

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

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.

1 945 and 946 known as the East Midtown Rezoning. Now
2 that... we will have a Motion to File pursuant to a
3 Letter of Withdrawal on that item by the applicant,
4 the New York City Department of City Planning, for
5 those two items, so we will not be hearing those
6 items today. We'd like to call on Council Member
7 Dan Garodnick, who represents the majority of this
8 rezoning, to give a statement on this matter. So
9 Council Member Garodnick.
10

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.
25

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
25

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.

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

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]

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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