good morning, my name is Richard Lobel from the law firm of Sheldon Lobel PC; I'm with Thomas Cusanelli of T.F. Cusanelli. The rezoning is referred to as the 23rd Street Rezoning; you can see the boundaries of the rezoning on the top map. The rezoning basically extends an existing C 1-

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SUBCOMMITTEE ON ZONING AND FRANCHISES

4 overlay district over an existing R5 district. The boundaries of the rezoning are set forth on the map; they are 23rd Street, 33rd Avenue, a line 100 feet parallel to 23rd Street and the midline block of 555; I'm gonna point to the rezoning area right now.

In brief, the property housed a one-story concrete garage in 2001; that was demolished to construct five attached three-story residential dwelling units, which complied with the underlying R5 zoning; however, due to a change in the zoning, when the buildings were built they were built without the required side yard on the northernmost lot, Lot 36.

In order to cure this condition, at first the applicant went to the Board of Standards and Appeals for a variance application in 2006; was denied by the BSA, brought an Article 78 action and was eventually denied in the Supreme Court. After that we came to City Planning and sought a rezoning; the C 1-4 rezoning would basically allow the side yard on the northernmost portion to be legitimate and right now it backs onto the back of a commercial building, so it's really not affecting any residential tenants.

The rezoning was brought before Community Board 1 and was approved by a vote of 35 to 2, was

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SUBCOMMITTEE ON ZONING AND FRANCHISES

approved by the Queens Borough President's office and was subsequently approved by the City Planning Commission.

I'd be happy to answer any questions, as would Mr. Cusanelli.

CHAIRPERSON WEPRIN: I also wanna add that Council Member Vallone, who represents this rezoning, is also very supportive of this... this application. Does anyone on the panel have any questions? Yes?

[background comment]

[pause]

CHAIRPERSON WEPRIN: Give us one minute.

RICHARD LOBEL: Sure.

[pause]

COUNCIL MEMBER REYNA: I'm sorry, I just wanted to... I had stepped out; I apologize...

[interpose]

RICHARD LOBEL: Please.

COUNCIL MEMBER REYNA: I just wanted to find out; is this particular rezoning [music] going from an M zone to...

RICHARD LOBEL: No, it's... there's a... an existing R5 zoning district... [interpose]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER REYNA: Mm-hm.

RICHARD LOBEL: and the only thing we're doing is to pull down the commercial overlay...
[interpose]

COUNCIL MEMBER REYNA: Okay.

RICHARD LOBEL: So these... the same bulk applies, the same square footage applies to each of the buildings, the only thing it enables us to do is to vary that one yard.

COUNCIL MEMBER REYNA: Okay. Thank you very much.

RICHARD LOBEL: Sure.

CHAIRPERSON WEPRIN: Thank you Council Member Reyna. Alright, we don't see any other questions, we thank you very much.

RICHARD LOBEL: Thank you.

CHAIRPERSON WEPRIN: Get you on your way. Thank you.

[background comment]

CHAIRPERSON WEPRIN: 'Kay, anyone else here to testify on the 23rd Street rezoning? I see none; I'm gonna close this hearing. Alright.

Next we're gonna move onto Culture Shed... let me just pull the number here, 'cause I skipped it

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SUBCOMMITTEE ON ZONING AND FRANCHISES

first time. This is Land Use Number 863, the Culture Shed text amendment; we have with us Commissioner Kate Levin from the Department of Cultural Affairs, as well as Elise Wagner from Kramer Lemit... Levin. How are you? Ladies... and then we have a few people to testify in favor of this project as well and then we'll get to Governors Island. Okay? Whenever you're ready Commissioner.

COMMISSION LEVIN: I don't think [interpose] [crosstalk]

COMMISSIONER LEVIN: Good morning.

CHAIRPERSON WEPRIN: Yes.

COMMISSIONER LEVIN: Great, thank you. I think we may have been undone by our own technological proficiency, 'cause I don't know how many of you can see the screen; should we try and turn it towards you?

CHAIRPERSON WEPRIN: I'm sorry, there you go. 'Kay... [interpose]

COMMISSIONER LEVIN: Anyone who wants to come sit and look at my laptop, you're welcome to. Good morning, thank you very much; I'm Kate Levin, Commissioner of the Department of Cultural Affairs.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

This project started in 2005 with the rezoning of the Rail Yards and during that process a parcel was specifically marked out for a Cultural Facility and the City started thinking and talking with lots of stakeholders about what might be the most appropriate and beneficial use to the City of this unusual opportunity.

The neighborhood was already richly packed with art galleries and there are some very important cultural facilities, including The Joyce and The Kitchen in the neighborhood. At the time the High Line was under planning for the first phase and you'll notice that this parcel abuts the High Line at 30th Street, making it particularly significant in terms of that development.

Subsequently, The Whitney Museum has planted itself at the southern end of the High Line; the Signature Theatre is now on 42nd Street, the Baryshnikov Art Center and the Orchestra of St. Luke's have further developed their property, so this is a pretty dynamic cultural neighborhood and the question was; how could the City do something that would benefit the greater community across the City,

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SUBCOMMITTEE ON ZONING AND FRANCHISES

large organizations, small organizations,
organizations across different kinds of disciplines.

Part of what we started thinking about
was the whole variety of creative industries in the
City. In the past most facilities have been
developed with one particular kind of creative
expression in mind, but what if we could create an
opportunity for all of them to cross-pollinate in the
way that artists and audiences are increasingly
coming to expect.

Furthermore, what if this facility could
be appealing enough to a limited number of commercial
cultural activities that proceeds could cross-
subsidize robust non-profit activity and also, what
about building a facility in which we could pilot the
idea of a cultural timeshare for organizations that
don't necessarily have their own real estate, nor
should every cultural organization be a property
owner, but when they need top line kinds of
facilities, that this could be available to them.
Again, both locally, nationally and internationally.
For example, if a museum wanted to know that they had
a presence in New York once every three years from
abroad so that we could make sure that New York

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SUBCOMMITTEE ON ZONING AND FRANCHISES

audiences are seeing the most dynamic kind of programming from around the world.

So Hudson Yards Development Corporation did an RFP and the responding team of Diller Scofidio Renfro and Rockwell Group presented something that we're calling Cultural Shed and this rendering is looking north on the High Line where it kicks over west at 30th Street.

The building is literally flexible; it has a flexible footprint; what this rendering shows you is along the High Line the facility nested and then the facility deployed, in which configuration a basically double space, and nested and deployed are the best terms we've come up with so far, but we're open to other better ideas.

This shows you the building in plan and in section; it's embedded in a residential tower and as you can see, it's basically a fixed five-story based building with a retractable shed. In its fixed position the different gallery spaces are just under 13,000 square feet each, ceiling heights between 23 and 24 feet high and when the Shed deploys the entire space is over 30,000 square feet uncolumned.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

This shows you a section that suggests some of the complexities of this site; it's right at the edge of the platform that spans the Hudson Yards, at 30th Street the building is at grade and the entryway is underneath the High Line at 31st Street; it's basically a full floor higher and one of the advantages of this as a public facility is; again, it manages to span and provide public use for a somewhat difficult type. You then see the three gallery spaces above it and the mixed-use roof.

This is an animation that shows the building; you're coming in from the north over the plaza that's associated with the related development; the Shed is in its nested position. And you can see the Shed deploying; that takes about 15 minutes, runs on railroad tracks, which is a nice reference to the High Line next to it, permeable openings and this interior space is now at the full 30,000 square feet uncolumnd; further independent openings, and now you're looking east; swinging out and showing...
[interpose]

CHAIRPERSON WEPRIN: Very impressive, I gotta say, man.

[background comments]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: Thank you.

CHAIRPERSON WEPRIN: A lot of shadowy looking people though.

COMMISSIONER LEVIN: We've taken to calling it urban planner porn, so if you'd like to see it again we can arrange it. [laughter]

This gives you some sense of the programming options in the building; the top shows you if a single activity were on all floors and in the deployed shed or in the nested facility. Below you get a sense of how flexible the facility can be; it's designed with interior wayfinding so that you can direct people to activities on just one level or there's... there's an effort to show one of the floors being subdivided, which all of them of course can be in a different activity in the deployed shed.

This just gives you rendering of a typical gallery, gives you some sense of the size, and again, the floors can be of course subdivided. Performance activities of the scale that again, we don't get to see in more traditional kinds of venues and open public kinds of activities, like a farmer's market, where the deployed shed is essentially being used as weather cover.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

I'm gonna turn it over to my colleague to talk about the specifics of the text amendment.

ELISE WAGNER: [off mic] [background comment]

CHAIRPERSON WEPRIN: 'Kay, just make sure to state your name for the record again.

ELISE WAGNER: Alright. Good morning, my name is Elise Wager; I am a member of firm of Kramer Levin Naftalis and Frankel and I'm here today on behalf of Culture Shed, Inc., a non-profit entity.

The zoning text amendment is designed to allow the development of a new Cultural Facility within Area A1 of the Special Hudson Yards District, which... and Area A1 comprises the... the entire Eastern Rail Yards; it isn't... and let me just get this... yes, good... and the... the site of Culture Shed is the yellow that you see on the screen; the text amendment is intended to allow this special use with... within the Eastern Rail Yards to define the relationship between this facility and the adjacent plaza to the east to provide for appropriate signage to allow the facility to be appropriately sized and to assure that the adjacent plaza is developed. The text amendment is a vehicle to express the City's policies with respect

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SUBCOMMITTEE ON ZONING AND FRANCHISES

to the urban design and planning considerations related to this facility, but not to regulate its programming.

So what you see on the screen is the Eastern Rail Yards and the Culture Shed building site is shown in yellow on the screen.

The text amendment has a number of parts; it deals with use, site plan, floor are and signage, so I'll briefly describe those parts of the text amendment.

First of all, use; the current definition of a community facility in the Zoning Resolution does not provide for the range of uses that will be part of Culture Shed, therefore the text amendment defines a new use that would allow the breadth of programming described by Commissioner Levin. The new use would be a community facility operated by a non-profit entity. Trade shows would not be permitted except as they relate to an art or cultural facil... activity.

Now let's talk a mo... so that's the definition and let's talk a moment about site plan. On the left you see what the current zoning would permit and on the right you see what we're proposing under this text amendment.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

The current zoning would result in a site plan composed of a building with open space to the west and east and you can see that... that... that's sort of an awkward open space plan, particularly the area to the west of the facility. The text amendment allows for the creation of a fixed building adjacent to Tower D; Tower D is the narrower... narrow gray building adjacent to the Culture Shed site, and also allows for the creation of the Culture Facility Plaza east of the Culture Shed building and that plaza has two functions; when the Shed is deployed it is part of Culture Shed and it's used for its programming and when the Shed is not deplo... deployed it functions like any other public plaza. Without the retractable shed, Culture Shed would not be able to accommodate the large scale events and exhibits that are an int... integral part of its mis... mission. The Plaza would be fully open to the public except for 12 days a year when it could be occupied by private Culture Shed events. The text amendment requires that the Culture Facility Plaza must be constructed prior to the grant of a temporary certificate of occupancy for the Culture Shed building.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

The text amendment also requires a 60-foot width and height for the connection to the High Line to provide a welcoming entry to and from the High Line.

Now in terms of floor area, Culture Shed occupies about 200,000 gross square feet and that's the size that was contemplated in the original Memorandum of Understanding between the City and the MTA and that's the size that was analyzed in the EIS for Hudson Yards. However, the most recent MOU between the City and the MTA limited the floor... the zoning floor area for a Cultural Facility to 100,000 square feet. The additional 100,000 square feet of zoning floor area has been retained by the MTA, so the text amendment addresses the discrepancy between the MOU and what has been planned by allowing certain areas to be excluded from the definition of floor area, similar to the exclusion from floor area of the school in the Western Rail Yards and also Hudson Square. The areas to be... the... the... the area that's being counted as zoning floor area is in yellow and the areas to be exempted are in dark blue on the screen and those areas to be exempted include the space within the Shed, space below the platform and

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SUBCOMMITTEE ON ZONING AND FRANCHISES

support spaces in Tower D. A separate exemption is also provided for some High Line support facilities to be located in Tower D, subject to future agreements.

And the last part of the text amendment I want to briefly describe to you is signage. Signage is an integral part of the facility's design and critical to announcing its presence and offerings to the public. Under the Zoning Resolution sign regulations are based on street frontage and Culture Shed has only... the only... its only frontage is on West 50th Street; under the existing zoning it would only be allowed to have 500 square feet of signage.

Similarly, most community facilities have banners, but those are only permitted where the community facility occupies most of the zoning lot; here, this community facility will occupy a very small part of a large zoning lot, so we're allowing for more signage and we're allowing for banners. So let me just briefly show you what is being permitted.

This will be on the south side 30th Street where most of the signage will be proposed, you can see that it's actually done in quite a modest tasteful way, with the letters on the etched glass, so this is about 1700 square feet of signage on West 30th

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Street below the High Line. This is the north side; this is the concept for the signage, quite limited signage, plus some banners and here's another option for how you could have signage and banners on the north side and then the east side facing the High Line there would be quite a modest amount, 200 square feet of signage.

That's the end of our presentation and please do let us know if you have any questions.

CHAIRPERSON WEPRIN: Thank you very much. Look to the pane; does anyone have any questions about this application? Seeing none. Council Member Comrie actually has a question.

COUNCIL MEMBER COMRIE: More of a comment than a question; a question at the end. I just wanna congratulate you for putting this design and idea together and was wondering what would be the ability for groups to be part of the Culture Shed or how is it that a group can apply to have space or how is that gonna be put together so that a group can do a presentation or use the facility?

COMMISSIONER LEVIN: An artistic director will be hired in the next year and the Shed will be run like most cultural organizations in as much as

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SUBCOMMITTEE ON ZONING AND FRANCHISES

interested groups will be in conversation with the artistic director and as appropriate opportunities become available they'll be able to be a part of it. Culture Shed is committed to being affordable and accessible to a whole range of organizations, so you know, there.. there is a real interest in making sure that all kinds of organizations can use the facility as they need it. The one caveat to that is if what an organization really needs is a 200-seat proscenium theatre, there's no real reason to be here. If an organization has an idea that really needs this kind of very flexible space, obviously there's gonna be every effort made to make sure that they can be part of the programming.

COUNCIL MEMBER COMRIE: So organizations

would have to pay to use the space, the rental fees or maintenance fees or..

COMMISSIONER LEVIN: The intention is

that there will be a very sliding scale based on the nature of the organization using Culture Shed, so a very different scale for non-profits and within non-profits versus cultural commercial users.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER COMRIE: And will groups other than non-profits be allowed to use the Cultural Shed as well?

COMMISSIONER LEVIN: I'm sorry; I didn't hear.

COUNCIL MEMBER COMRIE: Will... will groups other than non-profits be allowed to use the Culture... [interpose]

COMMISSIONER LEVIN: Currently the... what the... what the zoning text said is... it says, is that only organizations with a cultural mission, so on the commercial side that might include the food and wine or the antique show, but it is not available to non-cultural activities.

COUNCIL MEMBER COMRIE: So if a bank just wanted to do a program about arts in schools, would they be able to use Cultural Shed?

COMMISSIONER LEVIN: Because there's a cultural component to what they're trying to do, absolutely. But it's... you know, the... the idea in other words is to make sure that audiences know that when you go to Culture Shed you're gonna hear about culture, so a bank wanting to talk about the prime

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 rate, not so much, although in some ways that's a
3 cultural activity these days too.

4 COUNCIL MEMBER COMRIE: Okay. And
5 what... and so you said there's a sliding scale to... to
6 putting this package together and for groups and how
7 would a group... would they go through DCA or they'll go
8 through the artistic director or?

9 COMMISSIONER LEVIN: Cult... Culture Shed
10 is an independent non-profit, so they... they would talk
11 directly to the artistic team of Culture Shed, Inc.

12 COUNCIL MEMBER COMRIE: And there was no
13 codicil for any Community Board to make sure that
14 local cultural groups have time at the Shed or...
15 [interpose]

16 COMMISSIONER LEVIN: Uh...

17 COUNCIL MEMBER COMRIE: there was nothing
18 put in about that?

19 COMMISSIONER LEVIN: There... there is lot...
20 there have been lots of conversations with the
21 Community Board about this; there will be
22 representation by both the Speaker of the City Council
23 and the Manhattan Borough President on the Board of
24 Culture Shed as ways of ensuring that local interests
25 are respected.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER COMRIE: Hm. But there was no local time set aside for groups to be, like 30 percent of the time at the...

COMMISSIONER LEVIN: There isn't because in a facility like this it's really hard to figure out how you would enforce that and how you would make sure that appropriate kinds of, you know, programs get the time, but you know, obviously as needed; this... this facility, to be successful, has to be completely enmeshed with its local community and, you know, per the early slide I showed, there's so much cultural activity it's impossible to imagine that... you know, not wanting to fully embrace that activity.

COUNCIL MEMBER COMRIE: Hm. So the... the... just curious; the maintenance costs and the upkeep costs, will that be part of what DCA absorbs as part of your... the... the... you... you take care of electrical and... or are they gonna be self-sufficient... [interpose]

COMMISSIONER LEVIN: No, this is... it's not gonna be a member of the Cultural Institution script; the City's involvement is that the... the parcel came about as part of a City rezoning and the City is going to retain ownership of the underlying property,

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 but the construction and maintenance, etc. are the
3 responsibility of the Culture Shed non-profit.

4 COUNCIL MEMBER COMRIE: Okay,
5 Interesting. But will they be eligible for low-cost
6 energy or anything like that, because they're a
7 cultural... [interpose]

8 COMMISSIONER LEVIN: Hopefully, you know
9 depending on how the Pasni (SP?) Program continues to
10 iterate, you know Power for Jobs, it would hopefully
11 qualify for... for that and for, you know, various other
12 kinds of subsidies and the construction is endeavoring
13 to be as green as possible and as energy efficient as
14 possible.

15 CHAIRPERSON WEPRIN: Okay; you're good?

16 COUNCIL MEMBER COMRIE: I guess I am;
17 you're in a hurry or...

18 CHAIRPERSON WEPRIN: [laughs]

19 COUNCIL MEMBER COMRIE: So I just want...
20 if... if you're a fledgling dance group and you wanna
21 bring a opportunity to do a show in Manhattan, I... I
22 just wanna know if... if there would be a real
23 possibility to use Cultural Shed.

24 COMMISSIONER LEVIN: There should be; you
25 know, again, the only issue is, do you need to be at

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Culture Shed; do you need to be at another facility first; do you need to be at The Joyce? You know in other words, it really... I think it will depend on what the specific cultural product is and whether this space is right, 'cause it's not gonna be right for everything, but it's right for a bunch of activities that we don't really have the right kind of space for in New York at present.

COUNCIL MEMBER COMRIE: Okay. And DCA will work with those groups to find out the right location for them?

COMMISSIONER LEVIN: Absolutely. Yeah.

COUNCIL MEMBER COMRIE: Okay. Alright.
Thank you.

CHAIRPERSON WEPRIN: Thank you Chair Comrie. Council Member Reyna.

COUNCIL MEMBER REYNA: Thank you.
Mr. Chair, I just wanted to understand; as far as the... the land is concerned, it's City-owned, but there will be a lease to the bidder of what... whoever wins the proposal to run the Culture Shed?

COMMISSIONER LEVIN: There is I believe a license agreement to cult... the Culture Shed non-profit

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SUBCOMMITTEE ON ZONING AND FRANCHISES

organization that is currently in formation and has tax exempt status, etc.

COUNCIL MEMBER REYNA: And what qualifies a group to be able to propose what would be a lease agreement and be in the running for the bid process?

[interpose]

COMMISSIONER LEVIN: The... the... the... the Culture Shed non-profit has already been designated and formed; you know that... that... that's not up to a competitive bid. In other words, the... the... the Culture Shed project has the non-profit operator in place.

COUNCIL MEMBER REYNA: So the proposal has already taken place as far as designating...

[interpose]

COMMISSIONER LEVIN: That's correct.

COUNCIL MEMBER REYNA: or it was created; not necessarily designated?

COMMISSIONER LEVIN: I... I think... I think that's probably a better way of describing it. The... the... the City came up with the mission and purpose and sought to create an entity that could fulfill this vision on behalf of the City and as the design progressed it became clear that the project required a

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SUBCOMMITTEE ON ZONING AND FRANCHISES

text amendment, so that's why we're here before you today.

COUNCIL MEMBER REYNA: And... [interpose]

ELISE WAGNER: And... I'm sorry... [interpose]

COUNCIL MEMBER REYNA: Mm-hm. Mm-hm.

ELISE WAGNER: just to answer that question, also I would note that the terms of the agreement and the fi... the financial terms are being reviewed under the Section 384(b) process of the City Charter.

COUNCIL MEMBER REYNA: Section 384(b) for the sake of...

ELISE WAGNER: The financial terms, the... the... see the... 384(b) is required when there is a disposition of City property... [interpose]

COUNCIL MEMBER REYNA: So this is gonna go through a disposition?

ELISE WAGNER: It is... it is currently going through the 384(b) process; I believe that there was a... a meeting at the Borough Board last week, so it is going through that process.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER REYNA: So technically it won't continue to be what would be a City-owned site because of the disposition? [interpose]

ELISE WAGNER: No... No, a disposition can also be a lease, so the City will continue to own the underlying land, but there will be a lease to this entity called Culture Shed, Inc.

COUNCIL MEMBER REYNA: And the lease is for how long, because that was the next question; a lease can also be 99 years...[interpose]

ELISE WAGNER: 99 years.

COUNCIL MEMBER REYNA: That's what I figured... [interpose]

ELISE WAGNER: Sure

COUNCIL MEMBER REYNA: So we are actually giving away this land?

ELISE WAGNER: I would... would... not... not at all; I mean there are payments... [interpose]

COUNCIL MEMBER REYNA: Well...

ELISE WAGNER: and so on under the lease; not giving away at all.

COUNCIL MEMBER REYNA: Well 99 years is a long time and...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ELISE WAGNER: And... but... but with very... it's a very lengthy lease with very specific criteria as to how it should be run and that it needs to be run in accordance with the terms of this text amendment and you know, as... as any lease, with... with many strictures about how it... how it must be run from the City of New York. So there's a high level of control by the City.

COUNCIL MEMBER REYNA: And so this entity will report to the City of New Yor... what agency will have oversight over this Culture Shed chartered designation as far as a 99-year lease is concerned?

COMMISSIONER LEVIN: It... it's essentially the Mayor's office and the Department of Cultural Affairs; the Deputy Mayor for Economical Development and the Commissioner of Cultural Affairs also have ex officio representation on the Board... [interpose]

COUNCIL MEMBER REYNA: And as far as the financing of this; who financed it?

COMMISSIONER LEVIN: The Culture Shed, Inc. organization is responsible for raising all the money to build... [interpose]

COUNCIL MEMBER REYNA: And this is...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: and operate the facility.

COUNCIL MEMBER REYNA: So no City dollars has gone into this?

COMMISSIONER LEVIN: At... at the moment there is a City capital allocation for FY 14... [interpose]

COUNCIL MEMBER REYNA: Which is how much?

COMMISSIONER LEVIN: Which is \$50,000,000.

[background comment - Woo!]

COUNCIL MEMBER REYNA: And what was the private?

COMMISSIONER LEVIN: The... the rest of the money will be privately raised; I would say that is less that 15 percent of the total estimated current cost of the facility, but it's not final 'cause the architecture hasn't been finalized.

COUNCIL MEMBER REYNA: So 15 percent of the total cost... [interpose]

COMMISSIONER LEVIN: Correct.

COUNCIL MEMBER REYNA: will be privately raised... [interpose]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: No... no, 50... it would be the reverse; 15 percent will be publicly funded; the rest will be privately raised.

COUNCIL MEMBER REYNA: So what is the total cost of the project and what is the programming cost?

COMMISSIONER LEVIN: I... I don't wanna give you a total cost of architecture because we are still working with the architects to finalize the design, but I can tell you it's... it's pretty substantial; as you've seen, the... the... the... not only the complexity of the site, having to build over the edge of the rail yard's platform, but also the... the physical flexibility of the building, the relationship of the High Line; it's... it... it's a very complicated site, so it... [interpose]

COUNCIL MEMBER REYNA: Mm-hm.

COMMISSIONER LEVIN: it's quite costly to build. Similarly, operating costs are currently under development as well; they are actually much lower and you know, this... the success of this facility depends on it being very efficient to operate so that it can genuinely be flexible and available to lots of different groups. I'm happy to keep you posted as

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 those numbers develop, but I just don't wanna say
3 anything that isn't accurate because it's too
4 preliminary.

5 COUNCIL MEMBER REYNA: So right now
6 there's a designation in the budget for \$50,000,000
7 for this... [interpose]

8 COMMISSIONER LEVIN: That's correct.

9 COUNCIL MEMBER REYNA: project on behalf
10 of the City of New York?

11 COMMISSIONER LEVIN: That's correct.

12 COUNCIL MEMBER REYNA: And the projected
13 cost is unknown.

14 COMMISSIONER LEVIN: The... the projected
15 cost is substantially more than that; I mean again, I...
16 I am loathe to share with you a number, just because
17 I'm... I am concerned that it won't be accurate.

18 COUNCIL MEMBER REYNA: So the... if... if
19 it's \$500,000,000... [interpose]

20 COMMISSIONER LEVIN: It's not that,
21 believe me.

22 COUNCIL MEMBER REYNA: Okay.

23 COUNCIL MEMBER WILLIS: [off mic] Is not...
24 you're saying it's not as much as \$500,000,000...

25 [crosstalk]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: Is not as much as that. Yes.

COUNCIL MEMBER REYNA: That was Ruben Will... Ruben... [crosstalk]

COUNCIL MEMBER WILLS: [off mic] But I'm sorry. I'm sorry. But you're saying that the \$50,000,000 is 50 percent... [interpose] [crosstalk]
[background comment]

CHAIRPERSON WEPRIN: Mr. Wills...

COUNCIL MEMBER WILLS: I'm sorry; I'm... [crosstalk]

CHAIRPERSON WEPRIN: You guys doin' a tag team now?

COUNCIL MEMBER WILLS: out... out... out of... no... [interpose]

COMMISSIONER LEVIN: Yes, sir.

COUNCIL MEMBER WILLS: I'm sorry, go ahead. No.

COMMISSIONER LEVIN: Okay. Let... let Com... let Diana finish, let... let... [interpose]

COUNCIL MEMBER REYNA: Ruben from the...

CHAIRPERSON WEPRIN: Council Member Reyna finish, then we can get to you if you want.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER WILLS: [off mic]

[interpose]

COUNCIL MEMBER REYNA: Thank you very much Council Member. I just wanted to understand just the finance structure of this, and as far as the project start of construction; what is the projected date for that?

COMMISSIONER LEVIN: The start of this project is contingent on when Related starts the platform; currently they are working on signing up their final commercial tenants and financing of the platform; they are saying that they intend to start first or second quarter of 2014, in which case Culture Shed would start third or fourth quarter of 2014. It's... it's a very quick process once Related starts.

COUNCIL MEMBER REYNA: And what is the cost to Related as far as the disposition of this land?

COMMISSIONER LEVIN: There is no cost to Related because the... the parcel was always intended to be for a Cultural Facility.

COUNCIL MEMBER REYNA: And who has the... is Related going to have a seat at the table or part of the Board for Culture Shed, Inc.?

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: Not... not Related as the company, no; they're... an individual from Related is currently on the Board of Culture Shed, Inc., but not in a corporate capacity.

COUNCIL MEMBER REYNA: And as far as the noise in relationship... well, let me just go back. As far as the... the unknown cost, capital cost, which is going to be significant, but we don't know yet; how will that allow for a possibility of a scale of fees to be structured so that the Culture Shed would be available for local New York City groups as opposed to having these, you know, international venues that then attract what would be a higher paying cost of clientele... [interpose]

COMMISSIONER LEVIN: Mm-hm.

COUNCIL MEMBER REYNA: and then shuts out the rest of the public?

COMMISSIONER LEVIN: The... the capital costs are different from the operating costs and yeah, the... the City's contribution... [interpose]

COUNCIL MEMBER REYNA: But this is financing and we would have to pay back what would be the financing cost of this...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: Not... not... not necessarily; I mean ideally if Culture Shed is successful, as it hopes to be, it will raise most of the constructions costs and not do it as a financing. They may have to finance some of it, but you know, all of this is pretty standard for new cultural facilities, you know and many of them receive, you know proportionately much larger dollar amounts and actually much more generous capital amounts from the City to build facilities... [interpose]

COUNCIL MEMBER REYNA: Mm-hm.

COMMISSIONER LEVIN: The operating costs, again, should be under \$20,000,000 annually and you know, while that's not insignificant, given the potential for rentals of an appropriate nature, there is a lot of financial modeling that's shown that there should be lots of opportunities for a cross-subsidy to allow smaller non-profits and you know, specifically non-profits with less robust budgets to be able to... [interpose]

COUNCIL MEMBER REYNA: Mm-hm.

COMMISSIONER LEVIN: to show appropriate work here. It... [interpose]

COUNCIL MEMBER REYNA: And...

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COMMISSIONER LEVIN: it... it's not gonna
3 succeed if it's only a high end facility.

4 COUNCIL MEMBER REYNA: Mm-hm. And is
5 that going to be part of what would be a process
6 that's going to be publicly acceptable as far as, you
7 know; how does one apply for that particular
8 opportunity?

9 COMMISSIONER LEVIN: The... yes...
10 [interpose]

11 COUNCIL MEMBER REYNA: Has that been
12 discussed among..

13 COMMISSIONER LEVIN: the assumption is
14 that this will run like any other cultural
15 organization, which is that you have an artistic
16 direction whose job it is to be as adventurous and
17 inclusive and innovative as possible, given that...
18 [interpose]

19 COUNCIL MEMBER REYNA: Mm-hm.

20 COMMISSIONER LEVIN: this is not standard
21 typical kinds of space...

22 COUNCIL MEMBER REYNA: Mm-hm.

23 COMMISSIONER LEVIN: So you know, at... at
24 some point it may end up with a, you know, public
25 application process, but really the way our... our most

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SUBCOMMITTEE ON ZONING AND FRANCHISES

interesting cultural organizations run; it's because the... the person doing the artistic leadership is constantly out there looking for interesting work and figures out how to make it happen; you know, figures out the economics of working with groups that might not otherwise be able to bring money to the table, but have an amazing project that they wanna do here; that's what's... that... that's what's driving the idea behind this, is so many organizations have said, gee, we'd love to do a certain kind of project but we can't really find the right kind of space in the City.

COUNCIL MEMBER REYNA: And... and what's the estimated number of jobs, Commissioner, as far as... associated to this one project?

COMMISSIONER LEVIN: The ongoing staff, roughly 60, although, you know many of them would probably be... [interpose]

COUNCIL MEMBER REYNA: This is post-construction?

COMMISSIONER LEVIN: Post-construction, operating. The split between full-time, part-time... [interpose]

COUNCIL MEMBER REYNA: Full-time...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMISSIONER LEVIN: you know, again, it...
it ha... it hasn't been determined; a lot of that will
depend on the actual architecture; I can't speak to
the employment on the construction side, but it will
be quite robust, as you can tell from the complexity
of the project.

COUNCIL MEMBER REYNA: And this is part
of an IDA contract?

COMMISSIONER LEVIN: No. There's...

COUNCIL MEMBER REYNA: So there's no IDA
funding going into this? [interpose]

COMMISSIONER LEVIN: There's no IDA
funding, no.

COUNCIL MEMBER REYNA: And as far as the
noise, because I'd imagine that there's going to be
major issues regarding concerns of noise and we've
heard it from the Seaport, who has a similar... not as
extravagant, obviously, but the noise going... or
bouncing towards what would be Brooklyn from Manhattan
was raised; is there any measures... has that been
considered and what type of actions are being
explored?

COMMISSIONER LEVIN: All the noise is
going to New Jersey. No; I'm sorry. [laughter] We...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

we've spent a lot of time; our... our... our colleagues on the community board have been very concerned about this and a.; this building needs to be compliant with all City noise code...

COUNCIL MEMBER REYNA: Mm-hm.

COMMISSIONER LEVIN: and that means that activities that are outside have to stop at, I think it's 10 p.m.

COUNCIL MEMBER REYNA: Mm-hm.

COMMISSIONER LEVIN: But you know, lots of work done on sound leak, on making sure that for activities in the deployed shed; that sound stays inside it when it needs to stay inside it; I mean one opportunity is of course to do concerts essentially under a weather cover so that you can have people, you know listening and that may be an opportunity where people agree that they wanna have... to be able to share in what's going on. But uh we are very cognizant of the need to be very good neighbors here and that is built into the design. You know it's... it's a... it's a very innovative design to have a facility that moves; we're not aware of anybody else doing it, but the actual technology for that is gantry technology; you know the... the kind that's used for shipping container

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 ports, so you know, that's pretty tried and true, so
3 we're confident that the mix of new tech and old tech...

4 [interpose]

5 COUNCIL MEMBER REYNA: Mm-hm.

6 COMMISSIONER LEVIN: will create a
7 facility that is very friendly to the community and
8 deals with things like sound...

9 COUNCIL MEMBER REYNA: Mm-hm.

10 COMMISSIONER LEVIN: light, etc. in a way
11 that makes it a happy contributor.

12 COUNCIL MEMBER REYNA: I just wanted to
13 end with my last question, Ruben; wanted to make sure...
14 there was a disapproval by the Community Board with
15 conditions; has that list of conditions been
16 addressed, you know and if so, what are still
17 outstanding?

18 COMMISSIONER LEVIN: The... the conditions
19 have been met...

20 COUNCIL MEMBER REYNA: All... all?

21 COMMISSIONER LEVIN: Yes, at this point
22 we have... [interpose]

23 COUNCIL MEMBER REYNA: these...

24 COMMISSIONER LEVIN: come to agreement on
25 all of them.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER REYNA: Okay, so...

3 [interpose]

4 COMMISSIONER LEVIN: I have a lot more
5 gray hair than I did...

6 COUNCIL MEMBER REYNA: Okay.

7 COMMISSIONER LEVIN: at the start of this
8 project.

9 COUNCIL MEMBER REYNA: Okay and we hear
10 otherwise. [laughs]

11 COMMISSIONER LEVIN: Yes, absolutely.

12 COUNCIL MEMBER REYNA: Thank you,
13 Commissioner.

14 COMMISSIONER LEVIN: Sure. Thank you.

15 COUNCIL MEMBER REYNA: Thank you,
16 Mr. Chair.

17 CHAIRPERSON WEPRIN: Okay. Council
18 Member Wills; did you have anything you wanna add; you
19 whispered in her ear?

20 COUNCIL MEMBER WILLS: [off mic] No

21 CHAIRPERSON WEPRIN: Okay, good. Thank
22 you very much; I wanna add for the panel's edification
23 that the Speaker's office told me that they are in
24 support of this proposal as well. Any other questions
25 from the panel? 'Kay, seeing none, we thank you for

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SUBCOMMITTEE ON ZONING AND FRANCHISES

coming and for testifying. We do have some representatives of some cultural organizations here to testify in favor of this project; we have six here; we're gonna take you up three at a time. What I'd like to do, if possible; not to cramp your style, but we'd like to limit you to three minutes apiece, if you can. You think you can?

[background comment]

CHAIRPERSON WEPRIN: Okay. If you can, it would be very helpful, 'cause we do have one large item still to go, so I'd like to call up the following people. Erika Malkin [sic] from the Signature Theatre, Richard Armstrong from the Guggenheim and Richard Flood from The Whitney. And then the other people will go next. We're gonna put you on a clock for three minutes and if you can... in your mind can try to limit it to that; that would be very helpful. Yeah, and just... when you speak, please state your name so the record is clear of who is speaking. And whenever you're ready you can start. Sergeant At Arms has the clock, right?

ERIKA MALLIN: Guess, that's me. Is that me? I guess I'll go first. I'm Erika Mallin; I'm the Executive Director of the Signature Theatre at the

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Pershing Square Signature Center. Thank you City Council Members from hearing us today in support of the Culture Shed.

As some of you may know, we are part of the Related Companies MiMA development on West 42nd Street and it was not long ago that we began the process of building the center and we thank the City Council and the City and Commissioner Levin for making that happen. A year-and-a-half later I am proud to report that we are thriving and pleased to be supporting another cultural institution that will be a close neighbor of ours. I wanted to tell you about our experience because I think it is relevant to the Shed.

We opened our doors over a year-and-a-half ago and through our programming we have attracted 150,000 audience members, including our neighbors in the residential towers, many of them now who attend regularly and support our institution. We have hosted numerous theaters, non-profits and community and business groups. We employ 400 people annually, from custodians to artists to administrative staff and we patronize local vendors and services. This success for us and our community is very much about being

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SUBCOMMITTEE ON ZONING AND FRANCHISES

embedded in a neighborhood, a place where people live, work, create and make and we believe the Culture Shed has the same potential. We also think the Culture Shed will be a strong link to all... to the all of us for the West Side that will benefit us all, from The Whitney further south, the High Line, moving up to even the Intrepid and the Shed, all of us together with us on 10th Avenue will help to connect a kind of cultural artery up the West Side. This will only increase audiences to all of our institutions and provide great cultural breadth and depth to reside... to residents and visitors alike.

Finally, there is great potential for synergy amongst us where people can easily access theater, art, urban parks and also where we can collaborate on uses of our space, be it for always in demand performance and rehearsal spaces, to the packaging of cultural offerings. Again, this will broaden all of our audiences and supporters. Signature is very proud to have been part of the gateway to the Hudson Yards Project with the creation of our Center and we look forward to the continued development and to welcoming the Culture Shed to our neighborhood. Thank you.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Thank you very much,
and with time to spare; that was beautiful.

ERIKA MALLIN: [laugh]

CHAIRPERSON WEPRIN: Okay, Richard, you
can go next; you know, again, state your name for the
record please.

RICHARD ARMSTRONG: I'm Richard
Armstrong; I'm Director of the Solomon R. Guggenheim
Museum and Foundation and I'm here to enthusiastically
support the Culture Shed. Also, in utter candor I
wanna say that Steve Ross out of Related is a trustee
of the Guggenheim Foundation and that he and I have
had no communications about the project.

The Guggenheim Foundation was established
in 1937 and in 1959 it moved into its landmark
building on 5th Avenue. At that time the project to
build the Guggenheim evolved into a complex struggle,
pitting the architect against his clients, City
officials, the art world and public opinion. The
resultant achievement, the Solomon R. Guggenheim
Museum testifies not only to Wright's architectural
genius, but also to the adventurous spirit that
characterized its founders. I believe the Diller
Scofidio Renfro and Rockwell Group's visionary Culture

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Shed Project is poised to bring a comparable sense of architectural excellence to our city. And as we look to the future of the Guggenheim Foundation, will continue to forge international collaboration around the world that take contemporary art, architecture and design beyond the walls of the museum. We want our future to include opportunities to collaborate with the Culture Shed and to present work in what will truly be one of the most flexible architectural structures in the world. The breadth of activity that will be housed at Culture Shed in the Hudson Yards and the opportunity to introduce new artists to the field is limitless and the Guggenheim looks forward to being involved from it inception.

CHAIRPERSON WEPRIN: Thank you very much, sir. Wait, we have one more; you don't have to leave. You wanna leave... stay around; we may have a question for you.

[background comment] - Yeah. Yeah.

CHAIRPERSON WEPRIN: Don't want him to feel all alone either, you know.

ERIKA MALLIN: Absolutely.

CHAIRPERSON WEPRIN: Okay.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

RICHARD FLOOD: Good morning Council Members; I am Rich Flood, Director of Community Affairs for The Whitney Museum and I'm here today to read a letter on behalf of our Director, Adam Weinberg.

"Dear Members of City Council: As Director of The Whitney Museum of American Art I am writing to express The Whitney's enthusiastic support of the Culture Shed at Hudson Yards. When the new Whitney opens in 2015 the Culture Shed will complement our own efforts to serve the burgeoning neighborhood and provide a destination for New York's national and international tourists and the High Line's 4.2 million annual visitors. The establishment of the new Whitney and the Culture Shed at the southern and northern end of the High Line will greatly strengthen the entire West Side redevelopment and solidify this area as a new hub for cultural and the arts. Diller Scofidio and Renfro's extraordinary plan for the Culture Shed perfectly matches the vision of the High Line with its public, organic and flexible design. Similar to the role of the Grand Palais in Paris, the Culture Shed will be a unique and versatile venue for the diverse range of multi-disciplinary exhibitions and events.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Without any one agenda, it will have the freedom to experiment and the capacity to explore partnerships with local, national and international organizations and artists on a scale that has not previously existed in New York. It will be permanent but ever changing space for audiences to experience and appreciate art in all its forms. The Whitney greatly looks forward to collaborating with the Culture Shed along with the other arts and educational institutions in and around our new home. Sincerely, Adam D. Weinberg, Director of Whitney Museum of American Art."

CHAIRPERSON WEPRIN: Thank you very much.

Does anyone on the panel have a question for this group? Thank you very much; we appreciate your input. I'd like to call up the following three people; Susan Feldman, St. Ann's Warehouse, Katy Clark from the Orchestra of St. Luke's and John Elderfield. Is anyone else here to testify on this matter that I missed? No. Okay. Great. So ladies and gentleman, you decide who goes first and I'm gonna keep... put you on the three-minute clock as well; please don't take offense. Thank you.

KATY CLARK: Good morning members of the City Council; my name is Katy Clark, I'm the Executive

1 SUBCOMMITTEE ON ZONING AND FRANCHISES
2 activities in this particular neighborhood; in
3 response to this we have certainly reinvigorated our
4 community programs and now have plenty of opportunity
5 for community residents to come in and see what we do
6 and we have a new partnership with the Police Athletic
7 League in our neighborhood as well on a new youth
8 orchestra program, so I do feel that there are lots
9 and lots of opportunities in our neighborhood for
10 greater community participation. The design of the
11 Culture Shed is quite frankly breathtaking; the scope
12 and ambition of this design is amazing; it can only
13 compliment what we do at 450 West 37th Street; it can
14 only enhance what the City has to offer to the City
15 and globally too. I am very, very please to lend my
16 support to Culture Shed. Thank you very much.

17 CHAIRPERSON WEPRIN: Thank you very much.

18 SUSAN FELDMAN: Hi... [interpose]

19 CHAIRPERSON WEPRIN: Whenever you're
20 ready. Please state your name.

21 SUSAN FELDMAN: I'm Susan Feldman; I'm
22 the founding Director of St. Ann's Warehouse in
23 Brooklyn. For the last 33 years we've been presenting
24 a body of innovative theater and concert presentations
25 and we're currently DUMBO and we are a 15,000-square-

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SUBCOMMITTEE ON ZONING AND FRANCHISES

foot flexible venue; we would be similar to one of the floors of the Culture Shed and I can say that after 13 years in DUMBO in this kind of flexible open space, there really is a demand for that kind of performance and also musical presentation space, rehearsals; not everybody wants to be in a proscenium anymore and I think things like Sleep No More and the Kazino, both on the West Side, around where the Culture Shed show you and show us that there is a need for cultural organizations in that area and this kind of a facility.

We present mostly music and theater and we've been celebrating the panoramic traditions of American and world cultural... cultural... cultures... sorry, with forays into a variety of contemporary forms, including new commissions and multi-disciplinary presentations. As a home to the American avant-garde, international companies of distinction and emerging artists ready to work on a grand scale, one of the challenges our artists face is finding mid-size open venues to present their work beyond our one Brooklyn warehouse. There are occasions when we have sought to extend the run of a production of our own or wished that we could accommodate more than one

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SUBCOMMITTEE ON ZONING AND FRANCHISES

production at a time; speaking for my organization, having the opportunity to present programming of the Culture Shed in the future presents an exciting possibility for St. Ann's and the variety of local and regional and global artists that we work with.

Culture Shed is architecturally ambitious and distinct, given the vision for the diverse cultural activities it can accommodate. It's been designed to provide rare cutting edge flexible spaces the embody and celebrate innovation, collaboration and cross-pollination in the creative sector. As one of the City's few truly versatile spaces, we know there's a demand for them. So we welcome and enable... I think the Culture Shed will welcome and enable the kinds of local, national; international projects that New York needs if it wants to retain its global reputation for leadership in the arts. Thanks.

CHAIRPERSON WEPRIN: Thank you very much.

'Kay, we're just gonna switch to the mid there; sorry about that. Whenever you're ready.

JOHN ELDERFIELD: Good morning. I'm John

Elderfield, I'm now an independent curator, and I was for many, many years at the Museum of Modern Art as Chief Curator of Painting and Sculpture and I've been

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 putting on exhibitions in New York City for 35 years
3 and I've constantly been reminded of how exhibition-
4 making, which is going to be one of the main functions
5 of Culture Shed, is the relationship between the
6 conception and the space available to it. And as
7 Commissioner Levin pointed out, there are many
8 important projects which are not appropriate to
9 Culture Shed because they are small and there's plenty
10 of facilities in the City to make them possible. But
11 it's the larger ambitious projects which have been
12 problematical to present in New York. I know that
13 when I was at MoMA in 1992 I presented an exhibition
14 of paintings of Henri Matisse, which had more than 400
15 works in it, and the only way this could be done was
16 to take down the entire collection of MoMA and
17 certainly for the visitors to the institution this was
18 an unfortunate thing, although they had the benefit of
19 what I think was a wonderful exhibition. This isn't
20 the problem in many cities. Many cities have
21 exhibition halls quince taller (sp?) in which great
22 projects can be presented, both by independent
23 curators in the city, by museums in the city, by
24 people from other institutions. New York doesn't have
25 a place like this and it really needs to have a place

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SUBCOMMITTEE ON ZONING AND FRANCHISES

like this; the... the options which exist are simply not very workable; the Park Avenue Armory is inflexible, Piers 42, where the art fairs take place are frighteningly cramped and we also know that buildings can be transformative. The... Richard Armstrong has spoken about the Guggenheim in New York; Bill Bauer [phonetic] was the same and Culture Shed can do this for New York, for this century, and I think I'm... I know I'm not alone in being very enthusiastic about this project.

CHAIRPERSON WEPRIN: I know you're not alone also. Thank you very much. Does anyone on the panel have any questions for this distinguished group? No. Thank you very much; we appreciate you taking the time. Anyone else here to testify on the Culture Shed? I see none. We are gonna move to close this hearing. What we're gonna do now is actually move to a vote on all the items we've heard so far. Alright. And then we're gonna get to Governors Island. So...

[background comments]

CHAIRPERSON WEPRIN: Alright. So I'd like to let everyone know again what we are including; all the sidewalk cafés that we considered today, which

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SUBCOMMITTEE ON ZONING AND FRANCHISES

is Land Use Number 859, 860 and 870; 857 and 858 were...
were [interpose]

COMMITTEE CLERK: [off mic] [background
comment]

CHAIRPERSON WEPRIN: motions to file as
well, then the Culture Shed Amendment, which is 863,
the Pitkin Avenue Rezoning, 864 and the 23rd Avenue
Rezoning, which was 865; we are gonna couple all those
together. I'm gonna call on our Council to please
call the roll on these items before we get to
Governors Island.

COMMITTEE CLERK: Chair Weprin.

CHAIRPERSON WEPRIN: Aye.

COMMITTEE CLERK: Council Member Reyna.

COUNCIL MEMBER REYNA: Aye.

COMMITTEE CLERK: Chair Comrie.

COUNCIL MEMBER COMRIE: Aye.

COMMITTEE CLERK: Council Member Jackson

COUNCIL MEMBER JACKSON: Aye on all.

COMMITTEE CLERK: Council Member
Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE CLERK: Council Member Lappin.

COUNCIL MEMBER LAPPIN: Aye.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COMMITTEE CLERK: By a vote of 6 in the affirmative, no abstentions and no negatives, Land Use Items 859, 860, 863, 864, 865, and 870 are approved. I will refer to the Full Land Use Committee that Land Use Items 857 and 858 Motion to File approved. I refer to the Full Land Use Committee.

[pause]

CHAIRPERSON WEPRIN: Okay. So what we're gonna do now is move to the main event, Governors Island; not to diminish the other events, but a lot of people here for this one. I'd like to call on Leslie Koch; you're all by yourself Leslie, right? Do you have to set up a presentation?

LESLIE KOCH: It will take us a moment.

CHAIRPERSON WEPRIN: Okay. You're all ready to go?

LESLIE KOCH: Yeah, it should be it's on there. How's that?

CHAIRPERSON WEPRIN: [off mic] Sorry to hear that. Okay.

LESLIE KOCH: 'Kay.

CHAIRPERSON WEPRIN: So whenever you're ready state your name and begin your presentation; I'm... just excuse me for one minute while you... you can

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 start talking, but I'm gonna step out for one minute
3 and... [interpose]

4 LESLIE KOCH: I won't take that
5 personally.

6 CHAIRPERSON WEPRIN: but keep goin'; you
7 know, we... we already spoke a lot about this, so... so
8 whenever you're ready, please... [interpose]

9 LESLIE KOCH: 'Kay.

10 CHAIRPERSON WEPRIN: state your name and
11 start the presentation. [interpose]

12 LESLIE KOCH: Sure. I'm Leslie Koch and
13 I'm the President of the Trust for Governors Island
14 and it is a pleasure to be here and thank you Council
15 Member Comrie, Chair Comrie and Council Member Weprin
16 and I wanna particularly recognize our very
17 distinguished Council Member, Council Member Chin; we
18 work very closely with Council Member Chin as well as
19 the Community Board on all things related to Governors
20 Island, so it is a privilege to be here.

21 For those of you who have not been to the
22 Island we thought it would be helpful just to give you
23 an update on where we are with progress on the Island.
24 As you may be aware, this is a 172-acre island just
25 off, I guess the coast of Lower Manhattan; it was a

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SUBCOMMITTEE ON ZONING AND FRANCHISES

military base that was closed to the public, to New Yorkers for centuries; in 2003 the Federal Government transferred 150 acres to the people of New York and a partnership was created between the City and State; in 2010 the Governor and Mayor reached agreement that the City would take responsibility for the redevelopment of Governors Island; the City created an entity called The Trust for Governors Island, which is both a 501c3, as well as an instrumentality of the City of New York and at the time of the transfer back in 2003 and throughout, the mission has always been to transform Governors Island into a destination with extraordinary public space and public use, as well as a mixture of educational, not-for-profit and commercial facilities with the idea that revenue generated from some of those year-round uses would help any of the public investment and public uses of the Island.

The Island has in the last 10 years, since the transfer, been established really as a leading place in New York for the public to enjoy; we are very pleased with how much our neighbors, both in Brooklyn and in Lower Manhattan, but also throughout the City use the Island, we have year-round tenants and thanks to a massive investment in public dollars

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SUBCOMMITTEE ON ZONING AND FRANCHISES

we are in the process of transforming the Island with a construction program, all of which are proceeding. We've also issued a Request for Proposals for the Historic District buildings; we have a significant number of landmark vacant buildings that we are legally responsible for and we are looking for long-term tenants to both, take responsibility for those buildings, animate them and contribute to the overall well-being of the Island.

This is an aerial view of the Island; this was actually in May, so it was before the implosion of our tallest building and you can see... we like to refer to the Island as having the shape of an ice cream cone and while the action before you today refers to the ice cream portion of the cone, you can see in the cone there is quite a bevy of construction activity as we enhance the public use of the Island with a new 30-acre park, which you can see under construction in this image.

As I mentioned, the Island has become a destination for the public; I would particularly recognize Council Member Chin's role in increasing outreach to our art community in Lower Manhattan, Community Boards 1 and 3, but also throughout the City

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SUBCOMMITTEE ON ZONING AND FRANCHISES

we see a diverse array of New Yorkers; the boat service is free and subsidized by the public sector and any range of cultural organizations and recreational organizations are able for free to present programs that are in turn enjoyed by the public and it has become, again, a very popular place; this last weekend we hosted City of Water Day; we had 12,000 visitors on Saturday and another 12,000 visitors on Sunday, when it was a little bit cooler. So this gives you a sense of how much this has become a public resource; I began working on the Island in the summer of 2006 and the summer before that there were 8,000 visitors in total and as I mentioned, we had more than 12,000 visitors each day of the last weekend and we are thrilled with both how much people from New York enjoy this, really as a vacation in the heart of the City that is free to them, as well as how often they come back.

In parallel with the work that we've done to increase access to the Island with a diverse range of users and programs, we have also been hard at work on increasing the amount of public access through an extraordinary Park and Public Space Master Plan; you can see again, using the ice cream metaphor, sort of

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SUBCOMMITTEE ON ZONING AND FRANCHISES

the green going down the cone; that is a new Park Master Plan and that includes as well in the cone, 33 acres reserved in the future for some form of new development, which is not the subject of our discussion today. In preparation for that park and for increased uses of the Historic District, we completed a general... generic Environmental Impact Statement in January 2012 and the park is on time for completion later this year and you can see here some images; actually the image in the upper left, that's actually what it looks like today; that first area has already opened and we are hard at work at two sports fields, which are very much requested by the surrounding Lower Manhattan and Brooklyn communities, that will be part of the park and public spaces. And again you can see here just construction underway. We already have in our Historic District two year-round tenants; we are thrilled that the first year-round tenant is a public high school, the Urban Assembly New York Harbor School draws students from around the City; it was originally located in the Bushwick Community; it provides both career and technical education, as well as college readiness for a diverse array of students who literally come from every zip

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SUBCOMMITTEE ON ZONING AND FRANCHISES

code in our City and they take full advantage of the Island and are really a model for what career and technical education can be and that's evidenced, as you can see in that image in the lower right; that's the Secretary of Education in the Obama Administration, Arne Duncan, coming to visit earlier this year.

In addition to the Harbor School, our second year-round tenant is an artist studio program; this is run by the Lower Manhattan Cultural Council, which has been an incredible contributor to the diversity and vitality of Lower Manhattan for many decades; our artists are able to use this space free of charge year round and in addition, the public is able to access this space for exhibitions and actually to meet artists and as you can see, they had over 18,000 visitors during our public season last year; a sign of how vital this is as a resource, not just for the Island, but for the City as a whole.

So we have been working very hard to transform the Island and much work is underway; the demolition of derelict buildings in the southern half of the Island, the restoration of potable water, stabilization of buildings, renovating and replacing

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SUBCOMMITTEE ON ZONING AND FRANCHISES

our seawall and continuing to welcome a very diverse array of the public.

The Bloomberg administration has made an extraordinary investment in the transformation of this former military base; as you can imagine, because it was a military base it had not had contemporary investment in some decades and much not done to code; you see here \$216,000,000 in investment; that's about 2,000 jobs right now in terms of public sector funding of these projects and we are working diligently on all of these projects, which are on time and on budget.

Our capital investment is in part supporting the restoration and retenanting of the historic buildings. As I mentioned at the outset of my testimony, using our ice cream metaphor, this action is focused on the ice cream and in the... that section of the Island, as you can see in the buildings that are yellow, those are all vacant buildings, they were built between 1811 and 1940; they are all protected as landmark buildings, both under national landmark law and as well as our local landmarking, and while we allow local organizations to use them on a limited basis during the summer, they are all vacant. So our goal in the... fulfilling the mission set by the

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Federal Government in the transfer of the Island to the people of New York is to fu... excuse me... restore a level of vitality and activity to those buildings, as well as to the Island as a whole.

You will also note in that map, you'll see a star-shaped fort and as well as a round fort with the land that connects them; that actually remains Federal property; that is the Governors Island National Monument, which is owned and managed by the National Park Service/ under a separate jurisdiction we work very closely with the Park Service in everything that we do.

We also in... in fulfillment in that mission to bring more vitality to the Island, we did issue a Request for Proposals for adaptive re-use of those historic buildings and again, and I'll talk in a moment about this; we have very strict deed restrictions placed by the Federal Government at the time of transfer about what kinds of activity, economic activity is permissible on the Island, so we entertained the opportunity for there to be activity within those deed constraints. Those were issued... that was issued in December; we are of course here today to talk to you about a zoning that permits the

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SUBCOMMITTEE ON ZONING AND FRANCHISES

kinds of uses that had always been envisioned and the hope is that there can be tenant activity with construction in the next several years.

As I mentioned, while at the time of the transfer the goal was that the Island in some way be self-sufficient; the Federal Government also put very serious restrictions on the kind of activities. So on the one hand there were required affirmative uses, which we have... of course have embraced, including publicly accessible open space, education and cultural uses, recreational and entertainment, but there are prohibited uses and those prohibited uses include, in addition to things like parking lots and tow pounds; no casinos on the Island, no industrial uses and no stand-alone residential housing. So as we think about the potential re-use of those buildings and future activity on the Island, we are doing all of this within the constraints placed by the Federal Government at the time of the transfer.

So we are here today to talk to you about a proposed special zoning district; the Island, when it was a military base was actually zoned for stand-alone, low-density residential housing and I'll show you the image of our VR1 tax lot, which of course does

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SUBCOMMITTEE ON ZONING AND FRANCHISES

not conform to the uses that were envisioned, as I mentioned, at the time of transfer. The vision for the Island is of course that it remains this extraordinary public resource with a very diverse mix of uses; artist studios, galleries, offices, workshops, academic and research institutions, restaurants, hotels, and shops, as well as the dormitories and schools that are allowable currently in the underlying zoning. Everything that happens in our buildings are actually also governed by the historic covedance that are both in place from the National Historic District, the local landmarking and in fact, design guidelines that were attached, literally, to the deed of transfer back in 2003. So everything that happens to the exterior of the buildings and the landscape is governed by very strict rules, landmark rules.

As you can see here in this image, the image on the left is the current one tax lot; Governors Island, which as I mentioned, when it was a military base was zoned R32 and this is an overlay in the Historic District to permit a mix of uses consonant with that original vision. So you can see here that we're here to talk to today not about

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 anything happening in the southern half of the Island,
3 but only; again, a better metaphor, in the ice cream.
4 And in order to ensure that we remained focused only
5 on this Historic District, there is no transfer of
6 development rights across the district boundaries;
7 there is a broad range of commercial uses permitted,
8 but they must promote the goals of the Special
9 District and be in consonant with the character of the
10 Island as a historic district and most importantly, as
11 a publicly accessible place. Commercial uses must be
12 reviewed by Community Board 1; if they are in excess
13 of 7500 square feet the Community Board passed their
14 resolution unanimously and we look forward to
15 continuing to work very closely with them as we have
16 for the last 7 years. And then you can see there are
17 some other provisions as well and given the unique
18 nature of Governors Island, an island accessible only
19 by boat, some of the restrictions, like parking and
20 loading have been adapted to reflect that.

21 This is the calendar of where we are in
22 the process; obviously here seeking your approval.
23 During the Uler (sp?) process we worked, as I
24 mentioned, with Community Board 1 putting in the
25 provision around the threshold and then we also worked

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SUBCOMMITTEE ON ZONING AND FRANCHISES

with Borough President, Scott Stringer, who requested that there be a more specific list of allowable commercial uses with some other uses requiring specific authorization; that has been incorporated in there. In addition, in working with the Community Board and Community Board President, Catherine Hughes serves on our Board, they expressed some concerns looking forward; that we coordinate with the developer of the ferry terminal building; the building in the upper right photo is in fact where our boats depart from, but there is a hotel that is not one of our projects, be built on top; we were asked to coordinate, which of course we will do; they also wanted to remind us of environmental concerns and this lower right image shows you we are in fact a zero waste island, so we are very much in tune with the Community Board on that and they wanted to remind us, which we of course totally endorse, that the open spaces be maintained and that the mix of uses compliment the vitality of the Lower Manhattan community and so we wanted to just highlight some of the concerns that they raised that we of course have... are completely addressing.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

And then finally, just before I end I always like to remind everyone to come visit; it is quite a vital and exciting new place in New York, but I'm here of course to answer your questions and work with you. But yes, the carousels are up; there's not a picture of the carousels, but they are there and it is a very lively place.

CHAIRPERSON WEPRIN: Thank you very much. Council Member Chin, no, I see here, as well as Council Member Joshua apologize, a few other meetings across the street... [interpose]

LESLIE KOCH: Of course.

CHAIRPERSON WEPRIN: so people are running in and out. Any members of the panel have any questions on this? I know there's some people here to testify on... with some concerns. I... I'd like to call in Council Member Chin, who wanted to make some statements.

COUNCIL MEMBER CHIN: Good morning Leslie; it's always good to see you, and we are planning a community picnic out in the Island... [interpose]

LESLIE KOCH: Yes.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER CHIN: Governor's Island
3 August 10th.

4 LESLIE KOCH: Yep.

5 COUNCIL MEMBER CHIN: I've go... I've seen
6 the presentation and I guess; have you addressed some
7 of the issues that was raised by Community Board 1 in
8 terms of impact... [interpose]

9 LESLIE KOCH: Yes we have.

10 COUNCIL MEMBER CHIN: to the Lower
11 Manhattan community... [interpose]

12 LESLIE KOCH: Absolutely.

13 COUNCIL MEMBER CHIN: the ferry, the
14 fumes, the noise... [interpose]

15 LESLIE KOCH: Absolutely. Mm-hm.

16 COUNCIL MEMBER CHIN: some of those
17 issues... [interpose]

18 LESLIE KOCH: Yes. Yes. So we are
19 address all that, yes.

20 COUNCIL MEMBER CHIN: In terms of
21 retrofitting?

22 LESLIE KOCH: Well we're not yet
23 retrofitting; we have a historic vessel, just like we
24 have a historic island, but we, you know, view
25 ourselves as a model of sustainability in so many

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SUBCOMMITTEE ON ZONING AND FRANCHISES

ways, so we are taking that into account and particularly as we look at more activity, making sure that we are serving the Lower Manhattan community and also contributing to the resiliency as well as the sort of environmental... low impact of environmental context.

COUNCIL MEMBER CHIN: And you also are

looking at the pedestrian traffic... [interpose]

LESLIE KOCH: Yes, absolutely.

COUNCIL MEMBER CHIN: the bike traffic

with the terminal... [interpose]

LESLIE KOCH: Absolutely.

COUNCIL MEMBER CHIN: 'cause there's so

many people going in and out of... [interpose]

LESLIE KOCH: Yes.

COUNCIL MEMBER CHIN: the ferry terminal

to... to board the ferry... [interpose]

LESLIE KOCH: Absolutely.

COUNCIL MEMBER CHIN: and that's a

traffic jam there and it's... it's not that safe.

LESLIE KOCH: Yes, we are... we are always

looking at that and of course there is also construction going on in that building, so as that construction completes, we look forward to sort of

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SUBCOMMITTEE ON ZONING AND FRANCHISES

another stage where as we work with the other tenants of that building to ensure always that there is safety, particularly now with bike share; there's a bike share station right in front of that ferry terminal and many tourists, of course, who use the Staten Island Ferry, so we work with all the stakeholders in the adjoining community to make sure they're safe operations.

COUNCIL MEMBER CHIN: Now you... you have

mentioned that you have already issues RFP..

[interpose]

LESLIE KOCH: Uh-huh.

COUNCIL MEMBER CHIN: so my question is

like, would we have some opportunity to have some

input in terms of the RFP when they come back..

[interpose]

LESLIE KOCH: Yes. Well we've worked, as

I mentioned, very closely always with the Community

Board in every stage of every activity on Governors

Island and we would expect, as we begin to sort of

evaluate those responses, which again are for a mix of

uses, that we will seek the community's input and of

course, your input in that mix of uses and again, it's

a little too early to tell what those uses will be

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 we're working with... there's a broad range of
3 respondents, including not-for-profit uses, but yes,
4 we take very seriously that... the community... all... many
5 communities have a stake in the reanimation of
6 Governors Island and we work very closely with them.

7 COUNCIL MEMBER CHIN: Now in my meeting
8 with you, you have mentioned that, I think also your...
9 your staff were talking about, in terms of Governors
10 Island's track record of working with union laborers
11 and... [interpose]

12 LESLIE KOCH: Mm-hm.

13 COUNCIL MEMBER CHIN: with all the
14 construction and all the work that... [interpose]

15 LESLIE KOCH: Yeah, absolutely.

16 COUNCIL MEMBER CHIN: maintenance work
17 that you... you will do... [interpose]

18 LESLIE KOCH: Yes, all the... yes, all of
19 the work that we do; we work... Turner Construction is
20 our construction management firm and we obviously have
21 prevailing wage and... and union work on those public
22 funded jobs and a very strong record in MWBE as well,
23 and that's very important to us.

24 COUNCIL MEMBER CHIN: So going forward
25 with these RFP, with this developer, that are coming

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SUBCOMMITTEE ON ZONING AND FRANCHISES

in that's gonna be renovating the historic building
and... and developing on the Island, if they got
accepted by the RFP, how will you kinda carry out that
commitment to make sure that these developers coming
in also do the right thing as... the way that you have
doing already?

LESLIE KOCH: Sure. I think it's... it's a
little early for us just to... to... to state that, 'cause
obviously we're here just for a rezoning of the
district and not... we don't actually yet know that
there are any developers, let alone specific
developers or how they would work, but I think that we
would sit down with developers and of course
communicate our values to them and have a dialog with
them, as well as with the representatives of the labor
community, to make sure that everybody is heard on
those issues.

COUNCIL MEMBER CHIN: Yeah, so I... I
guess... I mean since you already have a track record
there, I mean we'd just logically like to see that
carry out with all the... the new developers coming...
anybody coming in on the Island, they've gotta follow
the track record... [interpose]

LESLIE KOCH: Yeah.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER CHIN: so we'll... we'll
look forward to seeing that.

LESLIE KOCH: Terrific.

CHAIRPERSON WEPRIN: Thank you Council
Member Chin. Anybody else have any questions?
Leslie, I advise if you could stick around and get to
hear all the other fun; we're gonna excuse you for now
and move onto panels we have both in opposition and in
favor of this project.

LESLIE KOCH: Terrific. Thank you so
much Council Member. [interpose]

CHAIRPERSON WEPRIN: Thank you. Thank
you for the presentation. I'd like to call up our
first panel in opposition to this project, Laine
McDuff [phonetic], Michael Halpin [phonetic], Miranda
Nelson and Anhil [phonetic] Okazio [phonetic], those
four as our first panel. Mike Burra [phonetic]
substitute; is that right thing? Okay guys, whenever
you're ready; you can decide who wants to go first.
Uh, we need another chair... could we just grab an extra
chair? You know... hold on a second, we have chairs
here; don't worry about it.

[laugh]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: So whenever you're ready, whoever wants to go first, please start.

ANGELO CASIO: okay. [interpose]

LAINÉ MIRRA: Go ahead.

ANGELO CASIO: Hi, my name's Angelo Casio, I've worked at the Plaza Tenot (sp?) for 18 years and I'm a proud member of the New York Hotel Trade Council. Being a union member has meant that I have a middleclass job, good wages, free health insurance and a pension. The City has seen a huge growth of non-union hotels, especially downtown; this is scary; it threatens my ability to provide for my family and it threatens the jobs of my 32,000 fellow union members. I am very concerned about the possibility of another non-union hotel on Governors Island. This is a public land given to the people of New York by the Federal Government; we shouldn't be using public lands to cut middleclass jobs; therefore I oppose the rezoning. Thank you.

CHAIRPERSON WEPRIN: Thank you very much. Do you wanna keep the HTC together; go ahead, you go second.

MIRANDA NELSON: [off mic]

ANGELO CASIO: [off mic]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Alright Miranda;
whenever you're ready. That... that mic slides, so you
can sort of... [interpose]

MIRANDA NELSON: [laugh]

CHAIRPERSON WEPRIN: move it around if
you want.

MIRANDA NELSON: Hi, I'm Miranda Nelson
and I'm a policy analyst at the New York Hotel Trades
Council; we... we brought several of our members here;
you'll hear them speak later about the importance to
them of having a union and our concern about the
growth of non-union hotels around the City; we've seen
lots of them downtown, as... as Angelo said and you
know, we... we think that there's a pretty simple
solution here. It's true that there aren't any
developers selected yet, but we would like the... the
Trust for Governors Island to simply sign a Labor
Peace Agreement with the... with Hotel Trades Council or
anyone else who might wanna represent the workers
there and that would cover any... any possible hotel
that came in and so we wouldn't have to worry about
whether or not we had the developer yet and that seems
that that would be really simple and easy, but they
haven't signed yet, as such where we're very concerned

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SUBCOMMITTEE ON ZONING AND FRANCHISES

about letting the... the rezoning go through without that, 'cause this is public lands and we don't think that there should be a non-union hotel there.

CHAIRPERSON WEPRIN: Thank you, Miranda.

LAINE MIRRA: Hello. My name is Laine Mirra and I'm here today representing Build UP NYC. Build Up NYC is an organization of members representing 200,000 workers in the construction, building operations and maintenance and hospitality industries and we have advocate for good jobs and responsible development.

Public property like Governors Island should be used to promote responsible development that provides real benefits to our communities and responsible development means creating good jobs that pay prevailing wages, provide good health and retirement benefits and create a pathway to the middleclass for all New Yorkers. These are good jobs that grow the economy, increase the tax base and reduce dependence on public service in New York and responsible employers in the construction, building operations and maintenance and hospitality industries have worked with members with Build Up NYC to establish these high standards and create a level

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SUBCOMMITTEE ON ZONING AND FRANCHISES

playing field in these industries and these are good jobs, again that provide families sustaining wages, health insurance and pensions and responsible employers are those that provide training, including vital safety training and participate in state of the art apprenticeship programs for construction workers and window cleaners.

Now there are some irresponsible employers who undermine the established standards and they create unfair competition for responsible employers by seeking to pay lower wages, reduce or eliminate benefits and they cut their costs in ways that undermine the level playing field for employers across the board. And projects subsidized by the City or built on city-owned land should not utilize developers in construction, operations and maintenance contractors that undermine these standards and public policy should be encouraging employers to compete based on... should not be encouraging employers to compete based on cutting worker wages, benefits or safety programs. In the case of the Governors Island redevelopment, the City should ensure that developers and contractors who are given the opportunity to build

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SUBCOMMITTEE ON ZONING AND FRANCHISES

on public land are committed to upholding these industry standards in creating good jobs in the city.

So Governors Island is a unique public resource and the City now has a once-in-a-lifetime opportunity to redevelop the resource in a way that provides real long-term benefits to this entire city and ensuring that redevelopment creates good jobs and with prevailing wages and benefits that's crucial for working New Yorkers and responsible employers.

I think you for the opportunity to present today on this important issue before the City Council.

CHAIRPERSON WEPRIN: Thank you very much. Mike.

MIKE HALPIN: Good morning. My name's Mike Halpin; I'm a New York City resident and today I'm here representing Build Up NYC. Build Up NYC is an organization of members representing 200,000 workers in the construction, building operations and maintenance and hospitality industries that advocates for good jobs and responsible development. Build Up NYC believes that city sponsored projects on public land, like the Governors Island redevelopment, should be built and operated according to the highest safe...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

[pause - audio cut out]

MALE VOICE: Make like two copies.

[background comments]

CHAIRPERSON WEPRIN: Testing. Go ahead.

MIKE HALPIN: Is this thing on?

[laughter]

CHAIRPERSON WEPRIN: So you could either pick up where you left off, if you remember; otherwise you... backtrack it. [interpose]

MIKE HALPIN: Sure, I got it.

Construction is a dangerous industry, in fact according to OSHA, out of 35 total workplace fatalities in NYC, 28 were construction related. In 2012 Federal safety and health experts conducted 741 construction inspections, issued over 1,000 serious willful elations and assessed nearly 3.5 million in penalties to employers in New York City. Providing adequate safety training can literally be a matter of life and death; for this reason it's crucial to ensure that construction workers as well as building operations and security workers are provided vital safety training that protects workers and the public. Build Up NYC advocates for responsible employers to maintain high safety standards and provide state

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 approved safety training and apprenticeship programs.
3 Not all construction employers are committed to
4 maintaining these high safety standards. In fact, 72
5 percent of construction fatalities in New York City in
6 2012 occurred on job sites where workers did not
7 participate in state approved training and
8 apprenticeship programs. These employers create
9 dangerous work environments that put workers and the
10 public at risk.

11 The Governors Island redevelopment should
12 support high construction safety standard by ensuring
13 that contractors employed on this project participate
14 in state approved training and apprenticeship
15 programs. Additionally, Governors Island should be
16 redeveloped transparently so the public has access to
17 crucial information about the contractors considered
18 for this project to determine if they are responsible
19 employers who follow the law. Projects subsidized by
20 the City or public funds or built on city-owned land
21 should be built with the highest standards. The
22 public should know whether the contractors benefiting
23 from these projects comply with the law, participate
24 in industry standards, safety and apprentice programs
25 and whether they have good health and safety records.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Additionally, the public should be aware of whether a contractor on such projects has a history of being removed from projects due to poor practices.

In the case of the Governors Island redevelopment, the public should be provided information about health, safety and legal compliance records of potential construction, operations and maintenance contractors before they are selected for this project. Contractors selected for this project should be held to the highest standards to ensure this project is completed safely and on time. Establishing a transparent contract or review process can help avoid unnecessary project delays, disruptions and unsafe conditions that can invade your workers and the public.

Build Up NYC is committed to work with the City to promote responsible development that strengthens our communities and creates good jobs. High safety standards and transparency are vital to ensuring responsible development. The Governors Island project is an excellent opportunity [musical tone] to use crucial public resources to... [interpose]

CHAIRPERSON WEPRIN: Take your time; fini... finish up.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

MIKE HALPIN: Two more sentences... crucial public resources to uphold our industry standards and promote truly responsible development. Thank you for the opportunity to present this testimony today.

CHAIRPERSON WEPRIN: Thank you, sir. I'd like to call in Council Member Chin.

COUNCIL MEMBER CHIN: Thank you. Thank you for coming to testify today. Have you been monitoring some of their construction work that's been going on in the I... I mean as far as what we were told, that they are using union labor, prevailing wage...

MIKE HALPIN: I don't know that there has been any commitment given on this project; I don't believe it has.

COUNCIL MEMBER CHIN: No, no; not term... not in terms of this project, but their... in terms of their track record of all the project that has gone on in Governors Island to this day. Because I think from the testi... the testimony from Leslie Koch and from their meeting with us, they already have this record where they have union laborers and... in their constructions and whatever they've been doing right now on the Island. Are you guys aware of that?

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 MIKE HALPIN: If that's the case, great;
3 I haven't done the research on that. I know that
4 there's no commitment on this project.

5 LAINE MIRRA: We're looking to ensure
6 that the work that goes forward continue... is union
7 work, right, it provides good quality jobs or safety..
8 [interpose]

9 COUNCIL MEMBER CHIN: Yeah. No and
10 that's what we're pushing for too... [interpose]

11 LAINE MIRRA: Right.

12 COUNCIL MEMBER CHIN: 'cause they already
13 have a track record.

14 LAINE MIRRA: That's great.

15 COUNCIL MEMBER CHIN: You know, but
16 they're doing that already, so we just wanna make sure
17 going forward that they also do the same thing. Thank
18 you.

19 CHAIRPERSON WEPRIN: 'Kay, thank you very
20 much. I'd like to call up... don't leave yet, Mike...
21 Council Member Jackson is on the case.

22 COUNCIL MEMBER JACKSON: So thank you for
23 coming. So by... by the testimonies that I'm hearing
24 from the Hotel Trades and from Build Up NYC, you're
25 talkin' about quality union jobs, providing the

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SUBCOMMITTEE ON ZONING AND FRANCHISES

workers that have the training and experience in doing the work in order to put safety and security and to ensure that the project holds up for the timeframes of the project they're supposed to, but also, you know good, you know middleclass jobs with benefits for the workers. And.. and I forgot your name; you testified that you're against the.. the zoning. Have.. have.. has the Hotel Trades had discussions with anybody about whether or not there's gonna be hotel jobs there and if so, where.. where's the negotiations, because based on what you're saying, that you.. you, representing Hotel Trades, is against a rezoning. Give me some clarity here.

MIRANDA NELSON: Sure. We.. [interpose]

COUNCIL MEMBER JACKSON: Just identify yourself, please. [interpose]

CHAIRPERSON WEPRIN: Just..

MIRANDA NELSON: My name is Miranda Nelson and I'm a policy analyst... [interpose]

COUNCIL MEMBER JACKSON: Policy analyst for Hotel Trades.

MIRANDA NELSON: Yeah. We.. we're very happy for the rezoning to.. to go through if.. if they do sign a... if the Trust for Governors Island, which

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SUBCOMMITTEE ON ZONING AND FRANCHISES

owns the land, signs a Labor Peace Agreement with us which would ensure that there's a process for unionizing any hotel that might want to come to the... to the Island and we have... we've reached out to the Trust and have not yet gotten a response, so we're just... we're concerned that if the rezoning goes through without a Labor Peace Agreement that we won't... that... that it will be difficult for us to get one later and we would just really like assurance that there's not gonna be a non-union hotel built on this island and undercut our jobs.

COUNCIL MEMBER JACKSON: Are hotels

planned for the Island?

MIRANDA NELSON: Our... our understanding

is that it... it's certainly one of the possibilities in the... in the RFP and our understanding is that that is one of the... they have gotten responses for the hotels, but that might be a better question for Leslie to tell you about those, because we do not know details, we just know that it is certainly a possibility.

COUNCIL MEMBER JACKSON: So what I'm...

what I'm hearing from you as a representative of Hotel Trades; that if in fact the non-profit organization that's responsible for the Island does not commit to,

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SUBCOMMITTEE ON ZONING AND FRANCHISES

at least from their position, of allowing neutrality zone if in fact... if in fact there is a hotel there and employees sign up, that if in fact they're not willing to do that, you're saying to vote... vote down the project... [interpose]

MIRANDA NELSON: Well we're...

COUNCIL MEMBER JACKSON: the entire rezoning?

MIRANDA NELSON: And I'm... I'm saying we're ver... we're very concerned; we wouldn't want it to go through; I mean I... I know there's a... a couple of... there's a couple days before we actually go to the... the City Council and deal with it completely; we're hoping that we'll be able to continue to work this out be... before then.

COUNCIL MEMBER JACKSON: Okay. Mark... Mr. Chair; let me ask you a question. When... when do we plan... when do we plan on voting on this particular matter?

CHAIRPERSON WEPRIN: Well, we're not voting on it today; we're hoping to vote on it by tomorrow, potentially, so we have work to do... we wanna address your issue.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER JACKSON: Hi... hi... is it possible you can call back the non-profit organization that's running so we can ask questions about this? Because it... it... it's striking to me that we have representatives from... one is an employee of a... of a hotel who's a union member, another is a policy analyst for the Hotel Trades and... and not unless the em... the... the union member misspoke on behalf of the union, they... I'm hearing that they're saying that they want this voted down if no agreement is reached with the non-profit organization that runs the Island and I need some clarity. I need clarity. [interpose]

CHAIRPERSON WEPRIN: She... she unfortunately had to step out to a meeting somewhere else; she'll be back later. But we will address this issue; I mean if we can't get her later, back today we can discuss this issue after the meeting. [interpose]

COUNCIL MEMBER JACKSON: Okay.

CHAIRPERSON WEPRIN: It is obviously something of concern to... to us all.

COUNCIL MEMBER JACKSON: Okay. So can I just ask the people who spoke on behalf of Build Up NYC; is there any allegation that the building up of... of... of the Island is not bein' done by unionized

1 SUBCOMMITTEE ON ZONING AND FRANCHISES
2 employees or did I hear you say that that's not an
3 issue and concern now and you wanted just ensure of
4 that in the future? And... now, I understand, sir that
5 you spoke, that you are a resident of the area; is
6 that correct? Or are you a representative of Build Up
7 NYC?

8 MIKE HALPIN: I'm a representative of
9 Build Up C; I am also a New York City resident, yeah.
10 [interpose]

11 COUNCIL MEMBER JACKSON: Okay.

12 MIKE HALPIN: I'm speaking for Build Up
13 NYC, yeah.

14 COUNCIL MEMBER JACKSON: Okay. And
15 what's your position with Build Up New York City.

16 MIKE HALPIN: I am the communications
17 work group leader.

18 COUNCIL MEMBER JACKSON: Okay. So... okay,
19 so can you respond to my question as far as; is there
20 any non-union work goin' over there now to build up
21 the island?

22 MIKE HALPIN: This project... this project
23 that's being considered now is basically different
24 than most of the other work that's been done on the
25 island and there are no assurances in the RFP for

1 SUBCOMMITTEE ON ZONING AND FRANCHISES
2 worker safety standards, and/or worker trainee
3 standard and apprenticeship standards, so that is our
4 concern. There has been no commitment and there's
5 nothing in the RFP calling for such.

6 CHAIRPERSON WEPRIN: Mr. Jackson.

7 COUNCIL MEMBER JACKSON: Oh, I'm
8 thinking; I'm sorry, one moment.

9 [laughter]

10 COUNCIL MEMBER JACKSON: 'Kay. Okay,
11 thank you very much.

12 CHAIRPERSON WEPRIN: Thank you.
13 Obviously this is an issue we will talk about over the
14 next negotiations on this. So thank you. Thank you
15 very much, panel. I'm now gonna call up the following
16 panel in favor of this project, Michael Levine from
17 Community Board 1, Diana Switaj, and Susan Carey
18 Dempsey, from the Governors Island Alliance. If you
19 all can please, when you speak, state your name for
20 the record and whenever you're ready.

21 MICHAEL LEVINE: Alright, I'll start.
22 Good morning. I am Michael Levine; I'm consulting
23 planner for Manhattan Community Board 1 and we're here
24 today to speak regarding the Special Governors Island
25 Rezoning District.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Community Board 1 has worked very closely with the Trust for Governors Island and we're very pleased with the planning progress they have made to transform the Island into a vibrant mixed-use destination; they've accomplished a lot over the past decade. Now more than ever we are enthusiastic about the incredible plans and potential for appropriate redevelopment of the northern portion of the Island, the Island that Leslie Koch calls the ice cream portion of Governors Island. The Special District being proposed before you today would retain 1.2 million square feet of space in existing historic structures in the northern portion of the Island. We believe the zoning proposal and the retensing plan will result in increased public use of the Island and will assist the Trust to maintain the Island most importantly, create economic opportunities for small businesses and the opportunity for location of non-profit organizations. We're pleased that the Trust staff has worked very closely with the Department of City Planning and with Community Board 1 to provide a review opportunity for CB1 in that any uses of more than 7500 square feet would come before our Community Board for review.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Furthermore, when it was going through the ULURP process at the City Planning Commission, Manhattan Borough President, Scott Stringer commented that he would like to see a list of permitted uses on the Island and we are pleased that the Department of City Planning worked with The Trust and with Community Board 1 to come up with a list of allowable uses on the Island as of right; any uses not listed in the zoning text would be subject to an authorization process in which the Community Board would have the opportunity once again to comment.

Therefore, we'd like to thank the Department of City Planning, The Trust for working as closely as they did with us to maintain a proposal for a district that would complement redevelopment of the Island, create economic opportunities to maintain the Island and for business in New York City and we urge very strongly that the City Council adopt the zoning text change you have before you today.

I will be followed by Diana Switaj of our Community Board office, the Director of Planning, who will describe to you some of the concerns we had in considering the zoning change of the potential impacts on the Lower Manhattan community and particularly the

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Battery Maritime Building, which is the entryway from Lower Manhattan to the Island. So if there are no further questions, Diana Switaj will address you on specific impact issues.

CHAIRPERSON WEPRIN: Thank you.

DIANA SWITAJ: Good morning; I'm Diana Switaj, Director of Planning and Land Use at Manhattan Community Board 1, thank you for the opportunity to comment on this application for the creation of the Special Governors Island District.

Mitigating negative impact of the potential increased development on Governors Island remains of primary importance to Community Board 1. Transportation to Governors Island occurs from two ferry portals; one in Manhattan and one in Brooklyn. We particularly concerned about the area surrounding the Battery Maritime Building in Lower Manhattan and have specific concerns regarding the potential negative impacts from the north island retenanting plan associated with the zoning proposal. We have eight specific concerns, many of which Leslie already addressed, but I'll quickly reiterate what they are.

One, air quality and noise issues resulting from ferries transporting to and from

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Governors Island; two, pedestrian and vehicular flow at the Governors Island ferry terminal; three, garbage removal from Governors Island; four, lead and energy star standards; five, consideration of and preparation for possible future storms; six, balanced retail uses; seven, maintaining sufficient open space and eight, minimizing negative impact on wildlife habitats and the natural environment.

While we are concerned about the impacts of commercial development on the north island, we are also focusing on future park development in the south island. On Monday, May 6, 2013 Community Board 1 was given a tour by Governors Island staff of the new 30-acre park that will be completed later this fall; we are thrilled about the positive progress being made on the Island. Thank you for the opportunity to testify today.

CHAIRPERSON WEPRIN: Thank you, Miss Switaj. Last, but not least.

SUSAN CAREY DEMPSEY: Close... close as I can get. Thank you; I am Susan Carey Dempsey, Executive Director of the Governors Island Alliance and thank you for this opportunity to testify on the proposed Special Governors Island District.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

Since 1995 the Governors Island Alliance has worked to celebrate the Island's rich history, create memorable parks and public spaces and ensure appropriate reuse of the Island and its historic structures. We are delighted by the continued considerable progress that has been made on the goal of returning the Island to the people of New York. Last summer more than 8,000 people a day visited the Island.

This growing popularity has made the Island an integral part of New York City summers. Over \$300,000,000 has been invested in the Island's parks and public spaces, infrastructure and historic buildings. This investment, design work and construction on the Island have set the stage for the needed redevelopment of the Island and its historic buildings. We are delighted that the City has proceeded on an RFP for new tenants that will animate the more than 50 buildings within the City and National Landmark Historic District. The proposed creation of the Special District is a good approach for enabling leases with commercial, cultural and educational tenants identified in the recent RFP to proceed. The District would reconcile uses

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SUBCOMMITTEE ON ZONING AND FRANCHISES

anticipated in the documents that accompanied transfer of the Island to New York with the zoning text; in particular, allowing commercial uses, such as dormitories, hotels, spas and/or supportive retail uses to move forward. Long-term tenancies in the 1.4 million square feet of buildings are critical to sustaining these national treasures and meeting the Island's overall needs.

The design guidelines that govern redevelopment in the City's Historic District offer additional protection for the character of the Island and opportunity for public input into its redevelopment. We should offer those perspective tenants a clear path to decisions with a minimum for oversight when they are in keeping with the goals and objectives as stated in the general purposes of the statute, deed restrictions and the design and development guidelines created for the Historic District. The Special District does that.

We would suggest approval with a minor modification; the proposed text amendment requires Community Board review for permitted uses above 7500 square feet; hospitality uses below that threshold should also be subject to review.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

As you know, apart from the proposed Special District, new development proposals for the south end of the Island can be expected to come up for review in the months and years ahead. In consultation with our Board and Advisory Committee, the Alliance has developed its own set of criteria, which are attached to this testimony... [interpose]

CHAIRPERSON WEPRIN: Finish up.

SUSAN CAREY DEMPSEY: Thank you very much the opportunity to share this testimony.

CHAIRPERSON WEPRIN: Thank you, that was great. Anyone have any questions? Mr. Jackson.

COUNCIL MEMBER JACKSON: Thank you... thank you all for coming in. Miss Dempsey, I'm curious as to the Governors I... Island Alliance, with respect to the previous panel discussion about good jobs, NY Build Up, NYC and the Hotel Trades; what... what is the position of, if any, of the Governors Island Alliance regarding these particular matters?

SUSAN CAREY DEMPSEY: I would not say we've... we've had a specific position on that point; what I heard earlier is that there is a track record on the Island of pursuing high standard contractors and we would very much anticipate that going forward,

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SUBCOMMITTEE ON ZONING AND FRANCHISES

but one of the... we know that one of the accepted uses would be hospitality uses, such as hotels.

COUNCIL MEMBER JACKSON: Okay. And... and what about Community Board 1; has Community Board 1 taken a position on this particular matter with respect to the Hotel Trades or, or the, the non-profit organization that's runnin' the Island communicating in a RFP as far as neutrality for any hotel operator that may come in there; that's number one, and as far as any construction there bein' done by qualified, trained, unionized employees; has Community Board 1 taken a position on that?

MICHAEL LEVINE: Community Board 1 has not taken a position on this issue; it has not been raised at any of our public hearings in the past, but having heard today's testimony and knowing that one of the provisions of the proposed zoning text is that all uses above 7500 square feet, and we've heard one proposal to include hospitality uses, be reviewed by the Community Board; we will take into consideration everything we heard today; number one, union labor and number two, the highest safety standards. So there is a review opportunity for most of the large scale uses

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SUBCOMMITTEE ON ZONING AND FRANCHISES

that would come into the District and we... we will take into cognizance all of the testimony we heard today.

COUNCIL MEMBER JACKSON: Hm. 'Kay. When is the next time the Community Board is meeting, because my understanding that we may be voting on this tomorrow?

MICHAEL LEVINE: You will be voting on the text change, but we would be considering individual applications for separate uses coming into the Island and that would probably start in the fall. Those considerations would not come back to you; you're considering the generic zoning text that would allow it and the Community Board would on a case by case basis review each application; it would seek input from the Governors Island Alliance and from other segments of the community, but it would not come back to you for approval of each use; we would listen to what we heard today in the determinations by the Community Board.

COUNCIL MEMBER JACKSON: 'Kay. Thank you very much.

CHAIRPERSON WEPRIN: Thank you. Miss Chin..., Miss Chin. [interpose]

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SUBCOMMITTEE ON ZONING AND FRANCHISES

COUNCIL MEMBER CHIN: Just a... just a point to Council Member Jackson's question. Community Board 1 actually have a seat of the Governors Island Trust...

MICHAEL LEVINE: Correct.

COUNCIL MEMBER CHIN: City Council, we don't have a seat on that Board. So you will have actually more of a say in terms of going forward with developers that's being selected, so it might be good for the HTC and also Build Up New York to really also go back to... to go to the Community Board and also try to get a commitment there too.

CHAIRPERSON WEPRIN: Great. Thank you very much. We thank this panel, thank you for comin' down. I'd like to now call on, I believe which is our final panel; the op... is in opposition, please Mr. Jimmy Chin [phonetic], Howard Redford, and Rafalina [phonetic] Moreno. Is there anyone else here who wants to testify on this matter that I missed? No. Okay, good. So whenever you're ready, please identify yourselves for the record and whoever wants to start.

HOWARD REDFORD: Good morning City Council Members.

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SUBCOMMITTEE ON ZONING AND FRANCHISES

[background comment]

HOWARD REDFORD: Good morning City Council Members; my name is Howard Redford; thank you for giving me an opportunity to... to say a few words about this topic, rezoning... [interpose]

CHAIRPERSON WEPRIN: Great. Mr. Redford, just speak a little louder.

HOWARD REDFORD: Yeah. I work at the Mandarin Oriental New York, the hotel and The Pierre Hotel and I proud member of New York Trade, New York City Hotel Trade Council for the last 23 years. Being a member has given me a voice in my workplace and good middleclass job; free healthcare as well. The City has been... has seen huge growth of non-union hotels; we don't need another... non-union hotels on Governors Island that pays lower wages and no healthcare benefit; therefore, I'm opposed to rezoning. Thank you very much.

CHAIRPERSON WEPRIN: Thank you, Mr. Redford. Who's next, Mr. Chin. 'Kay. [interpose]

JIMMY CHIN: Hi, good morning. My name is Jimmy Chin; I work at the Crowne Plaza Times Square for 23 years. I'm the proud member of the New York Hotel Trade Councils. Being a union member has given

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SUBCOMMITTEE ON ZONING AND FRANCHISES

me job stability and the ability to buy a home. The City has seen a huge growth of non-union hotels; we don't need another non-union hotels on Governors Island; therefore I oppose the rezoning. Thank you.

CHAIRPERSON WEPRIN: Thank you. Miss Moreno.

RAFALINA MORENO: Good morning. My name's Rafalina Moreno and I've been working the New York Hotel for 15 year and I'm proud the union... I'm proud union member of the Hotel Trade Council. Being a union member has mean a good middleclass job; they allow me to provide for my family. The City has seen a huge run of non-union hotel; we don't need another non-union hotel in Governors Island. I'm opposed of the project if you... that's the City property; you have to build right and you have to do it right for the City of New York, they allow us to provide good salary, good wages and benefits and live in this City because for the minimum payment that we make, we cannot live in the City; that's my question to you guys and I would like to take to the consideration, make sure if this build hotel they have to be... they have to have...

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Thank you very much.
Any questions from the panel? No. Okay, great; we
thank you very much; we appreciate your patience; I
know it's been a little bit of a long morning. With
that in mind I'm gonna move to close this hearing; we
will take some of the information we heard today into
consideration as we discuss this item. Okay. And so
now, having voted on the other items, we are going to
recess this meeting until 9:45 tomorrow morning in
this room and until that time we will see you all
tomorrow if you wanna come back. So 9:45 tomorrow; we
are now in recess. Thank you very much.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. 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.



Date 07/22/2013

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SUBCOMMITTEE ON ZONING AND FRANCHISES

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