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November 1, 2016

Hon. Donovan Richards Chairperson Subcommittee on Zoning & Franchises

Chair Richards and Members of the Committee,

I'm pleased to see two Land Use items up for a vote in the Subcommittee on Zoning and Franchises today that I believe will both contribute greatly to two areas of my district that are in need of new, quality affordable housing options.

Over the period of the past few months, the development teams on both of these projects have been incredibly open to working with my office to meet a variety of concerns, and I am greatly appreciative of that.

Specifically, regarding the Second Farms / Bryant Avenue development, we were able to come to an agreement to ensure that the project will be available to families of mixed incomes, from 30% to 80% of AMIs. They also worked closely with us to address issues surrounding parking, green space and security surrounding this development.

Regarding the Concourse Village West development, the development team was steadfast in also ensuring that units will be available to families with mixed incomes, ranging from 30% to 100% of AMI. They also have worked to ensure adequate parking for the area, that security is in place for all three of these buildings, and other amenities will be available for residents.

Both development teams have also committed to working with my office and the local community boards to hire locally during the construction processes.

As a result of their commitments, I am proud to support these projects. I want to again thank the development teams, HPD and especially our Land Use team here at the City Council for their work on both of these items.

I urge my colleagues to support these projects.

In solidarity,

Hon. Rafael Salamanca, Jr.

New York City Council 17th District, The Bronx



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Testimony of Assemblymember Deborah J. Glick
Regarding the 550 Washington Street/St. John's Terminal ULURP
Special Hudson River Park District
Before the New York City Council Committee on Land Use
Subcommittee on Zoning

## November 1, 2016

Thank you for the opportunity to testify before you today regarding the application for 550 Washington/St. John's Terminal in Greenwich Village. This large scale project proposes to create a total of 1.71 million square feet of newly constructed commercial, retail, market rate and affordable housing residential, space on this site. Additionally, this project includes a transfer of development rights from Pier 40 in Hudson River Park (HRP) as a part of the zoning use change including increased height, bulk, and density. Despite a thorough review by Manhattan Community Board 2 (CB2), hearings with the Department of City Planning (DCP), and ongoing discussions with the developers there are many outstanding questions regarding the project and its impacts. Outstanding issues resulting from the scale of the project and the strain that it would put on our existing infrastructure must be addressed prior to approvals in order to ensure that the community is not unduly harmed.

### Zoning and Density

Through the creation of the Hudson River Park Special District, the change in zoning to a mixed-use development will result in an increase to a Floor Area Ratio (FAR) of 8.7. Despite being a similar FAR to the adjacent Hudson Square Special District, the 1.71 million square feet of newly created commercial and residential space would be the largest and most dense development seen in Greenwich Village, due to the use of an existing super block.

The applicant proposes the lot be broken into 5 distinct areas each with various uses and building heights. Notably, the tallest structure is proposed to sit at the northern end of the lot and would stand significantly taller than the immediate neighbors across Clarkson Street. This building is proposed to be 430 feet plus mechanicals which potentially add another 34 feet. Currently, across Clarkson Street is a 2 story warehouse structure and the proposed 470 foot building on the other side of a narrow street would create an oppressive street wall that is totally out of context with the surrounding community. No building on the site should be taller than 400 feet, including mechanicals. The overall height of the project favors giving the best view to tenants in the luxury market rate units while creating structures that destroy this view for existing neighbors.

I appreciate that the Landmarks Preservation Commission will soon be calendaring a hearing on the South Village Historic District expansion. We all know that development of this size will create an additional demand on the already threatened low-rise districts in the surrounding area and landmark protections will help preserve some of the remaining neighborhood.

The change in zoning and use for this area would also permit a retail component that can include a big box store and other "destination" retail. This includes a 45,000 square foot space that the applicant has stated would be set aside for a supermarket. However, there is no guarantee that any market will occupy the space, but all efforts must be made to ensure a supermarket is located on this site as long as it remains mixed use. The community is also clear that any other retail spaces should not exceed 10,000 square feet, in order to create a vibrant street scape.

## Affordable Housing

Within the proposal, almost 1.23 million square feet of space would be designated to a combination of residential uses. These include market rate rentals, market rate condos, affordable rentals and senior-affordable rentals. The developers have repeatedly claimed that 30% of total units and 25% of available residential square footage will be dedicated to affordable housing. In reality, the affordable tenants would occupy around 19% of the available square footage for the entire project, when including commercial space. If the biggest community contribution from this project is affordable housing units there should be a greater percentage of floor area dedicated to affordable housing units. In total, the amount of affordable housing offered in this project should represent an equitable 30% of the total space, and the distribution throughout the development should ensure that one building does not house all affordable apartments thus stigmatizing that building.

It is imperative that affordable units consist of more than only the lowest and highest AMI bands that do not effectively create a mixed-income building and neighborhood. While I am pleased that negotiations throughout the ULURP process has resulted in greater diversity among the Adjusted Median Income (AMI) bands for this project, to more accurately reflect a truly mixed-income neighborhood. The affordable housing component was the incentive to change the zoning in the first instance, and so balanced affordable housing is a critical aspect.

Regarding the senior affordable component, it is difficult for seniors in Greenwich Village to stay in their communities. In the past few years, New York City has lost a large number of senior housing facilities and nursing homes. Healthy and active senior couples may not want to downsize so drastically to use a studio apartment and this will make the one-bedrooms more desirable and scarcer. In addition, issues of mobility, including recovering from joint replacement surgery, require use of a wheelchair or walker. Even when this is temporary, a studio apartment may be too small for aging in place, especially for couples. Therefore, I am pleased to hear that the Manhattan Borough President's request that the percentage of studios and 1-bedrooms has been flipped to 75% 1-bedrooms and 25% studios, without reducing the size of apartments. While there will apparently be a net loss of some units, estimated to be about 11, in the senior housing building, the increase in number of 1-bedroom units makes this component of the plan is far more palatable to seniors who may be married, have family, or caregivers.

Our community is in dire need of affordable housing. CB2 has previously made recommendations to New York City Department of Housing Preservation and Development (HPD) and the Department of Environmental Protection (DEP) for the use of DEP sites for affordable housing. HPD and DEP have not acted on using already vacant sites that contain DEP water distribution

facilities but could include affordable housing in the open and unused spaces. This administration and HPD should actively pursue all available affordable housing opportunities and not rely solely on the development of luxury housing with affordable housing components.

# **Open Space**

According to the Draft Environmental Impact Statement (DEIS) there would be a significant adverse impact on open space due to a 5.66% decrease in total open space. I am pleased that some changes have been made to the original application to include more open space in this development. The removal of the rail beds above Houston Street and forgoing the small "public open space" on the second level allows for accessible public space elsewhere.

The newly proposed 10,000 square feet of public indoor space is a needed asset for the Greenwich Village Community. We must ensure that this space is for use by both residents and community members on a full time basis and does not become a space continuously rented for private use. Additionally, the central viewing garden, while slightly changed to be used for residents and community members, should be further adjusted so that 100% of that space is open public space. In our already park starved community, there is always a need for more open and recreation spaces.

Regardless of the open space on site, it is clear that residents at this development would use Hudson River Park as their local park. Given the importance of Hudson River Park as a regional park that attracts users from across the City, the current connection to the park is insufficient to service both the residents in the development and those seeking access along Houston or Clarkson Streets. Many residents and community members will be crossing to the park around the development and the developers, at their own expense, should improve crossings and complete a new at-grade crossing near where King Street would be located, adjacent to the existing pass-through, in order to safely cross West Street.

## Public Transportation, Traffic & Parking

There are a number of issues surrounding public transportation, traffic calming needs, and parking associated with this project. The nearest public transportation for this site is the Houston Street station on the local 1 Train, and the M21 and M20 bus routes on Washington and Hudson Streets, respectively. This development will certainly cause changes to Washington Street, and the developers have noted an intention to widen the sidewalks in order to accommodate the increase in residents in the proposed buildings; however the impact on the M21 bus needs to be fully assessed before that is approved. While the DEIS did not show a significant mitigation need for public transportation, with the inclusion of residential apartments and commercial retail establishments it is clear that more people will make use of the Houston Street station and the M21 or M20 buses.

Additionally, the newly proposed 18-month traffic study that would look into feeder systems, congestion, and the neighborhood impact of the Holland Tunnel along 7<sup>th</sup> Avenue South, Varick Street, Broome Street, and surrounding residential streets is extremely important. For many years, traffic congestion in this area has grown while little has been done to effectively address the need to alleviate the dangerous situation around the Holland Tunnel, which regularly stretches back to west Houston Street. Meanwhile, development in lower Manhattan has continued unabated, adding additional density and car traffic to an already dire situation. This traffic study will give long overdue insight into appropriate ways to address traffic issues in the neighborhood and bring improvements to the streets surrounding this development especially as more people are added to the neighborhood.

Finally, the original application for a special permit that would allow for 772 parking spaces is absolutely excessive and unnecessary. Regulations for this size project would allow 225 spaces and a proposed 343% increase is unjustified. Recommendations from the Community Board brought parking spaces in the development down to around 330 spaces, which is still too high. Furthermore, this amount of parking would encourage destination shopping by car, and further add to traffic problems experienced in Manhattan's core south of 59<sup>th</sup> Street.

### **School Seats**

No mitigation for school seats is noted in the plans for this development. However, this project will have a significant adverse impact on public school utilization and the demands on already crowded schools in the community will worsen. Furthermore, in addition to the 550 Washington/St. John's Terminal site, there are other developments that will be completed as part of the Hudson Square rezoning that will add to the need for additional school seats. Combined with these projects, there will create a significant need for school seats in the area. Because of that, it is imperative that the developers contribute in some way toward a new school either on site, towards a fund or towards the Bleecker Street School that was promised, but not funded, during the NYU 2031 Plan ULURP in 2013. This issue must be resolved prior to approval.

### Pier 40

Providing critical funds toward stabilizing Pier 40, through the purchase of air rights, is a fundamental component of this proposal. Pier 40 is the only large recreational area in the Hudson River Park and a staple in the community. Its continued functionality and stability is a critical component to Hudson River Park and all our neighborhoods.

I continue to be concerned that \$100 million is likely not enough to cover the cost of completely repairing the supporting piles of the pier to ensure years of future, uninterrupted use. An informal list of outstanding repairs provided by the Trust in May indicated over \$62M of repairs in addition to the piles. Along with City and State officials, I have called on this Administration to make consistent contributions to address any outstanding cost of repairs. Furthermore, it is imperative that we ensure the \$100 million payment to HRPT will be used towards the repair of all the piles beneath Pier 40 before any air rights funds are used for other work on the pier.

### Other Environmental Impacts

Following Hurricane Sandy, the West Village was awakened to the devastating effects rising sea levels and intensifying storms caused by climate change can have on our neighborhood. Due to decades of deferred infrastructure improvements in New York City, lower Manhattan is exposed to New York Harbor with 19<sup>th</sup> Century technology for storm control. West Village Houses which is located along the block just north of this development between Washington and West Streets is a large complex that experiences severe sewage back up issues during large storms. Over the years this has become more frequent, and with added development and little improvement to the infrastructure below the streets, the problem will only worsen. I have come to understand that it is now required for buildings to use basement cisterns to house excess sewage when the storm sewer overflows during high tide and storms. Although this development uses the utmost LEED certification, the City must commit to improving the below grade infrastructure and the Big U project that will protect Manhattan from floodwaters south of 14<sup>th</sup> Street.

### Conclusion

Overall, while I am concerned by the size, bulk and intensity of this project, I appreciate the thoughtful engagement from the community and leadership especially from CB2 during the start of this review. Furthermore, Councilmember Johnson has been successful in several negotiating concessions so far which help to make this project more palatable despite its large negative impact. It is clear that there are still many unanswered questions and unmitigated consequences from this project's current form. The developer stand to make a significant profit off of the luxury housing, luxury retail, and subsidy from the City for the affordable housing in addition to the zoning change that will allow for the development in the first place. We must ensure that this project does not move forward unless these outstanding concerns are addressed and the most good is done with the least amount of harm. Thank you.



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Connie Fishman
Interim Executive Director

Madelyn Wils, ex-officio

Testimony for November 1, 2016 New York City Council, Subcommittee on Zoning and Franchises hearing on 550 Washington Street/Hudson River Park Special District

# Submitted by Connie Fishman, Interim Executive Director

Good Morning, Councilmembers. My name is Connie Fishman and I'm appearing today as the interim Executive Director of Friends of Hudson River Park, a fundraising and advocacy organization charged with supporting the park; I want to thank the City Council for holding this hearing.

I am here to ask you to support these proposals because they will provide vital funding for the repair of Pier 40's piles and substructure and ensure its future as a valuable community and park resource for years to come.

The Pier 40 ballfields are a treasured community resource used by thousands of New Yorkers - athletes in youth and adult sports leagues — each and every year. The fields are used by families and their children living throughout the five boroughs of the city, not just the west side of Manhattan. The Friends see the pier as one of the most critical resources in the Park and for the surrounding communities.

The more than 3,000 piles that hold up the Pier are in critical need of repair – so much so that the future of the Pier as both a recreational facility and a means of generating much needed operating and maintenance funds for the care of the park is in doubt.

The proposed sale of air rights by the Trust will provide the funds necessary to make those repairs. In addition to saving the ballfields, the long term sustainability of entire 550-acre Hudson River Park, from 59<sup>th</sup> Street to Chambers Street, depends on the Hudson River Park Trust's ability to generate revenue at Pier 40, one of its most critical commercial nodes, and repairing the deteriorated piles that support it. This is the critical first step in this process.

This can only occur if the land-use action under consideration by you today is approved by the City Council.

The \$100 million won't just enable the Trust to fix the piles. It is also the first step in reducing the enormous financial burden on any future development at Pier 40, allowing the possibility of a lower-impact development than would otherwise be achievable: one that preserves the ballfields, repairs or replaces the aging building, and yields the return needed to ensure that Pier 40 generates enough revenue to sustain Hudson River Park, as was intended in the original Hudson River Park Act.



The proposal under consideration today will allow the Trust to save Pier 40's piles. But the next step is making sure the Trust has the tools needed to generate long-term revenue for the Park.

To that end, we urge the Council not to limit the Trust's ability to sell its future air rights within CB2. Fixing the piles is critical, but the Trust's job won't be done until Pier 40 is redeveloped and generating revenue to support the overall park. Until this is successfully done, eliminating the possibility of future transfers puts handcuffs on the Trust that could lead to the long-term deterioration of all the Hudson River Park.

Limiting the Park's ability to sell air rights in CB2 will also set a bad precedent for other parts of the Park north and south of CB2, where potential air rights sales could fund new sections of parkland. The Hudson River Park Act was specifically amended to allow the limited sale of air rights, subject to the City's approval, as a means of addressing the financial challenges the park faces. Please don't eliminate that possibility before those challenges have been solved.

You're hearing today from others here about a supposed "wall of towers." This is misleading for two reasons. First, the Trust may use most or all of its Pier 40 air rights at Pier 40 itself, in order to create a viable development. And if not, most of the nearby area is already either developed or landmarked, leaving few sites eligible sites to receive those air rights. So the "wall of towers" is just a scare-tactic which we urge you to see through.

Let's also remember that despite having catalyzed billions of dollars in economic growth along the far west side, the Park has not been the beneficiary of all that new investment. It's time that changed.

We all have the same goal: saving Pier 40. How to do so has been heavily debated in the neighborhood for years. Now, we have our best chance yet to make it happen.

For the sake of the Park's financial future, and for all those families who depend on the ballfields, I strongly urge the Council to vote "yes," on the proposal before you today.

Thank you!



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David Whelan

Friends of Hudson River Park

Testimony for November 1, 2016 New York City Council, Subcommittee on Zoning and Franchises hearing on 550 Washington/Saint John's project/Pier 40 air rights funding/Hudson River Park Special District. Submitted by Tony Simone

Good Morning/Afternoon, Councilmembers. My name is Tony Simone, the Director of External Affairs of Friends of Hudson River Park, a fundraising and advocacy organization charged with supporting the park. Friends also advocates for completion and care for our great iconic, water front park. I want to thank the City Council for holding this hearing.

I am here to ask you to support these proposals because they will provide vital funding for the repair of Pier 40's piles and ensure its future as a valuable community and park resource for years to come.

The Pier 40 ballfields are a treasured open space used by thousands of New Yorkers - athletes in youth and adult sports leagues – each and every year. The fields are used by families and their children living throughout the five boroughs of the city, not just the west side of Manhattan. The Friends see the pier as one of the most critical resources in the Park and for the surrounding communities.

I know kids from all over New York City us this vital outdoor space. Just look at the 3,000 email petitions the Pier 40 champions have sent and gathered. These young athletes' lives have been changed by playing sports at Pier 40 and they live everywhere in our great city!

The proposed sale of air rights by the Trust will provide the funds necessary to make those repairs. In addition to saving the ballfields, the long term sustainability of entire 550-acre Hudson River Park, from 59th Street to Chambers Street, depends on the Hudson River Park Trust's ability to generate revenue at Pier 40, one of its most critical commercial nodes, and repairing the deteriorated piles that support it. This is the critical first step in this process.

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first step in reducing the enormous financial burden on any future development at Pier 40, allowing the possibility of a lower-impact development than would otherwise be achievable: one that preserves the ballfields, repairs or replaces the aging building, and yields the return needed to ensure that Pier 40 generates enough revenue to sustain Hudson River Park, as was intended in the original Hudson River Park Act.

The proposal under consideration today will allow the Trust to save Pier 40's piles. But the next step is making sure the Trust has the tools needed to generate long-term revenue for the Park.

To that end, we urge the Council not to limit the Trust's ability to sell its future air rights within CB2. Fixing the piles is critical, but the Trust's job won't be done until Pier 40 is redeveloped and generating revenue to support the overall park. Until this is successfully done, eliminating the possibility of future transfers puts handcuffs on the Trust that could lead to the long-term deterioration of all the Hudson River Park.

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Let's also remember that despite having catalyzed billions of dollars in economic growth along the far west side, the Park has not been the beneficiary of all that new investment. It's time that changed.

We all have the same goal: saving Pier 40. How to do so has been heavily debated in the neighborhood for years. Now, we have our best chance yet to make it happen.

For the sake of the Park's financial future, and for all those families and kids who depend on the ballfields, I strongly urge the Council to vote "yes," on the proposal before you today. Thank you!



# Testimony on the Special Hudson River Park District November 1, 2016



# Lynn Ellsworth, Tribeca Trust

This project to mint air rights from Pier 40 for high-rise luxury condo development with 772 parking spaces on a five-acre site on Washington Street represents bad public policy in at least six ways. If these reasons make any sense at all, the city should step back and rethink its system for coping with air rights transfers.

The six ways are described below.

1. If perhaps technically legal, the Pier 40/St. John's deal still violates the spirit of the law and undermines confidence in the fair-handedness of government. Section 20(1) of the New York General City Law says that the city has the right to buy, sell and convey real and personal property, but only within limits. Specifically the law states that "the rights of the city in and to its waterfront, ferries, bridges, wharf property, land under water, public landings, wharves, docks, streets, avenues, parks, and all other public places, are hereby declared to be inalienable..." 'Property' is further defined to include "other incorporeal hereditaments" [emphases my own], which to the average citizen would include air rights. Isn't this project then, on the fine knife-edge of the law? So what is next, selling the air rights over Central Park? Or maybe - in Chair Weisbrod's words - creating "floating mushroom clouds" of air rights from historic districts and other public assets?

Yes, I know that the Albany legislature passed a law to amend the Hudson River Park Act to allow the Trust to sell air rights, but the problem remains: the spirit of the broader city law states that the public domain in parks and streets and wharves and waterfront is not property the city can divest itself of. Does that mean we have two laws that contradict each other? Moreover, the effort in the Hudson Park Acts to distinguish which pier gets to be categorized as commercial and which isn't, and therefore which pier gets to magically mint money out of air has the same feel as medieval theologians trying to decide how many angels can dance on the head of a pin. Isn't it all a park now? This issue needs deeper investigation by counsel independent of City Planning and Hudson River Park Trust.

2. The entire deal gives the appearance of orchestrated spot zoning to favor a single project and developer. DNAInfo published documents obtained from freedom of information act on the St. John's deal. We

learn there of quiet, behind the scenes negotiations with lobbyists like Capolino and others over the value of the rights, an initial, failed attempt to avoid ULURP and precaution to avoid setting off the pesky GVSHP. It shows several years of back and forth that gives every appearance of a long process of insider negotiation to monetize the air rights and find a developer to buy them on a particular site. But wait, isn't there supposed to be an open market for air rights before the process begins? But it wasn't a market; it was a deal created and set up as one five-acre site by the city itself with one developer. And last, why didn't the city just rezone the St. John's 5-acre site instead of forcing an air rights transaction into the picture? The site could just as easily have been developed with out the air rights. If St. John's was zoned one way, why did it all need to be changed with air rights?

3. There does not appear to be a well-considered plan that benefits the broad public welfare beyond that of the soccer lobby in this particular case. The lack of a well-considered plan is a problem with most of the zoning going on since Bloomberg. This was obvious during the ZQA/MIH amendments last year and in last June's effort to lift the FAR cap. It is a problem climaxing in the drumbeat to mint air rights to solve the city's fiscal issues.

The problem is that zoning in this way appears to be explicitly a tool used to generate luxury housing so as to increase the city's real estate tax base, with a small bit of dubiously defined affordable housing and senior micro-units thrown in to keep the irritating neighbors and obedient Community Boards quiet. That isn't the purpose of zoning. Moreover, the public doesn't see it as in its own self-interest. Even the usually quiescent community boards all voted no to the ZQA/MIH deal. They clearly spoke out against out-of-scale tower construction and intelligently rejected the trickle-down falsehood that flooding the market with luxury units was going to bring down the price of affordable housing. Isn't that vote an indicator of how the broader public views it's own welfare? Instead of taking that vote as a data point to go back to the drawing board and develop a real 'well-considered plan', the city is just going on its merry way doing more of the same, such as this St. John's deal with shockingly out of context building heights and 772 cars thrown in all of which adds insult to injury.

Second, a well-considered plan, by definition, includes deep consideration of how to distribute population density and how not to overload sewage systems, public transport, and traffic. But the city, by its own admission does not do this, and I quote from a City Planner interviewed in the Times: "The *natural* limits of density? That's a subject that we don't

really think about at City Planning." Until there is public discussion of the optimal range of density as well as the limits to density and how to distribute density fairly across the entire city, the city is not doing a well-considered plan, as it is legally required to do.

- 4. Air rights deals from public assets are turning the city into the fox that guards the henhouse. This is untenable. The idea of minting money from air rights puts the city in a deep conflict of interest situation. Are public assets- which include the sky and sunlight assets to be used by the public for the general welfare, with City Government as the steward of those assets or are they assets to be monetized by the city to deal with uncomfortable budgetary truths and tradeoffs it would rather not face up to? Surely there are legal ramifications here that the City Council would rather look into than ignore.
- 5. The current system of unregulated 'as-of-right' air right transfers are destroying the city, so why is City Planning drumbeating for less regulation and greater freedom to mint air rights all over the place? Unregulated 'as-of-right' zoning lot mergers have had at least two negative effects. One is the proliferation of supertall skyscrapers that shadow parks and neighborhoods, celebrate oligarchy rather than democracy, and ruin our iconic skyline. Second, they create endless out-of-context buildings in everyneighborhood, you know the ones, the ones that pop up mid-block incongruently above the cornice line. Yet the city does nothing to rectify the situation. Instead, all we hear is Orwellian talk that unused bits of Floor-Area Ratio (FAR) should morph into "development rights" and that the city's job is to "unlock the right to build" with ever more fungible air rights projects. I don't recall the Bill of Rights mentioning the "right to build" anywhere. And we clearly need a new system of regulating before we unlock anything.
- 6. The existing system of regulation of air rights is a set of mere bureaucratic procedures, not a regulatory system that emanates from defined public policy. Regulation is supposed to arise out of planning and is supposed to be designed to minimize the negative social costs and unintended externalities that inevitabley appear when markets deviate from the theoretical perfection of Econ 101 class. But we don't have that, or anything close. We just have procedures that set up hoops for developers to go through. There is no evidence that the current procedure of setting up a receiving zone for air rights and a sending zone and mapping it all serve some wider public good. Environmental review procedures might have once helped assure that public good gets considered, but EIS documents has become a mere paper catalog without teeth. Just as bad, public review and hearings have, for the public, turned

into a frustrating negotiation with a used car salesman where it seems pointless to participate since the fix is known to be in. Of course, skilled negotiators like GVSHP can get something out of it, but very few other players.

# 749 Washington Street New York, N.Y. 10014

Nov. 1, 2016

To the Members of the City Council of The City of New York:

As a resident of the Greenwich Village Historic District and Community Board 2, I strongly urge you to demand the following in your consideration of the proposed Pier 40/St. John's rezoning and special permits:

- Landmark protections must be granted for the entire remaining segment of the proposed South Village Historic District, before or concurrently with any approvals for changes to zoning rules for the St. John's site. Thanks to Councilmember Corey Johnson's hard work, the Landmarks Preservation Commission has agreed to hear and consider this area for designation. But it is critical that the Council not grant final approvals for this project until and unless the Commission votes to approve all of this final piece of the South Village for landmark designation.
- Any approvals must be conditioned upon and contain restrictions against any further air rights transfers from the Hudson River Park into Community Board #2. Air rights transfers from the park are wrong, are not an appropriate way to fund the park, and will lead to massive overdevelopment of waterfront blocks in the Village. State legislation passed in 2013 created a terrible danger to our neighborhoods by allowing such transfers, and steps must be taken to ensure this never happens.
- "Destination" retail and oversized stores must be eliminated from the development. While the City Planning Commission eliminated the "big box" stores from the plan, the remaining "destination" retail and oversized stores will generate huge amounts of traffic, impacting neighbors for blocks around when this area is already overburdened with traffic. New retail should be limited to supermarkets and locally-oriented stores of a neighborhood size.

Without these changes and protections, the proposed approvals and development are totally unacceptable, and will have an enormous, negative, and permanent impact upon the surrounding neighborhoods, allowing and encouraging terrible overdevelopment in the South and West Village. I urge you to demand these changes, or reject the proposed approvals.

Sincerely,

Katherine W. Schoonover

Katherine W. Schoonour



Greenwich Village Society for Historic Preservation

232 East 11th Street New York, New York 10003

(212) 475-9585 fax: (212) 475-9582 www.gvshp.org

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Mary Ann Arisman Tom Birchard Richard Blodgett Kyung Choi Bordes Tom Coope Elizabeth Ely Cassie Glove David Hottenroth Anita Isola Leslie Mason Ruth McCoy Robert Rogers Katherine Schoonover Marilyn Sobel Judith Stonehill Naomi Ushe Linda Yowell

Advisors

F. Anthony Zunino III

Kent Barwick
Joan K. Davidson
Christopher Forbes
Margaret Halsey Gardiner
Elizabeth Gilmore
Carol Greltzer
Tony Hiss
Martin Hutner
James Stewart Polshek
Martica Sawin Fitch
Anne-Marie Sumner
Calvin Trillin
Jean-Claude van Itaflie
George Vellonakis
Vicki Weiner
Anthony C. Wood

# TESTIMONY REGARDING 550 WASHINGTON STREET/PIER 40/ HUDSON RIVER PARK SPECIAL DISTRICT BEFORE THE NEW YORK CITY COUNCIL November 1, 2016

My name is Andrew Berman, and I am the Executive Director of the Greenwich Village Society for Historic Preservation, the largest membership organization in Greenwich Village, the East Village, and NoHo.

GVSHP strongly urges three important changes be made to this plan before the Council consider granting any approvals.

First, the third phase of our proposed South Village Historic District, which would be heavily impacted by this rezoning, must be approved by the Landmarks Preservation Commission. We are deeply grateful that thanks to the hard work of Councilmember Johnson that district was calendared this morning. But as the old saying goes, trust, but verify. The Council should not vote to approve any of these measures until or unless the Commission votes to approve the designation.

Second, the proposed Hudson River Park Special District must include explicit and ironclad language prohibiting any further air rights transfers from the park within Community Board #2. Let me reiterate that GVSHP is unequivocally opposed to air rights transfers from the Hudson River Park. We think this mechanism is flawed, unnecessary, and was foisted upon this community by the Trust and the State Legislature over broad and adamant objections. That said, now that the state legislature has put this mechanism in place, it is critical that the Council place restrictions to safeguard against it leading to overdevelopment in this and other neighborhoods. The prohibition upon future air rights transfers within Community Board #2 would protect this area from the possibility of another 1.3 million square feet of additional development which would have a devastating impact. There are those who would urge that this district simply be rejected altogether. However, that would actually leave Greenwich Village and the Hudson Square waterfront more vulnerable to oversized, out of scale development, as it would place absolutely no limits whatsoever on the possibility of 1.5 million or more square feet of air rights from the park being transferred into this community in the future.

Finally, all "destination retail" should be eliminated from the plan and replaced with locally-oriented retail, and all retail units with the exception of a supermarket should be limited in size to under 10,000 sq. ft. Given the lack of mass transit near this site, destination retail will only attract thousands of shoppers by car, exacerbating already intolerable traffic conditions in the area. The elimination of the "big box" retail from the plan was a step in the right direction, but not nearly enough to protect the nearby

South and West Village from the overwhelming traffic impacts this development could have.

While the administration has been overly generous to this developer with the approvals they granted, the Council has the ability to attach much needed restrictions to the plan and to the Hudson River Park Special District. This would actually provide long-overdue and much-needed protections to surrounding neighborhoods that the Mayor, the Hudson River Park Trust, and the State Legislature have refused to. Furthermore, with appropriate restrictions and conditions attached, the Council could ensure that a development on this site is actually less impactful than an as-of-right development which requires no special approvals whatsoever, and provide at least some amenities and mitigations to the surrounding community.

I want to thank the Council for their consideration, and especially thank Councilmember Corey Johnson for working so closely with GVSHP and many other stakeholders on these and other critical issues connected to this development.



# TESTIMONY FROM THE ASSOCIATION FOR A BETTER NEW YORK BEFORE THE NEW YORK CITY COUNCIL

November 1, 2016

Good morning. My name is Jean Dorak and I am testifying on the behalf of the Association for a Better New York. The Association for a Better New York (ABNY) is among the city's longest standing civic organizations advocating for the policies, programs and projects that make New York a better place to live, work and visit. We represent the broad fabric of New York's economy and our membership includes leaders in New York businesses, not-for-profits, arts & culture organizations, educational institutions, labor unions and entrepreneurs. Today, we are adding our voice in support of the conversion of St. John's Center into a residential building and the rehabilitation of aging Pier 40.

The St. John's Center proposal entails repairing the deteriorated supporting piles under Pier 40 in Hudson River Park with the funding that will come from the construction of new and affordable housing units for seniors and local New York families. In a time where waterfront access has never been more important to our communities across the five boroughs, and where families are struggling to afford to live in the city, we believe that this proposal can be beneficial on many levels. Pier 40, which currently provides parking and public fields used by schoolchildren as well as youth and adult sports leagues, generates 40 percent of the Hudson River Park's Trust (HRPT) revenue, mainly through the parking facilities.

The new development plan for 550 Washington Street would generate adequate funding to cover the repairs of Pier 40, rescuing it from destruction and allowing it to continue to serve the public through its popular ball fields safely. This design also provides open space to the surrounding community by removing a building that currently covers three blocks. The new development would bring new commercial, retail, and residential space online including up to 1,586 residential units, of which 30% would be permanently affordable in a mix of low income, moderate income, and senior housing, as well as publicly accessible open space within an elevated open park. All while creating 1,800 construction jobs along with 1,500 permanent full time and part time jobs.

The St. John's Center proposal is a clear win-win for both residents and the City, and support the transformation of this outmoded site into a safe and vibrant development for the community. Thank you for the opportunity to testify today.

Pam Frederick 80 Warren Street Apt. 50 NY, NY 10007 917-902-9233 ppf5@columbia.edu

Nov. 1, 2017

To: Members of the City Council Re: St. John's Terminal site

I am a board member of the Hudson River Park Trust, one of three community reps appointed by Gale Brewer.

But I am also a resident of Tribeca, and before that of Chelsea, and the parent of three children who have all played on the fields of Pier 40. In fact my oldest son, who at 16 is still playing recreation league baseball and soccer, has called the pier his "home away from home."

I have the advantage of being myopic on this issue — I see my role as an advocate for the park and a messenger for the community with regards to the park. From that perspective, I urge you to vote yes on this project.

For the past two and a half decades, I have watched Pier 40 become fully part of the fabric of downtown life. Also in that time, I have watched as the Trust struggled to support the pier — literally. We inherited this property from the Port Authority, who, once they no longer needed the pier, neglected it for so long that its steel piles had just about rusted through. It has been a constant financial challenge to maintain the pier; this funding, through the St. John's development, could change that.

Many of you know that Hudson River Park is unique in that it gets no city funding for maintenance; instead the park raises its own funds through its commercial piers, and Pier 40 is one. If we cannot transfer our development rights from the pier, more development must take place inside the park. From our perspective, the more development that can move inboard, away from the waterfront and the piers, the better for all of us.

The park has tried twice to develop the pier. Both times, we have failed – and been rejected by the community – because the developments were too large and out of scale – a result of having to generate income in order to make structural repairs.

This funding allows us a much greater chance to restore and build a pier that works for both the public and the park. It will, in effect, save Pier 40.

Please vote to support this project to that end. Thank you.

Statement Prepared for 11/1/16 City Council Hearing on Proposals to Facilitate

Legally Dubious "Air Rights" Transfers from the Hudson River at Pier 40 and Other InWater Sites (within a proposed new Special Hudson River Park [HRP] District)

By Marcy Benstock, Executive Director, Clean Air Campaign Inc.

I'm Marcy Benstock, Director of Clean Air Campaign and its Open Rivers Project. We urge the Council to **disapprove** the proposals related to legally dubious "air rights" transfers from a vast, environmentally critical, disaster-prone stretch of the Hudson River--not just at Pier 40, but in the rest of the River within the proposed new Special Hudson River Park [HRP] District. That larger Special HRP District spanning both land and water includes 490 acres of Hudson River waters and piers between Battery Park City and W. 59th St., out to the U.S. Pierhead Line 1,000-1,500 feet offshore.\*

Council approval would risk catastrophic Citywide public safety, financial, enivronmental and neighborhood impacts. By facilitating and subsidizing endless rebuilding in a disaster-prone stretch of the River--in the #1 (highest risk) Hurricane Evacuation Zone offshore--the Council would be creating totally avoidable risks to public safety and the financial health of the City. Council approval would:

- --Put tens of thousands of New Yorkers in harm's way unnecessarily, by encouraging them to play soccer or work in offices out in the River offshore, instead of at higher, dryer, safer inland locations. This in turn would force first responders to rescue those people offshore when the next big (often unpredictable) hurricane hits the River.
- --Grant blanket permission to unaccountable entities--the City Planning Commission (CPC) and the "Hudson River Park Trust" (HRPT), a State public authority--to decide where else (after Pier 40) they wish to claim that unused development rights over the Hudson River exist, and make backroom deals to sell or transfer those legally dubious, purported "air rights" from a public waterway to financial, real estate, or other dealmaking interests.
- --Divert even more disaster recovery funds than HRPT has snagged already from places like the neighborhoods devastated by Superstorm Sandy. City budget funds would also be misused to subsidize infrastructure and services for HRPT's tax-free enclave out in the River--City taxpayer and rate-payer dollars unfairly diverted from essential public needs in the rest of the City.
- --Harm real estate owners and tenants as far east as Fifth Avenue--and depress City real estate tax revenues--by blocking sight lines to valuable River views, through endless HRPT building and

<sup>\*</sup> The so-called Hudson River Park (HRP), a defined term in the State Hudson River Park Act of 1998, Sec. 3(e), is defined there as a set of project area boundaries that surround 490 acres of the Hudson River (plus an upland greenway). These nearshore waters extending out to the U.S. Pierhead Line offshore include old and newly rebuilt piers, but still consist mostly of open water. The lower Hudson is a navigable public waterway with powerful winds, tides and currents and corrosive saltwater battering everything from all directions. THAT is the reason why in-water development sites like Pier 40 have eaten up so much public funding already (roughly \$500 million so far), and the reason why the River is the wrong place to keep rebuilding misplaced structures for non-water-dependent uses, again and again and again.

rebuilding in the River.

- --Risk catastrophic storm and hurricane damage costs and liability claims against the City, and demands for taxpayer bailouts when risky-complex financing schemes involving "air rights" transfers from the River go bust. If the Council rubber-stamps CPC's and HRPT's ill-conceived proposals, the Council will be inviting totally avoidable financial risks for the City.
- --Risk destroying a prime marine habitat for fisheries prized by fishermen and party-boat operators, bait and tackle shops, and other businesses from Sheepshead Bay to City Island.
- --Implement a ruinous 1960's plan for the River which is totally at odds with the current realities of climate change and increasingly frequent and severe storms and hurricanes; with sensible disaster prevention policies; and with this country's most basic environmental laws.

Under common law the water belongs to all the people. Clean Air Campaign and other groups have worked long and hard to let the River be a river, and on behalf of the wise use of natural resources and public spending priorities that are fair to all, not just a wealthy and powerful few. The fast-tracking of harmful proposals for "air rights" transfers from the Hudson River that the HRPT authority and CPC have engineered is not in the public interest. We strongly urge the Council to **disapprove them.** We welcome any questions you may have. Thank you.



# Testimony of New York Environmental Law Project & Environmental Justice Initiative and 9/11 Environmental Action

# New York City Council Hearing ULURP #N16030-8 ZRM

Tuesday, November 1, 2016 Council Chambers, City Hall

The New York Environmental Law Project & Environmental Justice Initiative and 9/11 Environmental Action urge the City Council to disapprove the package of proposals to give the HRPT river development authority and the Mayor's City Planning Commission a blank check to permit the sale or transfer of purported "air rights" from a vast stretch of the Hudson River (starting with Pier 40) to other sites (starting with 550 Washington St.), whenever such unaccountable bodies choose to do so.

The Council must reject any "air rights" transfers from Pier 40 in the Hudson River to the megadevelopment proposed for 550 Washington St.—or any other "air rights" transfers from public waterways.

The HRPT's plan for a sale of "air rights" over the Hudson River contravenes important policies under federal, New York State, and common law. There is a strong legal presumption against the right to build in or over navigable water, pursuant to the Clean Water Act, the New York State Protection of Waters Act, and the Public Trust Doctrine, unless the construction is necessary (usually for a water-dependent use such as shipping, recreational boating, or fishing). No general "right" to build to a particular height exists.

Moreover this transfer of supposed "air rights" will have disastrous public safety and financial impacts for New York City, as well as severe environmental impacts. The intent is clearly to foster near-shore development density, putting more people at risk from damaging storms and flooding.

We remind the City Council that Hurricane Sandy has cost the City more than \$19 billion so far. The storm took the lives of more than 43 New Yorkers. The City knows from its own Panel on Climate Change that Sandy is a harbinger of the weather events our city will face in a future of warming climate, rising sea levels and bigger, more destructive storms.

Given the reality of climate change, inventing a framework that empowers, not to mention enriches, developers and public authorities that would ignore the dangers and build non-water dependent structures in and near public waterways is as reckless as it is illegal.

Finally, if approved, this new fictional "right to build to a particular height" will perpetuate inequity and gentrification, through the creation of more "special districts" with "air rights" that can be transferred and sold to the highest bidder. The City Council must oppose any scheme that could usher in a new wave of luxury high-rise construction along the water, so that in effect, Manhattan's waterfront becomes a vista enjoyed almost exclusively by high-income occupants.

We urge you to reject this ill-advised proposal. It is massive. It is misleading. It omits critical information, presumably to hide its true scope, and its contravention of environmental and other laws. If approved, it will take our City in the wrong direction, re-making the law in ways that are certain to put people and property into harm's way. It will further undermine the public's right to the city in which they live and work.

The Council must say no.

Thank you for your time and attention.

Joel R. Kupferman, Esq. Executive Director

# New York ENVIRONMENTAL LAW & JUSTICE PROJECT Environmental Justice Initiative

225 Broadway Suite 2625 New York NY 10007-3040 212-334-5551 joel@nyenvirolaw.org

Kimberly Flynn
Director,

9/11 Environmental Action
PO Box 3314, Church Street Station
New York, NY 10008
212-330-7658

# Special Hudson River Park District

Department of City Planning

550 Washington Street

SJC 33 Owner 2015 LLC

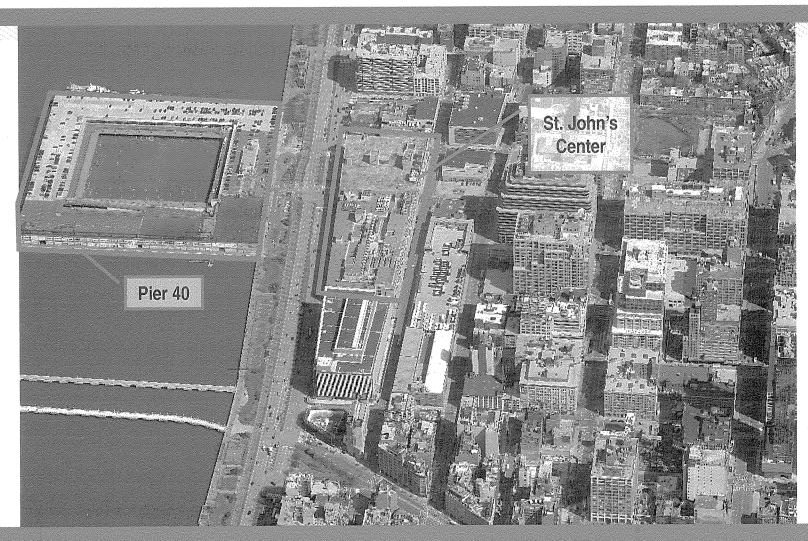
# Applicant: The Department of City Planning

Text Amendment: Special Hudson River Park District

# Applicant: SJC 33 Owner 2015 LLC

- Zoning Map Amendment
- Special Permit: Transfer of Floor Area from Hudson River Park
- Special Permit: Additional parking (x3)
- Authorization: Curb cuts (x3)
- Chairperson's Certification





Pier 40 and St. John's Center

### Area Map 550 WASHINGTON STREET

Borough: Manhattan Block: 596, Lot 1 Block: 656, Lot 1

#### PROJECT INFORMATION

Project Area

CCCC 600 Radius

[\_\_\_\_] Development Site / Receiving Site

Granting Site

### **ZONING & HISTORIC**

M2-4 Zoning Districts

Special District

7777 Historic District Boundaries

#### PROPERTY DATA

825 Block Number

Building Height/Number of Stories

\_\_\_\_ Bx Lots

Building Footprints

#### TRANSPORTATION INFORMATION

---- Street Direction

-se-- Road Width

#### LAND USE

One & Neo Family Buildings

Multi-Family Walk-Up Buildings

Multi-Fansily Elevator Buildings

Mixed Residential & Commercial Buildings

Commercial & Office Buildings

industrial & Manufacturing

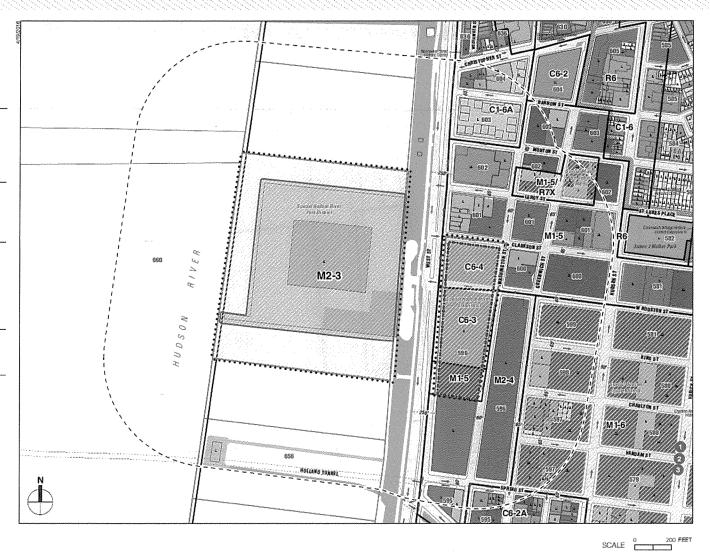
Parisportation & Utility

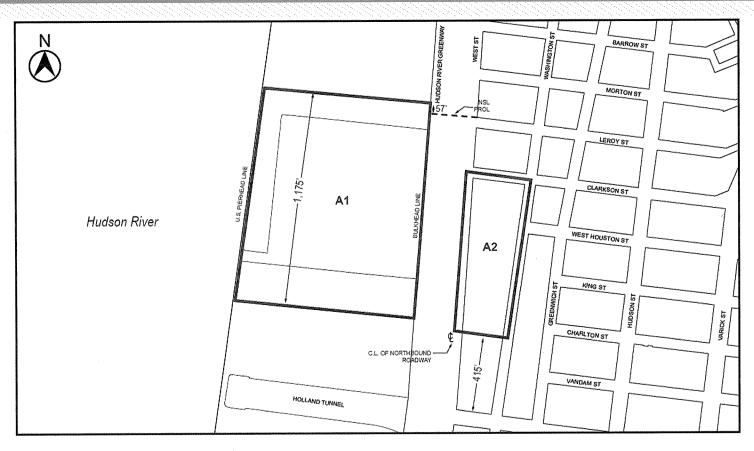
Public Facilities & Institutions

Goen Space & Outdoor Reception

Parking Facilities

Vacant Land





- Special Hudson River Park District
- Al Granting Site
- A2 Receiving Site

# **Application requirements**

- Surveys of granting and receiving sites
- Site plan, bulk and open space drawings for receiving site
- Statement from Hudson River Park Trust identifying improvements and that funding associated with transfer, plus any other sources of funding, will be sufficient to complete such improvements.

# **Conditions and limitations**

- Maximum floor area eligible to be transferred from granting site
- Maximum floor area eligible to be received on receiving site is 20% of underlying FAR
- Granting site, improvement to the Park and receiving site are within same CD or ½ mile of one another
- Any residential on receiving site is provided in accordance with Mandatory Inclusionary Housing

Absent the special permit, zoning district regulations remain current M-district regulations

DCP: Zoning Text Amendment

# **Findings**

- Transfer will facilitate Hudson River Park's repair, maintenance and development
- Transfer will support completion of the identified improvements

# Receiving site:

- improved site plan and design of buildings
- proposed mix of uses will complement the site plan
- transferred floor area and modifications to bulk will not obstruct light and air
- transferred floor area and modifications to bulk are appropriate in relation to the size and quality of the identified improvements to Hudson River Park
- any affordable housing supports the objectives of the Inclusionary Housing Program

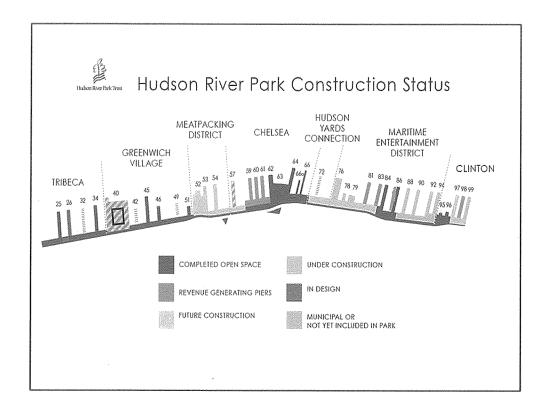
# Chairperson's certifications

Ensuring the developer complies with the contribution payment schedule:

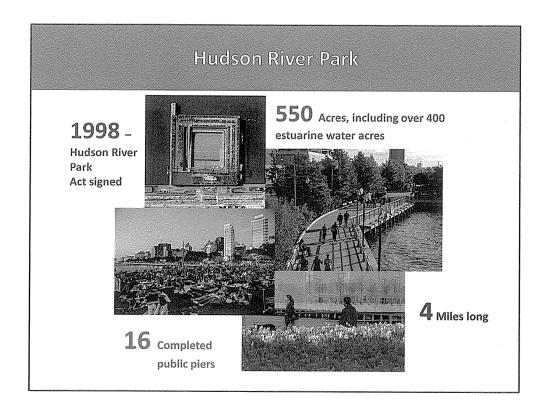
- When seeking building permits
- When seeking temporary certificates of occupancy

DCP: Zoning Text Amendment





Hudson River Park is an approximately 550-acre, 4-mile-long park along the Hudson River from the northern edge of Battery Park City to West 59<sup>th</sup> Street. It is the second largest park in Manhattan after Central Park, and attracts an estimated 17 million visits each year from across New York City and the region. The Park is home to approximately 30 piers, landscaped upland areas, active and passive recreational spaces, boating facilities and a number of commercial and municipal uses.



The Park occupies a mix of city and state property and was created through state legislation, the Hudson River Park Act (the "Act"), in 1998. As provided in the Act, Hudson River Park is a joint venture between the State and City of New York, with a unique operating framework. The Act also created the Trust as a New York State public benefit corporation to design, construct and maintain the Park. The Trust is governed by a 13-member board with members appointed by the Governor, Mayor and Manhattan Borough President.

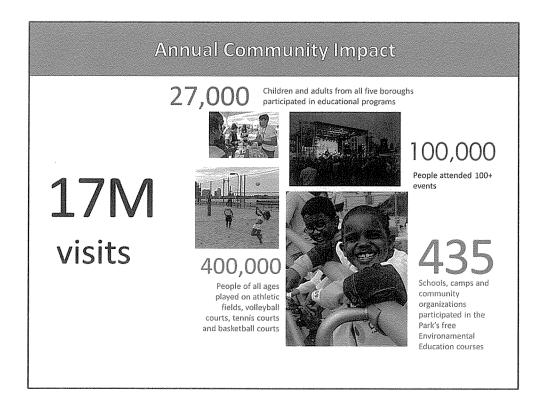
# Hudson River Park's Economic Impact\* 2000-2014

- Youth population grew 66% in the Hudson River Park neighborhood, while decreasing 8% in Manhattan.
- Property tax contributions increased over one billion dollars within the park's neighborhood – growing at a rate of 28% faster than Manhattan as a whole.
- There are over 3,000 full and part-time jobs in the park, and this number is anticipated to grow to over 5000 with the addition of piers 26, 55, and 57.



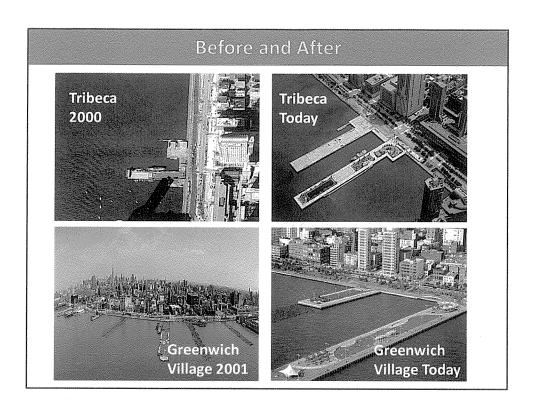
\*Regional Planning
Association 2015 Study

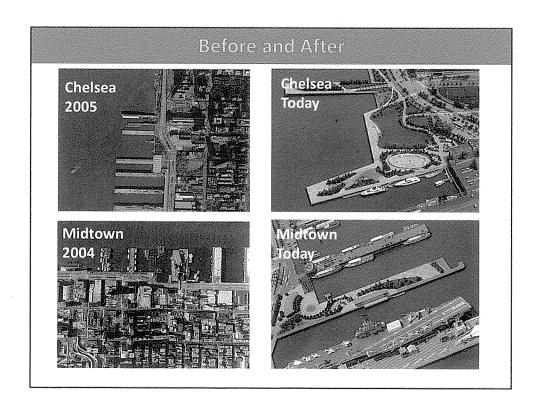
The park has provided extraordinary benefits to New York City as a whole, both for people who live and work here and for the city's tax base. According to a study by the Regional Planning Association, from 2000-2014, the park's adjacent neighborhood grew by 54 percent, with a 66% increase in the youth population and a 112% increase in senior population. In contrast, the youth population throughout the rest of Manhattan actually declined during this same period. Hudson River Park also directly generates more than 3,000 full- and part-time jobs — a figure that is estimated to grow to approximately 5,000 jobs over the next few years.

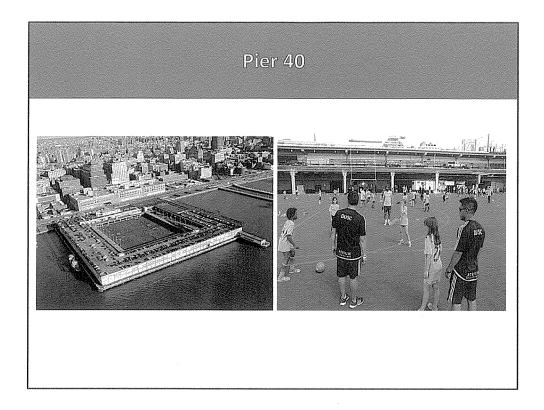


And the park attracts people from all over the five boroughs. Hudson River Park delivers over 100 different free public programs each season attracting over 100,000 people. Our environmental education program teaches over 27,000 kids and adults each year, including 295 public school classes and 140 camps. 85% of the kids who attend are from Title 1 schools and 75% of the students receive free or reduced cost lunches.

However, as contemplated by the Hudson River Park Act, neither the city nor state provides direct operating support for the park's maintenance and operations. Instead, the Trust has achieved the legislative goal of being financial self-sufficient to the extent practicable by generating revenue from a combination of leases on several designated commercial piers, such as Chelsea Piers and Circle Line, as well as from concessions, permits, fees, donations and other sources. And the park is currently approximately 77% complete or in progress. To date, capital construction funding has come principally from a combination of city, state and federal sources.



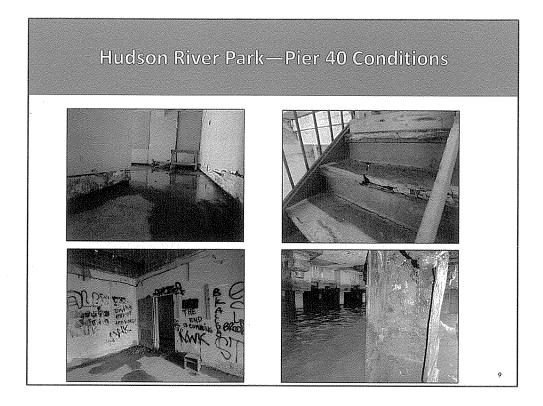




In recent years, self-generated income has not been sufficient to cover increasing capital maintenance costs for legacy infrastructure like Pier 40 and the park's bulkhead, which has consumed roughly 30% to 40% of the Park's self-generated revenue and was not considered when the Act was passed. In fact, Hudson River Park is responsible for the entire historic bulkhead running the 4 miles of the park. Over the years, much of that bulkhead has had to be replaced or significantly repaired. In fact, we are currently engineering a bulkhead repair from Morton to Christopher Street which will cost the Park up to \$14 million. To date, monies to make capital maintenance repairs have come from whatever capital we may receive from the city and state, or from our limited reserves, which have been dwindling given the need to repair old infrastructure. As a result, the pace of park completion has slowed.

In part to address this issue, the State legislature amended the Act in 2013 to allow for the transfer of development rights from Hudson River Park to sites located one block east of the park property "to the extent designated and permitted under local zoning ordinances." Based on the legislation, without a local zoning action, the Trust actually does not have a mechanism to transfer development rights off-site.

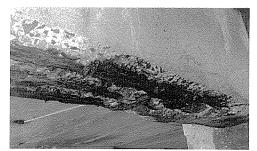
Only a handful of piers have the potential ability to transfer development rights. Pier 40 is one of them, and is the only pier that would be affected by the current proposals in ULURP.



Pier 40 is the largest property in the Park at almost 15 acres and is home to athletic fields, administrative and maintenance facilities of the Trust, a commercial parking garage, and excursion vessels. The ballfields are open and permitted every day of the year from 7 am until 12:30 am, and receive approximately 260,000 visits each year by children and adults from all over New York City, as well as the local community.

Historically, Pier 40 generated approximately 40% of the Park's income, but that revenue has declined as a result of Pier 40's very poor condition and a legacy of deferred maintenance prior to the Park's creation. While the Trust has made essential repairs to sections of the roof and several other infrastructure elements totaling nearly \$20 million, plus additional repairs as a result of Sandy totaling another \$14 million, it cannot afford to repair the 3,463 steel piles that support the pier. In March 2015, an independent engineering firm estimated the cost of these pile repairs at \$104.6 million.

#### Hudson River Park—Pier 40 Conditions



Spall with exposed steel reinforcing over the full width of the pile cap beam



Condition of the steel H-piles with severe corrosion and knife-edged flanges

As a designated "park/commercial" pier under the Act, Pier 40 is intended to be developed privately. The Trust has twice issued RFPs for this purpose, but the RFPs have failed in large measure because of the high cost of addressing Pier 40's piles generated intense development plans that could not achieve community support

The Trust has now negotiated a sales price of \$100 million with 550 Washington Street pursuant to a Memorandum of Understanding with the developer which contemplates the transfer of the development rights pursuant to a separate Purchase and Sale Agreement setting forth the terms of payment. The sales price was informed by an independent appraisal. If ULURP is approved by the City Council, the Trust's Board will then vote on December 15th on whether to approve the Purchase and Sale Agreement and authorize the transfer of 200,000 sq ft of development rights from Pier 40 to 550 Washington St. Within 30 days of the Trust's vote, the developer is obligated to either execute the Purchase and Sale Agreement and make a deposit payment in the amount of \$35 million in addition to the \$5 million that is already in escrow since certification, or forfeit up to \$1 million of the \$5 million deposit. If the Purchase and Sale Agreement is executed, the closing may occur up to 150 days after the Article 78 period has expired, at which point the \$40 million deposit payment is released from escrow to the Trust and the \$60 million balance of the purchase price is paid by promissory notes that are due at the rate of \$20 million every year after closing for the next three years, or through the third anniversary of the closing date. Because of the need to repair the piles as soon as possible, in order to keep the pier and the ball fields open to the public, upon certification the developer placed \$5 million in escrow, of which up to \$1 million is available to the Trust towards design of the pile repairs: this effort has already begun.

#### Pile Repair: How Will Work Be Performed?

#### Pile Jacketing

- An outer concrete shell is installed over a deteriorated steel pile to provide protection and extend the life of the pile.
- For most piles, the outer concrete shell would be reinforced with steel reinforcing bar ("re-bar") to restore the pile's structural capacity



The repair methodology consists of applying an outer concrete jacket over a deteriorated steel pile and reinforcing most piles with rebar to restore the piles structural capacity. It will take approximately four to 5 years to complete pile restoration, since most work is done by divers in the water. Courtyard fields are not expected to be impacted other than the need for access along the edges.

Fixing the infrastructure is the first step to keeping the pier open. The Community Board has also asked the Trust to start discussions with them regarding a future re-development plan, understanding that the existing building has lived past its useful life. The importance of Pier 40's ball fields cannot be overstated, but the pier also needs to generate sufficient revenue to help sustain the park for the long term.

In their recommendations related to the current ULURP applications, Community Board 2 and the Borough President have requested that the Trust be prohibited from selling any additional air rights within Community Board 2 if the current proposals are approved

The Trust believes that because any future air rights transfer would need to go through its own separate ULURP process, it is unnecessary to embargo the Trust from selling any air rights in the future within CB 2. If the Trust can successfully re-develop the pier, it will likely need and use all its remaining development rights from Pier 40 on the pier itself. We have also pledged to work with elected officials and Community Board 2 on parameters for a redevelopment plan, which will embrace the Ballfields and public open space.

Thank you on behalf of Hudson River Park Trust!

#### PERMANENT AFFORDABLE HOUSING SUMMARY - FULL ULURP BUILD OUT

SENIOR HOUSING - NE BUILDING - UP TO 178 UNITS

AREA 110,000 SF

AMI LEVEL: 80%

AFFORDABLE UNIT MIX:

STUDIOS: 75% 1 BEDS: 25% **SENIOR HOUSING - NE BUILDING** 

PERMANENT AFFORDABLE AREA:

110,000 SF

MIXED-INCOME - CE BUILDING

PERMANENT AFFORDABLE AREA: 218,700 SF

TOTAL PERMANENT AFFORDABLE AREA: 328,700 SF 25.5%

960,300 SF TOTAL MARKET RATE AREA: TOTAL RESIDENTIAL AREA: 1,289,000 SF

MIXED-INCOME - CE BUILDING - UP TO 298 UNITS

AREA: 218,700 SF

AMI LEVELS (40% OF AREA): 60%

AMI LEVELS (60% OF AREA): 130%

AFFORDABLE UNIT MIX:

STUDIOS: 25% 1 BEDS: 25% 50% 2 BEDS:

MINIMUM % OF PERMANENT AFFORDABLE AREA:

(AS % OF TOTAL RESIDENTIAL AREA)

MINIMUM % OF PERMANENT AFFORDABLE UNITS:

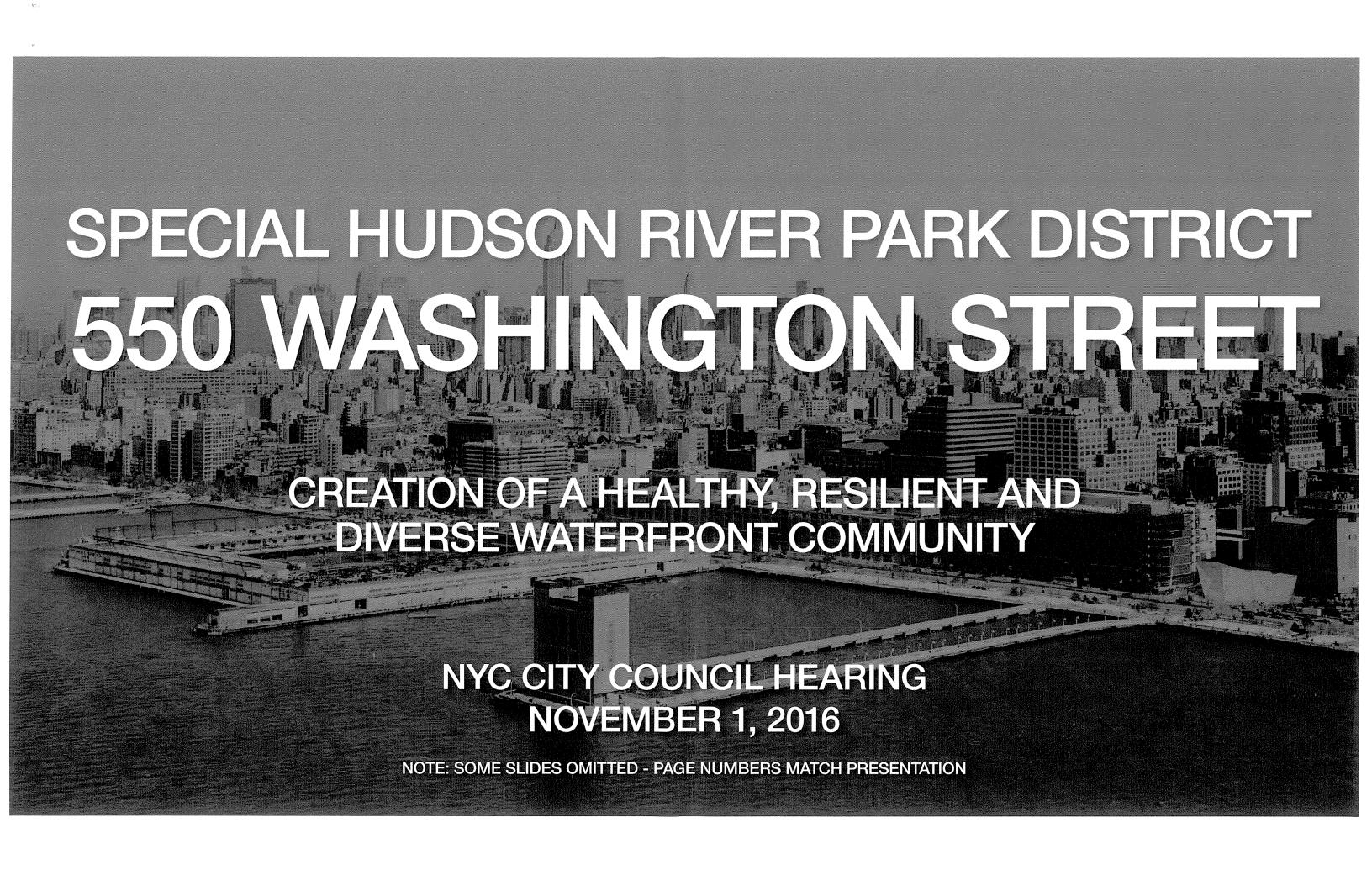
(AS % OF TOTAL RESIDENTIAL UNITS)

30%

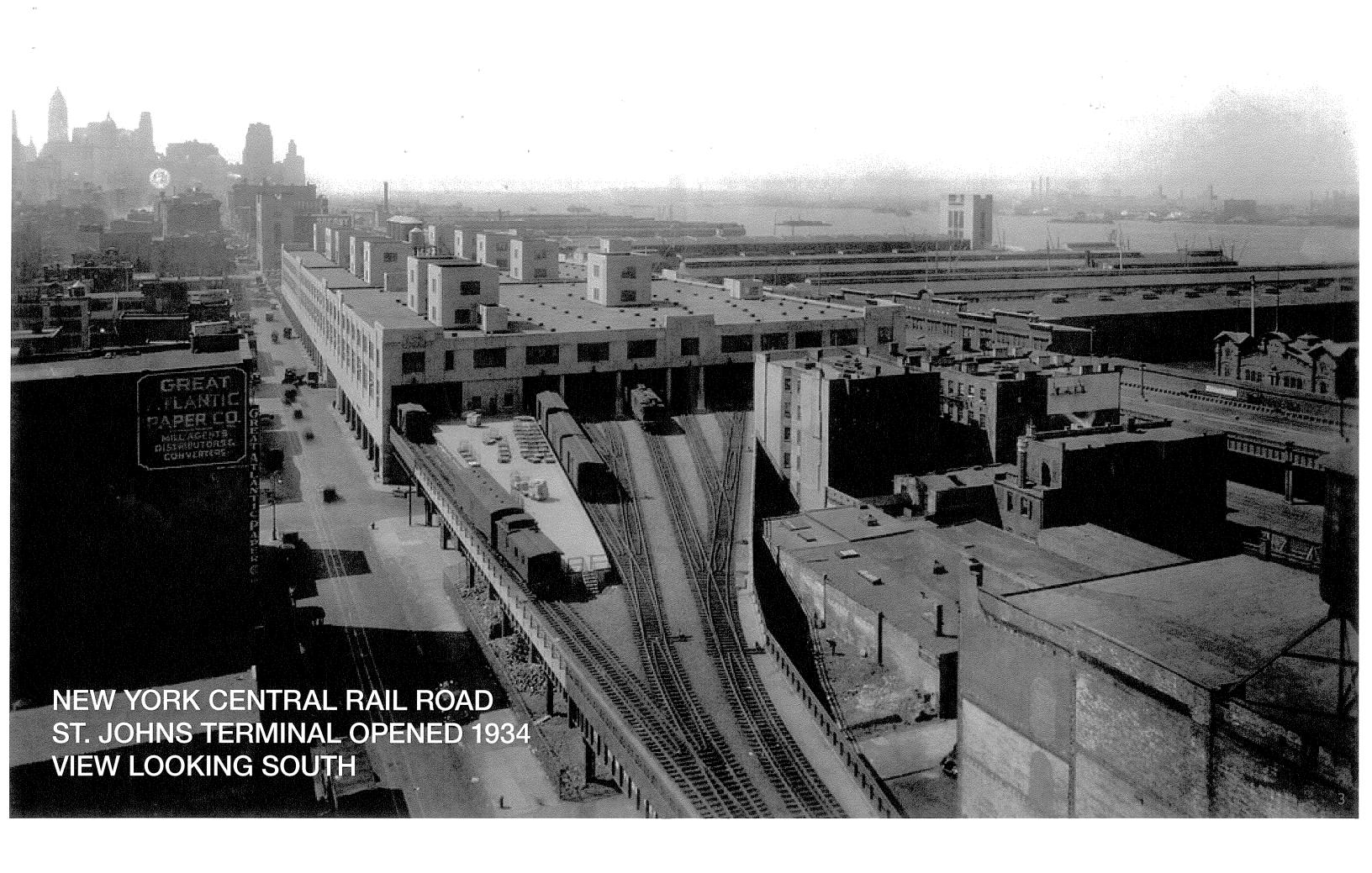
25%

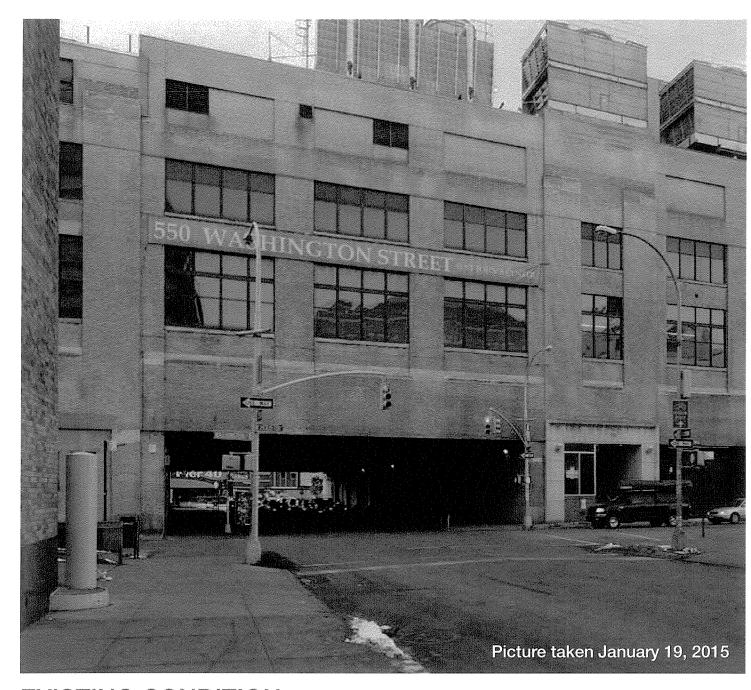
74.5%

100.0%









EXISTING CONDITION
WEST HOUSTON STREET - LOOKING WEST



PROPOSED ELEVATED GARDEN
PRESENTED TO CB2 ON NOVEMBER 12, 2015



PROPOSED NOVEMBER 1, 2016

#### • SAVE PIER 40

PROPOSED \$100M PAYMENT TO RESTORE PIER 40 IN EXCHANGE FOR 200,000 SF

HRPT WILL USE FUNDS TOWARDS CRITICAL INFRASTRUCTURE
REPAIR OF PIER 40

### CREATE PERMANENT MIXED-INCOME AND SENIOR AFFORDABLE HOUSING

30% OF ALL RESIDENTIAL UNITS
25% OF ALL RESIDENTIAL FLOOR AREA

#### ADDITIONAL PUBLIC BENEFITS

JOB CREATION/ECONOMIC DEVELOPMENT

- ESTIMATED 1,800 CONSTRUCTION RELATED JOBS PER YEAR
  DURING CONSTRUCTION PERIOD
- ESTIMATED 1,500 JOBS GENERATED FROM PERMANENT PROJECT OPERATIONS

# EXISTING CONDITION

LOT

AREA:

213,654.5 SF

LOT

LENGTH: 848'-9"

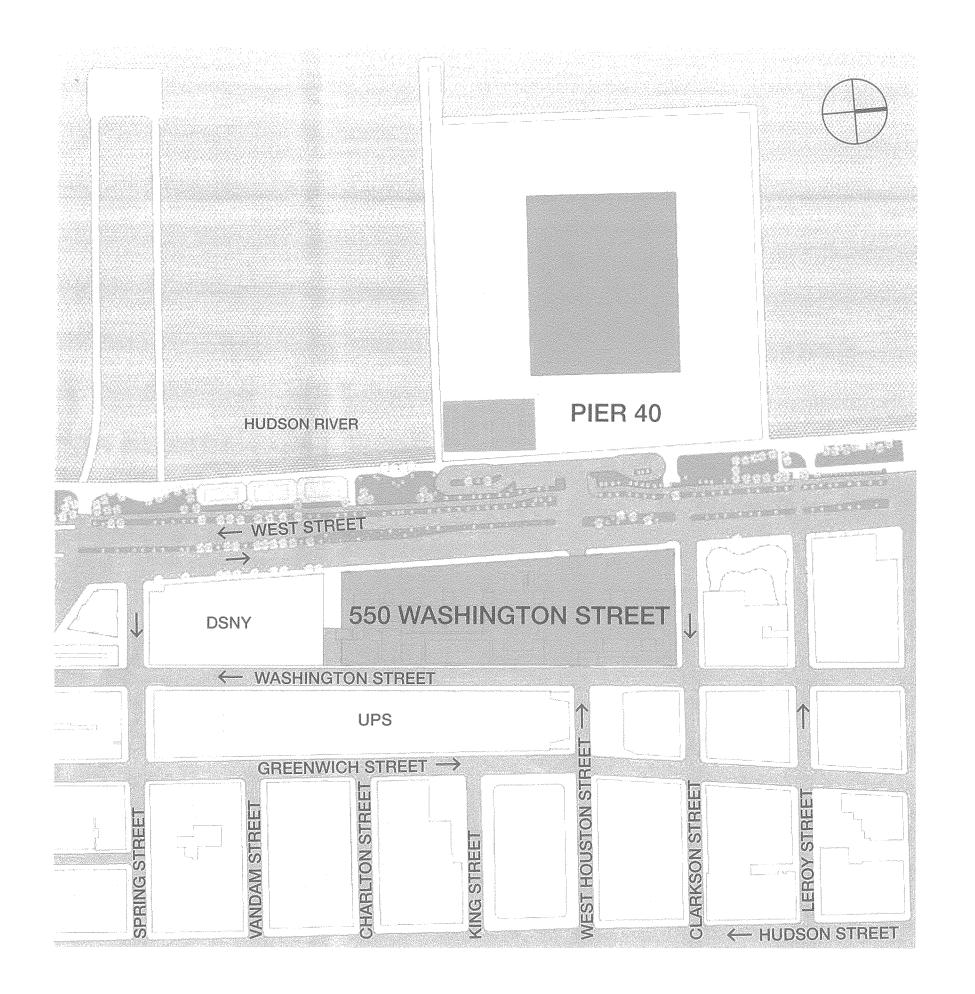
EXISTING ZONING

AREA:

±739,231 ZSF

NO HEIGHT LIMIT

550 WASHINGTON STREET



## **PROPOSED**

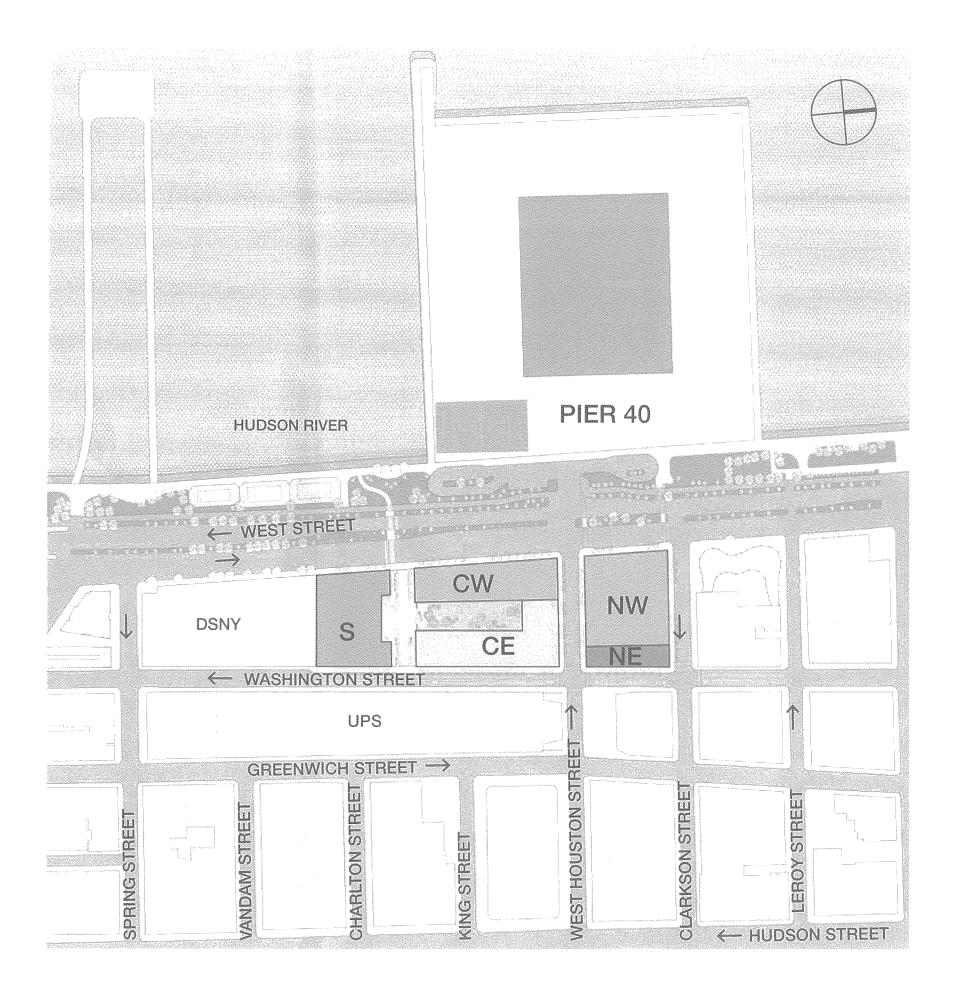
S COMMERCIAL

**CW**MARKET RATE RESIDENTIAL

**CE**MIXED-INCOME RESIDENTIAL

NW MARKET RATE RESIDENTIAL

**NE**SENIOR AFFORDABLE HOUSING



## **PROPOSED**

S COMMERCIAL

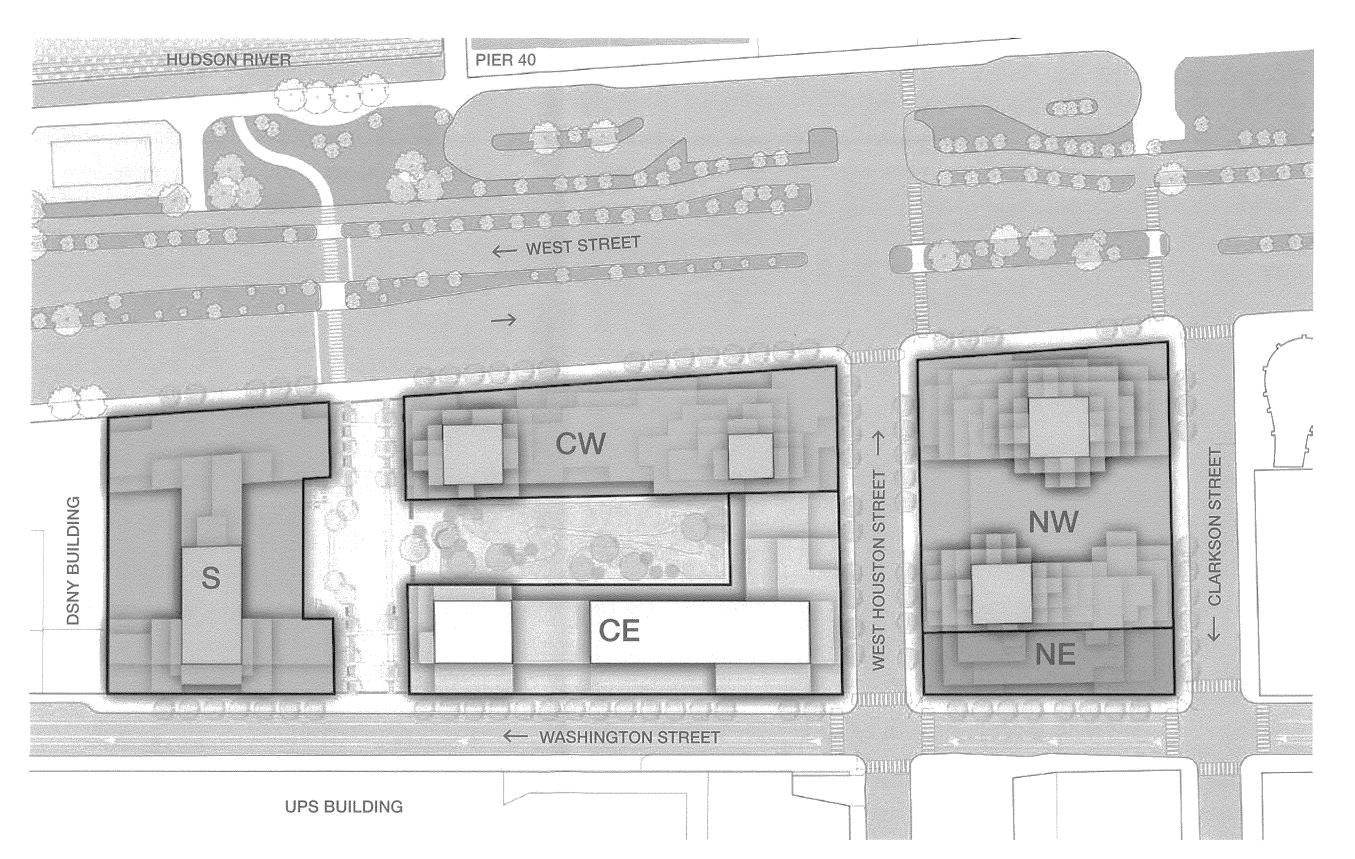
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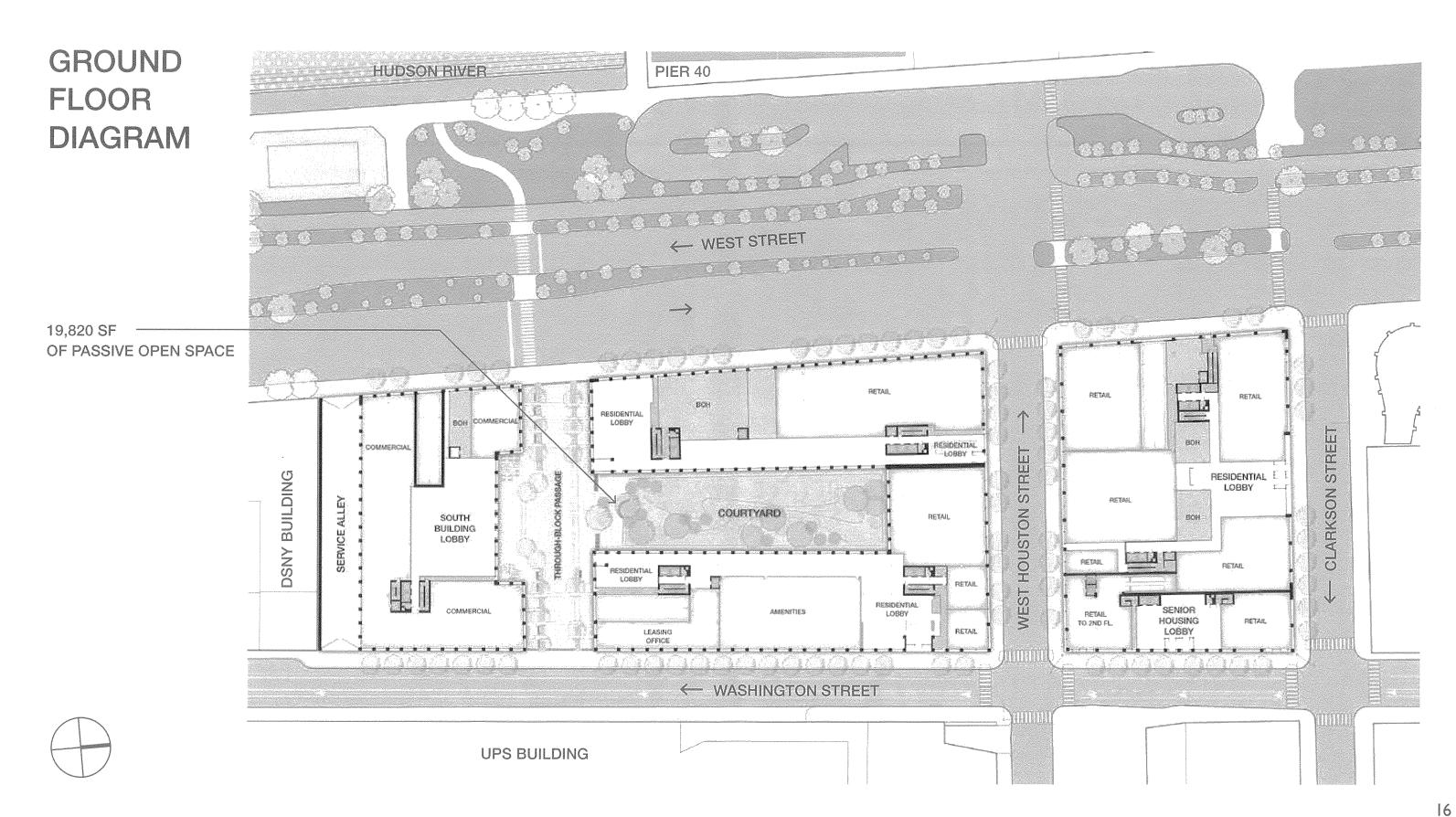
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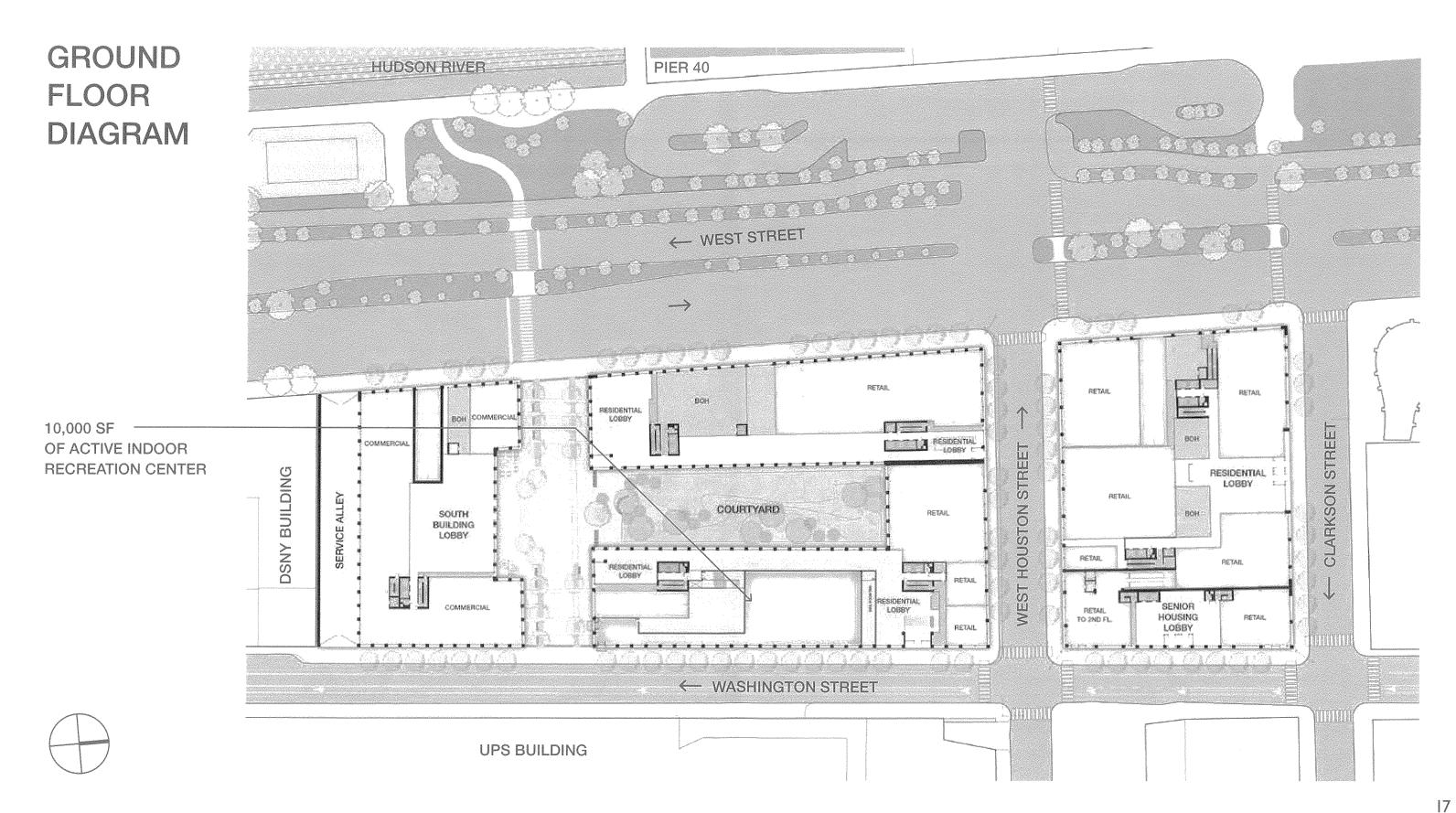
NW MARKET RATE RESIDENTIAL

**NE**SENIOR AFFORDABLE
HOUSING







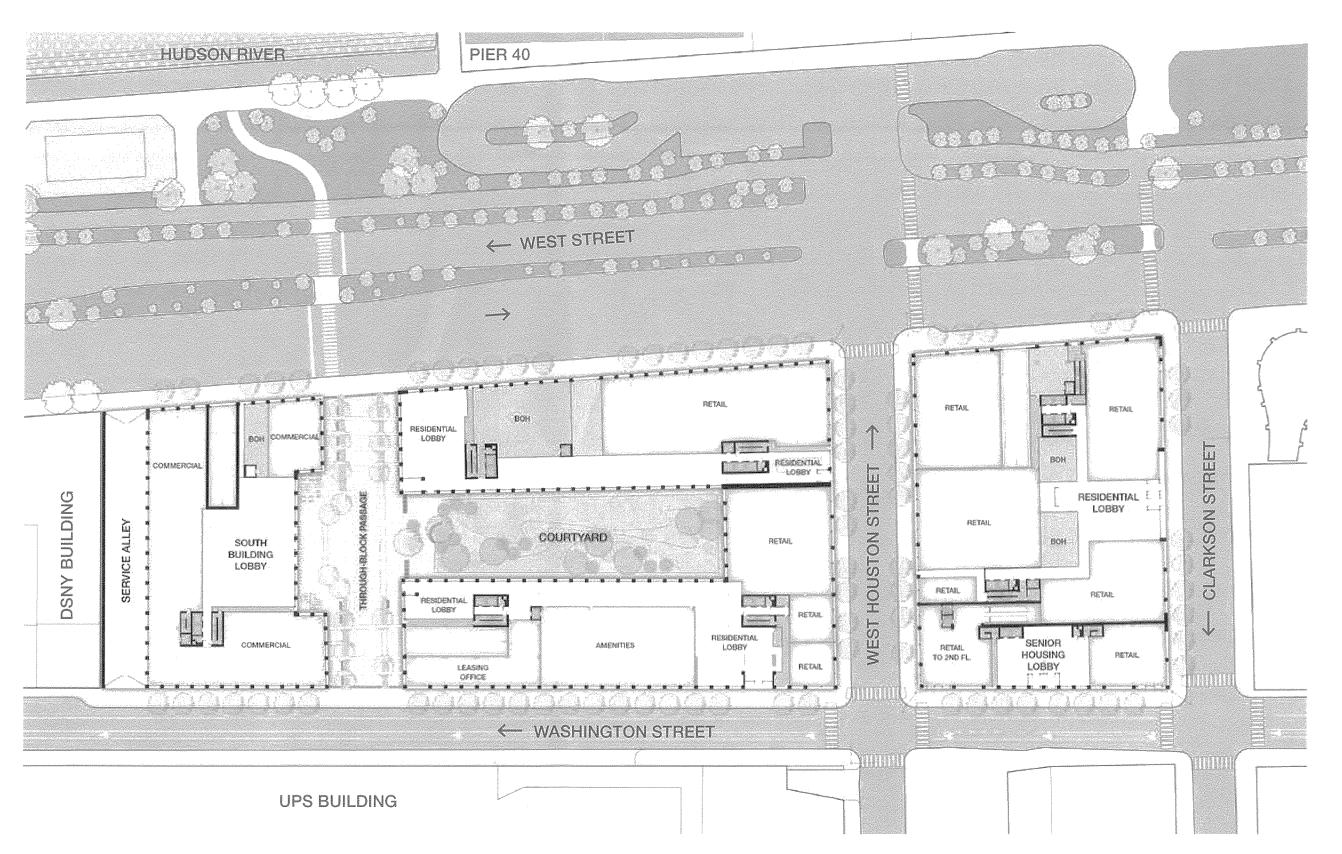


## GROUND FLOOR DIAGRAM

#### NOTE:

EACH SIDE OF WEST HOUSTON STREET SHALL CONTAIN NO FEWER THAN FOUR INDIVIDUAL ESTABLISHMENTS





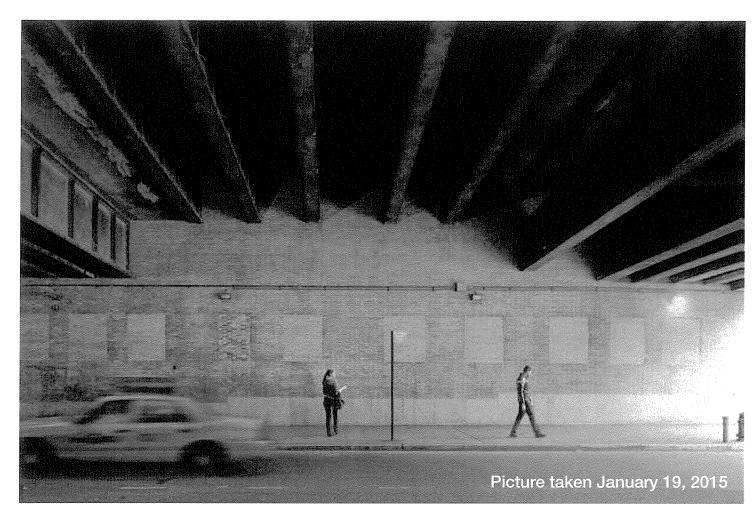




EXISTING CONDITION
WEST HOUSTON STREET - LOOKING NORTH-WEST



PROPOSED



EXISTING CONDITION
WEST HOUSTON STREET - LOOKING NORTH



PROPOSED







EXISTING CONDITION
WASHINGTON STREET - LOOKING WEST



PROPOSED



## PROPOSED BUILDINGS

SOUTH SITE:

262,000 ZSF

**CENTER SITE:** 

789,000 ZSF

NORTH SITE:

660,000 ZSF

TOTAL:

1,711,000 ZSF

TOTAL AFFORDABLE

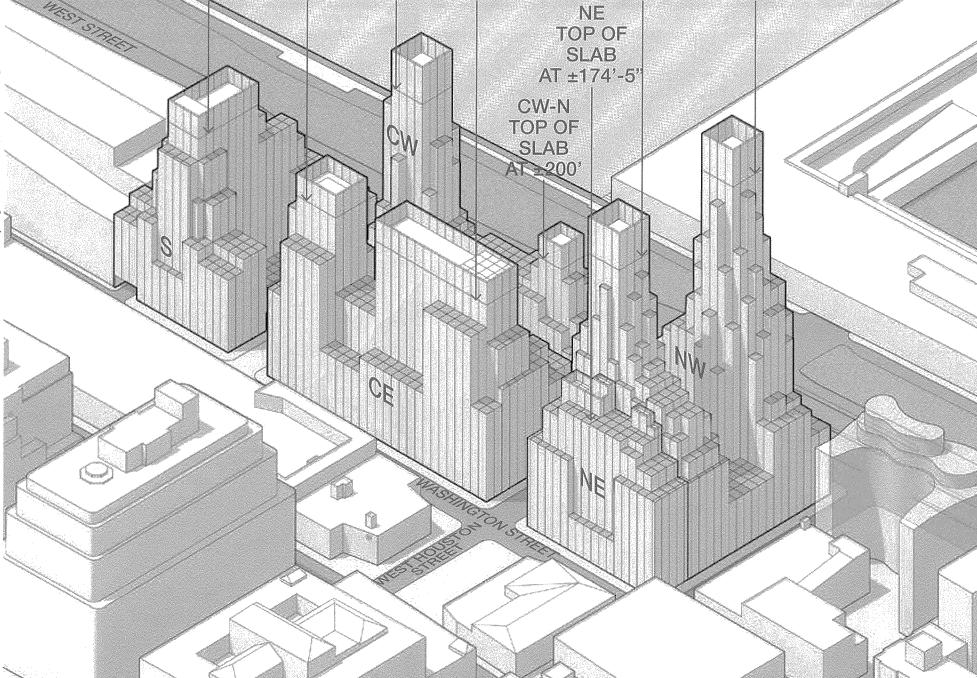
AREA:

≥ 25%

**TOTAL AFFORDABLE** 

UNITS:

≥ 30%



CE-S

SLAB

T ±240' AT ±240' AT ±320' AT ±240'

TOP OF

SLAB

CW-S

SLAB SLAB

TOP OF TOP OF

CE-N

NW-E

TOP OF

SLAB

AT ±360'

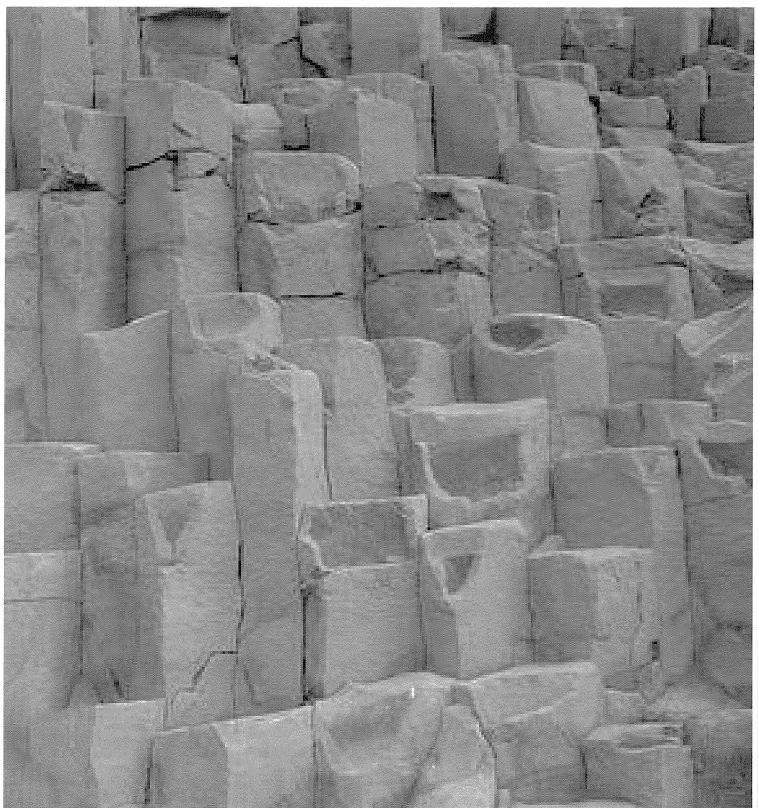
NW-W

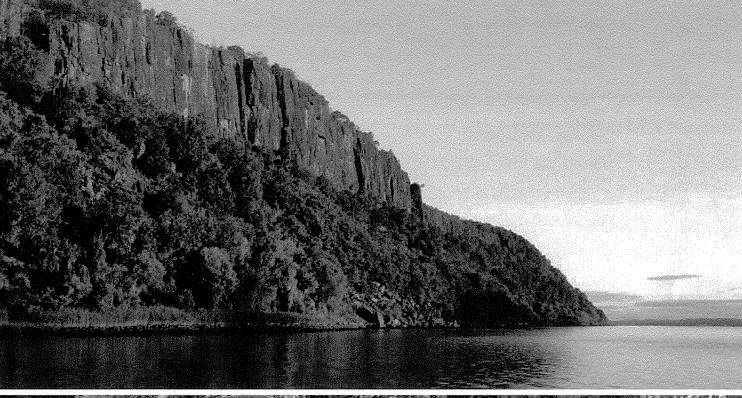
TOP OF

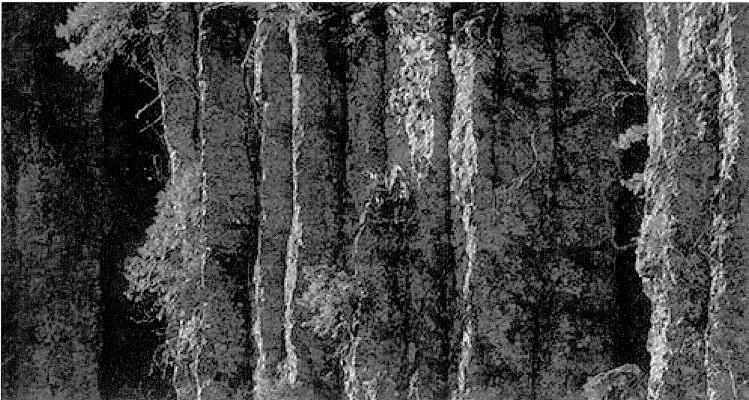
SLAB

AT ±430'

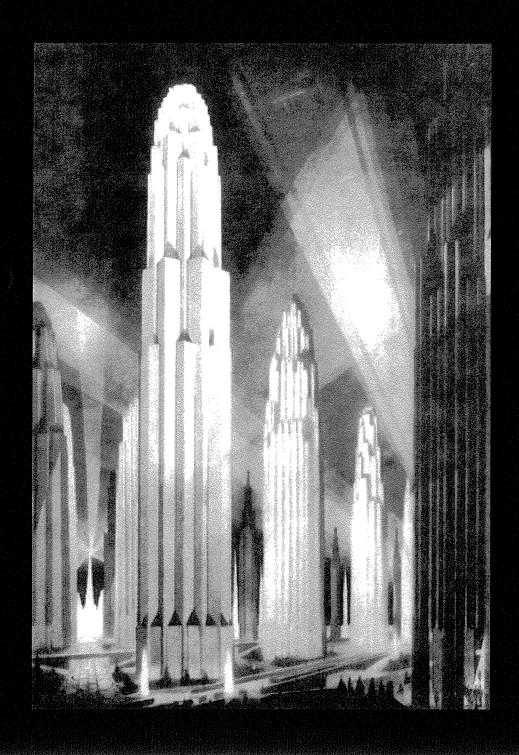
### **SUMMARY**







HUGH FERRISS The Metropolis of Tomorrow, 1929



345 HUDSON STREET @ CHARLTON STREET LOOKING WEST

BENJAMIN H. WHINSTON 1931

TOP OF SLAB: ±230' TOP OF BULKHEAD: ±250'









# PROPOSED BUILDINGS

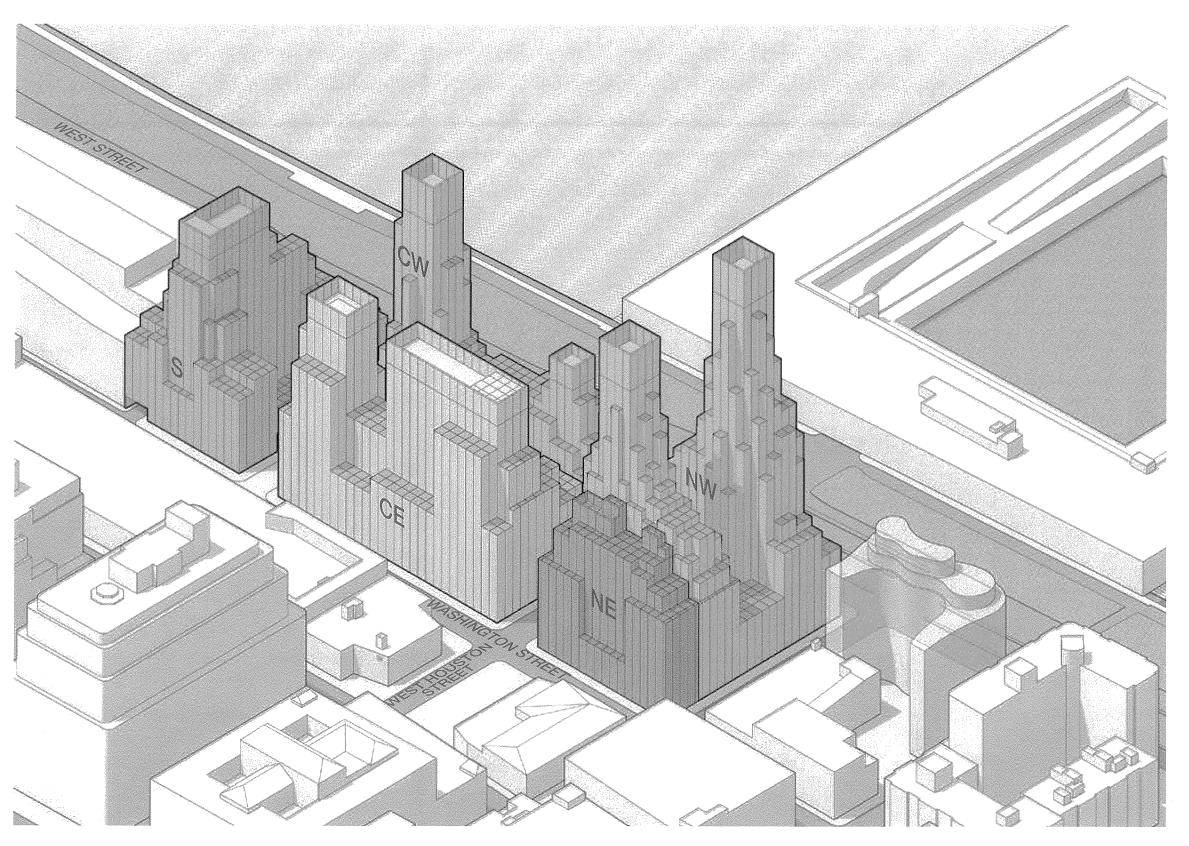
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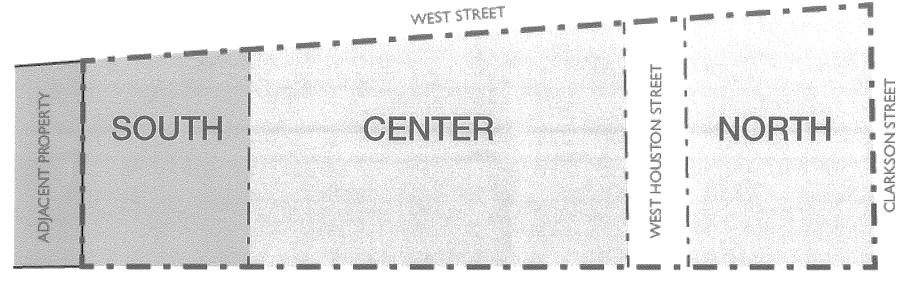
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MARKET RATE RESIDENTIAL

**NE**SENIOR AFFORDABLE HOUSING



## ZONING FLOOR AREA



	}		3 ;		TOTAL
		WASHINGTON STREET		TOTALS	RESIDENTIAL
TOTAL	262,000 ZSF	789,000 ZSF	660,000 ZSF	±1,711,000 ZSF	1,289,000 ZSF
COMMERCIAL/HOTEL	222,000 ZSF			222,000 ZSF	
RETAIL/EVENT	40,000 ZSF	60,000 ZSF	100,000 ZSF	200,000 ZSF	
RESIDENTIAL MARKET RATE		300,000 ZSF	450,000 ZSF	750,000 ZSF	960,300 ZSF
RENTAL MARKET RATE		210,300 ZSF		210,300 ZSF	MARKET
SENIOR-AFFORDABLE			110,000 ZSF	110,000 ZSF	328,700 ZSF
HOUSING		218,700 ZSF		218,700 ZSF	AFFORDABLE HOUSING
AFFORDABLE RENTAL	40,660 SF	100,730 SF	55,020 SF	196,410 SF	
LOT AREA				8.7 FAR	7074
					TOTAL AFFORDABLE AREA ≥ 25%
					TOTAL AFFORDABLE UNITS* $\geq 30\%$

## Private Applicant: SJC 33 Owner 2015 LLC

- Zoning Map Amendment
  - North Site:

M1-5 (5 FAR) to C6-4 (10 FAR)

• Center Site: M2-4 (5 FAR) to C6-3 (7.52 FAR)

South Site:

M2-4 (5 FAR) to M1-5 (5 FAR)

- Special Permit
  - Transfer of Floor Area from Hudson River Park
  - Bulk Modifications
- Special Permit: Additional Parking (x3)
  - North Site:

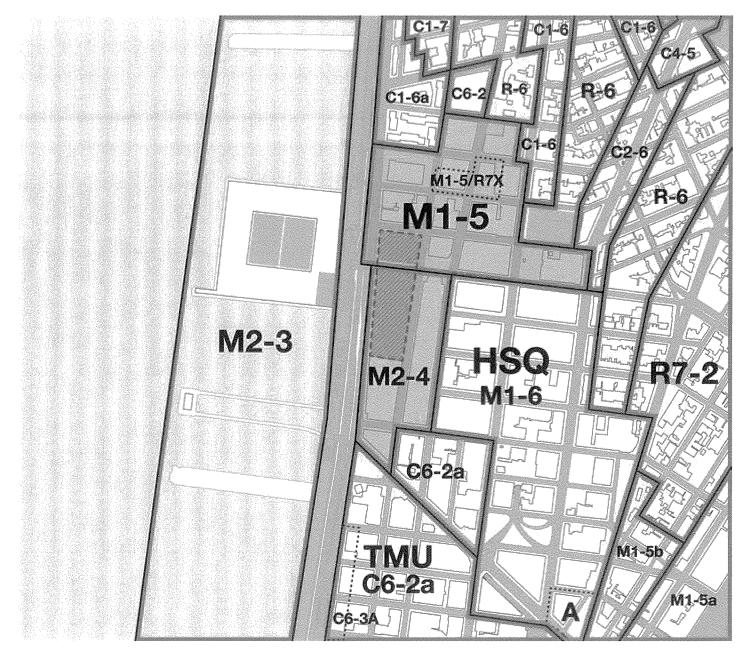
236 spaces

• Center Site: 372 spaces

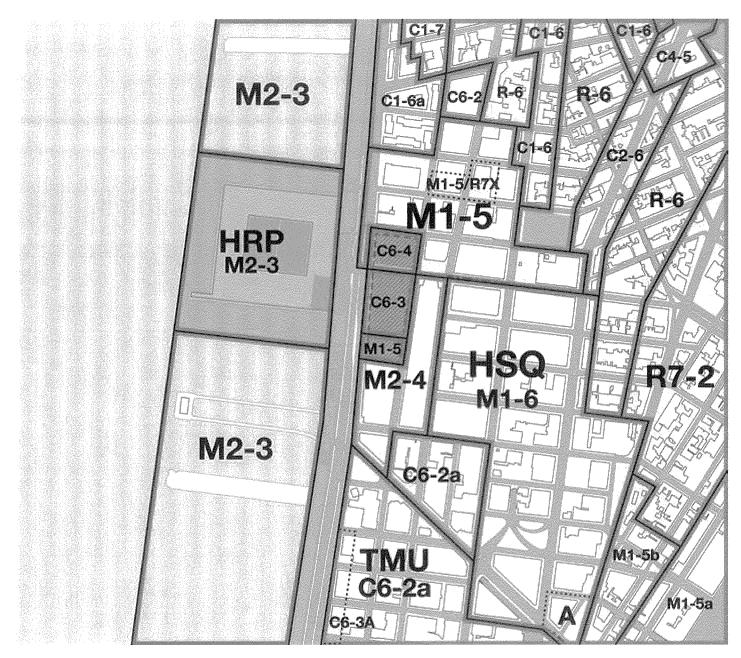
South Site:

164 spaces

- Authorization: Curb Cuts (x3)
  - Curb Cuts on West Street for North, Center, and South Garages
- Chairperson's Certification
  - To confirm that the Trust and Developer have agreed to a payment schedule for the transfer of air rights



**ZONING CONTEXT** 



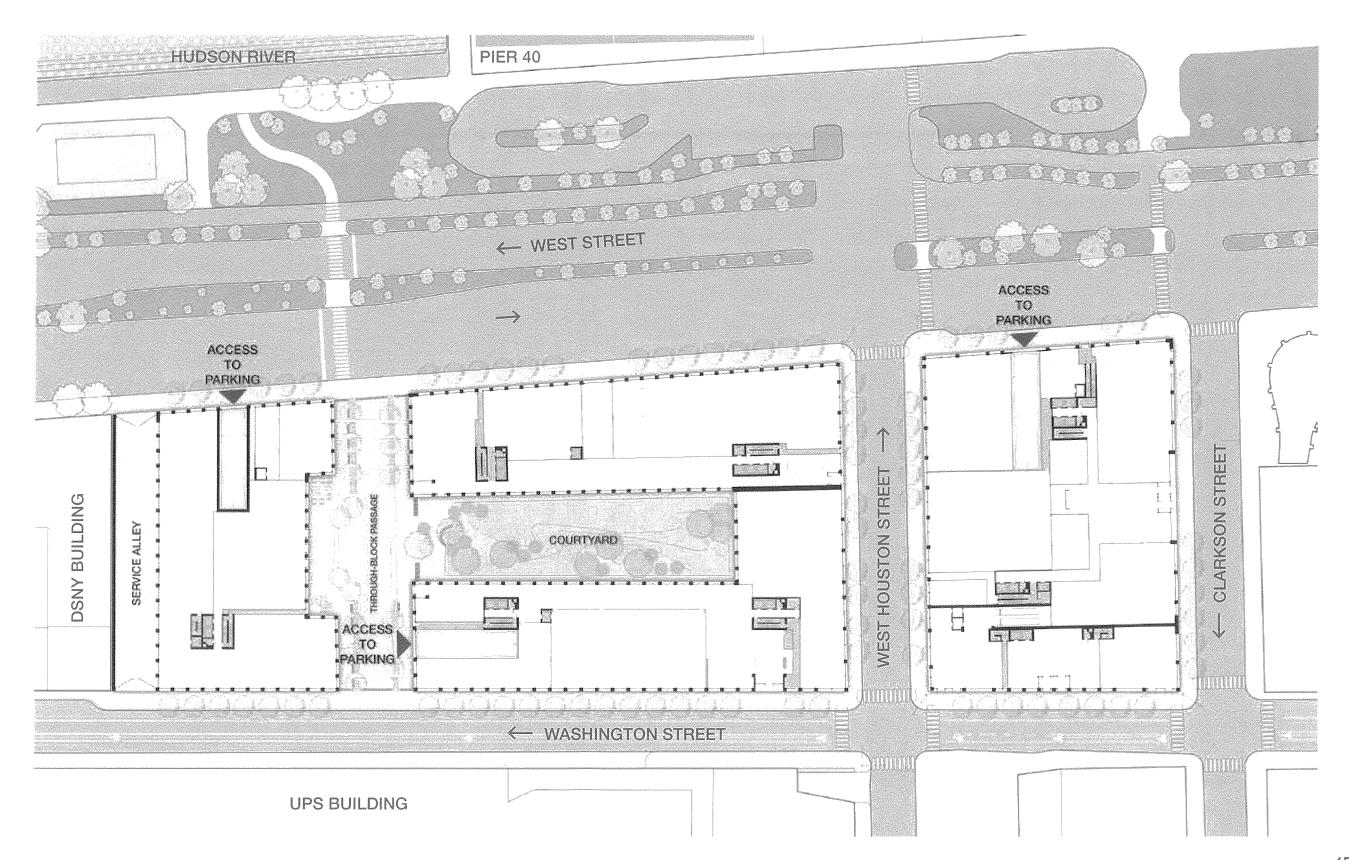
PROPOSED RE-ZONING

### PROPOSED BUILDINGS



MAXIMUM STREET WALL HEIGHT AS PER ZONING DISTRICT: 85 FEET

### **PARKING**







#### • RE-ZONE ST. JOHN'S SITE THROUGH ULURP

MIXED-USE PROJECT WITH RESIDENTIAL, RETAIL AND COMMERCIAL USES NEW LANDSCAPED, PUBLICLY ACCESSIBLE OPEN SPACE

#### • SAVE PIER 40

PROPOSED \$100M PAYMENT TO RESTORE PIER 40 IN EXCHANGE FOR 200,000 SF HRPT WILL USE FUNDS TOWARDS CRITICAL INFRASTRUCTURE REPAIR OF PIER 40

#### • CREATE PERMANENT MIXED-INCOME AND SENIOR AFFORDABLE HOUSING

30% OF ALL RESIDENTIAL UNITS
25% OF ALL RESIDENTIAL FLOOR AREA

#### ADDITIONAL PUBLIC BENEFITS

JOB CREATION/ECONOMIC DEVELOPMENT

- ESTIMATED 1,800 CONSTRUCTION RELATED JOBS PER YEAR DURING CONSTRUCTION PERIOD
- ESTIMATED 1,500 JOBS GENERATED FROM PERMANENT PROJECT OPERATIONS



# Real Estate Board of New York Testimony before the New York City Council Subcommittee on Zoning and Franchises St. John's Center November 1, 2016

The Real Estate Board of New York (REBNY) is a trade association with 17,000 members comprised of owners, builders, brokers, managers, and other professionals active in real estate in New York. We are here today to support the St. John's Center rezoning and the Hudson Square waterfront development plan.

This plan addresses a number of critical and interrelated issues that have vexed the community and the Hudson River Park Trust for more than a decade — how to fund the costly infrastructure repairs to Pier 40, while preserving the athletic fields and maintaining critical operating revenue stream from the parking facility.

In addition to these vital benefits, the development project addresses some of our most pressing needs while providing valuable community amenities.

The St. John's Center development on Washington Street will consist of five buildings with approximately 1.7 million square feet of development, including almost 1,600 units of housing of which 30 percent would be permanently affordable in a mix of low and moderate income households as well as senior housing. The development will also include 400,000 square feet of commercial space, as well as a 10,000 square foot indoor recreational center that would be available for residents and the public.

This new sustainable development project will replace an outmoded site that intrudes on the street grid with a modern, mixed-use development that will revitalize the streetscape with retail, improved light and air down to Houston Street, much improved access to West Street, and newly-created view corridors.

A new development of this type and scale has significant economic benefits in the short and long term. Construction is expected to create on average 1,800 on-site jobs per year for three years and 1,500 full and part-time jobs once construction is complete. During the construction period, the City and the State are estimated to receive \$126 million in new tax revenue and an estimated \$21 million in annual taxes when completed.

This project is critical to the preservation of Pier 40 and the Hudson River Park, and will provide a significant amount of much needed new and affordable housing. Across the board, this is an integral and transformative project that is good for New York City. For these reasons, we support this project.

Appearance Card
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in favor in opposition
Date: 11/1/16
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Address: 49 JANE STREET
I represent: SELF
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Name: Charles Anderson
Address: 853 Broadway (Except)
I represent: Assemblymember Debarah J. Glick
Address: 953 Broadway
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Address: 200 EACT St.
I represent: The Markotto
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I represent: Sierra Club NYL Group
Address: I PennPloze 6285, NYC 10119
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Date: 11 1 2016
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Name: Bill Bialosky
Address:
1 represent: Downtown United Soccer Club
Address:
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Date: 11/1/2016
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Name: David Seal
Address:
1 represent: Manhattan Celtic League
Address:

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Name:  SSac Daniel
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Address:	·	· · · · · · · · · · · · · · · · · · ·
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	Appearance Card
I intend to appear and s	peak on Int. No. Rec 40 Res. No.
	n favor 🔲 in opposition
	Date: 11 1 2016
Name: Daniel	(PLEASE PRINT)
Address:	
I represent: Per 4	o Champions
Address:	TO AND THE STATE OF THE STATE O
	THE COUNCIL
	CITY OF NEW YORK
· · · F	
	Appearance Card
	peak on Int. No. (1et 40 Res. No
j <b>a</b> i	n favor in opposition
	Date: 11   2016
Name: Luis Her	(PLEASE PRINT)
Address:	MANY
I represent: VSC	
Address:	
n	NUE CAUNCII
	ME GOUNGE
THE C	ITY OF NEW YORK
	Appearance Card
I intend to appear and spe	eak on Int. No. 1240 Res. No.
in	favor in opposition
	Date: 11 1 2016
/ ما، با	(PLEASE PRINT)
Name: Mark (	neove
Address:	0 11 15 0 15
I represent: Triends	of Hudson River Park tre. NY, NY 10101
Address: 305 7'= 1	tre., NY, NY 10101
Please complete the	is card and return to the Sergeant-at-Arms

Appearance Card
I intend to appear and speak on Int. No. Per 40 Res. No.
in favor in opposition
Date: 11 1 2016
(PLEASE PRINT)
Name: Carin Erinberg
Address:
1 represent: accention Village Little league
Address:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 12 40 Res. No.
in favor in opposition
Date: (PLEASE PRINT)
Name: Nico Michael
Address:
I represent:
Address:
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THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. Pier 40 Res. No.
in favor in opposition
Date: 11 2016
(PLEASE PRINT)
Name: Ken Daniels
Address:
1 represent: Dountoun Urban Soccer Club
Address:
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Appearance Card	
I intend to appear and speak on Int. No. VIEL 40 Res. No.	
in favor 🔲 in opposition	
Date: 11/1/2016	
Name: Gay Baddeley	
Address:	· · · · · · · · · · · · · · · · · · ·
I represent: DOWNTOWN UI ban Soccer Cle	طد
Address:	
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THE CHI OF NEW YORK	
Appearance Card	
I intend to appear and speak on Int. No. Per 40 Res. No.	<b>.</b>
in favor in opposition	<del></del>
Date: 11/1/2016	· · · · · · · · · · · · · · · · · · ·
(PLEASE PRINT)	
Name: Tout tox	
Address:	
1 represent: Downtown Urban Soccer Cla	10
Address:	
THE COUNCIL	1204 de 1866 d La companya de 1866 de
THE CITY OF NEW YORK	
Appearance Card	
I intend to appear and speak on Int. No. 1ec 40 Res. No.	
in favor in opposition	
Date: 11 12016	<del></del> .
(PLEASE PRINT)	
Name: Tarrick 10(6)	21
Address: 391 Convert Me NIN 1705	21
1 represent: Friends of Hudson River tack	
Address: 305 712 AM. 12- Ft. 104, 104	001
Please complete this card and return to the Sergeant-at-Arms	, <b>4</b>

Appearance Card
I intend to appear and speak on Int. No. PIER 40 Res. No.
in favor in opposition
Date: _/////6
(PLEASE PRINT) ' /
Name: CINDY SIRKO
Name: CINDY SIRKO Address: 332 BLEECKEN ST., NYC1001Y
I represent: 60TAM GIRLS FC
Address: P.O. Box 566, NYC 10002
THE COUNCIL
THE CITY OF NEW YORK
THE CITT OF NEW TORK
Appearance Card
I intend to appear and speak on Int. No Res. No
in favor in opposition
Date:
(PLEASE PRINT)
Name: John Wund
Address:
I represent: 13 uilding Trades
Address:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 106 CRes. No.
in favor in opposition
Date:
(PLEASE PRINT)
Name: Katherine Schoonover
Address: 749 Gastington Jt 20
I represent: Sol
1111 0 100 254
Address: 10019

Appearance Card
I intend to appear and speak on Int. No Res. No
in favor in opposition
Date:
Name: Gary Wicker, - Address: 98 Park Terrace Fort
Address: 98 Park Terrace Fort
I represent: NYC Sierra Cdod
Address:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. Res. No in favor in opposition
Date:
(PLEASE PRINT)
Name: PACHARY WINCETINE
Address: 92 Horano ST
I represent: GROWWICH VILLAGE COMMONING TOSE FURCE
Address:
THE COUNCIL
THE WUNGE
THE CITY OF NEW YORK
St Johns Appearance Card
I intend to appear and speak on Int. No Res. No
in favor in opposition
Date:
Name: Penny Will St. Address: 298 WOST 115
I represent: COM MUNUIG MUNDER
Address:

	Appearance Card	
I intend to appear and	speak on Int. No.	Res. No
	in favor 🗔 in opposit	
	Date: _	
	(PLEASE PRINT)	A.
Name: //ECYY	DIGINAL A	17.71
	DITARIASY A	M. J. Z. Z. Z.
$\Omega_{-}$	C10014,NY	
Address: LEV		
	THE COUNCIL	
THE	CITY OF NEW Y	YORK
	Appearance Card	
I intend to appear and	speak on Int. No.	Res. No
= -	in favor 🔲 in opposit	
	Date: _	
	(PLEASE PRINT)	
	eHan Borough P.	201
Address: Manh	erran Down I	resident
I represent:	~ 0	
Address:		
	THE COUNCIL	
THE	CITY OF NEW Y	ORK
	Appearance Card	
I intend to appear and	speak on Int. No.	Res. No
	in favor 🔲 in opposition	and the second s
	Date:	
018	(PLEASE PRINT)	
Name: Gale 15	rewer / January	Pard +
Address: Tanky	a voienge	1 resident
I represent:		
Address:		1
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CHAPTER VERY THE COUNCIL  PANEL AGENT THE CITY OF NEW YORK
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No in favor in opposition / /
Date:
Name: PAVID SPUELL
Address: SCARMINES
I represent: CR 2- CPAST CHAR
Address:
Please complete this card and return to the Sergeant-at-Arms
THE COUNCIL
THE COUNCIL THE CITY OF NEW YORK
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THE CITY OF NEW YORK  Appearance Card
I intend to appear and speak on Int. No Res. No  I in favor in opposition  Date:  (PLEASE PRINT)
I intend to appear and speak on Int. No Res. No in opposition  Date:
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I intend to appear and speak on Int. No Res. No in opposition    The CITY OF NEW YORK