

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

Subcommittee on Zoning  
& Franchises

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August 6, 2024  
Start: 11:18 a.m.  
Recess: 11:59 a.m.

HELD AT: 250 Broadway-Committee Rm., 16<sup>th</sup> Fl.

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

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

A P P E A R A N C E S (CONTINUED)

2 SERGEANT AT ARMS: Good morning and  
3 welcome to today's New York City Council Subcommittee  
4 hearing for the Committee on Zoning and Franchises.  
5 At this time, please silence all cellphones and  
6 electronic devices to minimize disruptions throughout  
7 the hearing. Thank you for your cooperation. Chair,  
8 we're ready to begin.

9 [gavel]

10 CHAIRPERSON RILEY: Good morning everyone  
11 and welcome to a meeting of the Subcommittee of  
12 Zoning and Franchises. I'm Council Member Kevin  
13 Riley, Chair of the Subcommittee. Today, I'm joined  
14 by Council Member Moya, Schulman, Marmorato. Today,  
15 we are scheduled to vote on eight different  
16 proposals. The first proposal has been a long-time  
17 in the making, and there's an exciting opportunity  
18 for the Bronx. Four new metro north stations are  
19 scheduled to be constructed by the MTA by 2027 in the  
20 Bronx at Co-op City, Parkchester/Van Nest, Morris  
21 Park, and Hunt's Point. Not only will these four new  
22 stations provide the Bronx with new, better public  
23 transportation, but they will also provide an  
24 opportunity to create a new affordable housing and  
25 more jobs. Known as the Bronx Metro-North Station

1 Area Study, the proposed actions would affect an area  
2 that is approximately 46 blocks and primarily along  
3 major corridors near the future Parkchester/Van Nest  
4 and Morris Park Metro-North stations in the Bronx  
5 Community Districts 9, 10, and 11. The proposal  
6 being made by the Administration consists of Lys 106,  
7 107 and 109 through 113. These actions involve a  
8 series of rezoning together with a rezoning text  
9 amendment that will map mandatory inclusionary  
10 housing areas over the rezoned areas. As well as  
11 create a special district called the Special  
12 Eastchester, East Chima Corridor district. The  
13 proposal also involves several changes to the City's  
14 map that would de-map some streets and create new  
15 street networks and pedestrian plazas. Together,  
16 these actions, as we are recommended to modify today  
17 are projected to create approximately 7,000 new units  
18 of housing. The developers of residential projects  
19 in MIH designated areas would be required to make 20  
20 to 30 percent of the units permanently affordable to  
21 families making the average between 40 to 80 percent  
22 AMI. For a family of three, this translates to a  
23 household income between 56,000 and \$112,000. This  
24 proposal is an exciting opportunity for the Bronx  
25

1 because we need new housing, especially affordable  
2 housing. We've just been joined by Majority Leader  
3 Amanda Farias. If we do not build more housing,  
4 communities in the Bronx will continue to get priced  
5 out. So we need to act. But this does not mean we  
6 should just build anywhere. We can ask as high as we  
7 can. New buildings have to take into account that  
8 the surrounding context in existing residents.  
9 Development should not be disproportionately bigger  
10 than neighborhoods' buildings. Therefore, we are  
11 recommending several modifications to these proposals  
12 to achieve this balance. In the section of rezoning  
13 that will be near the new Morris Park Metro-North  
14 Station, we are recommending less density in this  
15 area, and capping building heights. This will still  
16 create an opportunity for the creation of much-needed  
17 housing. It will also allow the expansion of the  
18 medical campuses around Morris Park which will  
19 provide more jobs while also being sensitive to  
20 existing homes in nearby lower density areas.  
21 Another modification we are recommending is to make  
22 the rezoning more contextual at 1601 Bronxdale  
23 Avenue, one of the largest sites of the rezoning.  
24 Here we must recognize its proximity to lower density  
25

1 home along Van Nest and Pierce Avenue. As a result,  
2 we are recommending a reduction in the maximum  
3 heights of the building that will front Bronxdale  
4 Avenue and allow slightly larger buildings on west of  
5 the site which closer to the new Parkchester/Van Nest  
6 Metro-North Station. This will provide a progression  
7 in density and height from the lower density homes to  
8 the east to the proposed higher density new  
9 residential area plan to the west of Bronxdale  
10 Avenue. Moving over the areas to be rezone along East  
11 Tremont Avenue near the existing Parkchester North  
12 and South condos. Here, while we are maintaining the  
13 proposed density proposed by the Administration, we  
14 are recommending to a moderately increase the  
15 building's height to certain limit areas to achieve  
16 better design and more amenities for the local  
17 community such as an open space, additional parking,  
18 retail and enhanced accessibility. We believe these  
19 modifications will increase the quality of the new  
20 residential developments in this area, which would be  
21 a significant asset to the community. Further, after  
22 careful study to the administration's proposal and  
23 close consultation with the local members, we are  
24 recommending the removal of two relatively small  
25

1  
2 proposed rezoning areas to address potential impact  
3 to existing nearby low density homes. First, we are  
4 removing the proposed rezoning of propose R6-1 area  
5 at Stillwell and Eastchester Avenue between Seminole  
6 Street and Ryan Lander Avenue. Second, we are  
7 removing a small area located where Seminole Avenue  
8 and Tenbroeck Avenue converge that is disconnected  
9 from the other areas being rezoned. Beyond the  
10 recommended changes in density and the height to the  
11 rezoned areas, we are also recommending that the  
12 proposal be modified to require a minimum amount of  
13 parking for new residential developments in this new  
14 special district. We all know that parking in Morris  
15 Park, Parkchester and Van Nest is lacking. Even  
16 though these new developments will be next to Metro-  
17 North stations that will provide a faster way to get  
18 into Manhattan and to go up north, the reality is  
19 that people living in this section of the Bronx still  
20 need a car to go about their everyday lives to food  
21 shop, to see the doctor, and to drive children to  
22 school and afterschool activities. And this is due  
23 to the simple fact that this area is not adequately  
24 served by public buses and subways. So we are going  
25 to make sure that the families that move into these

1 new housing have somewhere to park and not only-- and  
2 not at the expense of existing neighborhood  
3 residents. Lastly, we are modifying the MIH  
4 affordability options to reflect the local  
5 communities in which these new housing units are  
6 being introduced. With these modifications, I  
7 strongly believe that this proposal will bring the  
8 much-needed new affordable housing and job that  
9 families in the Bronx deserve while taking into  
10 account the context of existing neighborhoods. With  
11 all that said, I will repeat that I said when the  
12 Administration first presented its proposal to this  
13 Subcommittee we need more housing, but not housing  
14 alone is not sufficient. Bronx residents need more  
15 access to parks, schools, libraries. They need  
16 better infrastructure and streets that do not flood  
17 every time it rains. Our firehouses and precincts  
18 need to be sufficiently staffed. So although the  
19 Bronx is one to new development, it has to come with  
20 actual and sufficient investments in our communities.  
21 I'm glad to state today that the Administration as a  
22 part of this proposal has agreed to make a  
23 significant capital investment to the tune of \$498.5  
24 million in the communities that will be impacted by  
25



1 this rezoning and the new Metro-North stations. The  
2 Administration will be repairing and redesigning  
3 streets, improving a number of parks, investing in  
4 our schools, and improving the storm water drainage  
5 system. I'm going to let my colleagues speak more  
6 about these much-needed investments. I am  
7 particularly glad to announce the commitments by the  
8 Administration's near new co-op city station in my  
9 district. We have secured commitments to address  
10 illegal dumping around Edison [sic] Avenue and Gun  
11 Hill, and to clear out debris along the waterfront of  
12 Hutchison River. We also secured commitments from  
13 the MTA to explore new bus routes to ensure Co-op  
14 City residents have the access to the new Metro-North  
15 Station once it comes online. Overall, this proposal  
16 with modifications-- and we've just been joined by  
17 Council Member Shaun Abreu. Overall, this proposal  
18 with modifications we are recommending is a step in  
19 the right direction. It will provide more housing  
20 for all. The size of new development will be  
21 appropriate, and needed investments in our  
22 communities will be made. Before I continue  
23 describing the other votes, I want to give Council  
24 Members whose communities in the Bronx will be  
25

1 directly affected by the Administration's proposal as  
2 an opportunity to comment. I will now give the floor  
3 to Majority Leader Farías.

4  
5 COUNCIL MEMBER FARIÁS: Thank you, Chair  
6 Riley. Today, we are voting to bring a long overdue  
7 investment to the Bronx with four new Metro-North  
8 stations. The approval of this rezoning will create  
9 much-needed housing, more jobs, facilitate pedestrian  
10 safety upgrades, additional transit options, and  
11 substantial infrastructure investment throughout the  
12 rezoning area. The design features laid out in this  
13 plan are informed by the extensive community outreach  
14 I initiated along with the City Council Planning and  
15 Land Use teams. Over the last several months I  
16 hosted four in-person and virtual events in  
17 Parkchester allowing my constituents multiple  
18 opportunities to discuss the proposals with the  
19 Department of City Planning and local developers.  
20 This was critical in ensuring neighbors could provide  
21 direct feedback on the essential aspects of  
22 maintaining the culture of our shared community. We  
23 heard feedback on the type of community space needed,  
24 what types of infrastructure enhancements we'd like  
25 to see, and had detailed conversations about

1  
2 investments that are needed throughout the  
3 communities currently. I am particularly excited to  
4 approve a project that is mandating affordable  
5 housing. Through modifications, no less than 25  
6 percent of units created in Council District 18 will  
7 be provided to households at an average of 60 percent  
8 of the area median income. In other words, that means  
9 the housing will be affordable to the average Bronx  
10 family who is already living there. As Chair Riley  
11 noted, we are modifying two R8X areas near  
12 Parkchester to create more flexibility to provide  
13 much-needed amenities such as additional parking,  
14 retail and community space, open green space and  
15 accessibility. I want to thank the hundreds of  
16 community members who came to our public info  
17 sessions and filled out our survey to guide us to  
18 this decision. While I'm proud to champion housing  
19 development in this proposal, I'm equally as proud of  
20 the City investments that I have secured in this  
21 process. I have been at the negotiating table day  
22 and night over this extended period of time fighting  
23 to deliver key wins for the future of Parkchester,  
24 Castle Hill and our surrounding communities. Through  
25 this rezoning, Parkchester in District 18 can expect

1 the following in the coming years: Capital upgrades  
2 to PS106, MS127, Archer Elementary, Linden Tree  
3 Elementary, and PS12 and totaling over \$10 million;  
4 This includes a roof replacement, additional  
5 technology, and auditorium upgrades to name a few.  
6 Complete playground renovations at Taylor Playground,  
7 Castle Hill Playground, and Virginia Playground  
8 totaling over \$45 million; complete overhaul of East  
9 Tremont Avenue including a parking study to consider  
10 angled parking, increased pedestrian safety with a  
11 whole new sidewalk network, ADA accessible  
12 crosswalks, and improved lighting throughout the key  
13 corridor totaling over \$42 million; a commitment to  
14 incorporate the iconic terracotta statues of  
15 Parkchester into the Parkchester/Van Nest Station  
16 design; a community advisory board to offer their  
17 insight throughout the development process for both  
18 1880 and 2000-2040 East Tremont Avenues; security  
19 cameras and security guard patrols in an around the  
20 Parkchester/Van Nest Station and other stations;  
21 exploration of affordable home ownership  
22 opportunities and the final design of housing  
23 opportunities; \$170 million for DEP for catch basin  
24 upgrade, sewer improvements, and water line repairs,  
25

1 and many more items which will be made public in the  
2 points of agreement listed on our website following  
3 full approval of this application. It is this list  
4 and so much more that allows me to support this  
5 project with confidence today. I want to take a  
6 moment to thank the people that have been working  
7 with me all these hours to get here. First and  
8 foremost, my Chief of Staff, Rebecca Nieves [sp?],  
9 Council Land Use Director Para Strada [sp?], and our  
10 Land Use team Bryan Coat [sp?], Chelsea Kelly [sp?],  
11 William Vidal [sp?], and Anne McCaughy [sp?], and  
12 folks who helped see this move along, my council  
13 colleagues who also fought for their needs of  
14 districts, our two development teams, the P Realty  
15 and owners of 2000-2040 East Tremont Avenue,  
16 Commissioner Dan Garodnick and the Department of City  
17 Planning team, and the Mayor and his Administration.  
18 Through our modifications to the Bronx Metro-North  
19 rezoning proposal and the holistic city investments  
20 we all fought for, we're demanding attention to the  
21 Bronx. Your Land Use Committee Chair Salamanca,  
22 Zoning and Franchises Chair Riley, Council Member  
23 Marmorato and myself as the current Majority Leader  
24 are all long-term Bronxites, and the success of this  
25

1 rezoning is a testament to our collaboration and  
2 dedication to neighborhoods that made us, and our  
3 love for our home boroughs of the Bronx. This  
4 rezoning is the future of our borough, a future with  
5 more access to jobs, greater transit, new space for  
6 community connections and organizations, state of the  
7 art housing for everyone, and safer streets. And  
8 with that, I urge my colleagues to vote aye.

9  
10 CHAIRPERSON RILEY: Thank you, Majority  
11 Leader. Council Member Marmorato?

12 COUNCIL MEMBER MARMORATO: Thank you,  
13 Chair Riley. Members of District 13 that are here  
14 today or at home listening, I speak to you directly.  
15 I know that when the proposal of the Bronx Metro-  
16 North was introduced to District 13, many within our  
17 community anticipated this project with excitement,  
18 myself included, but once the proposal to create  
19 housing was presented to us, many of us had concerns  
20 of how this would impact and affect our community in  
21 everyday life. So, it's an honor to be in this role  
22 to help navigate what our vision of development in  
23 District 13 should look like. Today, we stand at a  
24 pivotal moment for our community. In countless  
25 meetings, my constituents and I have made it clear

1 that we are not anti-development. We care deeply  
2 about our neighborhoods, and it's our duty to ensure  
3 the integrity, fabric and content of district, that  
4 it remains intact. The original proposal that was  
5 presented to us in January threatened to alter our  
6 community in an unacceptable and irreversible way,  
7 but through tireless consultations with our City  
8 Council Planning, Land Use team, District 13  
9 constituents and key community stakeholders, we have  
10 fought and won significant modifications alongside a  
11 package of real capital investment to District 13.  
12 And I want to be clear, I understand the desire to  
13 build housing. However, one size does not fit all,  
14 and it's my job to represent and fight for what our  
15 district wants and needs. I have listened to you and  
16 fought to make sure the Administration heard our  
17 needs loud and clear. We have capped building  
18 heights throughout the rezoning area to maintain our  
19 community's character. This means that new  
20 developments will not overshadow our homes, streets,  
21 preserving the skyline and ambiance to make our  
22 neighborhood unique. We have reduced density along  
23 Eastchester Road and floor area potential near Morris  
24 Park Station to respect our low-density neighborhood  
25

1 in Van Nest and Morris Park. This action ensures that  
2 new buildings will not overcrowd our streets or  
3 strain our infrastructure, keeping our community  
4 livable and vibrant. We have removed the entire R61  
5 zoning district along Stillwell Avenue and  
6 Eastchester Road to preserve the low-scale  
7 residential community in Morris Park. This protects  
8 our neighborhood from high-rise developments that  
9 would cut out and be out of place among our family in  
10 low-density homes. We have removed the C43 zoning  
11 district at Seminole Avenue in Morris Park which does  
12 not fit the context of our neighborhood. By doing  
13 this, we ensure that any new development aligns with  
14 existing look and feel of our community while  
15 maintaining the character and charm that we cherish.  
16 We live in a transit desert where cars are necessity  
17 for daily activities. The Bronx Metro-North Rail is  
18 not here yet, and even after it arrives, people will  
19 still need their cars. We must be proactive in  
20 ensuring parking is a part of any zoning changes.  
21 That's why I have fought to tirelessly to get our  
22 parking mandates back. It was important to us. This  
23 ensures developers cannot add more housing without  
24 creating parking for our district and our residents.  
25



1  
2 Parking is essential for daily activities such as  
3 dropping children off at school or practice, grabbing  
4 groceries for the week, and even commuting to work.

5 By reinstating parking mandates, we provide the  
6 community with the promise of accessibility,

7 transportation and the ability to fully commute  
8 within our district and beyond. We also have a

9 commitment from the Administration to create a  
10 parking lot near one of our District 13 stations.

11 And since the beginning of this process, especially  
12 since taking office, I have been firm that any

13 changes in zoning must align with our community's

14 vision and come with substantial city investment in  
15 our community. Our working class families in our

16 borough and our district have been largely

17 disregarded by the City for decades, and this must

18 change. It will change now. We need improvements to

19 our parks, substantial upgrades to our sewers, and

20 flood prone streets, and respect for the suburban

21 lifestyle that has brought many families to the East

22 Bronx for generations. I am proud to announce the

23 following commitments from the Administration based

24 on our tireless efforts. With the influx of people

25 coming in our area, we need to invest in our

community's public safety and law enforcement agencies. They are the fabric of our neighborhoods and the front line workers that protect our neighbors, children, and communities. I am so proud to have secured \$10 million for substantial upgrades to rehabilitate and modernize the 49<sup>th</sup> precinct. These funds will ensure that our police officers have the resources and facilities they need to keep our community safe and secure for now and in the future. Thank you to our officers for everything that you do, and we hope to see your new and improved precincts soon. You guys really do deserve it. The current Morris Park families and the new families that come to our district need quality parks and playgrounds. With the highest rates of asthma, we need to invest in greenspace in our parks. I have secured more than \$50 million to upgrade Loreto Park, Bufano Park, but anybody in my district calls it Waterbury Park, Brady Park and the Pelham Bay Park ball fields. We're ensuring that they host families for many, many years to come. These upgrades will include new playgrounds, equipment, improved landscaping, and enhance safety features creating a vibrant and welcoming space for our children to play and for our

1 community to gather. Long-neglected streets like  
2 Bassett Avenue, Stillwell Avenue, Eastchester Road  
3 will finally receive the significant upgrades  
4 including lighting, sidewalks, intersection, and  
5 traffic monitoring improvements, addressing our  
6 community's concerns about traffic and congestion on  
7 the roadway. These improvements will make our  
8 streets safer for pedestrians and drivers alike,  
9 reducing accidents and improving the overall quality  
10 of life for our travelers, and we are supposed to--  
11 tonight, we're supposed to have some type of flooding  
12 here in our district, I guess throughout the whole  
13 city, but this is nothing new to District 13. I have  
14 firsthand witnesses the damage caused to our home  
15 streets, due to the lack of effective sewer and  
16 draining infrastructure. Knowing this, I would not  
17 allowed any new construction or building to happen  
18 without commitments of improvements to our  
19 infrastructure. I'm proud to have secured nearly  
20 \$200 million from the DEP to study and implement  
21 upgrades to flood-prone areas such as Bassett Avenue,  
22 Marconi Street, Stillwell Avenue, and the Morris Park  
23 area, ensuring that our community does not continue  
24 to get damaged or washed out during this type of rain  
25

1 storm. These upgrades will include improved drainage  
2 systems, flood barriers and other infrastructure  
3 improvements designed to protect our home streets  
4 from flooding. Your voices and values have been  
5 instrumental in shaping this plan, and I extend my  
6 heartfelt gratitude to everyone in District 13 that  
7 participated in this process. This revised proposal  
8 is a testament to our collective strength and  
9 commitment. It strikes a vital balance by providing  
10 our fair share of housing while preserving the  
11 character of our low-density neighborhood in District  
12 13. The substantial capital investment in our  
13 community's infrastructure will enhance our quality  
14 of life for generations to come. Together, we  
15 achieved a significant victory for our district.  
16 This moment proves that when we unit and we fight for  
17 our values, we can create meaningful lasting change  
18 while keeping familiar and quaint aspects of our  
19 community intact. I want to give a big thank you to  
20 the Land Use team here in City Council. Paris, Ryan,  
21 Chelsea, William, Anne, throughout this process your  
22 patience and capability of understanding what my  
23 community's future vision of what District 13 should  
24 be about has been absolutely amazing, and I  
25

1 appreciate it. I also want to thank my team, the  
2 District 13 team, for holding down our district  
3 office throughout this process, and most importantly,  
4 my Chief of Staff April Cardena [sp?]. You have been  
5 solid throughout this process and I appreciate the  
6 long days and night you have put in alongside me.  
7 Thank you. Thank you, Chair. And I vote aye.

9 CHAIRPERSON RILEY: Thank you, Council  
10 Member Marmorato. We've been joined by Council  
11 Member Restler. The second proposal we are voting on  
12 today is to approve with modifications LUs 101  
13 through 104 concerning a proposal known as Arthur  
14 Kill terminal. The proposal consists of creating a  
15 manufacturing staging area for assembly of wind  
16 turbines just south of the outer bridge crossing in  
17 Minority Leader Borelli's district. We have seen  
18 once again this summer, climate change is here, and  
19 as a city we need to reduce our carbon footprint. A  
20 critical way to achieve this is to increase the  
21 supply of renewable energy. This proposal was a key  
22 component to constructing new wind turbine off the  
23 coast of New York State. The Arthur Kill Terminal  
24 proposal involves four actions. The first proposed  
25 action involves a text amendment to the special South

1 Richmond development district. The text amendment  
2 would update the goals of the special district to  
3 recognize the need to create new sources of renewable  
4 energy. It will also expand the special district's  
5 authorization to specifically address projects to  
6 seek to support eh City's green energy  
7 infrastructure. The second action is to land a fill-  
8 - is a land fill action to create the needed dock on  
9 the portion of the site that is under water along the  
10 shore. The third action is a special permit to  
11 increase maximum building heights which would  
12 accommodate the needed components of the wind  
13 turbines. And the fourth action is to de-map a  
14 portion of Richmond Valley Road. We're recommending  
15 proposed modification to the text amendment  
16 application to ensure that in order to receive a City  
17 Planning Authorization for any needed flexibility in  
18 the zoning, that the project must support the City's  
19 green energy infrastructure which the Arthur Kill  
20 Terminal does do. Minority Leader Borelli supports  
21 this proposal as modified. The third vote is to  
22 approve LUs 122 and 123 relating to the Prince Point  
23 development proposal located at the southern of  
24 Staten Island also within Minority Leader Borelli's  
25

1 district. The requested action together will  
2 facilitate the establishment of the new mapped  
3 streets and the development of a 108 detached single-  
4 family homes in the Prince Bay neighborhood and in  
5 the special South Richmond Development district. The  
6 proposal includes two actions. The first is a city  
7 map amendment to map four new streets. The second is  
8 a zoning text amendment related to the vesting [sic]  
9 provisions in the special district, and more  
10 specifically to facilitate certain development  
11 approved prior to the adoption of lower density  
12 growth management areas. Minority Leader Borelli is  
13 in support of this proposal. The fourth vote is to  
14 approve with modifications LUs 114, 115, and 116  
15 relating to the 500 Kent Avenue proposal located in  
16 Williamsburg neighborhood in Brooklyn within Council  
17 Member Restler's district. The requested actions  
18 will facilitate the development of a new 23-story  
19 commercial office building with ground floor retail,  
20 234 parking spaces, over 49,000 square feet of public  
21 accessible open space which will include  
22 approximately 23,000 square foot waterfront public  
23 access area. The proposal consists of three actions.  
24 The first is a zoning map amendment to change the  
25

1 existing M3-1 district to an M1-5 district. There  
2 are also two related zoning special permits which  
3 will permit the modification of certain bulk  
4 regulations on waterfront blocks and also permit a  
5 parking garage with 234 parking spaces. With this  
6 proposal we are recommending a modification to the  
7 restricted declaration which accompanies the special  
8 permits approved by the City Planning Commission to  
9 ensure that all traffic mitigations required by the  
10 project's environmental impact statement are  
11 implemented in a timely matter. Council Member  
12 Restler is in support of this proposal as modified,  
13 and I would like to give the floor to Council Member  
14 Restler to give any remarks.

16 COUNCIL MEMBER RESTLER: I just want to  
17 firstly say it always a pleasure to be with Chair  
18 Riley in this subcommittee. Chair Riley does a  
19 tremendous job and we're fortunate to have him in  
20 this critical role. You know, I'm very proud that  
21 District 33 has generated more new housing than any  
22 other council district in the City of New York for  
23 about 15 years. And with the two land use actions  
24 that we're advancing today, we will both expand  
25 housing and affordable housing where it's terribly



1 needed, and we will also create an exciting new  
2 economic development project in both-- both projects  
3 are in the heart of the South Williamsburg/Bed-Stuy  
4 community. The first project on Myrtle Avenue, 712,  
5 will generate over 40 units of housing, be an MIH  
6 option one project that generates deeply affordable  
7 housing for the Orange County. The development team  
8 has been an absolutely pleasure to work with. They  
9 are deeply rooted in our community, care about our  
10 neighborhood. They've even agreed to make some  
11 modest community facility space available to a great  
12 organization, [inaudible] that does this beautiful  
13 thing where they provide rides to people who need to  
14 go to medical appointments or family members who are  
15 visiting family members who are in medical care at no  
16 cost, but that extraordinary volunteer operation  
17 happens at-- you know, from people's homes. Now,  
18 we'll finally have a home-base where those volunteers  
19 can better coordinate those rides at this new  
20 residential development-- mixed-used development I  
21 should say. And the other project, 500 Kent, is one  
22 that we have painstakingly negotiated since before I  
23 was even on the City Council. The development team  
24 approached me when I was Council Member-elect, and I  
25

1  
2 wasn't ever sure that we were going to get this  
3 project done. There were some very, I think, big  
4 open concerns. My number one concern was that this  
5 project could-- that the zoning that we're approving  
6 could allow for a last-mile [sic] facility. But  
7 thanks to, I think, a development team-- an applicant  
8 team that was willing to work with us creatively,  
9 care deeply about partnering with the community. We  
10 were able to develop a project where we have total  
11 confidence that this will never, ever be a last-mile  
12 facility, and I'm optimistic that we're going to  
13 create some great jobs and a great project in the  
14 heart of South Williamsburg connected to the Navy  
15 Yard. I really want to thank everybody who's been a  
16 part of both of these projects. At 712 Myrtle, Rabbi  
17 A. Lichtenstein and Ms. Lichtenstein have been a  
18 pleasure to work with. At 500 Kent I really want to  
19 thank the Council team, especially William Vidal  
20 [sp?], who's not here today, but was instrumental in  
21 us coming up with a creative solution to make this  
22 happen. Lina [sp?] from Council Land Use, Brian from  
23 Council Land Use have both been tremendous partners  
24 and guides. My staff, Molly Hailey [sp?] in  
25 particular, has been really helpful. I want to thank

1 Ashley Thompson from Capilino [sp?] who is always an  
2 honest broker and a helpful partner in navigating  
3 projects in our district, and I want to lastly but  
4 perhaps most importntlhy thank UJO and Rabbi  
5 Niederman who developed a joint application with the  
6 applicant partner that really gave me confidence that  
7 this was a project that would be for the betterment  
8 to my community. And you know, we take a bit of a  
9 leap of faith as Council Members in approving land  
10 use changes, that what applicants tell us or what  
11 they will actually do, and in this instance, I think  
12 we have real protections to have confidence that the  
13 500 Kent project is going to be what we have been  
14 told. And so I really just want to thank everybody  
15 for their support and guidance on both of the lease  
16 land use actions. I'm really happy to hear-- happy  
17 that we're continuing to build more housing and  
18 create more economic opportunity in District 33.  
19 It's a good day for our community. So, thank you so  
20 much.  
21

22 CHAIRPERSON RILEY: Thank you, Council  
23 Member Restler. The fifth vote is to approve with  
24 modifications LUs 120 and 121 relating to the 712  
25 Myrtle Avenue proposal located in Bedford Stuyvesant

1 neighborhood in Brooklyn, also within Council Member  
2 Restler's district. The promised development  
3 consists of new nine-story mixed-use building  
4 projected to have approximately 62 units, including  
5 15, permanently affordable housing and ground floor  
6 retail. The proposal consists of two actions. The  
7 first is a zoning map amendment to change an existing  
8 M1-2 district to an R73/C20-4 district. The related  
9 actions of the zoning text amendment to map a  
10 mandatory inclusionary housing area. Our  
11 modification will be to remove MIH option two and to  
12 add the deep affordability option, which will make 20  
13 to 25 percent of the proposed income restricted  
14 apartments permanently affordable. Council Member  
15 Restler supports this proposal as modified. The  
16 sixth vote is approve with modifications, LUs 117 and  
17 118, relating to the 3033 Avenue V proposal located  
18 in Sheepshead Bay Neighborhood in Brooklyn, and  
19 within Council Member Narcisse district. This  
20 proposed development consists of a new nine-story  
21 mixed-use building projected to have approximately  
22 109 units including 27 affordable apartments and  
23 ground floor retail. The proposal consists of two  
24 actions. The first is a zoning map amendment to  
25

1 change the existing R4/C1-2 district to an R7D/C2-4  
2 district. The related actions in the zoning text  
3 amendment to map a mandatory inclusionary housing  
4 area. Our modification will be to remove MIH option  
5 two and add the deep affordability option which will  
6 make 20 to 25 percent of the proposed income  
7 restricted apartments permanently affordable.  
8 Council Member Narcisse supports this proposal as  
9 modified. The seventh vote is to approve LU 119  
10 related to the 197 Berry Street proposal located in  
11 the Williamsburg neighborhood in Brooklyn within  
12 Council Member Gutiérrez district. The proposal will  
13 rezone an area within the existing special mixed-use  
14 district which will have the effect of reducing the  
15 required accessory parking requirements applicable to  
16 an existing building. The proposed consists of a  
17 zoning map amendment to change the existing M1-2/R6B  
18 district to an M1-4/R6B district within the existing  
19 special MX-8 mixed use district. Council Member  
20 Gutiérrez is in support of this proposal. The final  
21 vote for today is a vote to recommend the disapproval  
22 of LU 124, a petition for Wings and Seafood  
23 Incorporation seeking a revocable consent for a  
24 sidewalk café located at 785 Fairview Avenue in  
25

1 Queens in Council Member Holden's district. This  
2 Subcommittee held a public hearing on July 24<sup>th</sup>, 2024  
3 at which serious concerns and quality of life issues  
4 concerning this proposed sidewalk café would raise by  
5 Council Member Holden and whose district this  
6 restaurant is located. The Council Member-- Council  
7 Member Holden has provided the following statement  
8 explaining why this disapproval is warranted which he  
9 had asked that I read into the record. He thanked  
10 me. He said, "Thank you, Chair Riley and members of  
11 the Subcommittee for the opportunity to address you  
12 regarding the application D2450087057SWQ Wings and  
13 Seafood seeking the revocable consent to operate a  
14 sidewalk café at 785 Fairview Avenue in Ridgewood  
15 within Community District Five. I am opposed to this  
16 application for several reasons. One, under-  
17 utilization and misuse. This outdoor dining setup is  
18 rarely used and often repurposed for storage or  
19 decorated purposes. Such misuse of public space in  
20 unacceptable. Two, excessive occupation of public  
21 space, the combination of sidewalk café and outdoor  
22 dining is excessive. The sidewalk is a critical  
23 public pathway located at the entrance/exit of the  
24 Forest Avenue M Train station. It is across from the  
25

1 Greater Ridgewood Youth Council Afterschool Program  
2 building, IS93, the Queens Library Ridgewood Branch,  
3 and Rosemary Playground. Private entities should not  
4 monopolize public spaces for profit, especially in  
5 such a heavily trafficked area. Three, unauthorized  
6 construction: the application constructed the  
7 sidewalk café structure before obtaining approval,  
8 resulting in the Department of Buildings violation  
9 for extending the building without permits. This  
10 disregard of regulation is concerning. During the  
11 July 24<sup>th</sup>, Subcommittee hearing, the owner responses  
12 where insufficient and demonstrated a lack of  
13 understanding and sincerity about the violation and  
14 community concerns. Additionally, we have received  
15 many complaints from residents and the owner failed  
16 to provide evidence of community support for both the  
17 roadway dining and sidewalk café, contrary to their  
18 claims. The lack of community support for this  
19 establishment is clear indication of community strong  
20 opposition. Ridgewood is a heavily congested  
21 community with many pedestrians utilizing sidewalks  
22 and cars being parked. This establishment has shown  
23 disregard for both pedestrians and vehicular needs.  
24 Given these issues, I urge my colleagues to vote no  
25

1 or vote yes to disapprove on this sidewalk café  
2 application. The establishment has shown a genuine  
3 commitment to working-- has not shown a genuine  
4 commitment to working with the community and  
5 approving this application will set a concerning  
6 precedent. Thank you for consideration-- considering  
7 my position on this matter." That concludes the  
8 content of Council Member Holden's remarks. Counsel,  
9 are there any Council Members with questions or  
10 remarks at this time? Appearing remotely who have  
11 questions or remarks of today's items should use the  
12 raise hand button now. Counsel in any members in  
13 order that the hands are raised want to ask  
14 questions? There being no members with questions, I  
15 will now call for a vote to approve with  
16 modifications LUs 101, 102, 103, and 104 relating to  
17 the Arthur Kill Terminal proposal, to approve with  
18 modifications LUs 106, 107, 109, 110, 111, 112, 113  
19 relating to the Bronx Metro-North Station area  
20 proposal, to approve with modifications LUs 114, 115,  
21 or 116 related to the 500 Kent Avenue rezoning  
22 proposal, to approve with modifications LUs 117 and  
23 118 relating to the 3033 Avenue V rezoning proposal,  
24 to approve LUs 119 relating to the 197 Berry Street  
25



2 rezoning proposal, to approve with modifications LUs  
3 120 and 121 relating to the 712 Myrtle Avenue  
4 rezoning proposal, to approve LUs 122 and 123  
5 relating to the Prince Point development proposal,  
6 and to disapprove LUs 124 relating to the Wings and  
7 Seafood sidewalk café proposal. Counsel, please call  
8 the roll.

9 COMMITTEE COUNSEL: Chair Riley?

10 CHAIRPERSON RILEY: Aye.

11 COMMITTEE COUNSEL: Council Member Moya?

12 COUNCIL MEMBER MOYA: I vote aye.

13 COMMITTEE COUNSEL: Council Member Abreu?

14 COUNCIL MEMBER ABREU: Aye.

15 COMMITTEE COUNSEL: Council Member

16 Schulman?

17 COUNCIL MEMBER SCHULMAN: Aye.

18 COMMITTEE COUNSEL: Chair, by a vote of  
19 four in the affirmative, 0 in opposition and no  
20 abstentions, the items are approved or approved with  
21 modifications as you've just described except LU 124,  
22 the Wings and Seafood sidewalk café application which  
23 is disapproved. All items are referred to the full  
24 Land Use Committee.

25

2 CHAIRPERSON RILEY: Thank you. We will  
3 close the vote. That concludes today's business. I  
4 would like to thank the members of the public, my  
5 colleagues, Subcommittee Counsel, Land Use and other  
6 Council staff, the Sergeant at Arms participating in  
7 today's meeting. This meeting is hereby adjourned.

8 [gavel]

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SUBCOMMITTEE ON ZONING & FRANCHISES

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 August 13, 2024