

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND
FRANCHISES

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October 9, 2013
Start: 1:16 p.m.
Recess: 1:35 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E: Mark S. Weprin
Chairperson

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.
Julissa Ferraras
Daniel R. Garodnick
Robert Jackson
Jessica S. Lappin
Diana Reyena
Joel Rivera
Albert Vann
James Van Bramer
Vincent M. Ignizio
Ruben Wills

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CHAIRPERSON WEPRIN: Okay, Buenos tardes everybody. My name is Mark Weprin, I am the chair of the Zoning and Franchises Subcommittee, and it is now afternoon, and we are going to be meeting now. We apologize for the delay. We have our agenda today four Land Use Items, all of which had long hearings and many issues to address. We had--how many hours were we here the other day, 10 hours? About eight to ten hours worth of hearings the other day on these matters, and we heard from a lot of community groups, a lot of businesses, a lot of unions, a lot of workers, and people with interests in all these matters, and this is what we love about this process, is there a lot--we try to address those issues. Those public hearing serve a tremendous role in our ability to come to an agreement. We try to listen to everybody and we certainly did. Obviously, not everyone comes out of these things happy, but we do try to address as many interests as possible, and try to make changes that will accommodate those people. So with all that in mind, we have a number of items

2 here. I want to first acknowledge the
3 following members of the committee of who are
4 here for quorum purposes. I want to let know
5 that Council Member Joel Rivera is here,
6 Council Member Diana Reyna, Council Member
7 Leroy Comrie, Council Member Robert Jackson,
8 Council Member Al Vann, Council Member Dan
9 Garodnick, Council Member Ruben Wills, and
10 Council Member Vinnie Ignizio is in the
11 building and just stepped out. He will be
12 here. Okay. And no one else here. We are
13 also joined by Council Member Julissa Ferraras
14 who's here for one of the items on our agenda
15 which we'll get to right away. And Council
16 Member Van Bramer is in--in the building, but--
17 oh, he will? Okay. And he will be here at the
18 Committee as well for an item in his district.
19 We are--it's--a lot of sand move here today,
20 you know. We had a lot of the meetings going
21 on. So without further adieu, I'm going to call
22 on, first on the Willets Point item. This has
23 been on an ongoing item for 50 years, and that
24 is Willets Point Land Use 876 to 881. It is in
25 Council Member Julissa Ferraras' District. She

2 is here with us today, and I'm going to ask her
3 to discuss some of the items, and I know she
4 has a statement to make as well as discuss many
5 of the accommodations we made based on the
6 hearing that we had. So, Council Member
7 Ferraras, if you would?

8 COUNCIL MEMBER FERRARAS: Thank you,
9 Chair Weprin, and good afternoon. I'm Council
10 Member Julissa Ferraras, and I represent
11 Council District 21, which includes Willets
12 Point. For those of you who may be unfamiliar
13 with my district, Willets Points has long been
14 known as the Iron Triangle, and the Valley of
15 Ashes because of its industrial network of auto
16 shops, junk yards, and factories that have
17 occupied this space and land. For years, this
18 area has gone without many of the resources the
19 rest of the city has regularly received, such
20 as sanitation, paved roads, proper sewage and
21 flood drainage. Before us today is a proposal
22 that seeks to address these issues between the
23 city agencies and developers. We have the
24 potential to vote in favor of a plan that will
25 forever become a new benchmark, not only for my

1 district, but for all of New York City. After
2 many long years of reviewing this proposal and
3 taking my constituents concerns into account, I
4 have found that this ambitious proposal will
5 bring true true change to our community.

6 Affordable housing, 35 percent of all units
7 being constructed at Willets Point will be
8 affordable. Additional, the administration has
9 agreed to release a request for proposal for
10 two lots of land that are located in and around
11 my district to construct additional affordable
12 housing, bringing our affordable housing number
13 to just over 1,000. It is important to note
14 that never before in the history of the 21st
15 Council District have we had this number of
16 affordable housing investment. Another portion
17 of this proposal includes good jobs, service
18 employees, building trades, hotel workers, and
19 supermarket workers. This project is set to
20 create 19,000 jobs. In addition, a prevailing
21 wage will be paid to contractors, building
22 service workers, and security workers. Twenty-
23 five percent of the construction contract
24 values will go to MWBE's [phonetic], and a
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2 930,000 fund has been created to strengthen the
3 ability for MWB to compete for Willets Points
4 contracts. This plan also calls for more
5 school seats. This Development will include
6 the construction of a new public school at the
7 site, which will deliver a thousand seats for
8 our children. A thorough environmental clean
9 up of toxic soil, also a major factor that
10 developers and the administration have jointly
11 agreed to finance. A business and worker
12 relocation plan has been created to exist--the
13 existing tenants at Willets Point with the
14 continued operation of their businesses. The
15 City will pay 15.5 million dollars for the
16 relocation, moving expenses, and support of the
17 Willets Point businesses, including those
18 businesses that want to move together. The
19 City will also assist relocate--relocating
20 businesses with marketing and new location and
21 job skill training for the Willets Point
22 workers. An agreement for true park investment
23 has been reached. The developers and the City
24 have made an agreement to make a significant
25 contribution of just 17 million dollars towards

2 the maintenance and upkeep of Flushing Meadows
3 Corona Park. Although there are other details
4 to this proposal that will also benefit our
5 community greatly, I realize that we have
6 limited time--limited speaking time. But to be
7 clear, I am confident that after carefully
8 taking my constituent's needs into
9 consideration, this deal would be a win for our
10 constituents, a win for Willets Point, and a
11 win for New York City. Our district deserves
12 to have the same treatment as any other area in
13 New York City. We deserve to access to every
14 single deliverable in this plan and what it
15 will bring. I'm asking my colleagues to vote
16 yes for this proposal for those seniors that
17 are currently living in one bedrooms in a room
18 together, for those workers that are begging to
19 work anywhere just for a job, that is why I'm
20 asking you to vote for this today, for the
21 residents of Queens, the residents of Corona,
22 and for New York City. Thank you.

23 CHAIRPERSON WEPRIN: Thank you,
24 Council Member Ferraras. I got a silence the
25 chair, look at that. We're now going to move

2 onto another item at the end, and we will put
3 these--we'll couple these items for a vote, but
4 we are now going to call on, for the 92nd
5 Street project in Dan Garodnick's district. I
6 don't have the numbers exactly. What's the
7 Land Use numbers? Oh, Land Use 902 it is. So
8 I'm going to call on Dan Garodnick who is here
9 and a member of the committee to describe the
10 changes that have been discussed on this item.
11 Council Member Garodnick?

12 COUNCIL MEMBER GARODNICK: Thank you
13 very much, Mr. Chairman, and I appreciate the
14 opportunity to give a little background on 902
15 and explain where we are and how we got here.
16 The vote here on this bill is a question of
17 whether we should allow a private property
18 owner an opportunity to develop a piece of
19 property which they themselves own.
20 Ordinarily, that would be a rather simple
21 issue, but today it is not. The Related
22 Company bought the property at issue here in
23 1983 as part of the amended Ruppert Urban
24 Renewal Plan. As part of that purchase, the
25 City obligated Related to keep the site open as

1 a playground for 25 years until June of 2008.
2 That time has now come and gone and Related
3 wants to develop the site. Needless to say,
4 that playground was for many, their playground,
5 their recreational space in an area of the city
6 that has very little of it. But for whatever
7 reason the City made a deal that had a time
8 limit on a playground, challenging concept for
9 obvious reasons. Today, Related has development
10 rights that exist on the site of the former
11 playground pursuant to the underlying zoning
12 district designation and the department of City
13 Planning has determined that the modification
14 to reflect these development rights would be a
15 minor modification to the large scale
16 residential development plan, which currently
17 governs the site. The technical question
18 before this committee and the Council is
19 whether Related should be required to obtain
20 consent from every owner within the large scale
21 residential development area in order to use
22 its development rights. The broader policy
23 question is whether the city will make good on
24 the commitments it made years ago and how we as
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1 a council will deal with expired Urban Renewal
2 plans, and this certainly will not be the last
3 that we will see. I have stood with the
4 community to ask Related to keep the playground
5 open, to explore other sites, and to leave this
6 park space alone. We worked with other
7 electives in the area like Assemblyman Dan
8 Quart to find a compromise that would preserve
9 open space in the area. We ask the mayor's
10 administration to seek an agreement that would
11 allow the playground to remain undeveloped, and
12 to find a way to entice Related elsewhere.
13 Assemblyman Quart, to his credit, tried to
14 broker a negotiation between local residents
15 and Related that had the potential to move the
16 proposed building to another site.
17 Unfortunately, that negotiation did not
18 succeed. We did all these things because of our
19 clear understanding that the private property
20 has rights here, and we wanted to avoid the
21 issue presently before us. To be clear, what
22 the Council is considering today is not the
23 question of whether or not the playground
24 should remain open, turning down this proposal
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1 today will not reopen the park, unfortunately,
2 and we're not even considering the question of
3 what the appropriate density might be. All we
4 have before us is the question of whether or
5 not Related should be required to obtain
6 consent from the other owners in the area to
7 apply to City Planning to make changes to its
8 own site, to use its own development rights.
9 And Related seeks to build a mixed-use building
10 on their site with the maximum of 290 units of
11 housing, and a school for kids with language
12 based learning disabilities in the base. That
13 school is the Windward School. In response to
14 community concerns, Related re-designed its
15 building, moved it as far west as possible and
16 adjusted its plaza space to provide an
17 additional buffer between the new tower and the
18 closest residential building. And recognizing
19 the community's need for active open space,
20 Related and the Windward School have today
21 committed to opening up the school gym to
22 community groups. While this council cannot
23 protect park land that does not belong to the
24 City, this is an important opportunity to give
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1 back some active space to the neighborhood. I
2 will work with the school, Related and
3 community groups on a schedule for this use of
4 this gym, and to make sure that there are
5 meaningful opportunities for community
6 enjoyment. Further and also significantly, I
7 should note that Related has committed to
8 keeping 20 percent of all units in this
9 building affordable permanently. And this is a
10 very important point, because just as we
11 struggle to preserve open space in my district,
12 we've also struggled to keep affordable housing
13 units. This playground was created through a
14 special deal with the city and Related met its
15 obligation to keep the park the open for 25
16 years, and I would note that if the City does
17 not live up to the deal that we made, we may
18 lose all credibility and the ability to make
19 deals on even temporary public spaces in the
20 future. The city may very well have made a bad
21 deal, but that was the deal, and changing the
22 terms of the open space plan is not a question
23 in front of this Council today, accordingly I
24 will be voting yes.
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CHAIRPERSON WEPRIN: Thank you Council Member Garodnick. I'd like to just call briefly on Council Member Ferraras who had a something to add. Thank you.

COUNCIL MEMBER FERRARAS: Sorry, and in my moment to speak I forgot to thank all the advocates and supporters 'cause this was not something that I did on my own. I'd like to thank my colleagues Council Member Leroy Comrie, Council Member Mark Weprin, Council Member Peter Koo, the Land Use Committee Staff, Ramon Martinez [phonetic] from the Speaker's Office, the administration and my staff, Make the Road, the Fairness Coalition, Housing Advocates, Sunrise Co-op, Park Advocates, Faith New York, New Yorkers for Park, and Queens Chamber of Commerce for all their support through this time. So I want to thank you, and this is really our victory. Thank you.

CHAIRPERSON WEPRIN: Thank you, Council Member Ferraras. We're now going to move onto the next items on our agenda, and they are not related. See what I did there? Okay. The next one is Land Use 903, and this

2 is Jackson Avenue, which is also known as 5
3 Pointz. We had a very extended hearing on this
4 as well, and we're joined by Council Member
5 Jimmy Van Bramer, James Van Bramer who
6 represents this site, and he will now explain
7 this--these changes.

8 COUNCIL MEMBER VAN BRAMER: Thank
9 you very much, Mr. Chair, and I thank you for
10 the hearing, the extensive hearing that we had
11 last week on 2244 Jackson Avenue in Long Island
12 City, a commonly known to some as 5 Pointz.
13 The question we're hearing today is not whether
14 or not we save 5 Pointz, but whether or not G&M
15 Realty could receive and increase in FAR on the
16 site that they currently own, and which they
17 can as of right build a substantial residential
18 housing unit. As a result of the Community
19 Board, our extensive hearing process, and
20 community involvement, I'm pleased that we've
21 come to an agreement with the applicants on the
22 special permit, and I support this application.
23 Here's what we've done, as a result of our
24 involvement and the Community Board--

2 CHAIRPERSON WEPRIN: [interposing]
3 Mr. Van Bramer, let me cut you off one second.
4 Can we have quiet in the Chamber, 'cause it's
5 getting a little noisy. Thank you. Sorry
6 there, Mr. Van Bramer.

7 COUNCIL MEMBER VAN BRAMER: Thank
8 you very much, Mr. Chair. As a result of our
9 involvement there will be over 1,000 jobs
10 created and I'm pleased that G&M Realty has
11 reached an agreement with the Building
12 Construction Trades Council and SEIU 32bj,
13 ensuring that all 1,000 jobs will be good
14 paying union jobs with benefits and this is
15 good, because as the son of union parents,
16 nothing is more important to me than building
17 pathways to the middle class. In addition, we
18 have nearly tripled the amount of affordable
19 housing units that were being offered at the
20 Community Board portion of this process, nearly
21 tripled affordable housing in this development
22 making sure that our neighborhood will remain
23 affordable for all kinds of families, and the
24 truth is that 5 P0intz has become important o
25 many people and we recognize that, so we're

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also pleased that the amount of artist studio space inside the building has been increased from 2,00 square feet to 12,000 square feet and received an agreement in writing with the Wolkoffs that those artists and arts organizations that were displaced from the building when it became uninhabitable will receive the first offers to go back into that building when it was built. In addition to the 12,000 square feet of artist studio space inside the building, there will be nearly 10,000 square feet of art panels and walls on the exterior of the building in three different places, highly visible, and those walls will be reserved for aerosol and graffiti art to be displayed, and there is an offer in writing that the founder of 5 Pointz would be able and have the opportunity to curate and even paint those panels. That's a significant piece of this plan. In addition to all of this, there'll be an over 32,000 square foot public park and green space created in an area that is now dark and is not safe for families at night. This is a tremendous, tremendous agreement,

2 32,000 square foot public park. Not to mention,
3 50,000 square feet of retail space and ample
4 parking. So for all of these reasons, I
5 support this plan and ask my colleagues to do
6 so as well. Thank you.

7 CHAIRPERSON WEPRIN: Thank you, Mr.
8 Van Bramer. The last item on our agenda is
9 Halletts Point. It's Land Use 904 to 909,
10 inclusive. It's in Council Member Peter F.
11 Vallone, Jr.'s District. He will be here later
12 on for the stated meeting and has indicated his
13 support. You know, this was the least
14 controversial probably of our agenda, but there
15 was concern raised by the Councilmen and some
16 of the community about creating some options on
17 ferry service for the new development which has
18 heavy community support, and I know that the
19 City has made a commitment to fund and perform
20 a feasibility engineering and design study for
21 possible locations for said ferry service.
22 With that in mind, I'm going to move to couple
23 these four items, Willets Point--Okay. Calling
24 the numbers, Land Use 876 to 881, Land Use 902,
25 903, 904 to 909, and all of those items are

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coupled. Once again, Willets Point, 92nd Street, 5 Pointz, Jackson Avenue, and Halletts Point all coupled, and we now call on Counsel to please call the role.

COUNSEL: Chair Weprin?

CHAIRPERSON WEPRIN: I vote aye on all.

COUNSEL: Council Member Rivera?

COUNCIL MEMBER RIVERA: I vote aye.

COUNSEL: Council Member Reyna?

COUNCIL MEMBER REYNA: Aye.

COUNSEL: Chair Comrie?

COUNCIL MEMBER COMRIE: I want to congratulate Council Member Weprin for doing an excellent job of holding the hearings, to have everything aired out by the public. I want to congratulate Council Members Vallone, Van Bramer, Garodnick, and Ferraras for doing a Stallworth job in getting to this point today, and I'll make more extensive statements later. Aye on all.

COUNSEL: Council Member Jackson?

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COUNCIL MEMBER JACKSON:

Congratulations to my colleagues. I vote aye on all.

COUNSEL: Council Member Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

COUNSEL: Council Member Wills?

COUNCIL MEMBER WILLS: Aye on all.

COUNSEL: Council Member Ignizio?

COUNCIL MEMBER IGNIZIO: Yes, I'd like to vote aye on all, and I also want to point out that very often the media portrays this body in a negative light, but when you see here today is the hard work of Council Members who stood up for their principles, stood for their community, and ultimately got a great deal, and the one I have to point out which I believe is the toughest lady in the City Council who is, while nine months pregnant, negotiating this, had a baby, came back and continued to negotiate it, and that's my good friend Julissa Ferraras. Congratulations and your community will be grateful for your work. I want to vote aye on all and happy to do so, Julissa.

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COUNSEL: Council Member Vann?

COUNCIL MEMBER VANN: Aye.

COUNSEL: By a vote of nine in the affirmative, no abstentions, and no negatives, Land Use items 876 to 881, 902, 903, 904 to and including 909 are approved and referred to the Full Land Use Committee.

CHAIRPERSON WEPRIN: Thank you very much. With that in mind, the Land Use Subcommittee is now adjourned. I want to--I just want to before I wrap the gavel, remind the members that the Land Use meeting will be immediately following this meeting and the Stated shortly after that. So with that in mind, the meeting is now adjourned.

COUNCIL MEMBER COMRIE: Please don't leave. The Full Committee will start as soon as the Sergeant of arms has the tape ready. Please don't leave. Congrats and thank you.

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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 10/21/2013