

SUBCOMMITTEE ON ZONING AND FRANCHISES

1

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND  
FRANCHISES

----- X

September 10, 2025

Start: 3:00 p.m.

Recess: 3:14 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

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

COUNCIL MEMBERS:

Shaun Abreu  
David M. Carr  
Francisco P. Moya  
Yusef Salaam  
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Erik D. Bottcher  
Robert F. Holden  
Crystal Hudson

SERGEANT-AT-ARMS: Mic check, mic check.

This is a mic check on the vote on Zoning and Franchise. Today's date, September 10, 2025. Recorded by Walter Lewis in the Chambers.

ZOOM HOST: Webinar started.

SERGEANT-AT-ARMS: Quiet down, quiet on the floor. Good afternoon, and welcome to today's New York City Subcommittee vote on Zoning and Franchises.

At this point, I'd like to remind everyone to please silence all electronic devices, and at no point is anyone to approach the dais.

Chair, we are ready to begin.

CHAIRPERSON RILEY: [GAVEL] Good afternoon, everyone, and welcome to a meeting of the Subcommittee on Zoning and Franchises. I am Council Member Kevin Riley, Chair of this Subcommittee.

This afternoon, I'm joined remotely by Council Member Moya, and in the Chambers by Council Member Abreu, Schulman, Salaam, Carr, Holden, Bottcher, and Hudson.

We are voting on the following five proposals today with recommendations I will now describe.

Our first vote will be on the 1946 East 7th Street Rezoning Proposal, LUs 347 and 348, which consists of a zoning map amendment and related zoning text amendment to map MIH and modify a sub-district boundary of the Special Ocean Parkway District for a proposed affordable senior housing building in Council Member Felder's District in the Homecrest section of Brooklyn. The rezoning application seeks to rezone an area along East 7th Street within 200 feet of Avenue S from an R5 district to an R6A and R7A zoning district. The application seeks to facilitate the construction of a new seven-story building containing 53 units of senior affordable housing. The development site now contains two existing four-story, formerly residential buildings, and most recently used as a study center, girls' schools, and synagogue. The proposed rezoning area includes properties beyond the proposed new building site, namely two four-story apartment buildings fronting on Avenue S that are now occupied and operated as senior affordable housing and are owned by the applicant, and a four-story residential building along East 7th Street opposite of the proposed new building site. The Subcommittee is

recommending two modifications to this proposal.

First, the recommendation is to reduce the rezoning area to only that portion upon which the proposed new senior affordable building will be built. This reduced area will still be rezoned to an R6A zoning district. The applicant has committed to restrict the height of the new building to no more than seven stories. The reduction in the rezoning area is needed to guard against displacement pressures that will result from the proposed increases to residential density and maximum building heights as high as 11 stories for existing occupied residential apartments within the proposed rezoning area, which includes existing senior affordable housing located along Avenue S and two four-story apartment buildings. We cannot increase both the height and density of land which has existed occupied housing, including senior affordable housing, because that could operate as an incentive to displace current residents and redevelop those properties. This modification will still permit the applicant to build its proposed new senior affordable housing building. The second modification would be to remove MIH Option Two, requiring compliance with MIH Option One, which would deepen

levels of affordability to a maximum average of 60 percent of AMI.

Next, we will have the Ocean Crest Technical Correction, which is a pre-considered item for a technical amendment to a prior City Council Resolution, Number 950, adopted on June 11th, 2025, for an Article XI tax exemption for a project located in Queens in Majority Whip Brooks-Powers' District. HPD has updated the subject's properties, block, and lot information, and ownership structure for the project, and an amendment resolution is requested. This action will facilitate a 40-year tax exemption in connection with the development of 89 homeownership cooperative units at 29-64 Beach Channel Drive. The Majority Whip supports this application for the needed technical corrections made by HPD, and it's recommended that the Subcommittee vote to approve this application.

Next, we have the Cozy Corner Sidewalk Cafe application under LU-359 for revocable consent to operate a sidewalk cafe with 13 tables, 54 chairs at 60-01 70th Avenue in Ridgewood, Queens in Council Member Holden's District. The Council voted last year to disapprove a sidewalk cafe of the same size for

the same restaurant because concerns raised by Council Member Holden about the sidewalk being a critical public pathway located in a heavily congested area, among other concerns. Council Member Holden does not support this application, which is the same as prior application.

I will give the floor to Council Member Holden if he has any remarks.

COUNCIL MEMBER HOLDEN: Thank you, Chair Riley and Members of the Subcommittee, for allowing me to address the application of Cozy Corner Bar seeking a revocable consent to operate a sidewalk cafe 60-01 70th Avenue in Ridgewood within Community District 5. This is the second time the business has applied for a sidewalk cafe license. The first application was denied for the very same reasons that remain before us today. Nothing has changed. The combination of a sidewalk cafe and roadway dining, which is about 60 feet of roadway dining, is too much for a congested area like that. We cannot have both, and I brought this up to the applicant at a number of hearings. It must be one or the other, and public space should never be compromised in a way that restricts fire trucks and emergency vehicles,

sanitation vehicles, and pedestrian access. On top of this, the business has received several Department of Buildings and OATH summonses for expired permits and for a sidewalk cafe structure that does not conform to DOB rules. This clearly shows a pattern of believing they can just do as they please without regard for regulations or community impact.

Unfortunately, there's been no outreach from the owner to my office or to the community, and the responses provided during the August 20th Committee hearing were not satisfactory. In fact, I challenged the attorney and the applicant to call my office. Guess what? They never did, so no evidence has been offered to show community support, nor has there been any willingness to provide written guarantees to address safety and accessibility. For those reasons, I urge my Colleagues to vote no on this application. Approving it now would ignore community concerns and set the wrong precedent that businesses can reapply without addressing the underlying issues. Thank you. Thank you, Chair.

CHAIRPERSON RILEY: Thank you, Council Member Holden. The Subcommittee recommendation is to disapprove this application.

Next, we have 5602-5604 Broadway Rezoning, LUs 349 and 350, which is an affordable housing project in Council Member Dinowitz's District. There are two applications, a zoning amendment to rezone this property from an M1-1 zoning district to an R7-3 with a C2-3 overlay district, together with a text amendment to map Mandatory Inclusionary Housing. These applications will facilitate the development of a 100 percent affordable housing project of 226 dwelling units, which are intended to be developed under the HPD ELLA Term Sheet Program. The building will be 13 stories and will have 188 parking spaces. Council Member Dinowitz supports these applications and has recommended that the Subcommittee approve them.

Finally, we will vote on 515 Seventh Avenue Development, LUs 353 and 355, which seek two special permits to build a new commercial building in Council Member Bottcher's District in Midtown Manhattan. This private application will facilitate one of two development scenarios, either a 38-story building containing commercial offices uses or a 36-story building containing both commercial offices and a transient hotel. The applicant has applied for a



special permit in the event the property is developed with LU 355. The second special permit concerns a floor area bonus in connection with the development of a covered pedestrian space in the new building, which will be open to the public, LU 353. This covered pedestrian space will be constructed regardless of which development scenario is built. Council Member Bottcher supports this project. I will note that this proposal, as certified into the ULURP in April of this year, originally consisted of four land use applications, three special permit applications, and one zoning text amendment. However, due to the Council's recent adoption of the Midtown South Mixed-Use Special District Plan and the associated text amendment known as MSMX, the text amendment application, LU 356, and one of the special permits concerning certain bulk waivers, LU 354, are no longer required to facilitate the proposed development, and the applicant has officially withdrawn these two applications. Further, of the two remaining actions, there's a need to modify both the hotel special permit and the covered pedestrian space floor area bonus special permit to update associated plans to reflect the newly adopted MSMX district

requirements. These modifications are technical in nature and will not alter the proposed height, bulk, or uses for either of the two potential development scenarios. Therefore, the recommendation is for the Committee to approve the hotel special permit, LU 355, and the covered pedestrian space special permit, LU 353, with the modifications to plans which are needed to reflect recently adopted MSMX proposal. And it is further recommended that we approve a motion to file LU 354 and LU 356 as these applications have been withdrawn.

I would now like to recognize Council Member Bottcher to give his remarks.

COUNCIL MEMBER BOTTCHEER: Thanks so much, Chair Riley. So today we are passing a zoning text amendment that would allow for a parking garage to be transformed into an office tower and a hotel. As part of this ULURP, we were able to negotiate over 5,000 square feet of covered pedestrian space, which is important in a very dense part of Midtown where public space is at a premium. I was also able to negotiate 2,000 square feet of office space that will be rented below market to a local non-profit that'll be selected in partnership with the City Council

member and Community Board 5. We were also able to negotiate a public restroom at the ground level. We know how important that is to New Yorkers.

I want to thank Council Land Use and Planning Staff, my team and everyone who helped make this possible.

CHAIRPERSON RILEY: Thank you, Council Member Bottcher.

Counsel, are there any Council Members with questions or remarks at this time?

SUBCOMMITTEE COUNSEL HUH: No.

CHAIRPERSON RILEY: There being none, okay.

I will now call for a vote to approve the Pre-Considered LU relating to the Ocean Crest Technical Correction under application number G 250081 CCQ; to approve with modifications as I have described, LUs 347 and 348 for the 1946 East 7th Street rezoning; to approve LUs 349 and 350 for the 5602-5604 Brewery rezoning; to approve with modifications as I have described LUs 353 and 355 for the 515 Seventh Avenue special permit application; to approve a motion to file LU 354 and 356, which were related to the 515 Seventh Avenue proposal, but were

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 12  
2 withdrawn by the applicant because they are no longer  
3 necessary due to the Council's approval of the MSMX  
4 zoning proposal earlier this year; and finally, to  
5 disapprove LUs 359 for the Cozy Corner Bar  
6 application for a Sidewalk Cafe revocable consent.  
7 Counsel, please call the roll.  
8 SUBCOMMITTEE COUNSEL HUH: Chair Riley.  
9 CHAIRPERSON RILEY: Aye.  
10 SUBCOMMITTEE COUNSEL HUH: Council Member  
11 Moya.  
12 COUNCIL MEMBER MOYA: I vote aye.  
13 SUBCOMMITTEE COUNSEL HUH: Council Member  
14 Abreu.  
15 COUNCIL MEMBER ABREU: Aye.  
16 SUBCOMMITTEE COUNSEL HUH: Council Member  
17 Schulman.  
18 COUNCIL MEMBER SCHULMAN: Aye.  
19 SUBCOMMITTEE COUNSEL HUH: Council Member  
20 Salaam.  
21 COUNCIL MEMBER SALAAM: I vote aye.  
22 SUBCOMMITTEE COUNSEL HUH: Council Member  
23 Carr.  
24 COUNCIL MEMBER CARR: Aye.  
25

SUBCOMMITTEE COUNSEL HUH: Okay. Chair, by a vote of six in the affirmative, zero in the negative, and no abstentions, the items are approved and referred to the full Land Use Committee.

CHAIRPERSON RILEY: That concludes today's business.

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

This meeting is hereby adjourned. Thank 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 September 12, 2025