

SUBCOMMITTEE ON ZONING AND FRANCHISES

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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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April 8, 2025
Start: 11:04 a.m.
Recess: 11:27 a.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 16TH
FLOOR

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

COUNCIL MEMBERS:

Shaun Abreu
David M. Carr
Kamillah M. Hanks
Yusef Salaam

OTHER COUNCIL MEMBERS ATTENDING:

Inna Vernikov

A P P E A R A N C E S

Justin Donlon, Project Manager at New York City
Department of Housing Preservation and
Development

Richard Lobel, Sheldon Lobel PC

Daniel Grinshteyn

Kevin Williams

SERGEANT-AT-ARMS: This is a microphone check on the Committee on Zoning and Franchises, recorded by James Marino on the 16th Floor, on 4/8/2025.

SERGEANT-AT-ARMS: Good morning. Welcome to the New York City Council Subcommittee on Zoning and Franchises.

Please place your phone on silent or vibrant mode.

Anytime during this hearing, please do not approach the dais.

Thank you for your cooperation.

Chair, we are ready to begin.

CHAIRPERSON RILEY: [GAVEL] Good morning, everyone, and welcome to a meeting of the Subcommittee on Zoning and Franchises. I'm Council Member Kevin Riley, Chair of the Subcommittee. I am joined today by Council Member Hanks and Council Member Carr.

Today, we are scheduled to hear four hearings. However, the 102-51 Queens Boulevard, which consists of LUs 269 and 270 in Council Member Schulman's District, is being laid over to a future date.

We will first hear a joint hearing of two dispositions of City-owned land related to the Atlantic Avenue Mixed-Use Plan, also known as AAMUP, which we heard about last week.

We will then hold a hearing regarding a project known as 2510 Coney Island Avenue Rezoning.

This meeting is being held in hybrid format. Members of the public who wish to testify may testify in person or through Zoom. Members of the public wishing to testify remotely may register by visiting the New York City Council's website at www.council.nyc.gov/landuse to sign up. And for those of you here in person, please see one of the Sergeants-at-Arms to prepare and submit a speaker's card. Members of the public may also view a livestream broadcast of this meeting at the Council's website.

When you are called to testify before the Subcommittee, if you are joining us remotely, you will remain muted until recognized by myself to speak. When you are recognized, your microphone will be unmuted. We will limit public testimony to two minutes per witness. If you have additional testimony that you would like the Subcommittee to consider, or

if you have written testimony that you would like the Subcommittee to consider, you may submit it instead of appearing in person. Please email it to landusetestimony@council.nyc.gov. Written testimony may be submitted up to three days after the hearing is closed. Please indicate the LU number or project name in the subject line of your email.

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

Lastly, for everyone attending today's meeting, this is a government proceeding, and decorum must be observed at all times. Members of the public are asked not to speak during the meeting unless you are testifying.

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

Further, members of the public may not present audio or video recording as testimony but may also submit transcripts of such recordings to the Sergeant-at-Arms for inclusion in the hearing record.

I will now open the joint public hearing regarding Pre-Considered LUs known as 1134-1142

Pacific Street and 457 Nostrand Avenue, which are both related to AAMUP. Last week, we held a hearing regarding this neighborhood plan, and today we are holding a joint hearing involving the disposition of two City-owned parcels of land as part of AAMUP. The first City-owned parcel of land at 1134-1142 Pacific Street is located in Council Member Hudson's District. The second City-owned parcel at 457 Nostrand Avenue is located in Council Member Ossé's District. HPD will explain why the City is seeking disposition authority.

For anyone wishing to testify regarding these two dispositions remotely, you must register online by visiting the Council's website at council.nyc.gov/landuse. For anyone with us in person, please see one of the Sergeants-at-Arms to submit a speaker's card. If you would prefer to submit written testimony, you can always do so by emailing it to landusetestimony@council.nyc.gov.

I will now call the first applicant panel for this proposal, which consists of Justin Donlon.

Counsel, can you please administer the affirmation?

SUBCOMMITTEE COUNSEL VIDAL: Good morning.
Could you please turn on your microphone and raise
your right hand?

Do you swear to tell the truth and
nothing but the truth in your testimony today in
response to Council Member questions?

JUSTIN DONLON: I do.

SUBCOMMITTEE COUNSEL VIDAL: Thank you.

CHAIRPERSON RILEY: Thank you. For the
viewing public, if you need an accessible version of
this presentation, please send an email request to
landusetestimony@council.nyc.gov.

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

JUSTIN DONLON: Justin Donlon, HPD.
Morning, Chair and Members of the Subcommittee. Thank
you for your time today. Related to the larger
Atlantic Avenue mixed-use plan, which was the subject
of an earlier comprehensive public hearing by the
Subcommittee on March 27th of 2025 at 11 a.m., HPD is
requesting acquisition of property by the City for
one site and subsequent disposition of City-owned
land pursuant to Section 576A.2 of the Private

Housing Finance Law for two sites. The disposition area includes 457 Nostrand Avenue and 1134-1142 Pacific Street. Both sites will ultimately be designated to a sponsor selected by HPD and will yield up to 240 and approximately 119 affordable dwelling units, respectively.

CHAIRPERSON RILEY: Does that complete your presentation?

JUSTIN DONLON: It does.

CHAIRPERSON RILEY: All right. You have now had the record for the fastest presentation. Richard, he's going to beat you.

Thank you. I have no questions. Do any of my Colleagues have any questions?

Okay. There being no questions, I excuse this applicant panel. Thank you so much.

JUSTIN DONLON: Thank you.

CHAIRPERSON RILEY: Counsel, are there any members of the public who wish to testify remotely or in person regarding these two disposition actions?

SUBCOMMITTEE COUNSEL VIDAL: No.

CHAIRPERSON RILEY: Thank you. There being no other members of the public who wish to testify on the Pre-Considered LUs regarding the 1134-1142

Pacific Street and 457 Nostrand Avenue, this joint public hearing is now closed, and the items are laid over.

I'm just going to go on pause real quick.

Okay. I will now open the public hearing regarding LUs 267 and 268, known as the 2510 Coney Island Avenue rezoning proposal in Council Member Vernikov's District. This is a proposal to develop a mid-rise residential building in the Sheepshead Bay section of Brooklyn.

For anyone wishing to testify regarding this proposal remotely, if you have not already done so, you must register online and by visiting the Council's website at council.nyc.gov/landuse. For anyone with us in person, please see one of the Sergeants-at-Arms to submit a speaker's card.

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

I would now like to recognize Council Member Vernikov for her remarks.

COUNCIL MEMBER VERNIKOV: Thank you very much, Chair. Good morning, everyone. I just wanted to be here and say a few words regarding this proposal.

When this proposal first came to me, there were significant concerns and differences. Those concerns were driven by this not being in a residential district and corridor. There were concerns with the proposed height and number of stories, what it would do to the character of the neighborhood and also with parking, which is always a concern with any new project in the District due to our traffic issues and lack of sufficient parking generally. We were much further apart than we are today through negotiations and much back and forth. I believe what you're going to see here today addresses a lot of these concerns. Highlighting this is the fact that what will be presented is now four stories, there will be a restrictive declaration, and there will be one-for-one parking, which is something that was part of the proposal from early on. I'd like to thank the Council Planning and the Land Use Division, especially Dana Leventhal, Perris Straughter, and William Vidal; the applicant's legal team, Richard Lobel and Fayenne Baton (phonetic), for working to the community where we were on these issues; my Legislative Director, Troy Olson, Community Board 15 Chair, Theresa Scavo, and the leadership team at

Community Board 15, including Ronnie Tawil; and finally, thank you to the Members of the Subcommittee and all of those participating in the public hearing today. Thank you.

CHAIRPERSON RILEY: Thank you, Council Member Vernikov.

I will now call the applicant panel for this proposal, which consists of Richard Lobel and Daniel Grinshteyn.

Richard, is Kevin on the line?

RICHARD LOBEL: He is.

CHAIRPERSON RILEY: He is? He's not?

SUBCOMMITTEE COUNSEL VIDAL: Are you sure because we are unable to find Kevin? Do I see Kevin? He's raised his hand.

CHAIRPERSON RILEY: Yes, his hand is raised.

CHAIRPERSON RILEY: And Kevin Williams. And is Yuri Mensak (phonetic) on the line, too?

RICHARD LOBEL: Yuri is not. There was a family emergency.

CHAIRPERSON RILEY: Okay. No problem. So, I will now call the applicant panel, which consists

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of Richard Lobel, Daniel Grinshteyn, I'm sorry if I mispronounced that, and Kevin Williams.

Counsel, can you please administer the affirmation?

SUBCOMMITTEE COUNSEL VIDAL: Could you please raise your right hand and turn on your microphone? Thank you.

And then if, because we've already done this before, Mr. Williams, could you come online?

KEVIN WILLIAMS: I'm online. There we go.

SUBCOMMITTEE COUNSEL VIDAL: Thank you. Oh, and you have your hand raised?

KEVIN WILLIAMS: Yeah. For some reason my screen is not coming up.

SUBCOMMITTEE COUNSEL VIDAL: Okay. Well, we can hear you.

Do you swear to tell the truth and nothing but the truth in your testimony today and in response to Council Member questions?

RICHARD LOBEL: I do.

DANIEL GRINSHTEYN: I do. I do.

SUBCOMMITTEE COUNSEL VIDAL: And Mr. Williams?

RICHARD LOBEL: Kevin, can you say I do?

SUBCOMMITTEE COUNSEL VIDAL: Okay. Well, if he testifies, we'll come back to him.

RICHARD LOBEL: Thank you.

CHAIRPERSON RILEY: Thank you. For the viewing public, if you need an accessible version of this presentation, please send an email request to landusetestimony@council.nyc.gov.

Now the applicant team may begin. I'll just ask that you please restate your name and organization for the record. You may begin.

RICHARD LOBEL: Thank you. Richard Lobel of Sheldon Lobel PC. Good morning, Chair Riley and Members of the Committee and Council Member Vernikov. We're here today to discuss the 2510 Coney Island Avenue rezoning. Next slide, please.

So as originally proposed, this was a rezoning which proposed a rezoning of existing R4 and C8-1 districts to an R7-0/C2-4 district, as well as a text amendment pursuant to MIH to allow options 1 and 2. As Council Member Vernikov suggested, after much discussion with the community, the Council Member's office, and stakeholders, the proposed application has been reduced to allow for a four-story building with roughly 26,000 square feet, roughly 27 units,

including eight income-restricted units at Option 2, and parking spaces for a minimum of one parking space per unit. Currently, this would allow for 35 parking spaces. The development would comply with an R6B zoning district.

So, the next slide shows the numbers behind the proposal, which demonstrates both the original proposal as well as the modified proposal. Again, as modified, the height would now be four stories at 26,000 square feet with 27 dwelling units and 35 parking spaces.

The next slide shows the zoning map, which shows the existing zoning primarily on the site, an R4 district with a small portion within a C8-1 district.

And so pursuant to the proposed rezoning, next slide, the site itself, an 11,000-square-foot site shown in red, would be rezoned. Again, the rezoning contemplated R7D with a commercial overlay, which now has been modified in terms of the proposed design to allow for an R6B development.

The next slide shows the area map, which we think demonstrates to the Committee why this is a meritorious rezoning. Again, Coney Island Avenue, an

extra-wide street at 100 feet. The subway is within several blocks to the east of the site, and there are numerous commercial uses along Coney Island Avenue here. Again, the building typology in the area would support a building, particularly the revised proposal, which would allow for a four-story building, among other buildings, including a six-story building on the block.

The next slide shows the zoning change map. Again, the district boundary, which would permit for change in the zoning here, again, at the proposed R7D with a commercial overlay.

The next several slides show pictures of the site and the surrounding area, low-lying manufacturing building to the north of us, the existing site, which allows for used car parking as a nonconforming legal use, as well as other buildings in and around the area of the rezoning.

The last several slides show the plans and materials.

The next slide shows a site map, which shows the rough outline of the property as a four-story mixed-use ground floor community facility and residential building.

The next slide is a section of the building showing the cellar level with parking, including stackers, the ground floor with community facility use and the residential lobby, and residential on three stories above.

The remaining slides are floor plans. To the left, the parking, which allows for 35 spaces, attended parking with stackers, the ground floor community facility and residential use.

And the next slide shows the floors above, inclusive of 27 units, which are 18 one-bedroom and nine two-bedroom units.

If you're able to page through the remainder of the slides, we note that the building right now has been modified. The height is now more contextual with the area and is a design which fits in with the surrounding buildings.

And we would close merely by noting that Council Member Vernikov was extremely generous with her time and really went above and beyond in terms of negotiating a settlement and an agreement between all the parties to this rezoning. We think that the proposal clearly allows for a building which provides a far better use than the existing used car lot and

something which can benefit the surrounding area in terms of residential units as well as community facility. So, with that, the applicant team is happy to answer questions.

CHAIRPERSON RILEY: Thank you, Richard. I just want to state for the record, we've been joined by Council Member Abreu and Council Member Salaam.

So, Richard, can you please explain what is permitted under the current R4 zoning and how your revised proposal is different than what is permitted as a right?

RICHARD LOBEL: Sure. So, the current permitted zoning under the R4 with a small portion in C8-1 would allow for a .75 FAR building with affordability that would go up to a 1.5 FAR pursuant to City of Yes. With regards to the R6B proposal, primarily there's changes as far as two aspects of the zoning. The first is to allow for a greater floor area. So, the floor area would go up to a 2.4. And the second would be required affordability. So, Mandatory Inclusionary Housing would apply to the site. Those eight units would remain affordable through the life of the project. So, this would really allow for a better structure in terms of the

use of the site. The heights basically are similar to what would be permitted given the fact that the existing R4 would permit a 45-foot-tall building. Under the proposal, as restricted, the building would be permitted to go to 48 feet. But generally speaking, both the square footage and yards under the current proposal are greater than what would be permitted under the existing zoning.

CHAIRPERSON RILEY: Thank you.

RICHARD LOBEL: Sure.

CHAIRPERSON RILEY: And can you please share, again for the record, the updated unit mix for the latest proposal?

RICHARD LOBEL: Sure. The unit mix would be 18 one-bedroom units, nine two-bedroom units, and the eight affordable units that would be part of the application pursuant to MIH would be approximately the same mix in terms of one- and two-bedrooms pursuant to MIH regulations.

CHAIRPERSON RILEY: Thank you. I have no more questions.

I'm going to give the floor to Council Member Vernikov.

COUNCIL MEMBER VERNIKOV: Thank you.

Community Board 15 recommended disapproval of the eight-story mixed-use proposal that was presented to them in December. Can you speak to the Community Board's concerns and how this revised proposal addresses those concerns? Thank you.

RICHARD LOBEL: Sure. So, the Community Board was opposed to the height of the building. So as originally proposed, this was, as everyone is aware, an 11-story building pursuant to R7D zoning. And additionally, there were concerns over density and parking. So, basically the number of units, the activity at the building, given the required spaces at 24 spaces, all of this contributed to a feeling of the Community Board that it was not appropriate for this corner of Coney Island Avenue as proposed. The building has now been reduced by seven stories to a four-story building, and the parking spaces, despite the fact that the number of dwelling units has decreased by 33 units, has increased by a minimum of three spaces and right now has proposed 11 spaces so what we allow for is one-for-one parking at the site, which is something that CB15 seeks, and also a vast

reduction in the height of the building to allow for a more contextual building.

COUNCIL MEMBER VERNIKOV: Thank you. And the proposal includes 27 dwelling units and 27 off-site parking spots. Can you talk about where those parking spots will be located?

RICHARD LOBEL: Sure. The parking spaces are actually on-site. They're in the cellar of the building. And so through the use of stackers on the cellar level as well as an attendant, we're able to provide one-for-one parking in the building.

COUNCIL MEMBER VERNIKOV: Thank you. And last question. Coney Island Avenue is a wide street with heavy traffic and can be hazardous for pedestrians. It's important that this development does not further exacerbate those conditions. What considerations went into locating the parking garage entrance to ensure public safety?

RICHARD LOBEL: Sure. So, when the traffic and parking consultant looked at this project in terms of the environmental review, particularly in the original iteration, there were 60 units that were proposed with 24 spaces. So, the amount of traffic in and out of the site would have been fairly intense,

given the fact that there was a limited number of spaces and there would be far more potential pickups and drop-offs from the site. With regards to parking and traffic right now, the traffic and parking did not trigger any additional studies. I think that's primarily given the fact that, first of all, the utilization of the site will be relatively minimal, given the fact that now there's only 27 units at the site as well as 27 spaces so I think what's projected is far less, not only than what was proposed, but importantly than what could be there as-of-right. So as-of-right, given the 1.5 FAR and potential community facility uses, you'd be able to have a roughly 15,000-square-foot community facility medical office building. Those medical office units would generate far more pickups and drop-offs than the proposed residential. And so right now, from what our traffic and parking consulting has shown us, those pickups and drop-offs for existing residential sites will be really limited and at no point would reach any type of trigger in terms of any peak usage that would impact traffic on Coney Island Avenue.

COUNCIL MEMBER VERNIKOV: Thank you, Richard. It's been a pleasure, as always, working with you on this.

RICHARD LOBEL: Thank you, Council Member.

CHAIRPERSON RILEY: Thank you, Council Member Vernikov.

There being no other questions, this applicant panel is excused.

Counsel, are there any members of the public who wish to testify on this LU?

SUBCOMMITTEE COUNSEL VIDAL: No, there's no one signed up online or in person to testify.

RICHARD LOBEL: There being no other members of the public who wish to testify on LUs 267 and 268 regarding 2510 Coney Island Avenue rezoning proposal, this public hearing is now closed and the item is laid over.

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

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

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 7, 2025