

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

May 16, 2019
Start: 10:59 a.m.
Recess: 11:13 a.m.

HELD AT: 250 Broadway - Committee Room,
16th Floor

B E F O R E:
FRANCISCO P. MOYA
Chairperson

COUNCIL MEMBERS:
Costa G. Constantinides
Barry S. Grodenchik
Rory I. Lancman
Antonio Reynoso
Donovan J. Richards
Carlina Rivera
Ritchie J. Torres

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

2 [sound check] Today is May 16, 2019.

3 Today's hearing is on a Subcommittee on Zoning and
4 Franchises being recorded by Sherees Torez.

5 [pause]

6 [gavel]

7 CHAIRPERSON MOYA: Good morning and
8 welcome to the meeting of the Subcommittee on Zoning
9 and Franchises. I'm Council Member Francisco Moya,
10 the Chairperson of this Committee. Today we are
11 joined by Council Members Constantinides, Grodenchik,
12 Lancman and Reynoso. Today we will be voting on a
13 number of applications previously heard by the
14 Subcommittee. We will voting to approve
15 preconsidered LU numbers 412 for the 66 Hudson Yards
16 Streetscape text amendment in Manhattan. The
17 proposed action would modify the special Hudson Yards
18 district text relating to ground floor use and
19 planting regulations in large scale plan Subdistrict
20 A. The proposed text amendment would facilitate the
21 development of a new Class A office building with
22 approximately 2.2 million square feet which would
23 serve as the new headquarters for Pfizer as the
24 anchor tenant. Speaker Johnson is in support of this
25 application. We will also vote to approve LUs 403,

404 for the 47-15 34th Avenue rezoning in Queens.

The originally proposed action sought to rezone

existing C81, R6B and R5 zoning districts to a mix of

R7X, C24 and R6B C24 districts and map the project

area as a mandatory inclusionary housing area

utilizing MIH option 2. The action before us has

been modified by the City Planning Commission. As

part of the public review process, the Commission

modified the R7X C24 district of the proposal to an

R7D C24 while maintaining the R6B C24 portion.

Together the action as modified by CPC would

facilitate the development of a new 11-story mixed

use building with approximately 187 dwelling units

including approximately 57 permanently affordable

units and commercial and community facility uses at

the ground floor. Council Member Van Bramer is in

support of this application as modified by CPC and I

will now read Council Member Van Bramer's statement.

The proposed plan at 34th Avenue between 46th and 48th

Streets will produce meaningful, affordable housing,

most of which will be at 60% AMI. The agreement

before us today provides deeper affordability than

originally proposed. Furthermore, the developer has

agreed to concessions to reduce the height of the

2 building to 10 stories from the initial 14. Queens
3 Community Board One sought a building no greater than
4 10 stories and we achieved that here. Also many
5 residents of Woodside Housing including Tenant
6 Association President, Annie Cotton Morris, came out
7 in strong support of this project. Their feedback
8 and approval is important to me. There will also be
9 space given to a local non-profit organization, Urban
10 Upbound, to host a job training center within the
11 building free of charge. 32BJ also supports this
12 project as the building service workers will be Union
13 members. Finally, the developer has promised to look
14 for a local arts non-profit to provide affordable
15 rental space for a cultural/performance space as well
16 as an agreement to care for the pocket park across
17 the street. Because of these reasons I support this
18 project and urge my colleagues on the Zoning
19 Subcommittee to approve. We've also now been joined
20 by Council Members Richards and Rivera. We will also
21 vote to approve preconsidered LUs number 413, 414 for
22 the East Harlem follow-up action in Manhattan. The
23 proposed action agreed upon and memorialized in the
24 East Harlem neighborhood rezoning points of agreement
25 would modify the allowable building heights in

existing C64, R8A and R7D district along Park Avenue in the special East Harlem Corridors District.

Requires subway entrance relocation for any development at the intersection of Lexington Avenue and East 116th Street and removes a special district

designation from an existing R7B district. Council Member Ayala is in support of this application. We

will also vote to approve with modifications

preconsidered LU number 411 for the Mana Products

text amendment in Queens. The proposed action would

amend the use, regulations related to existing

manufacturing buildings. The action would facilitate

the enlargement of an existing building in an M32

district to accommodate expanded and streamline

manufacturing operations. Our modification will be

to clarify the applicability of the proposed

amendment in terms of geographic location. Council

Member Van Bramer is in support of this application

as modified and we will also vote to approve the

modifications of preconsidered LU number 397 for the

residential mechanical voids text amendment in

Council Districts 1-9, 16, 26 and 27. The text would

modify existing bulk regulations for residential

buildings in a non-contextual R9 and R10 residential

districts and their commercial district equivalents. DCP's original application proposed a 25' height threshold for establishing whether a building's enclosed mechanical space would be counted as zoning floor area. After Community Board and Borough President review, CPC modified the amendment increasing the threshold to 30'. Our modification will restore the originally proposed 25' height threshold. Our modification will also limit the applicability of the rule for certain developments in commercial districts. Council Members for the districts that are affected by this text amendment are generally in support of the application as modified and with understanding that DCP has agreed to study additional loopholes and pursue certain follow-up actions. I will now read a letter from the Department of City Planning that was sent to this Committee. It says dear honorable members of the City Council. Based on conversations with the City Council, the Department of City Planning memorializes its commitment to the following additional steps regarding residential mechanical voids. DCP will enact a follow-up action to apply limits to mechanical voids to residential buildings in the

central business districts. These districts include lower Manhattan, Midtown, Hudson Yards, Long Island City and Downtown Brooklyn special districts. The provisions of this follow-up action will apply the principles of the mechanical void to the local conditions of central business districts. This follow-up action will also be shared with the Council in August 2019 in advance of referral in September 2019. DCP will conduct a study of unenclosed voids in residential buildings exploring potential abuse of the Zoning Resolution while considering the many desirable architectural and functional uses of unenclosed space. This study will be completed and its results shared with the Council in the summer of 2020. DCP will conduct a study related to the establishment of a minimum lot size of residential zoning lots exploring how small, otherwise unusable zoning lots may yield unintended building forms in certain zoning districts. The results of the study will be shared with the Council in August 2019. I now will call for a vote to approve preconsidered LUs 412, 413, 414 and LUs 403 and 404 and to approve with the modifications I have described preconsidered LU

2 397 and preconsidered LU 411. Counsel, please call
3 the roll.

4 COUNSEL: Moya?

5 CHAIRPERSON MOYA: Aye on all.

6 COUNSEL: Constantinides?

7 COUNCIL MEMBER CONSTANTINIDES: Aye on
8 all.

9 COUNSEL: Lancman?

10 COUNCIL MEMBER LANCMAN: Aye.

11 COUNSEL: Reynoso?

12 COUNCIL MEMBER REYNOSO: Aye.

13 COUNSEL: Richards?

14 COUNCIL MEMBER RICHARDS: Aye.

15 COUNSEL: Rivera?

16 COUNCIL MEMBER RIVERA: Aye.

17 COUNSEL: Grodenchik?

18 COUNCIL MEMBER GRODENCHIK: Aye.

19 COUNSEL: By a vote of 7 in the
20 affirmative, 0 in the negative and no abstentions,
21 all items are referred to Land Use Committee.

22 CHAIRPERSON MOYA: This concludes today's
23 meeting. I would like to thank the members of the
24 public. We'll hold the vote open for a few more
25 minutes but this concludes the meeting. I would like

2 to thank my colleagues and the Council Land Use for
3 attending this meeting today. The always punctual
4 Ritchie Torres is here.

5 [crosstalk and laughter]

6 COUNSEL: Torres?

7 COUNCIL MEMBER TORRES: Aye.

8 COUNSEL: By a vote of 8 in the
9 affirmative, 0 in the negative and 0 abstentions, all
10 items are referred to the Land Use Committee.

11 CHAIRPERSON MOYA: And this concludes
12 today's meeting. I would like to thank the members
13 of the public, my colleagues, counsel and Land Use
14 staff for attending. This meeting is hereby
15 adjourned. [gavel]

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

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



Date June 6, 2019