

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS, AND

DISPOSITIONS 1

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITINGS, AND DISPOSITIONS

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July 27, 2022
Start: 1:16 p.m.
Recess: 1:33 p.m.

HELD AT: HYBRID HEARING - COMMITTEE ROOM -
CITY HALL

B E F O R E: Farah N. Louis, Chairperson

COUNCIL MEMBERS:

Carmen N. De La Rosa
Oswald Feliz
Christopher Marte
Sandy Nurse
Sandra Ung
Erik D. Bottcher

A P P E A R A N C E S

John Smallwood

1
2 HOST: This is a microphone check for July
3 27, 2022, for the Subcommittee on Landmarks, Public
4 Sitings, and Maritime Uses, recorded by Nazli Petuvi
5 (phonetic).

6 SERGEANT-AT-ARMS: Good afternoon and
7 welcome to the Subcommittee on Landmarks.

8 At this time, we ask that you please
9 silence your phones. Thank you for your cooperation.

10 Chair Louis, we are ready to begin.

11 CHAIRPERSON LOUIS: [GAVEL] Good
12 afternoon. I'm Council Member Farah Louis, Chair of
13 the Subcommittee on Landmarks, Public Sitings, and
14 Dispositions.

15 I am joined today by my Colleagues,
16 Council Members De La Rosa, Feliz, Ung, Marte, Nurse,
17 and Bottcher.

18 Today, we will vote on The Lirio project
19 we heard last month after a hearing on the items
20 subject to call.

21 I now recognize the Subcommittee Counsel
22 to explain today's hearing procedures.

23 SUBCOMMITTEE COUNSEL: Thank you, Chair
24 Louis. This meeting is being held in hybrid format.
25 Members of the Subcommittee are required to meet in-

1 person. Members of the public who wish to testify may
2 do so in-person or via Zoom.
3

4 Members of the public who wish to testify
5 via Zoom were asked to register for today's hearing.
6 If you have registered to testify and are not yet
7 signed into the Zoom, please do so now and remain
8 signed in until after you have testified.

9 If you wish to testify via Zoom and have
10 not yet registered, please do so now by visiting the
11 Council's website at www.council.nyc.gov/landuse,
12 that's l a n d u s e.

13 If you have written testimony that you
14 would like the Subcommittee to consider in addition
15 to or in lieu of appearing before the Subcommittee,
16 please send it by email to
17 landusetestimony@council.nyc.gov,
18 landusetestimony@council.nyc.gov. Please indicate the
19 LU number or project name in the subject line of your
20 email.

21 Lastly, there may be extended pauses if
22 we encounter any technical problems today. We ask
23 that you please be patient as we work through these
24 issues.
25

Chair Louis will now continue with
today's agenda.

CHAIRPERSON LOUIS: Thank you. On June
14th, the Subcommittee held the public hearing on The
Lirio 806 9th Avenue project proposed for Council
Member Bottcher's district. The project consists of 5
related Land Use actions, all subject to ULURP, to
facilitate the construction of a 9-story mixed-use
development containing 112 permanently affordable
dwelling units, approximately 67 of which would be
supportive housing for long-term HIV survivors along
with commercial and community facility space. At our
June 14th meeting, 36 witnesses appeared and offered
testimony on all ULURP applications associated with
the project. To satisfy a prerequisite to voting for
3 of those items at the June 16th stated meeting, the
Council adopted a Resolution pursuant to Section
197(d) (b) (3) of the Charter calling up City Planning
Commission decisions on application numbers C 220221
ZSM, C 220222 PPM, and C 220223 PQM, which were
introduced as LUs 75, 76, and 77. Those items are on
today's calendar even though we did hear testimony on
them on June 14th.

1
2 I know open public hearings on LUs 75,
3 76, and 77. All witnesses will be limited to 1
4 minute.

5 Counsel, are there any members of the
6 public who wish to testify?

7 SUBCOMMITTEE COUNSEL: We're checking to
8 see if there are any remote witnesses.

9 CHAIRPERSON LOUIS: All right. We have one
10 remote public testimony.

11 SUBCOMMITTEE COUNSEL: Do we have John
12 Smallwood available to testify remotely? John
13 Smallwood.

14 JOHN SMALLWOOD: Good afternoon. Bear with
15 me for a second. You should see my video.

16 SERGEANT-AT-ARMS: Starting time.

17 JOHN SMALLWOOD: Thank you. My name is
18 John Smallwood. I'm a resident at 349 West 54th
19 Street. I live across the street from the proposed
20 project, and I appreciate the opportunity to speak
21 today.

22 I have just 3 quick comments. One is as
23 living directly across from this project, I really
24 feel like there's been a lack of community
25 engagement. There has been no approach by the

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2 developer, the supportive housing provider, or by MTA
3 to any of the immediate residents or businesses.
4 There's a feeling that there's been just a lot of
5 things happening behind the scenes with HPD and the
6 developer that really haven't been shared. That's
7 number one.

8 Number two, I would like to see the site
9 developed. It's been vacant for a long time.
10 Certainly, support affordable housing, but the uses
11 that are proposed for this project, it's really a
12 supportive housing facility, not affordable housing.
13 There's a clear distinction there. We should be
14 cognizant of that in reviewing the application. The
15 reason I bring that up is I don't think I've ever
16 seen any...

17 SERGEANT-AT-ARMS: Time expired.

18 CHAIRPERSON LOUIS: Thank you, John.

19 Counsel, are there any other members of the public
20 that wish to testify?

21 SUBCOMMITTEE COUNSEL: Chair, we're going
22 to confirm that there are no additional remote
23 witnesses, and we will just pause briefly here to
24 confirm there are no witnesses on-site.

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CHAIRPERSON LOUIS: Council Member

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Bottcher would like Mr. Smallwood to finish. I don't

4

know who's controlling the, okay.

5

Mr. Smallwood, if you would like to

6

finish your testimony.

7

JOHN SMALLWOOD: Can you hear me now?

8

Hello.

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CHAIRPERSON LOUIS: We can hear you. You

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can continue.

11

JOHN SMALLWOOD: Okay. Thank you. My last

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comment has to do on a big part of this project is

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there's a special use permit. This project wants to

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pierce the existing Clinton District, the height

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provisions of that so there is a special use permit,

16

and my comments are that it doesn't appear that they

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analyzed all the properties. If you read the CPC

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findings, they only analyzed the MTA center and the 4

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buildings behind. On their special use permit, you

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should be reviewing all the surrounding area. I'll

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leave it at that.

22

I also would add that they note that MTA

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is going to have 125 employees. I really would love

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to see the data behind that, or, if I were reviewing

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this, I would want to know from the terms and

1
2 environment how are you introducing 125 people to
3 this site in addition to the existing MTA
4 headquarters.

5 Here again, I'm not against the project,
6 but I just feel like there really hasn't been a lot
7 shared with the community or if I were reviewing this
8 application that I would want to understand how these
9 decisions were made. Thank you.

10 CHAIRPERSON LOUIS: Thank you, Mr.
11 Smallwood. Seeing no other members of the public wish
12 to testify on LUs 75, 76, and 77, the public hearing
13 on these items is now closed.

14 I now recognize Council Member Bottcher
15 to offer remarks.

16 COUNCIL MEMBER BOTTCHER: Thank you so
17 much, Chair Louis, and thank you to my Colleagues.
18 Today, we're voting on a project that will provide
19 much-needed housing for low-income New Yorkers,
20 formerly homeless New Yorkers, long-term formerly
21 homeless New Yorkers, long-term formerly homeless
22 survivors of AIDS, and also moderate-income housing.
23 This is a product of many, many, many meetings and
24 discussions and countless phone calls over many
25 years. This project has been on the table for a very

1
2 long time, and, today, we've come up with something
3 that, I think, I is a great project that brought in a
4 lot of input. We were able to get more units of
5 moderate-income housing included in the project. We
6 got commercial space on the ground floor for a
7 grocer, and we were able to get Steven Stiles Farmers
8 Market, the right of first refusal for a portion of
9 that ground floor at below market rent. To be
10 discussed more when the building is finished, but
11 Stiles Market was destroyed by a building collapse a
12 few years ago, and the neighborhood, we've been
13 trying to get Stile reopened so we're able to
14 hopefully have him in this building would be a great
15 addition to the neighborhood.

16 The design of the building was the
17 subject of much discussion. It started out in a much
18 more brutalist design that did not fit the context of
19 Hell's Kitchen, and we went as far as meeting on-site
20 with brick samples, and we're much closer with the
21 design, but there's a little more work to do so the
22 applicant has agreed to meet with us again in the
23 next month to discuss the design more and finish
24 refining it, and they're also going to erect a mockup
25 of the façade in the lot.

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2 The operations of the building, Hudson
3 will have Lisa Management be the property manager of
4 the building as a whole. Housing Works will manage
5 their 59 units of supportive housing. The building
6 will be managed by Lisa Management, and we had many
7 discussions about how to ensure that for the
8 supportive units for long-term survivors of HIV and
9 AIDS that we really try to find those formerly
10 homeless individuals with connection to Hell's
11 Kitchen, their last known address, familial ties in
12 Hell's Kitchen, medical providers so they're really
13 going to work with us and make a real concentrated
14 effort to help serve the formerly homeless long-term
15 survivors of HIV and AIDS and Community Board 4.

16 The zoning was a concern and is a concern
17 because this is in the Special Clinton District in
18 Hell's Kitchen, and, if you look at the skyline of
19 Manhattan, you'll notice a low-rise area in Hell's
20 Kitchen, and that is a sacrosanct thing for good
21 reason, and we're doing a rezoning in the Special
22 District and one of the proposed zoning actions was
23 to rezone that whole block from residential to
24 commercial because there's going to be commercial
25 office space in this new building on the second

1 floor. We were able to get that limited to only the
2 zoning lot, and there were a number of text changes
3 proposed that we were able to get changed favorably,
4 working very closely with Community Board 4, and we
5 have a letter from the Chair of the City Planning
6 Commission, Dan Garodnick, making it crystal clear
7 that this in now way will create a precedent for
8 other zoning actions.
9

10 These are just some of the things that
11 we've been working on in this project in addition to
12 getting a Community Advisory Board so I really want
13 to thank my staff, my Chief-of-Staff Sean Coughlin,
14 my Community Board 4 Liaison Jordan Feiner, and
15 Community Liaisons of the past that worked on this as
16 well over the years. I want to thank City Council
17 Land Use Chelsea Kelley, Andrew Lassiter, and just in
18 the last few days, I want to thank Perris Straughter.
19 In his first 2 days on the job, he's been in the mix
20 on this. All the staff at the various city agencies,
21 the City Planning Commission and HPD and Community
22 Board 4 who we had many, many conversations with up
23 until an hour ago, we're reviewing the commitment
24 letter, and to all my Colleagues for all your help
25 and support. Thank you very much.

CHAIRPERSON LOUIS: Thank you, Council Member. Hopefully, you're prepared not to be a Land Use Chair one day after everything you went through.

With the support of the local Council Member, we will now vote to approve the modifications of Preconsidered LU 73, an application for an amendment to the text of the zoning resolution to create a new special permit and a new section, 96-112, of the zoning resolution. Our modification would create the new special permit on Section 91-104 and add conditions to the special permit to further limit its application to the project area. We will also vote to approve with modifications Preconsidered LU 74, a zoning map amendment to replace portions of an existing R8 and R8/C1-5 district with a C6-2 district. Our modification would reduce the size of the proposed C6-2 district. We will also vote to approve related LUs 75, 76, and 77. I would like to reiterate some comments that the CPC made about this application with respect to concerns from the local Community Board. While it's true that the preservation area subdistrict within the Special Clinton District has not had a rezoning from a residential to a commercial zoning district since its

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2 inception, we agree that it's appropriate here to
3 accommodate the unique site conditions in order to
4 facilitate this development for 100 percent
5 affordable housing. I want to state for the record
6 that the support of this rezoning with our proposed
7 modification does not signal an attempt to erode the
8 primary goal of the Special Clinton District, to
9 preserve and strengthen the residential character of
10 the community and should not set precedent nor signal
11 to the development community to propose similar
12 rezonings in other areas of the subdistrict.

13 Counsel, please call the roll.

14 SUBCOMMITTEE COUNSEL: Chair Louis.

15 CHAIRPERSON LOUIS: I vote aye.

16 SUBCOMMITTEE COUNSEL: Council Member
17 Feliz.

18 COUNCIL MEMBER FELIZ: I vote aye.

19 SUBCOMMITTEE COUNSEL: Council Member De
20 La Rosa.

21 COUNCIL MEMBER DE LA ROSA: Aye.

22 SUBCOMMITTEE COUNSEL: Council Member
23 Marte.

24 COUNCIL MEMBER MARTE: I vote aye.

25

1 SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS, AND
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15

2 SUBCOMMITTEE COUNSEL: Council Member
3 Nurse.

4 COUNCIL MEMBER NURSE: Aye.

5 SUBCOMMITTEE COUNSEL: Council Member Ung.

6 COUNCIL MEMBER UNG: I vote aye.

7 SUBCOMMITTEE COUNSEL: By a vote of 6 in
8 the affirmative, 0 in the negative, and no
9 abstentions, LUs 75, 76, and 77 are approved and
10 Preconsidered LUs 73 and 74 are approved with
11 modifications. All items are recommended to the full
12 Land Use Committee.

13 CHAIRPERSON LOUIS: Congratulations,
14 Council Member Bottcher. That concludes today's
15 business.

16 I remind you that if you have written
17 testimony on today's items, you may submit it to
18 landusetestimony@council.nyc.gov. Please indicate the
19 LU number or the project name in the subject heading.

20 I would like to thank the members of the
21 public, my Colleagues, Subcommittee Counsel, and Land
22 Use staff, and the Sergeant-at-Arms for participating
23 in today's hearing.

24 This meeting is now adjourned. [GAVEL]

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 August 24, 2022