

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.

2 SERGEANT-AT-ARMS: This is a microphone
3 check for the Subcommittee on Zoning and Franchises,
4 located in the Committee Room, recorded on May 28,
5 2025, by Pat Kurzyna.

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

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

13 Chair Riley, we're ready to begin.

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

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

1 We're having technical difficulties. Just
2
3 one second.

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

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

1 require that 20 percent of the residential floor area
2 be available to families making 40 percent of AMI,
3 which is approximately 58,320 dollars for a family of
4 three. Council Member Hudson supports this
5 application as modified.
6

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

2 significant number of apartments, up to approximately
3 68 market rate apartments and 22 permanently
4 affordable apartments. We will also modify to limit
5 the rezoning area to Block 6619 because the other
6 proposed block that was originally included, which is
7 Block 6620, is uniquely shaped and presents a
8 different set of considerations that should be
9 independently evaluated. Lastly, we modified the
10 application to limit the MIH Option to Option 1 to
11 ensure that at least 25 percent of the apartments are
12 affordable to families making an average 60 percent
13 AMI, which is approximately 87,500 dollars for a
14 family of three. Council Member Zhuang supports this
15 application as modified, and I will give the floor to
16 Council Member Zhuang to give her remarks.

17 COUNCIL MEMBER ZHUANG: Thank you, Chair.

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

2 affordable units, 90 percent family-sized units, and
3 2,500 square feet of ground floor community facility
4 for local non-profits. Most important, the developer
5 has committed to not develop, under any circumstance,
6 anything but that we've described. We're making sure
7 there's no bait and a switch happening again in the
8 District.

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

14 CHAIRPERSON RILEY: Thank you, Council
15 Member Zhuang.

16 The third vote concerns LUs 279 and 280
17 regarding 19 Maspeth Avenue. The applicant is seeking
18 to build a residential mixed-use development in East
19 Williamsburg, Brooklyn. The development will have
20 approximately 15 apartments, of which approximately
21 four will be permanently affordable housing. The
22 proposal involves two actions. A zoning map amendment
23 to change a C8-2 district to an R7-D district with a
24 C2-4 overlay. Together with a zoning text amendment
25

1 to map a Mandatory Inclusionary Housing area. Council
2 Member Gutiérrez supports this application.
3

4 The fourth vote concerns LUs 281 and 282
5 regarding 2201-2227 Neptune Avenue. The applicant is
6 seeking to build a residential mixed-use development
7 in Coney Island, Brooklyn. The development will have
8 approximately 145 apartments, of which approximately
9 37 will be permanently affordable housing. The
10 proposal involves two actions. The first is a zoning
11 map amendment to change an M1-2 district to an R7-3
12 and an M1-5 mixed-use district. The manufacturing
13 district is intended to allow a popular neighborhood
14 bakery currently located on the development site to
15 relocate into the new building. The second action is
16 a zoning text amendment to map a Mandatory
17 Inclusionary Housing area. Council Member Brannan
18 supports this application.

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

1 In 2009, the City granted approvals to allow Western
2 Rail Yard to be developed as a mixed-use but
3 primarily residential area with public open space.
4 The Western Rail Yard is bounded by 11th and 12th
5 Avenues from West 30th to West 33rd Street. Since
6 then, the Western Rail Yard has sat undeveloped for
7 over 15 years. The applicant has now gone through
8 ULURP again to allow for an updated development plan
9 at the site, originally pursuing two possible
10 scenarios. The first scenario involved a mixed-use
11 development that would have included a casino if the
12 applicant had sought and been granted a license by
13 the New York State under a separate State review
14 process. The alternative scenario did not include a
15 casino, which included commercial, residential, and
16 community facility use. Both scenarios were planned
17 with significant public open space areas. The
18 applicant is seeking four land use actions for this
19 updated development plan for the Western Rail Yard. A
20 zoning text amendment, modifying the special permit
21 provisions of Zoning Resolution Section 93-58, a
22 zoning special permit pursuant to the amended special
23 permit text, seeking waivers for various bulk, use,
24 curb cut, and public space requirements, an amendment
25

1 to the City map involving the changes of grades on
2 West 33rd Street, a delineation of a public access
3 easement, and an amendment of a previously approved
4 restricted declaration associated with the proposed
5 2009 development, to reflect the development now
6 proposed for the site. The Council will be voting to
7 modify two of the four land use actions before us
8 today. The Council will vote to modify the zoning
9 special permit under LU number 283 to reflect the
10 project that no longer includes a casino, that
11 proposes a greater number of residential units that
12 approved by the City Planning Commission, up to
13 approximately 4,000 total units, and included an
14 amount of newly constructed affordable units equal to
15 the greater of 420 or 25 percent of all rental units
16 constructed on the site. That increases the amount of
17 publicly accessible open space from 5.6 acres to 6.6
18 acres within the development, including a lawn of at
19 least one acre, and that makes a related technical
20 adjustment to the various bulk waiver across the
21 entire site plan to facilitate both the increased
22 publicly accessible open space and the increased
23 amount of residential units in the modified project.
24 This adjustment includes site plan modification in
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1 relation to urban design control for Site A, to
2 reduce the maximum permanent linear dimension. Site
3 plan modification in relation to Site B, which was
4 approved by City Planning Commission to contain
5 commercial office space, but which will now contain
6 residential units, and site plan modification in
7 relation to Site C, including a reduction in size of
8 the Site C building podium footprint, and reduction
9 of the base height of a portion of these buildings'
10 podiums. We will also be modifying the related
11 restrictive declaration under LU 286 to reflect the
12 Council modification I have described. Council Member
13 Bottcher supports this application as modified, and I
14 will give the floor to Council Member Bottcher for
15 his remarks.

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

1 saying yes to up to 4,000 units of housing, more
2 affordable housing than the 2009 plan, a world-class
3 green space that will be a destination for all New
4 Yorkers and people around the world with more green
5 space than the 2009 plan, a new public school,
6 cultural facilities, a daycare. There's still details
7 to work out between now and June, but this is an
8 opportunity that we can't afford to let slip away.
9 It's a must-act moment for our city, and I look
10 forward to turning this long-promised vision into
11 real progress for the West Side and all of New York
12 City.
13

14 CHAIRPERSON RILEY: Thank you, Council
15 Member Bottcher.

16 I will now call for a vote to approve
17 with modifications LUs 275 and 276 relating to the
18 73-99 Empire Boulevard Rezoning Proposal; to approve
19 with modifications LUs 277 and 278 relating to the
20 166 Kings Highway Rezoning Proposal; to approve LUs
21 279 and 280 relating to the 19 Maspeth Avenue
22 rezoning proposal; to approve LUs 281 and 282
23 relating to the 2201-2227 Neptune Avenue rezoning
24 proposal; and to approve modifications LUs 283, 284,
25

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

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

14 SUBCOMMITTEE COUNSEL VIDAL: Council
15 Member Salaam.

16 COUNCIL MEMBER SALAAM: I vote aye.

17 SUBCOMMITTEE COUNSEL VIDAL: Council
18 Member Carr.

19 COUNCIL MEMBER CARR: Aye on all.

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

24 CHAIRPERSON RILEY: Thank you. That
25 concludes today's business.

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

6 This meeting is hereby adjourned. [GAVEL]

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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