

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

May 8, 2024  
Start: 11:28 a.m.  
Recess: 11:36 a.m.

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

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

COUNCIL MEMBERS:

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

OTHER COUNCIL MEMBERS ATTENDING:

Chi A. Ossé

2 SERGEANT-AT-ARMS: This is a microphone  
3 check for the Subcommittee on Zoning and Franchises.  
4 Today's date is May 8, 2024. Located in the 14th  
5 Floor Hearing Room. Recording done by Rocco Mesiti.

6 SERGEANT-AT-ARMS: Good morning and  
7 welcome to the New York City hybrid hearing on the  
8 Subcommittee on Zoning and Franchises.

9 Please silent all electronic devices at  
10 this time.

11 Also, please do not approach the dais.

12 If you have any questions, raise your  
13 hand and one of us, the Sergeant-at-Arms, will kindly  
14 assist you.

15 Chair, we're ready to begin.

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

20 This morning, I'm joined remotely by  
21 Council Member Moya, Council Member Schulman, Council  
22 Member Carr, Council Member Hanks, and Council Member  
23 Ossé.

24 Today, we were scheduled to hold four  
25 votes. However, the vote regarding LU-74 concerning

1 the project known as the 15-21 124th Street will be  
2 laid over. As a result, we will be voting today on  
3 three proposals.  
4

5           This first vote is to approve with  
6 modifications LUs 59 and 60 concerning the proposal  
7 known as 817 Avenue H rezoning. This is a mixed-use  
8 residential development proposal located in Midwood,  
9 Brooklyn in Council Member Louis' District. The  
10 development will create approximately 42 residential  
11 units and will be subject to Mandatory Inclusionary  
12 Housing. The proposal involves two actions. The first  
13 proposed action involves rezoning the residential  
14 area from an R5 district with a commercial C1-3  
15 overlay to a R7A residential district with a C2-4  
16 commercial overlay. The second proposed action is to  
17 map Mandatory Inclusionary Housing over the rezoning  
18 area, which will require the applicant to include  
19 affordable housing in the proposed development. The  
20 first of the proposed modifications is to restrict  
21 the residential area to be rezoned. While the  
22 development site consists of a one-story commercial  
23 and community facility buildings, the properties  
24 along the western and northern boundaries of the  
25 development site are one- and two-family homes. This

low-density residential character continues across East 8th Street to the west and the remainder of the block of the development site to the north. If the whole block and Avenue H was rezoned as proposed, then there will be no transition in the bulk of the proposed development and the adjacent one- and two-family homes. By reducing the rezoning area, the development site will be subject to the bulk transition regulations that apply when an R-7A district is mapped next to an existing R-5 district. The transition regulations will require that the development site step down in height along its western and northern boundaries, adjacent to the existing one- and two-family homes. This step down in height will provide for a more adequate transition between the development site and existing lower-scale homes. The boundaries of the proposed commercial overlay would not be affected by this modification. The other modification is to similarly reduce the area, remove MIH Option 2, and add the Deep Affordability Option. The Deep Affordability Option requires that 20 percent of the units be provided for households making an average of 40 percent of AMI or less, which is approximately 40,000 for one person.

Council Member Louis supports this proposal as modified.

The second vote is to approve LUs 64 and 67 concerning a proposal known as a 281-311 Marcus Garvey Boulevard. This proposal development consists of two mixed-use residential buildings located in Bed-Stuy, Brooklyn within Council Member Ossé's District. The building would contain approximately 155 affordable units with commercial and community facility space and be subject to Mandatory Inclusionary Housing. The proposed two buildings are within the existing large-scale general development that extends the full block of Gates Avenue between Marcus Garvey Boulevard and Lewis Avenue. The proposal involves four actions. The first action consists of rezoning multiple existing residential zoning districts to a uniform residential R-7A zoning district within the C2-4 commercial overlay. The second action is for a special permit that will create a separate large-scale development for the two new buildings and allow the proposed bulk of the proposed buildings. The third action is for a second special permit to reduce the number of required parking spaces for the existing buildings, creating

1 the needed space for new buildings. The fourth and  
2 final action is to map Mandatory Inclusionary Housing  
3 over the rezoning, which will require that part of  
4 the affordable units be permanently affordable.  
5 Council Member Ossé supports this proposal. The  
6 development would be subject to Mandatory  
7 Inclusionary Housing. I'm going to read the next one  
8 and give it to you, Council Member Ossé.

10           The third vote is to approve with  
11 modification LUs 68 and 69 relating to the proposal  
12 known as 1289 Atlantic Avenue, also located in Bed-  
13 Stuy within Council Member Ossé's District. This  
14 proposed development consists of a mixed-use  
15 residential development that is projected to have  
16 approximately 112 affordable apartments, including  
17 community facility and ground floor retail. The  
18 proposal consists of two actions. The first action is  
19 the rezoning of the existing M1-1 manufacturing  
20 district to an R6B residential district and a C4-5X  
21 commercial district. The second proposed action is to  
22 map Mandatory Inclusionary Housing over the rezoning  
23 area. The modification is to remove MIH Option 2 and  
24 add the Deep Affordability Option, which will make 20  
25 percent to 25 percent of the proposed income-

2 restricted apartments permanently affordable. Council  
3 Member Ossé supports this proposal as modified.

4 I will now give the floor to Council  
5 Member Ossé to give his remarks.

6 COUNCIL MEMBER OSSÉ: Thank you so much,  
7 Chair Riley, as well as Members of this Committee.

8 There's no question that New York City is  
9 currently going through a housing crisis, primarily  
10 thanks to a dire housing shortage. It has a  
11 significant impact on all of our constituencies but,  
12 in this case, my constituents and the communities of  
13 Bed-Stuy and Northern Crown Heights. This is an  
14 emergency, and we have to tackle the shortage without  
15 delay, which is why I'm excited about these two  
16 projects that we are voting on today.

17 The 281-311 Marcus Garvey application  
18 seeks a rezoning to facilitate the construction of  
19 two mixed-use buildings with a total of 154  
20 dwellings. I said this during a hearing, but rents  
21 will be as low as 215 dollars a month for some  
22 studios at this new complex and as high as 2,665  
23 dollars for a three-bedroom. Now, I know Chair  
24 Riley's wife is from Bed-Stuy, so maybe with projects

2 like these, he and his family can move back to the  
3 beloved neighborhood of Bed-Stuy.

4 CHAIRPERSON RILEY: Not a chance.

5 COUNCIL MEMBER OSSÉ: The 1289 Atlantic  
6 Avenue application seeks a rezoning to facilitate the  
7 construction of a 14-story mixed-use building with  
8 ground floor retail space. This is on Atlantic  
9 Avenue, which is a deeply underutilized area within  
10 my District. I really want to thank Council Land Use  
11 for all of the help in finding the best result and  
12 solution for this project and having it be a mixed-  
13 income development where nearly 60 percent of the  
14 housing that will be built will be affordable. I hope  
15 we're moving in the right direction for this entire  
16 corridor and tackling our housing crisis as a whole.

17 I want to thank the Chair as well as my  
18 Colleagues on this Subcommittee, and I urge you all  
19 to vote in the affirmative on both of these projects.  
20 Thank you.

21 CHAIRPERSON RILEY: Thank you, Council  
22 Member Ossé and, with your hard work, these are two  
23 beautiful projects that will really add on to the  
24 housing stock that we need here in New York City, so  
25 thank you for your hard work with this.



2 We've also been joined by Council Member  
3 Salaam.

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

6 COMMITTEE COUNSEL VIDAL: Not online,  
7 Chair, and I don't believe in person either.

8 CHAIRPERSON RILEY: Thank you. I will now  
9 call for a vote to approve with modifications LUs 59  
10 and 60 relating to the 817 Avenue H rezoning  
11 proposal, to approve LUs 64 and 67 relating to the  
12 281-311 Marcus Garvey Boulevard rezoning proposal,  
13 and to approve with modifications LUs 68 and 69  
14 relating to the 1289 Atlantic Avenue rezoning  
15 proposal.

16 Counsel, can you please call the roll?

17 COMMITTEE COUNSEL VIDAL: Yes, Chair.  
18 Chair Riley.

19 CHAIRPERSON RILEY: Aye.

20 COMMITTEE COUNSEL VIDAL: Council Member  
21 Moya.

22 COUNCIL MEMBER MOYA: I vote aye.

23 COMMITTEE COUNSEL VIDAL: Council Member  
24 Hanks.

25 COUNCIL MEMBER HANKS: Aye.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 10

2 COMMITTEE COUNSEL VIDAL: Council Member  
3 Schulman.

4 COUNCIL MEMBER SCHULMAN: Aye.

5 COMMITTEE COUNSEL VIDAL: Council Member  
6 Salaam.

7 COUNCIL MEMBER SALAAM: I vote aye.

8 COMMITTEE COUNSEL VIDAL: Council Member  
9 Carr.

10 COUNCIL MEMBER CARR: Aye.

11 COMMITTEE COUNSEL VIDAL: By a vote of six  
12 in the affirmative, zero in opposition, and no  
13 abstention, the items are approved and referred to a  
14 full Land Use Committee.

15 CHAIRPERSON RILEY: Thank you. That  
16 concludes today's business.

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

21 This meeting is hereby adjourned. Thank  
22 you. [GAVEL]

23

24

25

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 May 31, 2024