

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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October 16, 2025  
Start: 10:52 a.m.  
Recess: 11:42 a.m.

HELD AT: 250 BROADWAY - 8TH FLOOR - HEARING  
ROOM 3

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

COUNCIL MEMBERS:

David M. Carr  
Yusef Salaam

OTHER COUNCIL MEMBERS ATTENDING:

Mercedes Narcisse  
Farrah N. Louis

A P P E A R A N C E S

Adam Rothkrug, Land Use Counsel at Rothkrug,  
Rothkrug, and Spector, LLP

Pablo Oviedo, owner of Ovi's Place

Bonnie Campbell, Two Trees Management Company

Richard Lobel, Sheldon Lobel PC

Jorge Fontan, Fontan Architecture

Essa Masqod

Eric Palatnik, Eric Palatnik, PC

2 SERGEANT-AT-ARMS: This is a microphone  
3 check for the Subcommittee on Zoning and Franchises.  
4 Today's date is October 16, 2025, being recorded by  
5 Tavell King in Hearing Room 3.

6 SERGEANT-AT-ARMS: Good morning, and  
7 welcome to today's New York City Council hearing on  
8 the Committee on Zoning and Franchises.

9 At this time during today's hearing, no  
10 one may approach the dais.

11 If you would like to testify today,  
12 please see one of the Sergeant-at-Arms to fill out a  
13 testimony slip.

14 Please silence all electronic devices  
15 that you have.

16 Chair, you may begin.

17 CHAIRPERSON RILEY: [GAVEL] Good morning,  
18 everyone, and I'm sorry for my tardiness this  
19 morning. Welcome to the meeting of the Subcommittee  
20 on Zoning and Franchises. I'm Council Member Kevin  
21 Riley, Chair of the Subcommittee. This morning, I'm  
22 joined by Council Member Narcisse and Louis.

23 Today, we are holding a number of public  
24 hearings, including Domino Site B under LUs 400 to  
25 402; the 58 Nixon Court Rezoning under LUs 405 and

2 406; the 464 Ovington Court Rezoning under LUs 407  
3 and 408; and the 5502 Flatlands Avenue Rezoning under  
4 LUs 409 and 410; an application for a sidewalk cafe  
5 revocable consent for Ovi's Place under LU 403.

6 And I would like to also announce that a  
7 public hearing that was noticed for this meeting for  
8 the St. Raymond Avenue Demapping Proposal will not be  
9 held as that item was not called up and is not before  
10 the Council for review; and also that the public  
11 hearing for LU 392 for the Long Island City  
12 Neighborhood Rezoning Mapping Action is being  
13 deferred and will instead be heard at the next  
14 meeting of the Subcommittee on Thursday, October 23rd  
15 at 11 a.m.

16 This meeting is being held in hybrid  
17 format. Members of the public who wish to testify may  
18 testify in person or through Zoom. Members of the  
19 public who wish to testify remotely may register by  
20 visiting the New York City Council's website at  
21 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse). To sign up, and for  
22 those of you here in person, please see one of the  
23 Sergeant-at-Arms to prepare and submit a speaker's  
24 card. Members of the public may also view a live  
25

2 stream broadcast of this meeting at the Council's  
3 website.

4           When you are called to testify before the  
5 Subcommittee, if you are joining us remotely, you  
6 will remain muted until recognized by myself to  
7 speak. When you are recognized, your microphone will  
8 be unmuted.

9           We will limit public testimony to two  
10 minutes per witness. If you have additional testimony  
11 that you would like the Subcommittee to consider, or  
12 if you have written testimony that you would like to  
13 submit instead of appearing in person, please email  
14 it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Written  
15 testimony may be submitted up to three days after the  
16 hearing is closed. Please indicate the LU number  
17 and/or project name in the subject line of your  
18 email.

19           We request that the witnesses joining us  
20 remotely remain in the meeting until excused by  
21 myself as Council Members may have questions.

22           Lastly, for everyone attending today's  
23 meeting, this is a government proceeding, and decorum  
24 must be observed at all times. Members of the public  
25

2 are asked not to speak during the meeting unless you  
3 are testifying.

4 The witness table is reserved for people  
5 who are called to testify, and no video recording or  
6 photography is allowed from the witness table.

7 Members of the public may not present audio or video  
8 recording as testimony, but may submit transcripts of  
9 such recording to Sergeant-at-Arms for inclusion in  
10 the hearing record.

11 I will now open the public hearing on LUs  
12 409 and 410 for the 5502 Flatland Avenue Rezoning, a  
13 private application requesting a zoning map amendment  
14 and related zoning text amendment to facilitate a  
15 development of approximately 36 dwelling units in  
16 commercial space by changing from an R3-2 district to  
17 an R6A/C2-4 district and establishing a Mandatory  
18 Inclusionary Housing area in Council Member  
19 Narcisse's District in Brooklyn.

20 If anyone wishes to testify regarding  
21 this proposal remotely, if you have not already done  
22 so, you must register online by visiting the  
23 Council's website at [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

24

25

2 For anyone with us in person, please see  
3 one of our Sergeant-at-Arms to submit a speaker's  
4 card.

5 If you prefer to submit written  
6 testimony, you can always do so by emailing it to  
7 landusetestimony@council.nyc.gov.

8 I would now like to recognize Council  
9 Member Narcisse to make any opening statements.

10 COUNCIL MEMBER NARCISSE: Good morning.  
11 Thank you, Chair.

12 For our community, we're talking District  
13 46, we have been burned to some extent, I would say,  
14 but having said that, you came to the Community  
15 Board. I'm so appreciative of the time, willing to  
16 engage with the community. Most of the developers  
17 just have one side, and then they don't want to be  
18 bothered. Now, having said that, I have some  
19 questions that I'm going to put out there for you to  
20 see how the best way you can answer it, because the  
21 community, I'm sure some of them are probably  
22 watching and want to know what we are getting  
23 ourselves into. I would like to have a sense of...

24

25

2 CHAIRPERSON RILEY: Oh, Council Member,  
3 we're just going to have you present, and then you  
4 can ask questions after, all right?

5 COUNCIL MEMBER NARCISSE: I'm so fast ...

6 CHAIRPERSON RILEY: I know, I know.

7 COUNCIL MEMBER NARCISSE: To just get to  
8 it.

9 CHAIRPERSON RILEY: All right. I will now  
10 call the applicant panel for proposal, which is Adam  
11 Rothkrug, appearing as a land use counsel.

12 Counsel, can you please administer the  
13 affirmation?

14 CHAIRPERSON RILEY: Mr. Rothkrug, would  
15 you please raise your right hand and state your name  
16 for the record?

17 ADAM ROTHKRUG: Adam Rothkrug.

18 SUBCOMMITTEE COUNSEL HUH: Do you affirm  
19 to tell the truth, the whole truth, and nothing but  
20 the truth in your testimony before this Subcommittee,  
21 and in answer to all Council Member questions?

22 ADAM ROTHKRUG: I do.

23 SUBCOMMITTEE COUNSEL HUH: Thank you.

24 CHAIRPERSON RILEY: Thank you.



2 For the viewing public, if you need an  
3 accessible version of this presentation, please send  
4 an email request to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

5 And now the applicant team may begin. I  
6 just ask that you please restate your name and  
7 organization for the record.

8 ADAM ROTHKRUG: Yes, thank you. I'm Adam  
9 Rothkrug of Rothkrug, Rothkrug, and Spector. My  
10 monitor is not working, but I can proceed.

11 My name is Adam Rothkrug. I'm here in  
12 connection with a rezoning application involving the  
13 property at 5502 Flatlands Avenue between East 55th  
14 and East 56th. And you can go to slide 2 and then  
15 slide 3.

16 The property consists of an irregularly  
17 shaped property, currently vacant, about 13,000  
18 square feet in area, located in an R3-2 district. The  
19 block on which the site is located, as well as the  
20 block to the east of the site, include a number of  
21 nonconforming commercial and automotive uses. And you  
22 can go to slide 4 and then slide 5.

23 We're proposing to rezone the property to  
24 R6A with a C2-4 commercial overlay, which would  
25 permit development of either a one-story commercial

1 building or a mixed-use building that could extend to  
2 seven stories in height with a commercial first floor  
3 and six stories of residential, approximately 49,000  
4 square feet in area, approximately 34 apartments. In  
5 addition, our application requests a text change to  
6 designate the rezoned area as a Mandatory  
7 Inclusionary District with Options 1 or 2, which  
8 would result in between 8 and 11 affordable  
9 residential districts. Next slide, 6.

11           While our client's initial plans revolved  
12 around the commercial overlay, after review and  
13 consultation it was determined that the R6A  
14 residential zoning was appropriate at this location,  
15 fronting on Flatlands Avenue, a 100-foot-wide street  
16 in a community district that has not seen any  
17 affordable housing projects and very little new  
18 housing in general. Skip to the last slide.

19           The lack of housing and affordable  
20 housing was cited by the Borough President in his  
21 support of the application, noting that the site met  
22 the criteria for housing sites set forth in his  
23 comprehensive plan for Brooklyn. We met with  
24 Community Board 18, both before and after  
25 certification, and they've expressed strong

2 opposition to the R6A component of the rezoning. No  
3 objection to the construction of a one-story  
4 commercial building or the commercial overlay. So  
5 based on those conversations, we have been in  
6 discussions with Councilperson Narcisse, and we're  
7 trying to see whether there is a solution that would  
8 work, that would allow some new residential, would  
9 allow some introduction of affordable residential  
10 into the community. That said, this is an irregular  
11 triangular site. The site doesn't really lay out well  
12 for residential use, and as I said, our client's  
13 primary concern is really for the commercial  
14 development along Flatlands Avenue, which everyone  
15 believes is appropriate. So, we're willing to  
16 continue to work with the Councilperson and the  
17 Community Board. If there's a residential component  
18 that makes sense, fine. It may not be constructed  
19 anyway, but again, our client's principal interest is  
20 in the commercial development and overlay.

21 So now I'm happy to take the  
22 Councilperson's questions.

23 CHAIRPERSON RILEY: Thank you so much.

24 I just have a couple of questions, then  
25 I'll turn it over to Council Member Narcisse.

1                   So, Adam, please state the goals and the  
2 rationale for the proposed R6A-C2-4 zoning district,  
3 and did you consider any alternative zoning district  
4 or conduct comprehensive scenario analysis for this  
5 lot?  
6

7                   ADAM ROTHKRUG: So, the original proposal  
8 only included the commercial overlay, and then after  
9 reviewing the site and discussions with various City  
10 agencies, it was determined that because this does  
11 front on Flatlands Avenue, 100 foot wide, and because  
12 of the lack of affordable housing that has been built  
13 in this community district, that the R6A would be  
14 appropriate. We struggled to come up with plans  
15 because it's a triangular site that really made  
16 sense, but at the end of the day, we decided to  
17 proceed with the R6A. Again, it falls within the  
18 Borough President's plans as far as his criteria for  
19 new residential development, and City Planning was  
20 very supportive of the residential element. But  
21 again, our main concern and main goal is to build the  
22 commercial portion of the site.

23                   CHAIRPERSON RILEY: Did you propose any  
24 residential unit mix?  
25

2 ADAM ROTHKRUG: The residential unit mix  
3 that's been submitted shows a total of 36 units with  
4 11 affordable units, 5 at the 40 percent AMI, 2 at  
5 the 60 percent AMI, and 40 at the 80 percent AMI.

6 CHAIRPERSON RILEY: And what was the unit  
7 mix? Studios, 1-bedrooms, 2's?

8 ADAM ROTHKRUG: We did not have a final  
9 mix designated.

10 CHAIRPERSON RILEY: All right. Thank you.  
11 Council Member Narcisse.

12 Just for the record, I just want to  
13 mention we've been joined by Council Member Carr.

14 COUNCIL MEMBER NARCISSE: Thank you,  
15 Chair.

16 The excitement of my part to get out, I  
17 just had to go, but I was going to put my question on  
18 you anyway. So, thank you, Chair, for telling me you  
19 have to hold back, you cannot put a question.

20 But having said that, I've been working  
21 with you, I've seen the presentation over and over,  
22 and I was just getting to it. But for the public  
23 record, because we have people watching and want to  
24 know, can you give me a sense of the portfolio of the  
25 real estate?

2 ADAM ROTHKRUG: The owners of this  
3 property own commercial real estate in New York City.  
4 They don't own residential, they have not developed  
5 residentially, so that is their portfolio.

6 COUNCIL MEMBER NARCISSE: Your initial  
7 intention was to develop a commercial building,  
8 right?

9 ADAM ROTHKRUG: Correct.

10 COUNCIL MEMBER NARCISSE: How did your  
11 proposal change to include residential development?

12 ADAM ROTHKRUG: So, I'll take  
13 responsibility. We met with City Planning. City  
14 Planning was anxious or encouraging. Of course, they  
15 didn't demand that we do anything. They were anxious  
16 to encourage residential development, and after  
17 reviewing it with them, we thought it was  
18 appropriate, even though it was not really our  
19 intention. So, we kind of, again, we'll take  
20 responsibility for proceeding that way and not just  
21 saying we'll go with the commercial overlay, so  
22 probably our fault to some extent. But that said, the  
23 Borough President's Office, City Planning, and we  
24 also believe that, again, maybe not on this site, but  
25 theory-wise on Flatlands Avenue, a 100-foot-wide

2 street in this district that's seen very little  
3 affordable housing built, that it would be  
4 appropriate. That doesn't mean this is the right site  
5 for it, and obviously when we met with the community,  
6 they were very strongly opposed to any residential so  
7 we've left ourselves to be flexible with what you  
8 think is appropriate. We know the community did get  
9 burned on another project in the District, so we have  
10 certainly made it clear that we are willing to enter  
11 into legally binding, recorded restrictions on the  
12 property that would be enforceable by the community  
13 if there's some middle ground that makes sense.

14 COUNCIL MEMBER NARCISSE: I like to keep  
15 it real. Unlike most of the folks in my District,  
16 what you said the last part for the Flatlands Avenue  
17 to afford some affordable development there, if  
18 there's a possibility, if the height will be set and  
19 the community come to an agreement, I think we can  
20 actually do our part. Having said that, being burned  
21 is not easy. So, it's just like a cat, you burn in  
22 hot water, when you see cold water, you run, and  
23 that's what's going on right now.

24 And due to concerns about height, right,  
25 the height, Community Board 18 recommended

2 disapproval of the seven-story mixed-use scenario,  
3 right, and recommended a one-story commercial  
4 development instead. How do you respond to the  
5 feedback?

6 ADAM ROTHKRUG: Again, our main goal is to  
7 build the commercial element. As noted, the  
8 developers are commercial developers. I told the  
9 community that. So, again, even if the community said  
10 three or four stories was fine, I don't know if we'd  
11 ever get built here because it might not be feasible.  
12 It's a triangular site. So, we're talking kind of in  
13 hypotheticals because this project started two or  
14 three years ago, but our main goal has always been  
15 commercial development of the site.

16 COUNCIL MEMBER NARCISSE: The community is  
17 uneasy about a recent situation, which we well aware,  
18 in which rezoning was approved by Community Board 15  
19 for the property that was in Coyle Street and  
20 changing to shelter. What can you say to the  
21 community to allay their concerns about this project?

22 ADAM ROTHKRUG: Yeah. So, I was not  
23 involved in that project, obviously. I have worked  
24 with many community boards and community  
25 organizations in implementing restrictive



1    declarations that are legally binding, recorded  
2  
3    documents that limit use of the property, that limit  
4    height of a property. That's something that the  
5    Council does on projects on a regular basis. So,  
6    we're more than willing to consider that, again, if  
7    there is a middle ground. And again, I don't know 100  
8    percent why it wasn't done in Coyle, but, again,  
9    there are obviously, and you can certainly confirm  
10    with your Counsel, that there are ways to put in  
11    enforceable, legally binding, restrictive  
12    declarations on height, on use, on, you know, any  
13    number of elements that the City Council considers.

14            COUNCIL MEMBER NARCISSE: Thank you. And I  
15    have to say that you have other property on Flatlands  
16    Avenue for that development company that you  
17    represent. And I don't have much to say, negative  
18    things to say about the community. And in the  
19    community board, you're willing to work with us, and  
20    we're willing to work with you, and that's where we  
21    are. This is the City of New York. That's our city,  
22    and we have to do our very best to maintain  
23    engagement. When we get community to be engaged, then  
24    we have to keep our words. So, thank you.

2 ADAM ROTHKRUG: Again, I would just like  
3 to reiterate that no one along the entire path of  
4 this application has had any objection to the  
5 commercial element. Right now, the property is zoned  
6 R3-2 so I think everyone agrees that's not  
7 appropriate, and everyone agrees that commercial  
8 development is appropriate. And at the end of the  
9 day, that's what we'd like to come out with at a  
10 minimum, and I think everyone would be happy with  
11 that and happy to see this vacant lot developed.

12 COUNCIL MEMBER NARCISSE: Since I'm here  
13 to represent the people, so at the end of the day,  
14 majority of my District have to be in agreement for  
15 us to get moving forward with this project.

16 ADAM ROTHKRUG: Absolutely.

17 COUNCIL MEMBER NARCISSE: So, thank you.  
18 Thank you, Chair.

19 CHAIRPERSON RILEY: Thank you, Council  
20 Member Narcisse.

21 Thank you, Adam.

22 ADAM ROTHKRUG: Thank you.

23 CHAIRPERSON RILEY: There being no other  
24 members of the public who wish to testify on LUs 409  
25 and 410 for 5502 Flatlands Avenue Rezoning, the

2 public hearing is now closed, and the items are laid  
3 over.

4 I will now open the public hearing for LU  
5 403, a sidewalk cafe application by Ovi's Place for  
6 approximately three tables and nine chairs located  
7 along Campus Road in Council Member Louis' District  
8 in Brooklyn.

9 For anyone wishing to testify regarding  
10 this proposal remotely, if you have not already done  
11 so, you must register online by visiting the  
12 Council's website at [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

13 I would now like to recognize Council  
14 Member Louis to make any opening statements.

15 COUNCIL MEMBER LOUIS: Thank you, Chair  
16 Riley, for the opportunity to provide a statement  
17 today regarding the Land Use Application Number 403  
18 concerning the request of Ovi's Place, located in my  
19 District, to operate a sidewalk cafe on Avenue H.

20 At the outset, I want to acknowledge that  
21 small businesses like Ovi's Place are a vital part of  
22 the economic and social fabric of our neighborhoods.  
23 However, we must also balance this support with a  
24 clear responsibility to maintain accessibility,  
25 pedestrian safety, and quality of life to our

1 residents. In this particular case, the sidewalk  
2 along Avenue H is simply not wide enough to safely  
3 accommodate tables, chairs, and regular pedestrian  
4 flow. Unlike other areas with broader sidewalks, this  
5 curved intersection poses significant congestion  
6 risks, especially for pedestrians, families with  
7 strollers, and wheelchair users. The location sits at  
8 a busy corner where residents, students, and  
9 commuters from Brooklyn College, the Triangle  
10 Junction Mall, and the Flatbush Avenue 2-5 train  
11 station all converge between Midwood and Flatbush.  
12 These concerns were also echoed by Community Board 14  
13 during their public hearing on Thursday, August 7th,  
14 where the applicant did not attend. In their  
15 recommendation, CB14 stated, and I quote, due to the  
16 absence of the applicant, CB14 members were not able  
17 to gain clarification on concerns, including adequate  
18 sidewalk clearance perimeter markings or barricades,  
19 and appropriateness of street furniture, end quote.  
20 The local Business Improvement District, our local  
21 BID, has impressed a willingness to collaborate and  
22 help identify a feasible solution that supports both  
23 the business and the broader community. However, at  
24 this time, I cannot support this application, and  
25

2 while I cannot support it at this time, I look  
3 forward to the applicant carving out time to meet and  
4 have a discussion and collaborate with both the BID,  
5 the Community Board 14, and other stakeholders to  
6 find a pathway forward that reflects both our  
7 commitment to small business success and our duty to  
8 protect the public right-of-way.

9 Thank you, Chair.

10 CHAIRPERSON RILEY: Thank you, Council  
11 Member Louis.

12 I would now like to recognize the  
13 applicant panel who has joined us online, Pablo  
14 Oviedo.

15 Counsel, can you please administer the  
16 affirmation, and Pablo, can you please unmute  
17 yourself?

18 PABLO OVIEDO: Hi. How are you? My name is  
19 Pablo Oviedo. I'm the owner of Ovi's Place.

20 SUBCOMMITTEE COUNSEL HUH: Mr. Oviedo, do  
21 you...

22 PABLO OVIEDO: Good morning to everybody.

23 SUBCOMMITTEE COUNSEL HUH: Good morning.

24 Do you affirm to tell the truth, the whole truth, and  
25 nothing but the truth in your testimony before the

2 Subcommittee and in answer to all Council Member  
3 questions?

4 PABLO OVIEDO: Yes, I do.

5 SUBCOMMITTEE COUNSEL HUH: Thank you.

6 CHAIRPERSON RILEY: Okay. Pablo, just  
7 please restate your name and organization for the  
8 record, and you may begin with your testimony.

9 PABLO OVIEDO: Okay. My name is Pablo  
10 Oviedo. I'm the owner of Ovi's Place. And the reason,  
11 I mean, we applied for the permit to have two tables  
12 over there, and according to the space, like the  
13 Council said, it's not enough. We have the plans with  
14 the guidelines from the City, and we have enough  
15 space to put the tables right there. Besides that,  
16 you know, we really don't use the table for the  
17 restaurant, only for the community, too. So a lot of  
18 people over there, they pass by, old people, women  
19 with kids and everything, and they sit there and  
20 rest. Old people go there and sit, you know, when  
21 they come out from the Target store with the big  
22 bags, and they sit there and rest over there. And so  
23 it's not only for the stores, you know, only for the  
24 community help, too. So that's the reason we put the  
25 table there. And it goes with the general guideline

2 from the City. I think that's it. That's all I have  
3 to say.

4 CHAIRPERSON RILEY: Okay. Thank you so  
5 much.

6 There being no questions, you're now  
7 excused.

8 There being no other members of the  
9 public who wish to testify on LU-403 relating to the  
10 application by Ovi's Place for a Sidewalk Cafe  
11 Revocable Consent, the public hearing is now closed,  
12 and the item is laid over.

13 I will now open the public hearing for  
14 LUs 400, 401, 402 for the Domino Site B proposal, a  
15 private application including a zoning text amendment  
16 and two special permits in order to change the  
17 previously approved design and site plan for the  
18 Domino Sugar Redevelopment Project. Site changes  
19 include the removal of previously proposed sky bridge  
20 and the changes to various bulk requirements and to  
21 loading requirements. This project is located in  
22 Council Member Restler's District in Brooklyn.

23 I will now call the applicant panel for  
24 this proposal, which consists of Bonnie Campbell.

2 Counsel, can you please administer the  
3 affirmation?

4 SUBCOMMITTEE COUNSEL HUH: Ms. Campbell,  
5 would you please raise your right hand?

6 Do you affirm to tell the truth, the  
7 whole truth, and nothing but the truth in your  
8 testimony before the Subcommittee and in answer to  
9 all Council Member questions?

10 BONNIE CAMPBELL: I do.

11 SUBCOMMITTEE COUNSEL HUH: Thank you.

12 CHAIRPERSON RILEY: Thank you, Bonnie.

13 Just please restate your name and organization for  
14 the record, and you may begin.

15 BONNIE CAMPBELL: My name is Bonnie  
16 Campbell. I'm here from Two Trees. First of all, I'd  
17 like to thank the Council. It's been about 13 years  
18 since we first presented the master plan for Domino,  
19 and you guys have patiently helped us improve the  
20 plan as we've executed along the way. I want to  
21 especially thank Council Member Lincoln Restler,  
22 who's been a great partner and collaborator  
23 throughout all of this process and this site in  
24 particular to make an improved building, improved  
25 housing, and improved public realm. Next slide.



2           So, here you can see the original master  
3 plan that was approved in 2014, and as I mentioned,  
4 we've come back pretty much with every building and  
5 every public space to kind of tweak and iterate and  
6 improve the architecture, the public realm, the park.  
7 Next slide, please.

8           And I'm pleased to say that this is the  
9 last time, the last Domino building, which is the  
10 second from the left there that we're here to talk  
11 about today. We call it Site B. It's the last  
12 building at Domino. You can go ahead and quickly go  
13 through the next several slides.

14           This is just reminding everyone the  
15 changes that were made in the park and how successful  
16 they've been thanks to the collaboration with you  
17 guys, with the local Community Board, with the local  
18 Council Member. Keep going.

19           And then, as I mentioned, you can keep  
20 going through this, we'll go rather quickly. Each  
21 building we've come back with, again, small but  
22 meaningful changes to the massing, to the  
23 architecture, to really kind of make sure that these  
24 do the best for the end users. The refinery, we came  
25 back. It's a commercial office building that's been

2 quite successful thanks to the changes. The last time  
3 we were here, we were looking at what we call Site D.  
4 It's now up and running. Domino Square, the newest  
5 part of the public realm. Here, again, thank you to  
6 this process to kind of improve the space. It's  
7 become a very active public space embraced by the  
8 community, ice skating, salsa night, all kinds of  
9 community gatherings.

10 Now you can pause here. We're here to  
11 talk about the very last building, Site B. And when  
12 we set out to develop it, we really had a couple main  
13 objectives. One, we wanted to improve the massing,  
14 improve the architecture, and how to improve the  
15 housing and the quality of the housing, but also how  
16 the building interacts with the public realm. It's a  
17 large building, has very sheer frontages, and we  
18 really wanted to kind of break that down. And the  
19 second was we started designing this building right  
20 when City of Yes was passed, which was exciting. We  
21 wanted to see if there was a way we could get more  
22 mixed-income housing into this jacket without  
23 changing the underlying zoning, and we were  
24 successfully able to do so, which I'll go through  
25 today. Next slide.

2 We hired Rex Architecture. They are  
3 responsible for the Perlman Center for Performing  
4 Arts down here. They've been excellent. Next slide.

5 To really kind of rethink about the  
6 massing. Next slide.

7 First thing was, you know, while these  
8 sky bridges were interesting architecturally, they  
9 weren't great for the end-user. They weren't great  
10 for the people who actually live inside of the  
11 buildings. So, the first thing that the architect  
12 recommended was to get rid of those sky bridges. Next  
13 slide. Next slide.

14 Next thing was to really think about the  
15 base and how the base of the building interacts with  
16 the public space and the sidewalk and how to improve  
17 that and make it more pedestrian in scale so pushing  
18 down the base of the building. Next slide. Next  
19 slide.

20 That actually allows a lot more kind of  
21 view corridors and just more light and air through  
22 the site as you approach the water. Next slide. Next  
23 slide.

24 The other thing we tasked them with doing  
25 is, you know, in the Domino neighborhood in general,

2 there's some private outdoor spaces for penthouse  
3 apartments and other things, and we wanted to see if  
4 there was a way to provide private outdoor space  
5 across all income bands, across all unit types for  
6 every apartment in the building. Next slide. You can  
7 kind of click through these. Next slide. Next slide.

8           They came up with an innovative way to do  
9 it, you can pause here, where you have this kind of  
10 system of undulating balconies that go all around the  
11 façade of the building that allow you to have private  
12 outdoor space and light and air all around you, and  
13 you're not directly looking into your neighbor's  
14 balcony. Next slide. Next slide.

15           And they applied this to the entire  
16 façade of the building. So, again, every type of  
17 unit, every type of affordable housing, everyone will  
18 have access to this private outdoor space, which we  
19 think is unique in the district and along the  
20 waterfront. Next slide.

21           You can see here what that starts to do.  
22 The other thing that it does is it breaks down the  
23 sheerness of the façade so it doesn't read like an  
24 office building anymore. It really feels pedestrian  
25 in scale and residential in scale. Next slide.

2           The next few slides are some of the  
3 renderings that show how this kind of unique  
4 architecture plays with light and shadow and makes  
5 for a pretty dynamic space. Next slide. Kind of keep  
6 going. Keep going. Keep going.

7           And then applying the same kind of  
8 typology of these kinds of undulating glass curtain  
9 wall to make the pedestrian realm at the street level  
10 more dynamic and interactive. Next slide.

11           Now you can keep going. This is going to  
12 show you kind of before and after. This is the new  
13 proposed massing. That's the old. Next slide.

14           The new. You can kind of keep going  
15 through these different view angles. This is the old  
16 top. This is the new. This is the old kind of street  
17 wall and the new. You can see the undulating glass at  
18 the street level. It allows us to create kind of nice  
19 interaction between the neighborhood retail and the  
20 pedestrians accessing the park. We have a nice wide  
21 sidewalk. Next slide. Keep going here.

22           That's the old. This is the new. This is  
23 comparing the blue as the original ULURP and the red  
24 as the new. Keep going.

2           And we took kind of the lessons learned  
3 in other pedestrian thoroughfares at Domino with  
4 street furniture, with benches, with kind of sidewalk  
5 amenities that have made it really a place to be and  
6 very pedestrian friendly. Next slide.

7           This is just showing the proposed plan.  
8 Again, this building will have wider sidewalks than  
9 other buildings in the Domino project because it is  
10 so big so we're providing between 22 and 25 feet here  
11 of sidewalk space. Next slide. Next slide.

12           This is just kind of showing the specific  
13 changes to the ULURP envelope that are being proposed  
14 to accommodate this unique design. Next slide.

15           And then here are kind of the outcomes.  
16 You know, better architecture, better massing for  
17 residential units. We're able to accommodate more  
18 family-sized units. As we've developed Domino, the  
19 buildings have evolved and the demand has evolved for  
20 more family-sized units so this building will be 50  
21 percent twos and threes that kind of correspond to  
22 the neighborhood's changing needs. Again, all unit  
23 types, all income levels will have access to this  
24 private outdoor space, and this jacket will  
25 accommodate the City of Yes deductions, which will

2 result in a net of 100 new units, 20 percent of which  
3 will be at 60 percent of AMI. Next slide.

4           And this is kind of just an overall.  
5 There are no new environmental impacts. They're  
6 really design tweaks for the most part. And then just  
7 kind of a snapshot of now that this is the last  
8 building for the campus of where we were in 2014  
9 relative to where we are now. In 2014, we were  
10 committing to 700 units of affordable housing, and  
11 I'm pleased to say that when this building is built,  
12 we'll have provided 860 units of affordable housing,  
13 outpacing our initial projections and completing the  
14 overall master plan. Next slide.

15           And that concludes my presentation. I'll  
16 open it up to questions.

17           CHAIRPERSON RILEY: Thank you, Bonnie.

18           Just a few questions, not too much. Can  
19 you please provide a breakdown of the number of  
20 affordable units being provided, the AMI levels they  
21 target, and the unit sizes?

22           BONNIE CAMPBELL: Yes. So, it's going to  
23 be about 50 percent twos and threes and then about 25  
24 to 30 percent ones, and the balance will be studios.  
25 The AMIs for this building range between 60 percent

2 and 130 percent. So, there's 20 units at 60, 88 at  
3 70, 125 at 125, 82 at 130. Site Domino wide, if  
4 you're interested, we have about half of the units at  
5 60 percent or below and the other half of the units  
6 at 70 percent and above.

7 CHAIRPERSON RILEY: Thank you. How would  
8 these affordable units be regulated?

9 BONNIE CAMPBELL: Through the process with  
10 HPD and the lottery with a third-party non-profit  
11 partner who runs the housing lottery.

12 CHAIRPERSON RILEY: Did you pick a non-  
13 profit yet or?

14 BONNIE CAMPBELL: Reside.

15 CHAIRPERSON RILEY: Reside.

16 The building podium is coming down in  
17 place of the promised school. Why was it determined  
18 that the school is no longer needed?

19 BONNIE CAMPBELL: Yeah. We wanted to build  
20 the school here. SCA had an option to have a school  
21 here, and so when we sent them kind of the design  
22 notice and engaged them for the design, they did  
23 their analysis based on seats in this particular  
24 neighborhood and determined that it was not a good  
25



2 use of their resources, and so they declined the  
3 option.

4 CHAIRPERSON RILEY: Okay. Thank you,  
5 Bonnie.

6 That will conclude the questioning.

7 There being no other members of the  
8 public who wish to testify on LUs 400, 401, and 402  
9 for the Domino Site B proposal, the public hearing is  
10 now closed, and the items are laid over.

11 I just want to state for the record we've  
12 been joined by Council Member Salaam.

13 I will now open the public hearing on LU-  
14 407 and 408 for the 464 Ovington Court Rezoning, a  
15 private application seeking a zoning map amendment to  
16 change an existing R3-X zoning district to an R6-A  
17 zoning district within the Special Bay Ridge District  
18 and a related zoning text amendment to map a  
19 Mandatory Inclusionary Housing area. The proposed  
20 action will facilitate the development of a new  
21 eight-story residential building with 40 dwelling  
22 units. In addition to the development site, there are  
23 also six additional sites within the rezoning area  
24 located in Council Member Brannan's District in  
25 Brooklyn.

2 I will now call the applicant panel for  
3 this proposal, which consists of Richard Lobel, Essa  
4 Masqod, Albi Syk (phonetic), excuse me if I  
5 mispronounce your name, and Jorge Fontan.

6 Counsel, can you please administer the  
7 affirmation?

8 SUBCOMMITTEE COUNSEL HUH: Applicants,  
9 would you please raise your right hands, and I will  
10 ask you in turn to affirm the following.

11 Do you affirm to tell the truth, the  
12 whole truth, and nothing but the truth in your  
13 testimony before the Subcommittee and in answer to  
14 all Council Member questions.

15 Richard Lobel.

16 RICHARD LOBEL: I do.

17 CHAIRPERSON RILEY: Jorge Fontan.

18 JORGE FONTAN: I do.

19 SUBCOMMITTEE COUNSEL HUH: Essa Masqod.

20 ESSA MASQOD: I do.

21 SUBCOMMITTEE COUNSEL HUH: Thank you.

22 CHAIRPERSON RILEY: Okay. Thank you.

23 For the viewing public, if you need an  
24 accessible version of this presentation, please send  
25 an email request to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

2 Applicant team, you may begin. I just ask  
3 that you please restate your name and organization  
4 for the record.

5 RICHARD LOBEL: Thank you, Chair Riley,  
6 Council Member Salaam. Richard Lobel of Sheldon Lobel  
7 PC for the applicant. We are pleased today to present  
8 the 464 Ovington Avenue rezoning.

9 The next slide has a summary of the  
10 application. This would be to allow for a rezoning of  
11 two lots, inclusive of five additional portions of  
12 lots, from an existing R3X district to an R6A  
13 district within the Bay Ridge Special District. The  
14 application would also involve a zoning text  
15 amendment to allow for Mandatory Inclusionary Housing  
16 to apply to the project area. This would facilitate  
17 the construction of a new eight-story-plus cellar  
18 residential building with roughly 35,000 square feet,  
19 which would include 10 affordable units among 40  
20 total units. This rezoning has had tremendous support  
21 from local organizations, including the Bay Ridge  
22 Center, Arab American Association, the Bay Ridge  
23 Community Development Center, and others.

24 The next slide is a summary of where the  
25 proposal stands right now. After meetings with local

1 stakeholders, Community Board 10, and neighbors to  
2 the building, the building design was revised. So on  
3 the left, you can see the proposed building as  
4 originally presented. This included a building which  
5 massed on the lot line with the adjacent residential  
6 building. And per the revision, as has been reviewed  
7 by the Council Member, there is now a light well and  
8 a set-off for that building so that light and air can  
9 reach units on the easterly portion of the  
10 neighboring building. Also, the number of units,  
11 while remaining at 40, the number of two-bedroom  
12 units was increased from four to eight.

14           The next slide is a zoning map, which  
15 demonstrates the existing zoning, the R3X zoning  
16 district within the Bay Ridge Special District. The  
17 R3X is not particularly well-suited to the site or to  
18 the surrounding area. There is already existing R7B  
19 on the block, which allows for FARs approaching 4  
20 FAR. There's existing R6B to the east of the site.  
21 And the adjacent parcel to the west of the site  
22 already has a building which is at a 3.7 approximate  
23 FAR, which is already at an R6A zoning density. So,  
24 including that building within the proposed zoning

1 district area allows for that building to become a  
2 complying building.  
3

4           The next slide shows the change in zoning  
5 on the zoning change map on the tax map, which shows  
6 the site itself highlighted in red. The site is  
7 roughly 9,200 square feet and is currently vacant. In  
8 addition, as was stated, there's an existing four-  
9 story tall residential building to the west of the  
10 site, already built to close to 3.7 FAR, and to the  
11 east of the site, a three-story, 12-unit multifamily  
12 building.

13           The next slide shows the area map, which  
14 I think well identifies why this is particularly good  
15 rezoning for this area. We note that 5th Avenue sits  
16 within 150 feet of the site, a wide street at 80 feet  
17 wide per zoning; 4th Avenue to the west of the block  
18 is at 100 feet wide, also a wide street and a major  
19 thoroughfare; and the R subway stop lies within 200  
20 feet of the property so excellent transportation  
21 options, good access to the site, existing building  
22 typology, all these things together make for what we  
23 think is a meritorious rezoning.

24           We just note the first page of pictures  
25 to the next slide shows the existing site to the

2 middle, as well as the adjacent parcels, that tall  
3 four- to five-story building, as well as the three-  
4 story multifamily building to the east of the site.

5 If you'd like to page through the  
6 photographs and go to the first page of the plans, I  
7 would have Jorge Fontan briefly discuss the  
8 architecture of the site, and then the applicant team  
9 is happy to answer any questions.

10 JORGE FONTAN: Okay. Go to the next slide,  
11 please. They're being partially cut off. Can you go  
12 to the floor plans? So, I'm just going to run through  
13 the building quickly. It's cut off. Okay. Okay, so  
14 one thing I want to discuss is the design changes. In  
15 communication with the Community Board, the adjacent  
16 building had a small light well, and we originally  
17 were designing to the property line. So after the  
18 Community Board meetings, yes, exactly, we added the  
19 light well adjacent to their light well to give light  
20 and air to their property, and then towards the back  
21 of our building, we offset five feet in order to  
22 unobstruct a window that they have, which is just  
23 inset from the property line on their side so we gave  
24 them that as well so that's why the building has the  
25 irregular shape.

2 If you go through, oh, here you see it.  
3 So next slide, please. And then I'll just go, this is  
4 massing. You can go through these quickly. Here are  
5 the floor plans. Just on the floor plans, we have 11  
6 studios, 21 one-bedrooms, eight two-bedrooms. The  
7 studios are 400 to 500 square feet. The one-bedrooms  
8 are 660 to 750 square feet. The two-bedrooms are 900  
9 to 1,200 square feet.

10 You can keep going. That's the top floor.  
11 We're providing 18 parking spaces. All the units have  
12 balconies. And if you keep going, go to the next one.  
13 I think we have a rendering. And one more slide.

14 RICHARD LOBEL: I think that summarizes  
15 the presentation, and we're happy to answer  
16 questions.

17 CHAIRPERSON RILEY: Okay. Thank you,  
18 Richard. Thank you, Jorge.

19 Just a couple of questions. How did you  
20 arrive at the proposed new density of R6A district?

21 RICHARD LOBEL: So, Chair Riley, we  
22 discussed this with City Planning and agreed that  
23 given the adjacent building that's already built to  
24 R6A density, as well as the existence of R7B on the  
25 block, that would be appropriate to build at this

2 context. Going to a lower district would reduce the  
3 potential number of units to below the existing  
4 proposed 40, and so the applicant team, as a matter  
5 of policy, thought that given the fact that we are so  
6 close to a subway stop, that there's great  
7 transportation in the area, that it would be  
8 appropriate to recommend an R6A, and both City  
9 Planning as well as the Brooklyn Borough President  
10 agreed with that assessment.

11 CHAIRPERSON RILEY: Could you provide a  
12 summary of the bedroom mix for the proposed units?

13 RICHARD LOBEL: Sure. I'll defer to Jorge.

14 JORGE FONTAN: Yeah. 11 studios, 21 one-  
15 bedrooms, and 8 two-bedrooms.

16 RICHARD LOBEL: So roughly 75 percent of  
17 the units are one-bedroom or above.

18 CHAIRPERSON RILEY: Okay. All right. I  
19 don't have any more questions. Thank you so much.  
20 You're excused.

21 RICHARD LOBEL: Thank you.

22 JORGE FONTAN: Thank you.

23 CHAIRPERSON RILEY: There being no other  
24 members of the public who wish to testify on LUs 407  
25 and 408 relating to the 464 Ovington Court Rezoning,



2 the public hearing is now closed, and the items are  
3 laid over.

4 I will now open our last public hearing  
5 on LUs 405 and 406 for the 58 Nixon Court Rezoning, a  
6 private application seeking a zoning map amendment to  
7 change an R5 zoning district to an R7A and an R7A/C2-  
8 4 within the Special Ocean Parkway District and  
9 related zoning text amendment to map a Mandatory  
10 Inclusionary Housing area. The proposed action will  
11 facilitate the development of a new eight-story  
12 mixed-use building with retail space and  
13 approximately 19 dwelling units in Council Member  
14 Brannan's District in Brooklyn.

15 I will now call the applicant panel for  
16 this proposal, which consists of Eric Palatnik.

17 Counsel, can you please administer the  
18 affirmation?

19 SUBCOMMITTEE COUNSEL HUH: Mr. Palatnik,  
20 do you affirm to tell the truth, the whole truth, and  
21 nothing but the truth in your testimony before this  
22 Subcommittee and in answer to all Council Member  
23 questions?

24 ERIC PALATNIK: I do.

25 SUBCOMMITTEE COUNSEL HUH: Thank you.

2 CHAIRPERSON RILEY: Thank you. Eric, you  
3 may begin.

4 ERIC PALATNIK: Thank you very much,  
5 Council Member. Thank you for your time.

6 Today, I'm in an application for a  
7 rezoning of the property that's in front of you at  
8 Nixon Court, which is at the end of Ocean Parkway,  
9 the intersection of the Bell Parkway, which is a  
10 small 3,500 square foot lot that's currently vacant,  
11 and we're requesting permission, if you go to the  
12 next slide, please, requesting permission, it's zoned  
13 R5, requesting to rezone it to an R7A/C2-4 zoning  
14 district. Next slide, please.

15 So, this slide shows you the proposed  
16 zoning designation and the existing. It's zoned R5  
17 right now. Next slide, please.

18 We spent quite a bit of time meeting with  
19 the Community Board, and there were many concerns  
20 raised during that process, resulting in these seven  
21 items that we've agreed to, which reduce the size of  
22 the building to eight stories from the original  
23 proposal, which was nine, restricted the ground floor  
24 commercial uses so that there would be no  
25 objectionable uses, provide more parking spaces than

2 required, agree to not interrupt access to the Belt  
3 Parkway, which we would not, enhancing sustainability  
4 features, provide open landscaping space, and that we  
5 were not proposing or working for the building next  
6 door, and I'll show you that in a second. Next slide,  
7 please.

8           The next slide shows you what the  
9 proposal is. The right side of the screen shows you  
10 what's proposed. As you read down, you'll see it's  
11 proposed to be eight stories. It'll have seven  
12 parking spaces, 19 apartments. Four or six of those  
13 will be fully affordable under either MIH Option  
14 level 1 or 2. Next slide, please.

15           The site's location at the end of Ocean  
16 Parkway, right at the beginning of the Belt Parkway,  
17 across from Coney Island Hospital, makes it an ideal  
18 location for rezoning. Also, as you'll see in later  
19 pictures, it is surrounded by taller buildings. Next  
20 slide, please.

21           This slide was created to address  
22 concerns of the Community Board that the building  
23 next door was somehow going to benefit from the  
24 proposed rezoning. That's a taller existing building.

2 This slide demonstrates that they do not benefit at  
3 all. Next slide, please.

4 If you can skip ahead maybe two slides to  
5 the affordability options. There you go. This gives  
6 you a good indication of what the affordability will  
7 be. If we had 19 units at 25 percent at MIH Option 1,  
8 that would create four units. Go to the next slide.

9 If it was at Option 2, it would create  
10 six units. Go to the next slide.

11 It's a very interesting slide. That shows  
12 you how little affordable housing has been created in  
13 the area, so we're hoping you'd be supportive of the  
14 application for that reason. Next slide.

15 This gives you the unit mix and shows you  
16 how it would break down if it was Option level 1 or  
17 2, demonstrating the breakdown between the affordable  
18 and the market rate and demonstrating that the vast  
19 majority of the apartments would be one-bedroom  
20 apartments with some studios and some two bedrooms.  
21 Next slide.

22 This slide is a good slide to show you  
23 that the proposed building, which is eight stories,  
24 will fit neatly within the context of the surrounding  
25 community. As you can see, we are surrounded by tall

2 or multiple dwellings, and this site is just an  
3 anomaly that hasn't been developed all these years,  
4 but what we're proposing would fit right in.

5           And I can show you that by just, if you  
6 could slide right to the end, please. You'll see  
7 some, not to the very end, but you'll see some  
8 renderings. A few slides up, if you could stop at the  
9 renderings. I think it's page 17 and 18. There you  
10 go. And that gives you a good understanding for what  
11 the building will look like when it's done. It's  
12 taking full advantage of its triangular shape of the  
13 zoning lot, and it's going to mimic in its identity,  
14 at least a bit, to the Flatiron Building, because  
15 that's what the shape of the lot lends itself  
16 towards.

17           I'd be happy to answer any questions you  
18 may have. I hope we were comprehensive in our  
19 presentation, and that concludes our presentation.

20           CHAIRPERSON RILEY: Thank you, Eric.

21           How did you arrive at the proposed  
22 rezoning district of R7A/C2-4?

23           ERIC PALATNIK: Because it would have  
24 allowed for a building that's contextual with what's  
25 surrounding us. That's the as-built condition of the

2 buildings that are surrounding us. Therefore, the R7A  
3 seemed like a logical choice.

4 CHAIRPERSON RILEY: And do you have an  
5 idea of the commercial business that's going to  
6 occupy the ground floor?

7 ERIC PALATNIK: Yeah. We've been talking  
8 to small uses such as a local deli or a grocer or  
9 something to get some food. The issue is that the  
10 Coney Island Hospital is across the street, and there  
11 are no small little stores nearby for people from the  
12 hospital to go to to get sundries and sodas and  
13 snacks and things like that. You'd have to go under  
14 the Bell Parkway and go to the other side of the  
15 South.

16 CHAIRPERSON RILEY: What is the square  
17 root of the commercial space? Do you know?

18 ERIC PALATNIK: The commercial space is,  
19 I'll have to double check, I believe it's about 800  
20 square feet. It's not very large.

21 CHAIRPERSON RILEY: All right.

22 Thank you, Eric. I have no more  
23 questions. Your excused. Thank you so much.

24 ERIC PALATNIK: Thank you.

2 CHAIRPERSON RILEY: All right. There being  
3 no other members of the public who wish to testify on  
4 LUs 405 and 406 for 58 Nixon Court Rezoning, the  
5 public hearing is now closed, and the items are laid  
6 over.

7 That concludes today's business. I would  
8 like to thank the members of the public, my  
9 Colleagues, Subcommittee Counsel, Land Use and  
10 Council Staff, and the Sergeant-at-Arms for  
11 participating in today's meeting.

12 This meeting is hereby adjourned. Thank  
13 you. [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 November 18, 2025