

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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November 13, 2013  
Start: 10:36 a.m.  
Recess: 10:46 a.m.

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

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

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

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

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 CHAIRPERSON WEPRIN: [speaking Spanish]

3 MALE VOICE: Quiet please.

4 [gavel]

5 CHAIRPERSON WEPRIN: [speaking Spanish]

6 [background comments, laughter] Alright. Alright.

7 You ready? [background comments] Everyone ready?

8 Good morning everyone. My name is Mark Weprin; I am

9 the Chair of the Zoning and Franchises Subcommittee;

10 I'd like to welcome you all here today. We are

11 joined by the following members of the Subcommittee

12 for quorum purposes, Council Member Joel Rivera,

13 Council Member Diana Reyna, Council Member Leroy

14 Comrie, Council Member Robert Jackson, Council Member

15 Dan Garodnick, Council Member Jessica Lappin, and

16 Council Vincent Ignizio... [background comments] Okay.

17 And then we're also joined by members of the Land Use

18 Committee, who are here visiting us and will be

19 talked about later, but let's not waste time.

20 We are here today... we have two items on

21 the agenda at the moment, one, which is a hearing we

22 had yesterday on Rangold [phonetic] which is 951, 952

23 and 953 -- that will be laid over for a future

24 meeting -- the hearing we had yesterday. And the

25 other item that is on today's agenda is Land Use No.

2   945 and 946 known as the East Midtown Rezoning. Now  
3   that... we will have a Motion to File pursuant to a  
4   Letter of Withdrawal on that item by the applicant,  
5   the New York City Department of City Planning, for  
6   those two items, so we will not be hearing those  
7   items today. We'd like to call on Council Member  
8   Dan Garodnick, who represents the majority of this  
9   rezoning, to give a statement on this matter. So  
10  Council Member Garodnick.

11                   [background comment]

12                   COUNCIL MEMBER GARODNICK: Thank you, Mr.  
13  Chairman. And first of all, let me thank you in  
14  particular for chairing what was a very extensive  
15  hearing on the subject of East Midtown Manhattan and  
16  a lot of ideas were unearthed during that hearing and  
17  certainly it was important for this Council's ability  
18  to get clarity on the subject. I also wanna  
19  recognize the work of Mayor Bloomberg and Deputy  
20  Mayor Steel and City Planning Chair, Amanda Burden  
21  and their teams which propelled the idea of rezoning  
22  Grand Central and its area forward. We are very  
23  fortunate that they took the initiative here to begin  
24  that important process.

2                   But unfortunately, a good idea alone is  
3 not enough always for us to justify action; we  
4 certainly should be rezoning East Midtown, but only  
5 when we can do so in a complete fashion and as many  
6 of you know, we were unable to reach agreement on a  
7 number of issues in the proposed plan; among those  
8 issues, we remain concerned with the price  
9 methodology and timing of the air rights that were  
10 anticipated to be sold by the City for the District  
11 Improvement Bonus; we are concerned with the  
12 certainty and funding level of the infrastructure  
13 improvements, which include both the above- and  
14 below-grade needs; the public realm plan, which we  
15 worked very hard to secure, is important, but it is  
16 also aspirational and it is unclear at this point  
17 whether some of its most visionary improvements can  
18 yet be actualized.

19                   So this is a proposal which deserves more  
20 attention and more work; I am pleased that we do not  
21 have to cast a no vote today; in fact, I think that  
22 this should be the beginning of a larger  
23 conversation, and I think that we can achieve all of  
24 the goals that are set out by the Bloomberg  
25 Administration and do so in a way that respects the

1 interests and the perspectives of all of the  
2 stakeholders, whether the community, the workers who  
3 will populate and serve the new expanded buildings in  
4 East Midtown, the landmarks in the area, and also the  
5 developers who support the current proposal. I also  
6 wanna note that we have heard from the Mayor Elect,  
7 who has said that he will put a plan together and  
8 complete it for the purpose of a rezoning to initiate  
9 the process in 2014; that means that is not a  
10 permanent tabling of this issue; this means this is  
11 right front and center on his agenda and we  
12 appreciate that, because this plan deserves to be  
13 fully considered and it deserves to move forward at  
14 the appropriate time, so we need to make sure that we  
15 get this right. And I thank you, Mr. Chairman, also  
16 Chair Comrie and all of my colleagues who have  
17 participated in this process, as well as the Multi-  
18 Community Board Task Force which was so instrumental  
19 in helping to educate elected officials and other  
20 stakeholders, as well as the many folks in the real  
21 estate world who come at this issue from a variety of  
22 different perspectives and we look forward to  
23 continuing to speak with and work with them to refine  
24

1 this proposal further and to make sure that we get it  
2 right. Thank you.

3  
4 CHAIRPERSON WEPRIN: Thank you Council  
5 Member Garodnick, it's been a pleasure working with  
6 you on this issue and spending so many hours at a  
7 hearing with you; I have spent a lot more time with  
8 you lately than I have with my wife and I expect it  
9 only gets worse from here. [laughter, background  
10 comments]

11 COUNCIL MEMBER LAPPIN: Are we having  
12 discussion on the item?

13 CHAIRPERSON WEPRIN: Yes, Council Member  
14 Lappin wants to comment on this item.. [interpose]

15 COUNCIL MEMBER LAPPIN: 'Kay.

16 CHAIRPERSON WEPRIN: as well. Please, go  
17 ahead.

18 COUNCIL MEMBER LAPPIN: Sure. So... thank  
19 you Mr. Chair, I live in East Midtown and represent  
20 portions of East Midtown as well and have been very  
21 actively working with the developers and the tri-  
22 board task force over the last year plus, and I  
23 wanted to say first and foremost that I have always  
24 been a supporter of the goals of the rezoning and it

1 is important for us to maintain East Maintain as one  
2 of the world's premier business addresses.  
3

4 That said, this has been a process that  
5 has moved very quickly and on somewhat of an  
6 artificial timeframe from the beginning and I have  
7 been really heartened to see the work of the tri-  
8 board task force because truthfully, in my 15 years  
9 in government I'm not sure I have ever seen this kind  
10 of comprehensive civic engagement across  
11 neighborhoods, across community boards in a very  
12 thoughtful, professional, collaborative and  
13 instructive manner, and I hope that that is a model,  
14 regardless of what applications come before the  
15 Council in the future that can be replicated, because  
16 I think it was very powerful and very productive.

17 But I do look forward to there being  
18 another iteration of this, because, you know at least  
19 one of the developers who came and testified is gonna  
20 be building no matter what; another said that they  
21 will not move forward and we will see what they  
22 decide ultimately. But there is going to be some  
23 development that happens in this area and as much as  
24 we can benefit as a city from that, I think we  
25 should. And there's some development that should

2    take place in that area for sure.  So I'm glad that  
3    this has been withdrawn so we can have the kind of  
4    continued deliberative discussion and debate and do  
5    hope for a much better final product as a result.  So  
6    thank you and I intend to vote in favor of this.

7                   [background comment]

8                   CHAIRPERSON WEPRIN:  Thank you Council  
9    Member Lappin.  Let me just add one last thing; that  
10   although I know I am disappointed we weren't able to  
11   reach an agreement at this time, we are hopeful that  
12   this plan will go forward in the future, because it  
13   is desperately needed to sort of modernize our office  
14   buildings in East Midtown.

15                  With that in mind, I want to acknowledge  
16   that we have been joined by Council Member Wills,  
17   Ruben Wills from Queens and we will now have a motion  
18   to vote on; I will make a Motion to File pursuant to  
19   a Letter of Withdrawal by the applicant, again, the  
20   New York City Department of City Planning; there'll  
21   be an aye vote, which means we approve the withdrawal  
22   and so this is on Land Use Items 945 and 946, the  
23   East Midtown Rezoning.  I'd like to call on Ann  
24   McCoy, the Counsel, to please call the roll.

25                  ANN MCCOY:  Chair Weprin.

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CHAIRPERSON WEPRIN: Aye.

ANN MCCOY: Council Member Rivera.

COUNCIL MEMBER RIVERA: I vote aye.

ANN MCCOY: Council Member Reyna.

COUNCIL MEMBER REYNA: Aye.

ANN MCCOY: Chair Comrie.

COUNCIL MEMBER COMRIE: [background  
comment]

CHAIRPERSON WEPRIN: Mr. Comrie to  
explain his vote.

COUNCIL MEMBER COMRIE: Thank you. I  
just wanna congratulate Council Members Garodnick and  
Weprin and Lappin for all of their efforts to try to  
get to a place where they could move the project and  
I'm sorry that we weren't able to complete it; there  
is a need, clearly, for doing some improvements to  
East Midtown, but I look forward to hopefully making  
sure that over the next... well, I won't be here, but  
hopefully further the discussion to make sure that  
there is something that will be done to ensure that  
the needs of the community infrastructure and all of  
the public concerns that were listed by Council  
Member Garodnick, which are truly critical to the

2       success of the project as well, get done in a proper  
3       and thorough fashion. I vote aye.

4                   CHAIRPERSON WEPRIN: Mr. Comrie votes  
5       aye.

6                   ANN MCCOY: Council Member Jackson.

7                   COUNCIL MEMBER JACKSON: Aye.

8                   ANN MCCOY: Council Member Garodnick.

9                   COUNCIL MEMBER GARODNICK: Aye.

10                  ANN MCCOY: Council Member Lappin.

11                  COUNCIL MEMBER LAPPIN: Aye.

12                  ANN MCCOY: Council Member Wills.

13                  COUNCIL MEMBER WILLS: Aye.

14                  ANN MCCOY: Council Member Ignizio.

15                  COUNCIL MEMBER IGNIZIO: Aye.

16                  ANN MCCOY: By a vote of 9 in the  
17       affirmative, 0 abstentions and 0 negatives, the  
18       Motion to File pursuant to a Letter of Withdrawal  
19       from Land Use Items 944 and... excuse me... 945 and 946  
20       is approved and referred to the full Land Use  
21       Committee. [background comment]

22                  CHAIRPERSON WEPRIN: Tha... Alright, with  
23       that in mind, we will leave the rolls open until the  
24       next subcommittee starts for Council Member Vann, who

2   is on his way and with that in mind, the Subcommittee  
3   on Zoning and Franchises is now adjourned.

4                   [gavel]

5                   [background comment]

6                   COUNCIL MEMBER COMRIE:   Land Use

7   Committee members, we are going to have a full  
8   committee meeting right after the Landmarks Committee  
9   meets, [background comments] which will be forthwith;  
10   don't go too far away; come back.   Thank you.

11                  [background comments]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date            November 22, 2013