

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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August 8, 2023  
Start: 4:22 p.m.  
Recess: 4:30 p.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 14TH  
FLOOR

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

COUNCIL MEMBERS:

Shaun Abreu  
Erik D. Bottcher  
David M. Carr  
Kamillah Hanks  
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Gale A. Brewer

2 SERGEANT-AT-ARMS: Good afternoon and  
3 welcome to today's Subcommittee on Zoning and  
4 Franchises.

5 Place all electronic devices to vibrate  
6 or silent mode.

7 If you wish to submit testimony, you may  
8 send it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Again,  
9 that's [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

10 Chair, we are ready to begin, and please  
11 do not approach the dais at any moment throughout the  
12 hearing. Thank you.

13 CHAIRPERSON RILEY: [GAVEL] Good morning  
14 and welcome to a meeting of the Subcommittee on  
15 Zoning and Franchise. I am Council Member Kevin  
16 Riley, Chair of the Subcommittee.

17 This afternoon, I'm joined by Council  
18 Member Hanks, Council Member Abreu, Council Member  
19 Bottcher, Council Member Schulman, Council Member  
20 Brewer, uh, future Council Member Caleb Riley here.  
21 We're joined virtually by Council Member Carr, and do  
22 we have Council Member Moya virtually? Okay. Thank  
23 you, Sergeants.

24 Today, we will vote on a rezoning  
25 proposal and related special permit in the Bronx

2 known as 893 Eagle Avenue Rezoning consisting of LUs  
3 250, 251, and 252.

4 We will also vote on LU 246, known as the  
5 Madison Square Garden Special Permit as well as the  
6 related applications, LU 245, the Arena Text  
7 Amendment.

8 Before we begin, I recognize the  
9 Subcommittee Counsel to review the hearing  
10 procedures.

11 COMMITTEE COUNSEL HUH: Thank you, Chair  
12 Riley. I am Arthur Huh, Counsel to this Subcommittee.

13 Council Members with questions or wish to  
14 make remarks and who are participating remotely  
15 should use the raise hand function, and those present  
16 in the hearing room should indicate so verbally.

17 We ask for everyone's continued patience  
18 in the event we encounter any technical issues.

19 The Chair will now continue with today's  
20 agenda.

21 CHAIRPERSON RILEY: Thank you, Counsel.

22 Today, we will vote to approve LUs 250,  
23 251, and 252 regarding the 893 Eagle Avenue Rezoning  
24 in Chair Salamanca's District in the Bronx. This  
25 proposal will rezone an existing R6 zoning district

2 to an R7-2 zoning district, establish a Mandatory  
3 Inclusionary Housing Area with MIH Option 1 and 2  
4 allowing for certain bulk relief relating to the  
5 building community facility use to facilitate a new  
6 mixed-use building consisting of affordable and  
7 supportive housing units as well as community  
8 facility uses. Chair Salamanca approves of this  
9 rezoning proposal.

10 Today, we will also vote to modify LUs  
11 245 and 246 regarding Madison Square Garden Special  
12 Permit related to the Arena Text Amendment in Council  
13 Member Bottcher's District in Manhattan. The  
14 applications seek to continue using Madison Square  
15 Garden as an arena to perpetuity. For the reasons  
16 explained in the Council's resolution, extending the  
17 arena use to perpetuity is not appropriate at this  
18 time. Therefore, we are limiting the continued use of  
19 the Madison Square Garden as an arena to five  
20 additional years and condition this approval on a  
21 Transportation Management Plan to address the use  
22 conflicts between Madison Square Garden's current  
23 loading operation and pedestrian access to Penn  
24 Station.

2 I would now like to have Council Member  
3 Bottcher give his remarks.

4 COUNCIL MEMBER BOTTCHEER: Thank you, Chair  
5 Riley. Madison Square Garden's loading infrastructure  
6 has not significantly changed in more than 50 years.  
7 Over the same period, loading requirements of Madison  
8 Square Garden's events have increased in intensity.  
9 The use of Penn Station has consistently grown and is  
10 projected to continue to grow. In response to that  
11 growth, the railroads are actively reconfiguring Penn  
12 Station. All of these factors create a use conflict  
13 between loading the arena and pedestrian's  
14 circulation of the expanding Penn Station. In  
15 addition, the area around Penn Station and MSG is  
16 undergoing a transformation with surrounding  
17 development, making West 31st Street, West 33rd  
18 Street, 8th Avenue, and 7th Avenue critical  
19 transportation corridors. Because of this use  
20 conflict, at this time, the Council cannot determine  
21 the long-term viability of an arena at this location.  
22 Therefore, five years is an appropriate term for this  
23 special permit. To address this use conflict in the  
24 short-term, we're requiring the development of a  
25 Transportation Management Plan.

2 I want to thank the Council Land Use  
3 Staff who have been working on this issue for so  
4 long, William Vidal, Arthur Huh, Perris Straughter. I  
5 want to thank all my Colleagues in the City Council,  
6 especially for their patience today, the three-and-a-  
7 half hour wait. I want to thank all the community  
8 members who have made your voices heard, Community  
9 Board 5, my colleagues in government, the staff at  
10 Madison Square Garden, and everyone who's been part  
11 of this process. Thank you so much.

12 CHAIRPERSON RILEY: Thank you, Council  
13 Member Bottcher.

14 Members of the Subcommittee who have  
15 questions or remarks about today's item should use  
16 the raise hand button or raise your hands here.  
17 Counsel will announce Members in order their hands  
18 are raised.

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

21 There being no Members of the Council  
22 with any questions or remarks, I will now call for a  
23 vote to approve LUs 250, 251, and 252 relating to the  
24 893 Eagle Avenue Rezoning, to approve with  
25 modifications LUs 245 and 246 relating to the Arena

2 Text Amendment and the Madison Square Garden special  
3 permit.

4 Counsel, please call the roll.

5 COMMITTEE COUNSEL HUH: Chair Riley.

6 CHAIRPERSON RILEY: Aye.

7 COMMITTEE COUNSEL HUH: Council Member  
8 Moya. Council Member Louis. Council Member Abreu.

9 COUNCIL MEMBER ABREU: Aye.

10 COMMITTEE COUNSEL HUH: Council Member  
11 Bottcher.

12 COUNCIL MEMBER BOTTCHEER: Aye.

13 COMMITTEE COUNSEL HUH: Council Member  
14 Hanks.

15 COUNCIL MEMBER HANKS: Aye.

16 COMMITTEE COUNSEL HUH: Council Member  
17 Schulman.

18 COUNCIL MEMBER SCHULMAN: Aye.

19 COMMITTEE COUNSEL HUH: Council Member  
20 Carr.

21 COUNCIL MEMBER CARR: Aye.

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

2 CHAIRPERSON RILEY: Thank you, Counsel.

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

8 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 September 12, 2023