

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, May 8, 2024

11:00 AM

250 Broadway - Committee Room, 14th Floor

Subcommittee on Zoning and Franchises

Kevin C. Riley, Chair

*Members: Shaun Abreu, David M. Carr, Kamillah Hanks,
Francisco P. Moya, Yusef Salaam and Lynn C. Schulman*

Roll Call

Present: Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: Abreu

Other Council Members Attending: Ossé

LU 0059-2024

Application number C 230323 ZMK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by eliminating from within an existing R5 District a C1-3 District, changing from an R5 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 14, Council District 45.

Attachments: Calendar of the Zoning Subcommittee Meeting - March 26, 2024, April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, Hearing Transcript - Zoning 3/26/24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 432

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Zoning Subcommittee Meeting - March 26, 2024, April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, Hearing Transcript - Zoning 3/26/24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 432

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0060-2024

Application number N 230324 ZRK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 14, Council District 45.

Attachments: Calendar of the Zoning Subcommittee Meeting - March 26, 2024, Hearing Transcript - Zoning 3/26/24, April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 433

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Zoning Subcommittee Meeting - March 26, 2024, Hearing Transcript - Zoning 3/26/24, April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 433

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0064-2024

Application number C 230146 ZMK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a, changing from an R6A District to an R7A District, changing from an R6B District to an R7A District, and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 427

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 427

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0065-2024

Application number N 230147 ZRK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 428

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 428

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0066-2024

Application number C 230148 ZSK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution, Section 74-743(a)(1) to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and Section 74-743(a)(2) to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations), Section 23-664 (Modified Height and Setback Regulations for Certain Inclusionary Housing Buildings or Affordable Independent Residences for Seniors), and 23-693 (Special Provisions Applying Adjacent to R1 through R6B Districts); in connection with two proposed mixed-use developments, within a large-scale general development bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4* Districts, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 429

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 429

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0067-2024

Application number C 230152 ZSK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all of the required accessory residential off-street parking spaces for the proposed new development, and to reduce from 234 spaces to 118 spaces the previously required accessory residential parking for an existing development, in connection with a proposed mixed-used development within a large-scale general development in a Transit Zone, bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4* Districts, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 430

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 281-311 Marcus Garvey Blvd - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, Committee Report, Res. No. 430

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0068-2024

Application number C 200310 ZMK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, LLC, pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a, changing from an M1-1 District to an R6B District and changing from an M1-1 District to a C4-5X District, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 1289 Atlantic Avenue Rezoning - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 434

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 1289 Atlantic Avenue Rezoning - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 434

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0069-2024

Application number N 200293 ZRK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 3, Council District 36.

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 1289 Atlantic Avenue Rezoning - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 435

This Land Use Application was Hearing Held by Committee

Attachments: April 11, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-11-24, 1289 Atlantic Avenue Rezoning - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Hearing Transcript - Zoning 5-8-24, Hearing Transcript - Land Use 5-8-24, May 16, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-16-24, City Planning Commission Approval Letter, Committee Report, Res. No. 435

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 6 - Riley, Carr, Hanks, Moya, Salaam and Schulman

Absent: 1 - Abreu

LU 0074-2024

Application number N 220434 ZRM (15-21 West 124th Street) submitted by Harlem, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying parking provisions of Article IX, Chapter 7 (Special 125th Street District), Borough of Manhattan, Community Districts 10 and 11, Council District 9.

Attachments: 15-21 124th Street Text Amendment - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, April 18, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-18-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Calendar of the Zoning Subcommittee Meeting and Land Use Meeting - May 22, 2024, Hearing Transcript - Zoning 5-8-24, May 23, 2024 - Stated Meeting Agenda, Committee Report, Res. No.

This Land Use Application was Hearing Held by Committee

Attachments: 15-21 124th Street Text Amendment - Presentation, Calendar of the Subcommittee Meetings and Land Use Meeting - April 17, 2024, Hearing Transcript - Zoning 4-17-24, April 18, 2024 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 4-18-24, Calendar of the Subcommittee Meetings and Land Use Meeting - May 8, 2024, Calendar of the Zoning Subcommittee Meeting and Land Use Meeting - May 22, 2024, Hearing Transcript - Zoning 5-8-24, May 23, 2024 - Stated Meeting Agenda, Committee Report, Res. No.

This Land Use Application was Laid Over by Subcommittee