

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

----- X

September 24, 2024

Start: 11:05 a.m.

Recess: 11:38 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
Francisco P. Moya
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Alexa Avilés
Julie Menin

A P P E A R A N C E S

Barry Weinberg, First Vice Chair of Community
Board 9

Basia Nikonorow

Gabrielle Ortiz

Catherine Lazure

2 SERGEANT-AT-ARMS: This is a microphone
3 check for the Committee on the Subcommittee on Zoning
4 and Franchises recorded on September 24, 2024,
5 located on the 16th Floor by Nazly Paytuvi.

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

9 At this time, please silence all
10 electronic devices.

11 Just a reminder, no one may approach a
12 dais at any point during this hearing.

13 Chair Riley, we are ready to begin.

14 CHAIRPERSON RILEY: [GAVEL] Good morning,
15 and welcome to a meeting of the Subcommittee on
16 Zoning and Franchises. I am Council Member Kevin
17 Riley, Chair of the Subcommittee. I am joined today
18 by Council Member Abreu, Hanks, Schulman, Carr,
19 Menin.

20 Today we are scheduled to hold two
21 hearings and five votes. Starting with the two
22 hearings, the first one concerns the special permits
23 being sought by the applicant proposing the 135th
24 Street Rezoning Project, which we heard last week.
25 The second hearing concerns a sidewalk cafe

2 application by Seis Vecinos, which is located in the
3 South Bronx.

4 Turning to the proposals that we will
5 vote on today, the first application concerns the
6 expansion of Memorial Sloan Kettering on the Upper
7 East Side. The second and third vote concerns
8 sidewalk cafe applications, one known as Cozy Corner,
9 and the other is Seis Vecinos, for which we will
10 first hold a hearing. The fourth vote concerns an
11 office and industrial building proposal known as 150
12 Mill Street in Gowanus Industrial Business District.
13 The fifth and last vote concerns a mixed-use
14 residential development known as the 2390 McDonald
15 Avenue in Gravesend, Brooklyn.

16 I will now go over the hearing
17 procedures.

18 We've also been joined remotely by
19 Council Member Moya.

20 This meeting is being held in hybrid
21 format. Members of the public who wish to testify may
22 testify in person or through Zoom. Members of the
23 public wishing to testify remotely may register by
24 visiting the New York City Council website at
25 www.council.nyc.gov/landuse to sign up and, for those

2 of you here in person, please see one of the
3 Sergeants-at-Arms to prepare and submit a speaker's
4 card. Members of the public may also view a live
5 stream broadcast of this meeting at the Council's
6 website.

7 When you are called to testify before the
8 Subcommittee, if you are joining us remotely, you
9 will remain muted until recognized by myself to
10 speak. When you are recognized, your microphone will
11 be unmuted. Please take a moment to check your device
12 and confirm that your mic is on before you begin
13 speaking.

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

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

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

7 The witness table is reserved for people
8 who are called to testify, and no video recording or
9 photography is allowed from the witness table.
10 Further, members of the public may not present audio
11 or video recordings as testimony but may submit
12 transcripts of such recording to the Sergeant-at-Arms
13 for inclusion in the hearing record.

14 We've been also joined by Council Member
15 Avilés.

16 I will now open the fourth public hearing
17 of on LU-154 relating to the Seis Vecinos Sidewalk
18 Cafe application in Chair Salamanca's district. The
19 application seeks to operate a sidewalk cafe with
20 approximately 19 tables and 16 seats at an existing
21 establishment in the South Bronx. Chair Salamanca has
22 confirmed that he is in support of this application.

23 For anyone wishing to testify on these
24 items remotely, if you have not already done so, you
25 must register online and you may do that now by

2 visiting the Council's website at
3 council.nyc.gov/landuse and, once again, for anyone
4 with us in person, please see one of the Sergeants to
5 prepare and submit a speaker's card.

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

9 Counsel, are there any members of the
10 public who wish to testify regarding the special
11 permit application relating to the Seis Vecinos
12 Sidewalk Cafe application remotely or in person?

13 COMMITTEE COUNSEL VIDAL: No, Chair, and
14 I'll just make one correction that, I apologize, but
15 it's not a special permit application. It's a
16 sidewalk cafe application, just for the record to be
17 clear, and we may proceed with closing this hearing.

18 CHAIRPERSON RILEY: Thank you. For members
19 of the public here to testify, please note that the
20 witnesses will generally be called in panels of
21 three. Oh, sorry, Counsel, you said we could close
22 it. Excuse me.

23 There being no members of the public who
24 wish to testify on LU-154 regarding the Seis Vecinos

2 sidewalk cafe application, the public hearing is now
3 closed.

4 I will now open the first public hearing
5 on LUs 151 and 152 relating to the 135th Street
6 Rezoning Proposal in Council Member Abreu's District
7 in Manhattanville. These two applications are part of
8 the larger proposal that seeks to develop a
9 residential mixed-use building just south of
10 Riverbank State Park and will have approximately 60
11 apartments. The rezoning would involve the mapping of
12 the mandatory inclusionary housing, and as a result,
13 part of the new housing will be affordable
14 apartments. Last week, we held a public hearing
15 regarding the proposed rezoning and mapping of MIH.
16 The purpose of the second hearing today is to hear
17 any comments regarding the special permit that the
18 applicant is seeking.

19 For anyone wishing to testify on these
20 items remotely, if you have not already done so, you
21 must register online, and you may do that now by
22 visiting the Council's website at
23 council.nyc.gov/landuse and, once again, for anyone
24 with us in person, please see one of the Sergeants to
25 prepare and submit a speaker's card.

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

5 Counsel, are there any members of the
6 public who wish to testify remotely or in person
7 regarding the special permit application relating to
8 135th Street Rezoning Proposal?

9 COMMITTEE COUNSEL VIDAL: Yes, Chair, we
10 have three people who are online who would like to
11 testify.

12 CHAIRPERSON RILEY: For the members of the
13 public here to testify, please note that witnesses
14 will generally be called in panels of three. If you
15 are a member of the public signed up to testify on
16 the proposal, please stand by when you hear your name
17 being called and prepare to speak when I say that you
18 may begin. Please also note that once all panelists
19 in your group have completed their testimony, if
20 remotely, you will be removed from the meeting as a
21 group, and the next group of speakers will be
22 introduced. Once removed, participants may continue
23 to view live stream broadcasts of this hearing on the
24 Council's website.

2 Members of the public will be given two
3 minutes to speak. Please do not begin until the
4 Sergeant-at-Arms has started the clock. Please start
5 wrapping up once the Sergeant-at-Arms indicates that
6 your time has been finished.

7 The first panel is Barry Weinberg, Basia
8 Nikonorow, and Gabrielle Ortiz. I will begin first
9 with Barry Weinberg.

10 SERGEANT-AT-ARMS: Starting time.

11 CHAIRPERSON RILEY: Barry Weinberg, are
12 you there?

13 BARRY WEINBERG: Are you able to enable my
14 video?

15 CHAIRPERSON RILEY: Can we enable his
16 video? We can hear you.

17 BARRY WEINBERG: Okay, I will just proceed
18 then, and if you enable my video, let me know. Good
19 morning, and thank you to the Council Members
20 present, including Avilés, Hanks, Schulman, Carr,
21 Menin, and thank you to Subcommittee Chair Riley and
22 our own Council Member Abreu.

23 In my previous testimony last week on the
24 zoning items, I told you the owner of the property
25 had never met with the Community Board, of which I am

1 First Vice Chair. Only their architects and attorney
2 have been present. It has been brought to our
3 attention since the last public hearing that the
4 owner of the building of Crosscap Holdings is, in
5 fact, a subsidiary of Castellon Real Estate Partners.
6 Castellon has a long history of tenant harassment and
7 exploitation in our District and Upper Manhattan at
8 large. They were subject to a State TPU-appointed
9 monitor for 51 properties after being found to have
10 harassed their tenants by calling in Spanish-speaking
11 tenants and threatening them with eviction within 30
12 days if they did not provide passports or proof of
13 citizenship and pay stubs for proof of income, even
14 if they have been tenants in the apartments for
15 years. They were one of the most litigious landlords
16 in evicting their tenants and removing apartments
17 from rent stabilization so they could flip the
18 buildings, sometimes at double the price they paid.
19 They continue to harass tenants in our community at
20 515 West 111th Street, filing baseless lawsuits every
21 month against tenants who pay on time and cause no
22 problems. This is not an as-of-right development. The
23 Council, if it grants these rezonings and special
24 permits, are substantially increasing the value of
25

2 this piece of land through discretionary action.

3 Given all of the environmental problems that the
4 landlord is promising to mitigate, from noise,
5 vibration, exhaust, flooding, and soil contamination,
6 why does the Council have faith that a landlord that
7 repeatedly has acted in bad faith over many decades
8 would suddenly care about the comfort and safety of
9 tenants if it gets a rezoning? We continue to urge
10 the Council to not support these applications for
11 this project. If this building is built and a train
12 derailment occurs or there are serious environmental
13 issues that make it uninhabitable, we do not want the
14 subjected to that to ask who allowed this building to
15 be built. Our Community Board has numerous more
16 suitable sites for upzoning, including in our
17 proposed Morningside Heights rezoning and at 1727
18 Amsterdam Avenue. We urge the Council to partner with
19 us to make these sites..

20 SERGEANT-AT-ARMS: Time is expired.

21 BARRY WEINBERG: New affordable housing in
22 our neighborhood, but through rezonings. Thank you
23 for your time.

24 CHAIRPERSON RILEY: Thank you, Mr.
25 Weinberg.

2 Next, we'll call on Basia Nikonorow.

3 Basia, if you can hear me, please unmute and you may
4 begin.

5 SERGEANT-AT-ARMS: Starting time.

6 BASIA NIKONOROW: Hello. My name is Basia
7 Nikonorow. I oppose this project because with so much
8 climate science available to us, we should not be
9 rezoning to build residential housing in short-
10 sighted locations. Building in a proven flood zone is
11 simply a bad investment because in the near future,
12 this will become a stranded asset and any taxpayer
13 monies will be wasted. Living, meanwhile, in such a
14 location would subject the residents to severe health
15 and safety risks and access concerns during extreme
16 weather events. Our very own New York City Panel on
17 Climate Change, which is to guide and inform
18 municipal decisions and policies, projects with high
19 certainty that our city will experience increasingly
20 frequent, severe, and longer-lasting extreme weather
21 events such that explicitly building a residence in a
22 flood zone is a very short-term, nonsensical, and
23 wasteful solution. Another reason to oppose this
24 rezoning proposal is that it negatively impacts a
25 neighborhood already subjected to deep environmental

2 injustices. The proposed building would block cooling
3 air flows off of the Hudson River. Air flows are
4 especially needed in the surrounding community
5 because it is categorized in the higher risk range on
6 New York City's Heat Vulnerability Index, which is a
7 metric intended to raise awareness and inform
8 neighborhood-level policies and programs to protect
9 people. Secondly, the proposed private buildings,
10 roof bulkhead and Local Law 97 mandated
11 infrastructure would totally obstruct the stunning
12 viewpoint in the park's historic design, which is not
13 protected as Park areas further south of 125th Street
14 are. I urge you to listen to the climate science from
15 our very own New York City Panel on Climate Change
16 and the Environmental Justice and Heat Vulnerability
17 Indexes, hear the Community Board's multiple votes in
18 opposition to this residential project, and I
19 encourage the owner to work with the community to
20 develop a better plan for this site. Thank you.

21 CHAIRPERSON RILEY: Thank you. Next, I'm
22 going to call on Gabrielle Ortiz. Gabrielle, if you
23 can hear me, please unmute and you may begin.

24 SERGEANT-AT-ARMS: Starting time.

25 GABRIELLE ORTIZ: Can you hear me?

2 CHAIRPERSON RILEY: Yes, we can hear you.

3 GABRIELLE ORTIZ: Hello, can you hear me?

4 CHAIRPERSON RILEY: Yes, we can hear you.

5 GABRIELLE ORTIZ: I am just testifying as
6 a longtime community member of this area. I've lived
7 here for 20 years. This very narrow site next to the
8 Amtrak tracks is not suitable for housing. The noise,
9 vibration, and pollution from the Westside Highway
10 and Amtrak trains are unsafe and undesirable for
11 residential living. The cantilever design
12 demonstrates how small this site is. Squeezing a
13 building into this small space feels forced and is
14 ignorant of the needs of the residents of this
15 neighborhood. The plans for this site are misleading.
16 Drawings show the height of the proposed building
17 level with the wall at Riverside Drive and 135th
18 Street, where residents enjoy an unobstructed view of
19 the Hudson River, but Riverside Drive slopes downhill
20 going uptown toward 137th Street, where the width of
21 this building extends. Therefore, the height of the
22 building would extend above the height of the park
23 and would obstruct the view from Riverside Drive from
24 135th Street to 138th Street. Rather than enjoying a
25 view through the trees to the river, this building

2 would block the view, impacting residents' enjoyment
3 of the green space that makes Riverside Drive
4 desirable and beautiful. This building would
5 negatively impact the small amount of Riverside Park
6 we actually enjoy in this neighborhood. With its
7 proximity to the new Columbia campus, this site is
8 more suitable for commercial use as it is zoned. A
9 food hall and market, local business incubator, co-
10 working space, community space, or performance space
11 could easily be developed in this building, where the
12 existing infrastructure from the previous restaurants
13 is already there. I am not against housing. We need
14 more housing, and there are plenty of more
15 appropriate sites in our neighborhood where housing
16 with more suitable and healthy units could be built.
17 I urge you to please say no to the rezoning of this
18 project. Thank you for considering.

19 CHAIRPERSON RILEY: Thank you. We have one
20 more person with this panel so I'm going to call on
21 Catherine Lazure.

22 Catherine, if you can hear me, please
23 unmute and you may begin.

24 SERGEANT-AT-ARMS: Starting time.

2 CATHERINE LAZURE: Hi. I've lived in this
3 neighborhood since 1985, and when I first moved here,
4 there was not much of a park at all in what we call
5 Upper Riverside Park now, from 135th to like 145th.
6 It was a lot of, like the whole hillside between 135
7 and 138 that we see going from Riverside to 12th
8 Avenue was simply just dirt, and I was there at the
9 very beginning in 1997 volunteering with Jenny
10 Benitez and many groups of volunteers to take an
11 abandoned hillside full of, you know, needles and
12 crack paraphernalia and all kinds of garbage and you
13 name it, and it took decades to clean up that area
14 and make it what it is now, a verdant and beautiful
15 part of the neighborhood. It's a huge asset and a
16 very rare oasis in this area to have green space.
17 We're very lucky to have it, and it would totally
18 negatively impact that whole hillside. It would
19 become shaded, and it would not have the feeling of
20 being an open park. It would feel like there's a big
21 development right in front of it and, yes, like
22 Gabrielle Ortiz was saying, that rendering is
23 misleading because the eight stories would actually
24 start, like when, if you actually walk on Riverside
25 Park vis-a-vis the location that is proposed, the

2 building I mean, the rooftop as it is now, we can
3 see, so we would see eight stories above what we can
4 already see. It would basically be a huge wall behind
5 that area, and I have a river view. I'm very
6 fortunate, and it would, you know, it would be a huge
7 obstruction as well in my apartment as well as other
8 residents, but not just for the residents who have
9 views. Obviously all the many, many people in West
10 Harlem who walk by here and enjoy Riverside Park and...

11 SERGEANT-AT-ARMS: Your time has expired.

12 CATHERINE LAZURE: Okay. Thank you.

13 CHAIRPERSON RILEY: Thank you. Are there
14 any Council Members with questions for this panel?

15 There being no questions for this panel,
16 this witness panel is now excused.

17 Counsel, are there any more members of
18 the public who wish to testify on LUs 151 and 152?

19 COMMITTEE COUNSEL VIDAL: No, Chair.

20 CHAIRPERSON RILEY: There being no other
21 members of the public who wish to testify on LUs 151
22 through 152 regarding the special permit application
23 related to the 135th Street Rezoning Proposal, the
24 public hearing is now closed and the items are laid
25 over.

2 The first proposal we are voting on today
3 is to approve LUs 132 through 136 relating to the MSK
4 Pavilion proposal in Council Member Menin's District.
5 The requested actions are to expand the existing
6 hospital campus and construct a new building
7 dedicated to surgeries. The proposal consists of five
8 actions. The first is a zoning map amendment to
9 change an existing residential R8 district to an RN
10 residential district. The second action is to modify
11 the provisions that govern large-scale community
12 facility developments to extend to lot coverage and
13 sign regulations. The third action is to seek a
14 special permit for height and setback, lot coverage,
15 and signage waivers. The fourth action seeks the
16 approval of a revocable consent to a build a
17 skybridge that will connect the proposed new building
18 to the existing hospital facilities. The fifth action
19 is to cancel a restrictive declaration that will no
20 longer be applicable. Council Member Menin supports
21 this proposal, and I would just like to recognize
22 Council Member Menin to give any remarks regarding
23 this proposal.

24 COUNCIL MEMBER MENIN: Thank you so much,
25 Chair Riley. After long conversations and discussions

2 with Memorial Sloan Kettering, with the Community
3 Board, with the surrounding community, with PS183,
4 which is across the street, this cancer treatment and
5 research institution will be able to rezone and build
6 a new 31-story hospital known as the MSK Pavilion
7 with approximately 28 operating rooms and 206 patient
8 beds on the east side of Manhattan at York Avenue
9 between 66th and 67th Street.

10 Since the Subcommittee held their public
11 hearing, a number of vital agreements have been
12 reached to provide additional environmental and
13 public health risk mitigation including, and I want
14 to say many of these items actually exceed what the
15 city, state, and federal laws and regulations
16 require, so first of all, additional crossing guards
17 during school drop-off and dismissal, independent
18 real-time air quality monitoring as MSK has agreed to
19 underwrite the expense of a third-party environmental
20 engineer for the adjacent elementary school, PS183,
21 requiring all vehicles to be washed down as a
22 precautionary dust mitigation measure, investing in a
23 continuous 10-foot high sound barrier to diminish
24 construction noise, increasing the height of sidewalk
25 scaffolding from 8 feet to 12 feet, reimbursing

2 buildings determined to be affected for purchases of
3 new AC units for individual apartments as well as AC
4 filters upon request to improve efficiency and lower
5 energy costs, replacing diesel-powered tower cranes
6 with all-electric tower cranes to reduce both noise
7 and emissions, providing new air conditioners and new
8 air filters for PS183.

9 In addition to the environmental and
10 public health risk mitigation measures which my
11 office has negotiated, we have also negotiated
12 upgrades to the following City-owned facilities, and
13 they will be funded, including a new playground and
14 schoolyard resurfacing for PS183, replacement of the
15 gymnasium flooring for PS183, complete renovation of
16 24 Sycamore's playground, which will be reconstructed
17 and will renovate both playgrounds as well as the
18 basketball and handball courts, renovations to East
19 72nd Street cul-de-sac to finally provide a green
20 space that the community has been fighting so long
21 for, so very proud to be able to announce that, as
22 well as 500,000 dollars for the PS183 PTA.

23 New York City needs and deserves cutting-
24 edge, life-saving care to address the exploding and
25 rising cancer crisis, and I thank Memorial Sloan

1 Kettering for agreeing to not only meet, but to
2 exceed the environmental requirements to assure
3 constituents with the confidence that they are doing
4 everything possible to protect the health and well-
5 being of New Yorkers and to limit the carbon
6 footprint of this project. As part of the rezoning,
7 Memorial Sloan Kettering has shown their commitment
8 to the community by providing over 10 million dollars
9 towards vital construction mitigation measures and
10 community investment that will revitalize outdoor
11 space in what is one of the densest neighborhoods in
12 Manhattan. By working with the applicant and the
13 community, we are ensuring that this development
14 aligns with the priorities of Manhattan Community
15 Board 8, Memorial Sloan Kettering's Construction
16 Working Group, PS183, and area residents. I want to
17 thank the City Council Land Use Staff who've worked
18 hard on this. I want to thank my team as well for
19 their hard work, and I want to thank the Chair for
20 allowing me to speak, and I urge all Members of the
21 Subcommittee to vote yes on this project. Thank you.

23 CHAIRPERSON RILEY: Thank you, Council
24 Member Menin.

2 The second vote is to disapprove LU 155
3 relating to the application by Cozy Corner for a
4 sidewalk cafe in Council Member Holden's District in
5 Maspeth Queens. The Subcommittee held a public
6 hearing on September 17, 2024, during which Council
7 Member Holden raised a number of concerns about the
8 application.

9 Council Member Holden has provided the
10 following statement explaining why this disapproval
11 is warranted, which he has asked that I read into the
12 record.

13 Thank you, Chair Riley and Members of the
14 Subcommittee for the opportunity to address you
15 regarding the application number D 2450082809 SWQ
16 Cozy Corner Bar, seeking a revocable consent to
17 operate a sidewalk cafe at 60-01 70th Avenue in
18 Ridgewood within Community District 5. I oppose this
19 application because the combination of the sidewalk
20 cafe and the outdoor dining is excessive. This
21 sidewalk is a critical public pathway located in a
22 heavily congested area, and private entities should
23 not monopolize public space for profit, especially in
24 such a heavily trafficked area. During the September
25 17th Subcommittee hearing, the owner made light of

2 the concerns I raised about fire trucks having
3 trouble passing by, sanitation trucks being unable to
4 complete their work, and the narrow streets making it
5 difficult for vehicles to bypass. The lack of genuine
6 concern coupled with the owner's unwillingness to
7 address these safety and accessibility issues by
8 removing the outdoor dining setup only compounded my
9 opposition. Had the owner sincerely considered the
10 community's safety and willingness to eliminate the
11 roadway dining that exacerbates the problem, I may
12 have considered a different approach to this vote.
13 Additionally, we have received complaints from
14 residents, and the owner failed to provide evidence
15 of community support for both the roadway dining and
16 sidewalk cafe. Ridgewood is a heavily congested
17 community with many pedestrians utilizing sidewalks
18 and cars being parked. This establishment has shown
19 disregard for both pedestrian and vehicular needs.
20 Given these issues, I urge my Colleagues to vote no
21 on this sidewalk cafe application. The establishment
22 has not demonstrated a genuine commitment to working
23 with the community, and approving this application
24 will set a concerning precedence. Thank you for
25 considering my position on this matter.

2 Moving to the third vote on today's
3 schedule, which is to approve LU 154 relating to the
4 application by Seis Vecinos for a sidewalk cafe that
5 we held a hearing for today. Seis Vecinos seeks to
6 continue operating outside seating, and Chair
7 Salamanca supports this proposal.

8 The fourth vote is to approve LU 137
9 relating to 150 Mill Street rezoning proposal for a
10 manufacturing and office development in Council
11 Member Avilés' District. The proposed development
12 site today consists primarily of one-story buildings
13 along the edge of the Gowanus Industrial Business
14 District. Applicant is proposing a multi-story
15 building with industrial use on the first two floors
16 and office space above. The proposal consists of one
17 action, a rezoning from a manufacturing M1-1 district
18 to an M1-5 district. Although M1-5 is also a
19 manufacturing district, its building form allows for
20 more office space. Council Member Avilés, I would
21 like to give you the floor to explain your position.
22 Thank you.

23 COUNCIL MEMBER AVILÉS: Thank you so much,
24 Chair. So this project has been long in the making
25 with conversations predating my tenure at the New

2 York City Council and starting up once again as I
3 took office. I don't know why I'm getting this
4 feedback. Is that okay? I don't want to hurt anyone's
5 eardrums. Okay.

6 I noted at the time to the applicant that
7 preserving our industrial business zones is of
8 critical importance to me and, throughout this
9 period, this Council and the City has been working to
10 strengthen the protections of these industrial
11 business zones to ensure economic opportunities are
12 preserved for working people throughout New York
13 City. Unfortunately, it took the applicant until the
14 11th hour to get this point and to understand our
15 stated policy objectives were real. Nevertheless,
16 given these peculiarities of the property, the
17 applicant with new commitment of allocating
18 approximately 25 percent to light industrial
19 manufacturing, a reduced height to six stories, and
20 commitments to allocate space for community use, I
21 feel this project more closely reflects the
22 development objectives we have set forth for our
23 community. I look forward to DCP solidifying zoning
24 requirements that further protect and enhance our
25 IBZs as promised through the City of Yes negotiations

1 so that Council Members will have more tools at their
2 disposal in these types of negotiations and in the
3 interim expect similar developments to meet
4 expectations set forth in our land use proposals and
5 certainly by our City that industrial manufacturing
6 land is important to protect and preserve. With the
7 expectation that the applicant will be a good and
8 responsible and responsive neighbor during
9 construction and meet its stated commitments, I'm
10 supportive of this project. Thank you, Chair.

12 CHAIRPERSON RILEY: Thank you, Council
13 Member Avilés.

14 The fifth and final vote is to approve
15 Pre-Considered Land Use applications regarding the
16 2390 McDonald Avenue Rezoning Proposal in Council
17 Member Yeger's District. The proposal seeks to
18 develop a residential mixed-use building with
19 approximately 80 units. The proposal involves two
20 actions. The first action is to rezone a commercial
21 C8-1 District to a C4-4L District which allows both
22 commercial and residential uses. The second action is
23 a zoning text amendment to map Mandatory Inclusionary
24 Housing over the rezoned area which will result in

2 approximately 20 to 24 permanently affordable units.
3 Council Member Yeger supports this proposal.

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

6 COMMITTEE COUNSEL VIDAL: No.

7 CHAIRPERSON RILEY: I now call for a vote
8 to approve LUs 132, 133, 134, 135, and 136 relating
9 to the MSK Pavilion Proposal, to disapprove LU 155
10 relating to Cozy Corners application for a sidewalk
11 café, to approve LU 154 relating to the Seis Vecinos
12 application for a sidewalk café, to approve LU 137
13 relating to the 150 Mill Street Rezoning Proposal,
14 and to approve Pre-Considered LUs relating to 2390
15 McDonald Avenue Rezoning Proposal.

16 Counsel, please call the roll.

17 COMMITTEE COUNSEL VIDAL: Chair Riley.

18 CHAIRPERSON RILEY: Aye.

19 COMMITTEE COUNSEL VIDAL: Council Member
20 Moya.

21 COUNCIL MEMBER MOYA: I vote aye.

22 COMMITTEE COUNSEL VIDAL: Council Member
23 Abreu.

24 COUNCIL MEMBER ABREU: Aye.
25

2 COMMITTEE COUNSEL VIDAL: Council Member
3 Hanks.

4 COUNCIL MEMBER HANKS: I vote aye.

5 COMMITTEE COUNSEL VIDAL: Council Member
6 Schulman.

7 COUNCIL MEMBER SCHULMAN: Permission to
8 explain my vote.

9 CHAIRPERSON RILEY: Permission granted.

10 COUNCIL MEMBER SCHULMAN: Thank you. I
11 just want to say that as Chair of the Health
12 Committee and as a breast cancer survivor, I think
13 it's very important for MSK to be able to add
14 operating rooms in a city where the cancer rates are
15 pretty high, especially with cancers that are now
16 like very specific in terms of rare cancers and they
17 do a wonderful job with that. I also want to say that
18 based on the testimony when I was here the last time,
19 the mechanicals, you know, people think that because
20 it's a big building that they have all the space.
21 They don't. There's mechanical space there. As
22 somebody who worked in a City hospital prior to
23 becoming a Council Member, I can tell you that there
24 are big entities that have space that they cannot
25 use, that are totally unusable, I should say so, with

2 that, I'm very proud to vote for this, and I also
3 want to say that I did hear the community and some of
4 the issues that they brought up, and I'm very
5 confident that Council Member Menin, first of all,
6 she got a lot of give-backs and that was great, she's
7 got a lot of stuff for the community, but she also is
8 someone who will hold MSK responsible in terms of the
9 process along the way of the construction and
10 everything else and so, with that, I vote aye.

11 CHAIRPERSON RILEY: Thank you, Council
12 Member Schulman.

13 COMMITTEE COUNSEL VIDAL: Council Member
14 Carr.

15 COUNCIL MEMBER CARR: Aye on all.

16 COMMITTEE COUNSEL VIDAL: By a vote of six
17 in the affirmative, zero opposing, and zero
18 abstention, the items are approved as described by
19 the Chair, and all items are referred to the full
20 Land Use Committee.

21 CHAIRPERSON RILEY: Thank you, Counsel.

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

2 participating in today's meeting. This meeting is
3 hereby adjourned. Thank 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 October 7, 2024