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Vote!

Manhattan Community Board 8 Vote Sheet

Land Use Meeting

Wednesday, May 8, 2013

Committee: *Land Use*

Item: *Substitute Motion on Zoning Text Amendment*

| Name                       | Yes | No | Abst | NVFC | Name                          | Yes | No | Abst | NVFC |
|----------------------------|-----|----|------|------|-------------------------------|-----|----|------|------|
| Ashby, Elizabeth           |     | ✓  |      |      | Parnes, Laurence              | ✓   |    |      |      |
| Barrueco, Albert           |     | ✓  |      |      | Parshall, Jane                |     | ✓  |      |      |
| Barton, Lowell             |     | ✓  |      |      | Polivy, Ellen                 |     | ✓  |      |      |
| Bartos, John               | ✓   |    |      |      | Popper, Rita Lee              |     | ✓  |      |      |
| Birnbaum, Michele          |     |    | ✓    |      | Price, Margaret               |     | ✓  |      |      |
| Blayney, Molly             |     | ✓  |      |      | Quarnstrom, Hattie<br>EXCUSED |     |    |      |      |
| Bondy, Matthew             | ✓   |    |      |      | Rosenstein, David L.          |     | ✓  |      |      |
| Bores, Lori Ann<br>EXCUSED |     |    |      |      | Rudder, Barbara<br>EXCUSED    |     |    |      |      |
| Carlin, Roy H.<br>LATE     |     | ✓  |      |      | Salcedo, Abraham              |     |    |      |      |
| Chocky, Barbara            |     | ✓  |      |      | Sanchez, William              | ✓   |    |      |      |
| Chu, Sarah                 |     | ✓  |      |      | Schneider, Judith             | ✓   |    |      |      |
| Clynes, James              | ✓   |    |      |      | Schneider, M. Barry           | ✓   |    |      |      |
| Davis, Christina           | ✓   |    |      |      | Seawright, Rebecca            |     |    |      | ✓    |
| Escobar, Jeffrey           |     | ✓  |      |      | Simon, Helene                 | ✓   |    |      |      |
| Evans, Cory                |     |    |      | ✓    | Slater, Teri                  |     | ✓  |      |      |
| Evans, Susan               |     | ✓  |      |      | Spagnoletti, Cos              | ✓   |    |      |      |
| Falk, A. Scott             | ✓   |    |      |      | Tamayo, Marco                 |     | ✓  |      |      |
| Hartzog, Edward            |     | ✓  |      |      | Teitelbaum, Debra             | ✓   |    |      |      |
| Helpern, David Paul        | ✓   |    |      |      | Viest, Nicholas               | ✓   |    |      |      |
| Hockert, Lorange           | ✓   |    |      |      | Walsh, Elaine M.              |     | ✓  |      |      |
| Horn, Jonathan             | ✓   |    |      |      | Warren, Charles               | ✓   |    |      |      |
| James, Sophia              |     | ✓  |      |      | White, Hedi                   | ✓   |    |      |      |
| Johnson, Lorraine          |     | ✓  |      |      | Yeo, Timothy                  | ✓   |    |      |      |
| Kleckner, Dave             | ✓   |    |      |      |                               |     |    |      |      |
| Liston, David              | ✓   |    |      |      |                               |     |    |      |      |
| Ludorf, Jacqueline         | ✓   |    |      |      |                               |     |    |      |      |
| Minerva, Domenico          | ✓   |    |      |      |                               |     |    |      |      |

Yes: 23

No: 20

Abstain: 1

12 12 1 1

NVFC: 2

11 8 1

**SUBSTITUTE DRAFT ZONING TEXT AMENDMENT**

**WHEREAS**, the ULURP application of CUNY-Hunter College and Memorial Sloan-Kettering Cancer Center for development of the former Department of Sanitation Garage at East 73<sup>rd</sup>/74<sup>th</sup> Street and the FDR Drive is currently before CB 8; and,

**WHEREAS**, one of the actions in the ULURP application is a proposed text amendment that will provide through special permit up to an additional FAR 2 (for a maximum site development of FAR 12) and will include Incentive Zoning providing for a substantial monetary contribution to a public park improvement; and,

**WHEREAS**, another of the actions in the ULURP application is to approve, as provided in the proposed zoning text amendment, a special permit for a monetary contribution as stipulated in writing by the DPR that a public park improvement will provide an appropriate amenity for the surrounding area; and

**WHEREAS**, CB 8 has actively advocated for the opening of Andrew Haswell Green Park, which is only partially completed due to the lack of available funding for the unforeseen repair of the pilings beneath the surface of the Park; and

**WHEREAS**, CB 8 has long sought to expand public parkland within its boundaries and notes that the proposed zoning text amendment will provide a new opportunity for adding significant acreage by completing parkland that is currently unimproved and inaccessible to the public; and,

**WHEREAS**, in the summer of 2006, CB 8 strongly recommended the opening of Andrew Haswell Green Park in its 197-a Plan; and,

**WHEREAS**, in response to CB 8's long advocacy for the creation and opening of Andrew Haswell Green Park, and DPR submitted a plan for its design and completion to the Public Design Commission in 2010; and

**WHEREAS**, the Public Design Commission approved the DPR plans for the creation of Andrew Haswell Green Park as supported by CB 8; and,

**WHEREAS**, CB 8's elected officials have contributed over \$5 million of their own discretionary funds toward the opening of Andrew Haswell Green Park for the current Phase; and,

**WHEREAS**, work on Andrew Haswell Green Park Phase I was completed but the work on Phase 2B had to be indefinitely postponed once the extent of the poor conditions of the pilings beneath the Park were uncovered because there was no funding in the capital budget for their repair; and,

**WHEREAS**, DPR has confirmed to the City Planning Commission by letter that the original funding for the opening of Andrew Haswell Green Park is available except for the funds necessary to repair the pilings beneath the Park platform and it has further advised CPC that there are no plans to provide such funds in the foreseeable future; and,

**WHEREAS**, at a recent CB 8 Parks Committee Public Forum, parks advocates released a study that this community is "impoverished" in comparison to other communities in all of NYC regarding the amount of available public park space; and,

**WHEREAS**, alternate proposals to utilize the funding that would be generated by this application to improve other parks within CD 8 are exemplary but will not result in the increase of available public parkland, and this proposal will bring the amount of additional available public parkland to a total of 2 acres and provide a major area of passive recreation along the East River Waterfront on parkland which is presently unimproved and unavailable to the public; and,

**WHEREAS**, while Andrew Haswell Green Park is located in the East 60's neighborhood in which both Hunter College and MSK have resided for decades, is proximate to the new MSK ambulatory surgery building at 1133 York, which CB 8 criticized for not providing public open space, and is proximate to the other institutions in the medical corridor on York Avenue which currently do not provide the public or their populations any publicly accessible open space; and,

**WHEREAS**, CUNY-Hunter and MSK have designed their buildings to provide for private open space for the use of their expected populations with upper level terraces and interior spaces so as to minimize the impact on the adjoining community's existing open spaces and public sidewalks; and,

**WHEREAS**, the CUNY-Hunter/MSK proposal represents the only currently foreseeable opportunity to reduce CD 8's "impoverishment" and actually add to the amount public parkland within this community; and,

**WHEREAS**, recommending disapproval of this proposal to complete and open Phase 2B of Andrew Haswell Green Park to the public with funding offered by this application rather than through the City's capital budget may have significant adverse consequences to CB 8 in the future competitive pursuit of limited DPR funding for our parks,

**THEREFORE BE IT RESOLVED THAT** Manhattan Community Board 8 recommends approval of the proposed zoning text amendment, provided:

(1) it is modified to assure that the site of the proposed park improvement be limited to the boundaries of CD 8 and

(2) the bonus remains available only through a special permit, requiring Community Board review, a full environmental review and full ULURP public hearings; and,

**BE IT FURTHER RESOLVED THAT** Manhattan Community Board 8 recommends, consistent with its longstanding support for the creation of Andrew Haswell Green Park, approval of its selection as the location for a monetary contribution to a park improvement under the requested special permit, provided that CPC obtain prior to its vote a clear and unequivocal statement in writing from DPR that all necessary funding is in place for the repair of the pilings and completion of Phase 2B of Andrew Haswell Green Park and its opening to the public.

Manhattan Community Board 8 Vote Sheet  
 Land Use Meeting  
 Wednesday, May 8, 2013

JUD- motion to approve ULURP application for zoning map change + special permits. condition

Committee: land use Item:

| Name                       | Yes | No | Abst | NVFC | Name                          | Yes | No | Abst | NVFC |
|----------------------------|-----|----|------|------|-------------------------------|-----|----|------|------|
| Ashby, Elizabeth           |     | ✓  |      |      | Parnes, Laurence              | ✓   |    |      |      |
| Barrueco, Albert           |     | ✓  |      |      | Parshall, Jane                |     | ✓  |      |      |
| Barton, Lowell             |     | ✓  |      |      | Polivy, Ellen                 |     | ✓  |      |      |
| Bartos, John               | ✓   |    |      |      | Popper, Rita Lee              |     | ✓  |      |      |
| Birnbaum, Michele          | ✓   |    |      |      | Price, Margaret               |     | ✓  |      |      |
| Blayne, Molly              |     | ✓  |      |      | Quarnstrom, Hattie<br>EXCUSED |     |    |      |      |
| Bondy, Matthew             | ✓   |    |      |      | Rosenstein, David L.          | ✓   |    |      |      |
| Bores, Lori Ann<br>EXCUSED |     |    |      |      | Rudder, Barbara<br>EXCUSED    |     |    |      |      |
| Carlin, Roy H.<br>LATE     |     | ✓  |      |      | Salcedo, Abraham              |     |    |      |      |
| Chocky, Barbara            |     | ✓  |      |      | Sanchez, William              | ✓   |    |      |      |
| Chu, Sarah                 |     | ✓  |      |      | Schneider, Judith             | ✓   |    |      |      |
| Clynes, James              | ✓   |    |      |      | Schneider, M. Barry           | ✓   |    |      |      |
| Davis, Christina           | ✓   |    |      |      | Seawright, Rebecca            |     |    |      | ✓    |
| Escobar, Jeffrey           |     |    | ✓    |      | Simon, Helene                 | ✓   |    |      |      |
| Evans, Cory                |     |    |      | ✓    | Slater, Teri                  |     | ✓  |      |      |
| Evans, Susan               |     | ✓  |      |      | Spagnoletti, Cos              | ✓   |    |      |      |
| Falk, A. Scott             | ✓   |    |      |      | Tamayo, Marco                 |     | ✓  |      |      |
| Hartzog, Edward            |     | ✓  |      |      | Teitelbaum, Debra             | ✓   |    |      |      |
| Helpern, David Paul        | ✓   |    |      |      | Viest, Nicholas               | ✓   |    |      |      |
| Hockert, Lorance           |     |    |      |      | Walsh, Elaine M.              |     | ✓  |      |      |
| Horn, Jonathan             | ✓   |    |      |      | Warren, Charles               | ✓   |    |      |      |
| James, Sophia              |     |    | ✓    |      | White, Hedi                   | ✓   |    |      |      |
| Johnson, Lorraine          |     | ✓  |      |      | Yeo, Timothy                  | ✓   |    |      |      |
| Kleckner, Dave             | ✓   |    |      |      |                               |     |    |      |      |
| Liston, David              | ✓   |    |      |      |                               |     |    |      |      |
| Ludorf, Jacqueline         | ✓   |    |      |      |                               |     |    |      |      |
| Minerva, Domenico          | ✓   |    |      |      |                               |     |    |      |      |

Yes - 24  
 No - 17  
 Abstain - 2      NVFC - 2

**REOLVED THAT** Manhattan Community Board 8 approves the applications submitted by the Department of Citywide Administrative Services (C 130219 PPM) and by Memorial Hospital for Cancer and Allied Diseases (MSK) and City University of New York (CUNY) - (C 130214 ZMM, C 130216 ZSM, C 130217 ZSM, and C 130218 ZSM), for a zoning map change and special permits, are APPROVED, subject to the following conditions:

1. That the disposition application (C 130219 PPM) limit use of the subject property to hospital and higher education purposes; and
2. That the special permit for bulk modifications (C 0130216 ZSM) include a condition that the designated recipient for improvement of a public park pursuant to the proposed Section 74-743(a)(11) of the Zoning Resolution shall be Andrew Haswell Green Park.