

SUBCOMMITTEE ON ZONING AND FRANCHISES

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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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May 28, 2025  
Start: 11:54 a.m.  
Recess: 12:11 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

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

COUNCIL MEMBERS:

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

OTHER COUNCIL MEMBERS ATTENDING:

Erik D. Bottcher  
Susan Zhuang  
Rafael Salamanca, Jr.

SERGEANT-AT-ARMS: This is a microphone check for the Subcommittee on Zoning and Franchises, located in the Committee Room, recorded on May 28, 2025, by Pat Kurzyna.

SERGEANT-AT-ARMS: Quiet down, please. Good morning, and welcome to today's New York City Council vote for the Subcommittee on Zoning and Franchises.

At this time, we ask that you please silence all electronic devices, and at no time are you to approach the dais.

Chair Riley, we're ready to begin.

CHAIRPERSON RILEY: [GAVEL] Good morning, and welcome to a meeting of the Subcommittee on Zoning and Franchises. I'm Council Member Kevin C. Riley, Chair of the Subcommittee. This morning, I'm joined by Chair Salamanca, remotely by Council Member Moya, and in the Chambers by Council Member Abreu, Hanks, Schulman, Salaam, Carr, Zhuang, and Bottcher.

Today, we are voting on five proposals. The 73-99 Empire Boulevard rezoning in Council Member Hudson's District; the 166 Kings Highway Rezoning in Council Member Zhuang's District; the 19 Maspeth Avenue Rezoning... one second, everyone.

We're having technical difficulties. Just one second.

Okay. Today we are voting on five proposals: the 73-99 Empire Boulevard rezoning in Council Member Hudson's District; the 166 Kings Highway Rezoning in Council Member Zhuang's District; the 19 Maspeth Avenue Rezoning in Council Member Gutierrez's District; the 2201-2227 Neptune Avenue Rezoning in Council Member Brannan's District; and the Western Rail Yard Modification Proposal in Council Member Bottcher's District.

The first vote concerns LUs 275 and 276 regarding the 73-99 Empire Boulevard. The applicant is seeking to build a mixed-use development in the southern section of Crown Heights in Brooklyn. The development, as proposed, will have approximately 261 apartments, of which 52 are projected to be affordable. The proposal involves two actions. A zoning map amendment to change a C8-2 district and an R6 district within a C1-3 overlay to a C4-4D district, together with a zoning text amendment to map a Mandatory Inclusionary Housing area. We are recommending one modification to limit the MIH Option to Option 3, which will ensure deep affordability and

require that 20 percent of the residential floor area be available to families making 40 percent of AMI, which is approximately 58,320 dollars for a family of three. Council Member Hudson supports this application as modified.

The second vote concerns LUs 277 and 278 regarding the 166 Kings Highway. The applicant is seeking to build a residential mixed-use development in Bensonhurst, Brooklyn. The development, as proposed, would have approximately 97 apartments, which a percentage would have to be affordable housing pursuant to Mandatory Inclusionary Housing. The proposal involves two actions, a zoning map amendment to change an R6B district with a C2-3 overlay to an R7X district with a C2-4 overlay, together with a zoning text amendment to map a Mandatory Inclusionary Housing area. We are recommending three modifications. We will be modifying the zoning map application to map an R7A district rather than an R7X district. An R7A district is more consistent with the density in this part of Brooklyn and will establish a height limit that takes into account the lower existing heights to the south of the rezoning area. This will still result in a

significant number of apartments, up to approximately 68 market rate apartments and 22 permanently affordable apartments. We will also modify to limit the rezoning area to Block 6619 because the other proposed block that was originally included, which is Block 6620, is uniquely shaped and presents a different set of considerations that should be independently evaluated. Lastly, we modified the application to limit the MIH Option to Option 1 to ensure that at least 25 percent of the apartments are affordable to families making an average 60 percent AMI, which is approximately 87,500 dollars for a family of three. Council Member Zhuang supports this application as modified, and I will give the floor to Council Member Zhuang to give her remarks.

COUNCIL MEMBER ZHUANG: Thank you, Chair. For 166 Kings Highway, the community has a lot of concerns about the initial proposal, but now everyone is happy with what we're going to get. After months of feedback, I was able to meaningfully change to reflect on what's important to my community, which includes height, affordability, unit size, and more. The application addresses those concerns. Commit to build max eight stories, include 25 percent

affordable units, 90 percent family-sized units, and 2,500 square feet of ground floor community facility for local non-profits. Most important, the developer has committed to not develop, under any circumstance, anything but that we've described. We're making sure there's no bait and a switch happening again in the District.

I want to thank the community members and the applicant for working hard to make this project something that fits our community. I want to ask my fellow Council Members vote yes on this project. Thank you.

CHAIRPERSON RILEY: Thank you, Council Member Zhuang.

The third vote concerns LUs 279 and 280 regarding 19 Maspeth Avenue. The applicant is seeking to build a residential mixed-use development in East Williamsburg, Brooklyn. The development will have approximately 15 apartments, of which approximately four will be permanently affordable housing. The proposal involves two actions. A zoning map amendment to change a C8-2 district to an R7-D district with a C2-4 overlay. Together with a zoning text amendment

to map a Mandatory Inclusionary Housing area. Council Member Gutiérrez supports this application.

The fourth vote concerns LUs 281 and 282 regarding 2201-2227 Neptune Avenue. The applicant is seeking to build a residential mixed-use development in Coney Island, Brooklyn. The development will have approximately 145 apartments, of which approximately 37 will be permanently affordable housing. The proposal involves two actions. The first is a zoning map amendment to change an M1-2 district to an R7-3 and an M1-5 mixed-use district. The manufacturing district is intended to allow a popular neighborhood bakery currently located on the development site to relocate into the new building. The second action is a zoning text amendment to map a Mandatory Inclusionary Housing area. Council Member Brannan supports this application.

The fifth vote concerns LUs 283-286, known as the Western Rail Yard Modification Project in Council Member Bottcher's District. As background to this proposal, the Special Hudson Yards District was established by the City in 2005 and included the Eastern Rail Yard and the Western Rail Yard. The Eastern Rail Yard development was completed in 2019.

In 2009, the City granted approvals to allow Western Rail Yard to be developed as a mixed-use but primarily residential area with public open space. The Western Rail Yard is bounded by 11th and 12th Avenues from West 30th to West 33rd Street. Since then, the Western Rail Yard has sat undeveloped for over 15 years. The applicant has now gone through ULURP again to allow for an updated development plan at the site, originally pursuing two possible scenarios. The first scenario involved a mixed-use development that would have included a casino if the applicant had sought and been granted a license by the New York State under a separate State review process. The alternative scenario did not include a casino, which included commercial, residential, and community facility use. Both scenarios were planned with significant public open space areas. The applicant is seeking four land use actions for this updated development plan for the Western Rail Yard. A zoning text amendment, modifying the special permit provisions of Zoning Resolution Section 93-58, a zoning special permit pursuant to the amended special permit text, seeking waivers for various bulk, use, curb cut, and public space requirements, an amendment



to the City map involving the changes of grades on West 33rd Street, a delineation of a public access easement, and an amendment of a previously approved restricted declaration associated with the proposed 2009 development, to reflect the development now proposed for the site. The Council will be voting to modify two of the four land use actions before us today. The Council will vote to modify the zoning special permit under LU number 283 to reflect the project that no longer includes a casino, that proposes a greater number of residential units that approved by the City Planning Commission, up to approximately 4,000 total units, and included an amount of newly constructed affordable units equal to the greater of 420 or 25 percent of all rental units constructed on the site. That increases the amount of publicly accessible open space from 5.6 acres to 6.6 acres within the development, including a lawn of at least one acre, and that makes a related technical adjustment to the various bulk waiver across the entire site plan to facilitate both the increased publicly accessible open space and the increased amount of residential units in the modified project. This adjustment includes site plan modification in

relation to urban design control for Site A, to reduce the maximum permanent linear dimension. Site plan modification in relation to Site B, which was approved by City Planning Commission to contain commercial office space, but which will now contain residential units, and site plan modification in relation to Site C, including a reduction in size of the Site C building podium footprint, and reduction of the base height of a portion of these buildings' podiums. We will also be modifying the related restrictive declaration under LU 286 to reflect the Council modification I have described. Council Member Bottcher supports this application as modified, and I will give the floor to Council Member Bottcher for his remarks.

COUNCIL MEMBER BOTTCHEER: Thank you so much. So, the application we're voting on today, as everyone knows, was originally powered by a gaming facility, a casino, and I truly believe that something as consequential as a casino has to have substantial community support, and that just didn't exist in this instance, so a week ago we got the applicant to drop the casino from the proposal. So, we're saying in this instance no casino, but we're

saying yes to up to 4,000 units of housing, more affordable housing than the 2009 plan, a world-class green space that will be a destination for all New Yorkers and people around the world with more green space than the 2009 plan, a new public school, cultural facilities, a daycare. There's still details to work out between now and June, but this is an opportunity that we can't afford to let slip away. It's a must-act moment for our city, and I look forward to turning this long-promised vision into real progress for the West Side and all of New York City.

CHAIRPERSON RILEY: Thank you, Council Member Bottcher.

I will now call for a vote to approve with modifications LUs 275 and 276 relating to the 73-99 Empire Boulevard Rezoning Proposal; to approve with modifications LUs 277 and 278 relating to the 166 Kings Highway Rezoning Proposal; to approve LUs 279 and 280 relating to the 19 Maspeth Avenue rezoning proposal; to approve LUs 281 and 282 relating to the 2201-2227 Neptune Avenue rezoning proposal; and to approve modifications LUs 283, 284,

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2 285, and 286 relating to the Western Rail Yard  
3 modification proposal.  
4 Counsel, please call the roll.  
5 SUBCOMMITTEE COUNSEL VIDAL: Chair Riley.  
6 CHAIRPERSON RILEY: Aye.  
7 SUBCOMMITTEE COUNSEL VIDAL: Council  
8 Member Moya.  
9 COUNCIL MEMBER MOYA: I vote aye.  
10 SUBCOMMITTEE COUNSEL VIDAL: Council  
11 Member Abreu.  
12 COUNCIL MEMBER ABREU: You said Abreu?  
13 SUBCOMMITTEE COUNSEL VIDAL: Abreu.  
14 COUNCIL MEMBER ABREU: Aye.  
15 SUBCOMMITTEE COUNSEL VIDAL: Council  
16 Member Hanks.  
17 COUNCIL MEMBER HANKS: I vote aye.  
18 SUBCOMMITTEE COUNSEL VIDAL: Council  
19 Member Schulman.  
20 COUNCIL MEMBER SCHULMAN: Permission to  
21 explain my vote.  
22 CHAIRPERSON RILEY: Permission granted.  
23 COUNCIL MEMBER SCHULMAN: So, I just want  
24 to commend Council Member Bottcher for his decision  
25 here. It wasn't easy for him. I know we've had

conversations and there were conversations with other Members as well. There is still some opposition to this. You know, it's interesting because everybody says they want affordable housing, but then they don't want it in their communities. So, this is something that's going to create a real space, not just for affordable housing, but an unused hole in the ground, essentially, that really needs to be updated and upgraded, and there will be beautiful amenities. And Council Member Bottcher is very committed to his District and his constituents and, again, I want to commend him, and I vote aye.

SUBCOMMITTEE COUNSEL VIDAL: Council Member Salaam.

COUNCIL MEMBER SALAAM: I vote aye.

SUBCOMMITTEE COUNSEL VIDAL: Council Member Carr.

COUNCIL MEMBER CARR: Aye on all.

SUBCOMMITTEE COUNSEL VIDAL: Chair, by a vote of seven in the affirmative, zero in the negative, and no abstentions, the items are adopted and referred to the full Land Use Committee.

CHAIRPERSON RILEY: Thank you. 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. [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 July 10, 2025