

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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April 8, 2025
Start: 11:04 a.m.
Recess: 11:27 a.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 16TH
FLOOR

B E F O R E: Kevin C. Riley, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
David M. Carr
Kamillah M. Hanks
Yusef Salaam

OTHER COUNCIL MEMBERS ATTENDING:

Inna Vernikov

A P P E A R A N C E S

Justin Donlon, Project Manager at New York City
Department of Housing Preservation and
Development

Richard Lobel, Sheldon Lobel PC

Daniel Grinshteyn

Kevin Williams

2 SERGEANT-AT-ARMS: This is a microphone
3 check on the Committee on Zoning and Franchises,
4 recorded by James Marino on the 16th Floor, on
5 4/8/2025.

6 SERGEANT-AT-ARMS: Good morning. Welcome
7 to the New York City Council Subcommittee on Zoning
8 and Franchises.

9 Please place your phone on silent or
10 vibrant mode.

11 Anytime during this hearing, please do
12 not approach the dais.

13 Thank you for your cooperation.

14 Chair, we are ready to begin.

15 CHAIRPERSON RILEY: [GAVEL] Good morning,
16 everyone, and welcome to a meeting of the
17 Subcommittee on Zoning and Franchises. I'm Council
18 Member Kevin Riley, Chair of the Subcommittee. I am
19 joined today by Council Member Hanks and Council
20 Member Carr.

21 Today, we are scheduled to hear four
22 hearings. However, the 102-51 Queens Boulevard, which
23 consists of LUs 269 and 270 in Council Member
24 Schulman's District, is being laid over to a future
25 date.

2 We will first hear a joint hearing of two
3 dispositions of City-owned land related to the
4 Atlantic Avenue Mixed-Use Plan, also known as AAMUP,
5 which we heard about last week.

6 We will then hold a hearing regarding a
7 project known as 2510 Coney Island Avenue Rezoning.

8 This meeting is being held in hybrid
9 format. Members of the public who wish to testify may
10 testify in person or through Zoom. Members of the
11 public wishing to testify remotely may register by
12 visiting the New York City Council's website at
13 www.council.nyc.gov/landuse to sign up. And for those
14 of you here in person, please see one of the
15 Sergeants-at-Arms to prepare and submit a speaker's
16 card. Members of the public may also view a
17 livestream broadcast of this meeting at the Council's
18 website.

19 When you are called to testify before the
20 Subcommittee, if you are joining us remotely, you
21 will remain muted until recognized by myself to
22 speak. When you are recognized, your microphone will
23 be unmuted. We will limit public testimony to two
24 minutes per witness. If you have additional testimony
25 that you would like the Subcommittee to consider, or

2 if you have written testimony that you would like the
3 Subcommittee to consider, you may submit it instead
4 of appearing in person. Please email it to
5 landusetestimony@council.nyc.gov. Written testimony
6 may be submitted up to three days after the hearing
7 is closed. Please indicate the LU number or project
8 name in the subject line of your email.

9 We request that witnesses joining us
10 remotely remain in the meeting until excused by
11 myself as Council Members may have questions.

12 Lastly, for everyone attending today's
13 meeting, this is a government proceeding, and decorum
14 must be observed at all times. Members of the public
15 are asked not to speak during the meeting unless you
16 are testifying.

17 The witness table is reserved for people
18 who are called to testify, and no video recording or
19 photography is allowed from the witness table.

20 Further, members of the public may not present audio
21 or video recording as testimony but may also submit
22 transcripts of such recordings to the Sergeant-at-
23 Arms for inclusion in the hearing record.

24 I will now open the joint public hearing
25 regarding Pre-Considered LUs known as 1134-1142

2 Pacific Street and 457 Nostrand Avenue, which are
3 both related to AAMUP. Last week, we held a hearing
4 regarding this neighborhood plan, and today we are
5 holding a joint hearing involving the disposition of
6 two City-owned parcels of land as part of AAMUP. The
7 first City-owned parcel of land at 1134-1142 Pacific
8 Street is located in Council Member Hudson's
9 District. The second City-owned parcel at 457
10 Nostrand Avenue is located in Council Member Ossé's
11 District. HPD will explain why the City is seeking
12 disposition authority.

13 For anyone wishing to testify regarding
14 these two dispositions remotely, you must register
15 online by visiting the Council's website at
16 council.nyc.gov/landuse. For anyone with us in
17 person, please see one of the Sergeants-at-Arms to
18 submit a speaker's card. If you would prefer to
19 submit written testimony, you can always do so by
20 emailing it to landusetestimony@council.nyc.gov.

21 I will now call the first applicant panel
22 for this proposal, which consists of Justin Donlon.

23 Counsel, can you please administer the
24 affirmation?

2 SUBCOMMITTEE COUNSEL VIDAL: Good morning.
3 Could you please turn on your microphone and raise
4 your right hand?

5 Do you swear to tell the truth and
6 nothing but the truth in your testimony today in
7 response to Council Member questions?

8 JUSTIN DONLON: I do.

9 SUBCOMMITTEE COUNSEL VIDAL: Thank you.

10 CHAIRPERSON RILEY: Thank you. For the
11 viewing public, if you need an accessible version of
12 this presentation, please send an email request to
13 landusetestimony@council.nyc.gov.

14 And now the applicant team may begin. I
15 just ask that you please restate your name and
16 organization for the record.

17 JUSTIN DONLON: Justin Donlon, HPD.
18 Morning, Chair and Members of the Subcommittee. Thank
19 you for your time today. Related to the larger
20 Atlantic Avenue mixed-use plan, which was the subject
21 of an earlier comprehensive public hearing by the
22 Subcommittee on March 27th of 2025 at 11 a.m., HPD is
23 requesting acquisition of property by the City for
24 one site and subsequent disposition of City-owned
25 land pursuant to Section 576A.2 of the Private

2 Housing Finance Law for two sites. The disposition
3 area includes 457 Nostrand Avenue and 1134-1142
4 Pacific Street. Both sites will ultimately be
5 designated to a sponsor selected by HPD and will
6 yield up to 240 and approximately 119 affordable
7 dwelling units, respectively.

8 CHAIRPERSON RILEY: Does that complete
9 your presentation?

10 JUSTIN DONLON: It does.

11 CHAIRPERSON RILEY: All right. You have
12 now had the record for the fastest presentation.
13 Richard, he's going to beat you.

14 Thank you. I have no questions. Do any of
15 my Colleagues have any questions?

16 Okay. There being no questions, I excuse
17 this applicant panel. Thank you so much.

18 JUSTIN DONLON: Thank you.

19 CHAIRPERSON RILEY: Counsel, are there any
20 members of the public who wish to testify remotely or
21 in person regarding these two disposition actions?

22 SUBCOMMITTEE COUNSEL VIDAL: No.

23 CHAIRPERSON RILEY: Thank you. There being
24 no other members of the public who wish to testify on
25 the Pre-Considered LUs regarding the 1134-1142

2 Pacific Street and 457 Nostrand Avenue, this joint
3 public hearing is now closed, and the items are laid
4 over.

5 I'm just going to go on pause real quick.

6 Okay. I will now open the public hearing
7 regarding LUs 267 and 268, known as the 2510 Coney
8 Island Avenue rezoning proposal in Council Member
9 Vernikov's District. This is a proposal to develop a
10 mid-rise residential building in the Sheepshead Bay
11 section of Brooklyn.

12 For anyone wishing to testify regarding
13 this proposal remotely, if you have not already done
14 so, you must register online and by visiting the
15 Council's website at council.nyc.gov/landuse. For
16 anyone with us in person, please see one of the
17 Sergeants-at-Arms to submit a speaker's card.

18 If you prefer to submit written
19 testimony, you can always do so by emailing it to us
20 at landusetestimony@council.nyc.gov.

21 I would now like to recognize Council
22 Member Vernikov for her remarks.

23 COUNCIL MEMBER VERNIKOV: Thank you very
24 much, Chair. Good morning, everyone. I just wanted to
25 be here and say a few words regarding this proposal.

1 When this proposal first came to me,
2
3 there were significant concerns and differences.
4 Those concerns were driven by this not being in a
5 residential district and corridor. There were
6 concerns with the proposed height and number of
7 stories, what it would do to the character of the
8 neighborhood and also with parking, which is always a
9 concern with any new project in the District due to
10 our traffic issues and lack of sufficient parking
11 generally. We were much further apart than we are
12 today through negotiations and much back and forth. I
13 believe what you're going to see here today addresses
14 a lot of these concerns. Highlighting this is the
15 fact that what will be presented is now four stories,
16 there will be a restrictive declaration, and there
17 will be one-for-one parking, which is something that
18 was part of the proposal from early on. I'd like to
19 thank the Council Planning and the Land Use Division,
20 especially Dana Leventhal, Perris Straughter, and
21 William Vidal; the applicant's legal team, Richard
22 Lobel and Fayenne Baton (phonetic), for working to
23 the community where we were on these issues; my
24 Legislative Director, Troy Olson, Community Board 15
25 Chair, Theresa Scavo, and the leadership team at

2 Community Board 15, including Ronnie Tawil; and
3 finally, thank you to the Members of the Subcommittee
4 and all of those participating in the public hearing
5 today. Thank you.

6 CHAIRPERSON RILEY: Thank you, Council
7 Member Vernikov.

8 I will now call the applicant panel for
9 this proposal, which consists of Richard Lobel and
10 Daniel Grinshteyn.

11 Richard, is Kevin on the line?

12 RICHARD LOBEL: He is.

13 CHAIRPERSON RILEY: He is? He's not?

14 SUBCOMMITTEE COUNSEL VIDAL: Are you sure
15 because we are unable to find Kevin? Do I see Kevin?
16 He's raised his hand.

17 CHAIRPERSON RILEY: Yes, his hand is
18 raised.

19 CHAIRPERSON RILEY: And Kevin Williams.
20 And is Yuri Mensak (phonetic) on the line, too?

21 RICHARD LOBEL: Yuri is not. There was a
22 family emergency.

23 CHAIRPERSON RILEY: Okay. No problem. So,
24 I will now call the applicant panel, which consists

2 of Richard Lobel, Daniel Grinshteyn, I'm sorry if I
3 mispronounced that, and Kevin Williams.

4 Counsel, can you please administer the
5 affirmation?

6 SUBCOMMITTEE COUNSEL VIDAL: Could you
7 please raise your right hand and turn on your
8 microphone? Thank you.

9 And then if, because we've already done
10 this before, Mr. Williams, could you come online?

11 KEVIN WILLIAMS: I'm online. There we go.

12 SUBCOMMITTEE COUNSEL VIDAL: Thank you.
13 Oh, and you have your hand raised?

14 KEVIN WILLIAMS: Yeah. For some reason my
15 screen is not coming up.

16 SUBCOMMITTEE COUNSEL VIDAL: Okay. Well,
17 we can hear you.

18 Do you swear to tell the truth and
19 nothing but the truth in your testimony today and in
20 response to Council Member questions?

21 RICHARD LOBEL: I do.

22 DANIEL GRINSHTEYN: I do. I do.

23 SUBCOMMITTEE COUNSEL VIDAL: And Mr.
24 Williams?

25 RICHARD LOBEL: Kevin, can you say I do?

2 SUBCOMMITTEE COUNSEL VIDAL: Okay. Well,
3 if he testifies, we'll come back to him.

4 RICHARD LOBEL: Thank you.

5 CHAIRPERSON RILEY: Thank you. For the
6 viewing public, if you need an accessible version of
7 this presentation, please send an email request to
8 landusetestimony@council.nyc.gov.

9 Now the applicant team may begin. I'll
10 just ask that you please restate your name and
11 organization for the record. You may begin.

12 RICHARD LOBEL: Thank you. Richard Lobel
13 of Sheldon Lobel PC. Good morning, Chair Riley and
14 Members of the Committee and Council Member Vernikov.
15 We're here today to discuss the 2510 Coney Island
16 Avenue rezoning. Next slide, please.

17 So as originally proposed, this was a
18 rezoning which proposed a rezoning of existing R4 and
19 C8-1 districts to an R7-0/C2-4 district, as well as a
20 text amendment pursuant to MIH to allow options 1 and
21 2. As Council Member Vernikov suggested, after much
22 discussion with the community, the Council Member's
23 office, and stakeholders, the proposed application
24 has been reduced to allow for a four-story building
25 with roughly 26,000 square feet, roughly 27 units,

2 including eight income-restricted units at Option 2,
3 and parking spaces for a minimum of one parking space
4 per unit. Currently, this would allow for 35 parking
5 spaces. The development would comply with an R6B
6 zoning district.

7 So, the next slide shows the numbers
8 behind the proposal, which demonstrates both the
9 original proposal as well as the modified proposal.
10 Again, as modified, the height would now be four
11 stories at 26,000 square feet with 27 dwelling units
12 and 35 parking spaces.

13 The next slide shows the zoning map,
14 which shows the existing zoning primarily on the
15 site, an R4 district with a small portion within a
16 C8-1 district.

17 And so pursuant to the proposed rezoning,
18 next slide, the site itself, an 11,000-square-foot
19 site shown in red, would be rezoned. Again, the
20 rezoning contemplated R7D with a commercial overlay,
21 which now has been modified in terms of the proposed
22 design to allow for an R6B development.

23 The next slide shows the area map, which
24 we think demonstrates to the Committee why this is a
25 meritorious rezoning. Again, Coney Island Avenue, an

1 extra-wide street at 100 feet. The subway is within
2 several blocks to the east of the site, and there are
3 numerous commercial uses along Coney Island Avenue
4 here. Again, the building typology in the area would
5 support a building, particularly the revised
6 proposal, which would allow for a four-story
7 building, among other buildings, including a six-
8 story building on the block.

10 The next slide shows the zoning change
11 map. Again, the district boundary, which would permit
12 for change in the zoning here, again, at the proposed
13 R7D with a commercial overlay.

14 The next several slides show pictures of
15 the site and the surrounding area, low-lying
16 manufacturing building to the north of us, the
17 existing site, which allows for used car parking as a
18 nonconforming legal use, as well as other buildings
19 in and around the area of the rezoning.

20 The last several slides show the plans
21 and materials.

22 The next slide shows a site map, which
23 shows the rough outline of the property as a four-
24 story mixed-use ground floor community facility and
25 residential building.

2 The next slide is a section of the
3 building showing the cellar level with parking,
4 including stackers, the ground floor with community
5 facility use and the residential lobby, and
6 residential on three stories above.

7 The remaining slides are floor plans. To
8 the left, the parking, which allows for 35 spaces,
9 attended parking with stackers, the ground floor
10 community facility and residential use.

11 And the next slide shows the floors
12 above, inclusive of 27 units, which are 18 one-
13 bedroom and nine two-bedroom units.

14 If you're able to page through the
15 remainder of the slides, we note that the building
16 right now has been modified. The height is now more
17 contextual with the area and is a design which fits
18 in with the surrounding buildings.

19 And we would close merely by noting that
20 Council Member Vernikov was extremely generous with
21 her time and really went above and beyond in terms of
22 negotiating a settlement and an agreement between all
23 the parties to this rezoning. We think that the
24 proposal clearly allows for a building which provides
25 a far better use than the existing used car lot and

2 something which can benefit the surrounding area in
3 terms of residential units as well as community
4 facility. So, with that, the applicant team is happy
5 to answer questions.

6 CHAIRPERSON RILEY: Thank you, Richard. I
7 just want to state for the record, we've been joined
8 by Council Member Abreu and Council Member Salaam.

9 So, Richard, can you please explain what
10 is permitted under the current R4 zoning and how your
11 revised proposal is different than what is permitted
12 as a right?

13 RICHARD LOBEL: Sure. So, the current
14 permitted zoning under the R4 with a small portion in
15 C8-1 would allow for a .75 FAR building with
16 affordability that would go up to a 1.5 FAR pursuant
17 to City of Yes. With regards to the R6B proposal,
18 primarily there's changes as far as two aspects of
19 the zoning. The first is to allow for a greater floor
20 area. So, the floor area would go up to a 2.4. And
21 the second would be required affordability. So,
22 Mandatory Inclusionary Housing would apply to the
23 site. Those eight units would remain affordable
24 through the life of the project. So, this would
25 really allow for a better structure in terms of the

2 use of the site. The heights basically are similar to
3 what would be permitted given the fact that the
4 existing R4 would permit a 45-foot-tall building.
5 Under the proposal, as restricted, the building would
6 be permitted to go to 48 feet. But generally
7 speaking, both the square footage and yards under the
8 current proposal are greater than what would be
9 permitted under the existing zoning.

10 CHAIRPERSON RILEY: Thank you.

11 RICHARD LOBEL: Sure.

12 CHAIRPERSON RILEY: And can you please
13 share, again for the record, the updated unit mix for
14 the latest proposal?

15 RICHARD LOBEL: Sure. The unit mix would
16 be 18 one-bedroom units, nine two-bedroom units, and
17 the eight affordable units that would be part of the
18 application pursuant to MIH would be approximately
19 the same mix in terms of one- and two-bedrooms
20 pursuant to MIH regulations.

21 CHAIRPERSON RILEY: Thank you. I have no
22 more questions.

23 I'm going to give the floor to Council
24 Member Vernikov.

2 COUNCIL MEMBER VERNIKOV: Thank you.

3 Community Board 15 recommended disapproval of the
4 eight-story mixed-use proposal that was presented to
5 them in December. Can you speak to the Community
6 Board's concerns and how this revised proposal
7 addresses those concerns? Thank you.

8 RICHARD LOBEL: Sure. So, the Community
9 Board was opposed to the height of the building. So
10 as originally proposed, this was, as everyone is
11 aware, an 11-story building pursuant to R7D zoning.
12 And additionally, there were concerns over density
13 and parking. So, basically the number of units, the
14 activity at the building, given the required spaces
15 at 24 spaces, all of this contributed to a feeling of
16 the Community Board that it was not appropriate for
17 this corner of Coney Island Avenue as proposed. The
18 building has now been reduced by seven stories to a
19 four-story building, and the parking spaces, despite
20 the fact that the number of dwelling units has
21 decreased by 33 units, has increased by a minimum of
22 three spaces and right now has proposed 11 spaces so
23 what we allow for is one-for-one parking at the site,
24 which is something that CB15 seeks, and also a vast

2 reduction in the height of the building to allow for
3 a more contextual building.

4 COUNCIL MEMBER VERNIKOV: Thank you. And
5 the proposal includes 27 dwelling units and 27 off-
6 site parking spots. Can you talk about where those
7 parking spots will be located?

8 RICHARD LOBEL: Sure. The parking spaces
9 are actually on-site. They're in the cellar of the
10 building. And so through the use of stackers on the
11 cellar level as well as an attendant, we're able to
12 provide one-for-one parking in the building.

13 COUNCIL MEMBER VERNIKOV: Thank you. And
14 last question. Coney Island Avenue is a wide street
15 with heavy traffic and can be hazardous for
16 pedestrians. It's important that this development
17 does not further exacerbate those conditions. What
18 considerations went into locating the parking garage
19 entrance to ensure public safety?

20 RICHARD LOBEL: Sure. So, when the traffic
21 and parking consultant looked at this project in
22 terms of the environmental review, particularly in
23 the original iteration, there were 60 units that were
24 proposed with 24 spaces. So, the amount of traffic in
25 and out of the site would have been fairly intense,

1 given the fact that there was a limited number of
2 spaces and there would be far more potential pickups
3 and drop-offs from the site. With regards to parking
4 and traffic right now, the traffic and parking did
5 not trigger any additional studies. I think that's
6 primarily given the fact that, first of all, the
7 utilization of the site will be relatively minimal,
8 given the fact that now there's only 27 units at the
9 site as well as 27 spaces so I think what's projected
10 is far less, not only than what was proposed, but
11 importantly than what could be there as-of-right. So
12 as-of-right, given the 1.5 FAR and potential
13 community facility uses, you'd be able to have a
14 roughly 15,000-square-foot community facility medical
15 office building. Those medical office units would
16 generate far more pickups and drop-offs than the
17 proposed residential. And so right now, from what our
18 traffic and parking consulting has shown us, those
19 pickups and drop-offs for existing residential sites
20 will be really limited and at no point would reach
21 any type of trigger in terms of any peak usage that
22 would impact traffic on Coney Island Avenue.
23

2 COUNCIL MEMBER VERNIKOV: Thank you,
3 Richard. It's been a pleasure, as always, working
4 with you on this.

5 RICHARD LOBEL: Thank you, Council Member.

6 CHAIRPERSON RILEY: Thank you, Council
7 Member Vernikov.

8 There being no other questions, this
9 applicant panel is excused.

10 Counsel, are there any members of the
11 public who wish to testify on this LU?

12 SUBCOMMITTEE COUNSEL VIDAL: No, there's
13 no one signed up online or in person to testify.

14 RICHARD LOBEL: There being no other
15 members of the public who wish to testify on LUs 267
16 and 268 regarding 2510 Coney Island Avenue rezoning
17 proposal, this public hearing is now closed and the
18 item is laid over.

19 That concludes today's business. I would
20 like to thank the members of the public, my
21 Colleagues, Subcommittee Counsel, Land Use, and other
22 Council Staff, and Sergeant-at-Arms for participating
23 in today's meeting.

24 This meeting is hereby adjourned. Thank
25 you. [GAVEL]

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 May 7, 2025