

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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October 23, 2025
Start: 11:11 a.m.
Recess: 12:45 p.m.

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

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

COUNCIL MEMBERS:

Shaun Abreu
David M. Carr
Yusef Salaam
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Chi A. Ossé
Diana Ayala
Crystal Hudson

A P P E A R A N C E S

Ben Stark, land-use attorney from Hirschen
Singer and Epstein

Danielle Minelli Pagnotta, Executive Director of
Providence House

Kimberly Murphy, Project Architect from
ESKW/Architects

Jay Goldstein, Goldstein Law

Brian Cook, Brown and Weinraub

Soly Bawabeh, owner of 1720 Atlantic Avenue

Justin Jarboe, Goldstein Law

Micah Sander, SEIU Local 32BJ

Paul Januszewski, Vice President in the MTA's
Transit Oriented Development Group

Judith Gallant, Land Use Attorney at Bryan Cave

Jordan Fraade, Senior Business Planner at the
Department of City Planning and liaison for
Community District 8

Alex Sommer, Director of the Brooklyn office of
the Department of City Planning

Christopher Leon Johnson, self

SERGEANT-AT-ARMS: Mic check, mic check, mic check, mic check. Subcommittee on Zoning and Franchise. Today's date is October 23, 2025, Hearing Room 3, recorded by Walter Lewis.

SERGEANT-AT-ARMS: Good morning, and welcome to the New York City Council Committee on Zoning and Franchises.

Please place your phones on vibrate or silent mode.

At any time during this hearing, do not approach the dais.

Chair Riley, we are ready to begin.

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

Today, we are holding a public hearing including Pre-Considered LU 1720 Atlantic Avenue Rezoning in Brooklyn, Pre-Considered LUs 699 to 703 Lexington Avenue Rezoning in Brooklyn, Pre-Considered LU MTA 125th and Lexington Avenue Rezoning in Manhattan, Pre-Considered LU AAMUP follow-up action,

and finally LU 392 which is Long Island City Neighborhood Rezoning Mapping Action, which is a component of the Administration's Long Island City Neighborhood Rezoning Plan for which this Subcommittee held a public hearing on the related ULURP actions on September 17th.

Also, I want to note that the following items which are on today's agenda will be laid over to the next meeting of the Subcommittee on October 29th. This includes LU 397 for the 74 Bogart Street rezoning, LUs 398 and 399 for the 78-01 Queens Boulevard Rezoning, and LU 403 for the Ovi's Place Sidewalk Cafe Revocable Consent. We will not be voting on these items today.

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 Sergeant-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 to submit instead of appearing here 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 and/or project name in the subject line of your email.

We request that the 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 submit transcripts of such recordings to Sergeant-at-Arms for inclusion in the hearing record.

I will now open the public hearing on Pre-Considered LU items for 699-703 Lexington Avenue Rezoning for two applications by a private applicant seeking a zoning map and zoning text amendment to change an R6B zoning district to an R6A zoning district, as well as a designation of a mandatory inclusionary area. These actions will facilitate the development of a six-story community facility building with sleeping accommodations with approximately 85 transitional housing units and community office space located in Council Member Ossé's District in Brooklyn.

For anyone wishing to testify regarding this proposal remotely, if you have not already done so, 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 Sergeant-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 would now like to give the floor to Council Member Ossé to give his opening remarks.

COUNCIL MEMBER OSSÉ: Thank you so much, Chair Riley, and good morning to everyone.

Today, as you said, the Subcommittee on Zoning and Franchises will be hearing two land use applications in my District.

The first application is for 699-2703 Lexington Avenue. That's a rezoning for Providence House, a non-profit organization in my District, has been a staple of the Bed-Stuy community for years, and I'm pleased to receive their application. This proposal will enable Providence House to expand its existing site to construct a new six-story facility with 85 transitional housing units and on-site supportive services for women and gender non-conforming individuals. Transitional housing is a vital resource for New Yorkers in my District, and

I'm glad to see their efforts expanding to such an accessible and transit-rich neighborhood. I look forward to their continued work in Bed-Stuy, which will provide much-needed transitional housing and supportive services that help residents move towards stability and independence.

The second rezoning is for the 1720 Atlantic Avenue Rezoning, and I have a few concerns regarding this application. Earlier this year, Council Member Hudson and I completed a lengthy public review process for the Atlantic Avenue Mixed-Use Plan, and while this project is situated just east of the plan area, this section of my District is quite different from the AAMUP corridor. I have been, and will always remain, a pro-housing Council Member. However, I want to emphasize the urgent need for more deeply affordable housing, both in my District and across the city. I'm concerned that this particular proposal could contribute to displacement pressures in this part of central Brooklyn. I recognize that Atlantic Avenue is a corridor of great interest to many real estate developers, and that we are in the middle of a housing crisis. Still, the City must be intentional about future development along Atlantic

Avenue. We must prioritize building deeply affordable housing for New Yorkers and not risk the displacement of our neighbors. I appreciate the applicant's forthcoming presentation, and look forward to their responses to these concerns.

Yeah, I think that's my entire testimony. Thank you very much, Chair.

CHAIRPERSON RILEY: Thank you. We're going to be hearing the Lexington application first, and then we're going to be doing the following application.

I will now call the applicant panel for this proposal, which consists of Ben Stark, Kimberly Murphy, and Danielle Minelli.

Counsel, can you please administer the affirmation?

SERGEANT-AT-ARMS: Applicants, would you please raise your right hands, and I will ask you in turn to affirm the following.

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

Ben Stark.

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BEN STARK: Yes, I do.

COMMITTEE COUNSEL HUH: Kimberly Murphy.

KIMBERLY MURPHY: Yes, I do.

Danielle Minelli Pagnotta.

DANIELLE MINELLI PAGNOTTA: Yes, I do.

COMMITTEE COUNSEL HUH: 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. Just ask please reinstate your name and organization for the record.

BEN STARK: Hi. Thank you, Chair Riley. My name is Ben Stark. I'm a land-use attorney from Hirschen Singer and Epstein, for the applicant, Providence House joined today, as you introduced, Danielle Pagnotta, Executive Director of Providence House, and Kimberly Murphy, Project Architect from ESKW/Architects. This is a zoning map amendment on Lexington Avenue between Stuyvesant and Malcolm X. As you'll see in just a moment, this is a modest rezoning that would bend the line, so to speak, by bringing an existing R6A district over the balance of

Providence House's property, which is currently zoned R6B toward the mid-block in Lexington Avenue.

In our presentation here, I just want to clear, I just say next slide and it carries forward? Thank you. This building here, this will replace Providence House's existing headquarters and existing transitional housing facility with a new modern 85-unit Use Group 3 transitional housing facility for, as you mentioned, women and gender non-conforming individuals. Next slide, please.

So I'm going to let Danielle give you a little introduction on Providence House before we get into the meat of the rezoning itself.

DANIELLE MINELLI PAGNOTTA: Good morning, Danielle Minnelli Pagnotta, Executive Director of Providence House. Thank you, Chair Riley and Council Member Ossé. It's a pleasure to see you both and the rest of the Committee.

I've been the Executive Director for eight years at Providence House, and we have been at that spot in the community for over 25. We cut our teeth working with women and families coming out of incarceration and homeless situations for many years. We've been doing that for over 45 years. We have

seven residences across Brooklyn, three others that are actually in the Bed-Stuy neighborhood and they're permanent residences, and we really saw this building as an opportunity to expand our work. We're currently serving women coming out of incarceration at this location, and this redevelopment is really us putting our biggest asset as an organization on the table to expand our reach and serve more women, but also sink our flag deeper into the ground where we've been for a very long time. The plan is to have our administrative offices co-located with the program site where we will be able to serve 85 women. This is a project we had started feasibility work back in 2020 on to really think about what's the best way that we could serve this population. And with the help of Kimberly and ESKW, we did a really deep dive on thinking about how we could best serve a population of women with serious histories of trauma. And you'll see from the layout as we go through the presentation that this is not just kind of a run-of-the-mill transitional housing facility. This is a lot of thought about kind of the best way to serve these women in a community setting, but help provide some dignity and independence for them.

BEN STARK: Next slide, please. You want to do location?

DANIELLE MINELLI PAGNOTTA: Yeah, sure. So, as I mentioned, we have some other permanent residences in the area. We're on Kosciuszko with a 46-unit permanent supportive housing site, and then we're on Halsey and Hancock, a couple blocks away from each other with 10- and 11-unit little suite buildings of permanent supportive housing for people coming out of shelter. We also have a couple of other residences in Prospect Lefferts Gardens and a family shelter out in East Newark, as well as one up in New Rochelle.

BEN STARK: Next slide, please. So, as I mentioned in our introduction, this is a rezoning of Providence House's existing headquarters and transitional housing facilities on Lexington. It's a little tough to see on the screen, sort of for those of us in the room, but the western edge of Providence House's assemblage here is already zoned within an R6A district that runs north and south along Stuyvesant, but leaving the eastern majority, maybe three quarters of the total assemblage in a mid-block R6B.

The proposal, next slide, would be to move this R6A district over the balance of the property to facilitate the proposed development. The image on the screen here gives you a better sense of what this existing portfolio looks like with the two existing transitional housing facilities there on the left and Providence House's current headquarters there in the white building on the right. All of these uses will be incorporated into the new building, as we'll show in a little bit when we go through the floor plans, but in a new modern space befitting this important program. Next slide.

DANIELLE MINELLI PAGNOTTA: Yeah. Just a quick note, Providence House is really kind of the leader in women's services for women coming out of jail and prison, and just to note that there are two other male facilities like this in the city, but not one for women, so we see this as an opportunity to build the first purpose-built site for women coming out of Rikers. As everyone probably knows, there's upwards of 500 women on Rikers right now. By serving 85 women, we'd be able to take a good chunk off the island and bring them into the community.

BEN STARK: Next slide. So, as I had already introduced a few times, the rezoning is modifying this R6A district running north to south along Stuyvesant, but it's one that is not a particularly consistent context. The R6A in certain places sawtooths along blocks where existing pre-war context had demanded a higher permitted FAR that couldn't be accommodated by R6B. Other avenues that are serving more of an east-west conduit see this mid-density zoning. So, we have other areas in our city where an avenue and mid-block zoning context is more consistent. Here, our understanding is that the Bloomberg Administration had mapped this spread of R6A and R6B to try and reflect existing development patterns. And in some regards, there could have been other slices of history where this site was already zoned R6A. Next slide.

And I say that because as we start to look at Providence House's existing transitional housing buildings there, the four-story walk-ups, these are overbuilt for the R6B. So, in some respect, the R6B does not reflect the current site conditions and might not reflect the current site conditions on Green Avenue to the north where there's a number of

other four-story walk-up buildings that exceed the permitted FAR for R6B. So, next slide.

This is all in a wider argument as to the appropriateness of this mid-density zoning district here and the modest character of the rezoning action itself. Putting the R6A in place on this corner, just looking ahead, really, in our view, anchors the corner of Stuyvesant and Lexington as a place where our future residents of this building will call home, will begin to integrate with the community, and really make this a place that they feel warm and welcome to return home to at the end of the day. I also feel like it's the right time to give a better explanation why we call this transitional housing, but in a lot of respects, this is not what we think of when we think of temporary stay transitional housing. The average or the typical client of Providence House will stay anywhere from a year to 18 months. So, it really reflects more of a, I don't want to use the word permanent residence because it's not truly permanent residence, but it's certainly not a day-to-day shelter dynamic that maybe some would picture when they think of the concept of transitional housing. The need to identify this use

as a Use Group 3 non-profit institution with sleeping accommodations comes out of the programming to be able to build units that don't have independent kitchens, basically. If we had tried to construct this as Use Group 2 residential, then each one of these units would be required to have an independent kitchen, an independent bathroom, and then the volume, the unit count that we could provide, the need that we could meet would be significantly less within the density that we're proposing to construct here. So, the non-profit institution with sleeping accommodation use classification gives us the flexibility to build what amounts to, in practice, a sort of single room occupancy use, which is actually very unique for a transitional housing facility, and, as you'll see in a little bit, offers a dwelling accommodation that really offers these clients the best opportunity to feel like they hold something unto themselves, they're not in a shared space, and gives themselves a door to close at the end of the night and a private home for themselves. Next slide.

KIMBERLY MURPHY: Hello, good morning or afternoon, whatever it is. My name is Kimberly Murphy. I'm an architect, a partner at

ESKW/Architects. My practice is focused solely on working with non-profit organizations for community-based organizations for housing and shelter.

So, what we did starting in 2021 was a deep dive on the three existing buildings. Two of them were already used as sort of shelter and transitional housing, and then the third building is their administrative offices, and they're not well-utilized, and they needed to be more organized, and they were kind of out of date. We couldn't combine the buildings. We looked at building new on one and keeping the two others, and it just didn't ever get us to a capacity that made sense. So, what ended up making sense was coming up with a new building, and in order to design that new building, we did a lot of community engagement and work with the former residents, women who have experience with incarceration, staff, community members, etc. So, what we ended up designing is sort of five identical floors over a shared floor on the ground floor.

BEN STARK: Next slide.

KIMBERLY MURPHY: Each of these identical floors sort of serves as a community. If you go to the next slide, you'll see kind of how special, sorry

the next slide after this, how special our floor plan is in that it anchors the community spaces in the middle. This was really born out of a need for women to feel like they have a space to go, where they have some autonomy over themselves, some agency, but they also have the structural support of the organization to help them with their transition. So, each of these is a single room with a door that locks, and then in the middle of the floor would be the shared kitchen and community spaces. Also, to level up the sense of dignity, it was really important to give individual bathrooms, shower, toilet, lavatory to each of the little wings. So, there's four wings that support each of about four women in each room. So, they don't have a gang type bathroom. So, this was really important, and it kind of came out of our conversations. So, if we weren't able to get an extended zoning change, we wouldn't be able to provide all of these rooms, and this size of building, it wouldn't have been feasible for any of the agencies. It would have been too small. So, that's why we're asking for the zoning change.

DANIELLE MINELLI PAGNOTTA: Just to wrap up, I think we'd all agree that housing is a

stabilizing factor for people coming out of incarceration, and at Providence House, we really look to create that stabilizing factor with a sense of dignity, a sense of community. We've done this for a really long time. Women coming through our program typically don't go back into incarceration. Our retention rate is over 95 percent, and we think this is the right model going forward to serve women in this setting.

So, thank you all for your time and for your consideration. We really appreciate it.

CHAIRPERSON RILEY: Thank you for your presentation.

I just have one question that I'm going to pass to Council Member Ossé.

Although the current plan contains no permanent residential use, you're mapping the site as an MIH area, Option One And Two. Can you explain, for the benefit of public watching, why MIH is being mapped here?

BEN STARK: Sure, I'll take that question. Our understanding is that this is policy of the City, that any rezoning to a residential district, or rezoning from a residential district to a residential

district permitting higher residential FAR, must be accompanied by a zoning text amendment to adopt an MIH area. It won't be applicable to this proposed development, but it will, of course, run with the site. It is a legislative change and would govern development upon this zoning lot should a residential development ever be proposed. Of course, that's not what's intended here. We're hopeful that, with the conclusion of the ULURP process, should we be so fortunate to have this be approved, that we'll move immediately to be filing for the proposed community facility use, which would, at least for this project, render the MIH component sort of nil. But, be that as it may, it's there and it will govern residential development should that ever happen.

CHAIRPERSON RILEY: Thank you, Ben.

Council Member Ossé.

COUNCIL MEMBER OSSÉ: Thank you so much, Chair, and thank you so much for that presentation and all of the amazing work that you do within our great borough.

What services, and you spoke a little bit to this, but could you expand on what services will be provided in some of the new spaces?

DANIELLE MINELLI PAGNOTTA: Yeah,
absolutely.

COUNCIL MEMBER OSSÉ: That don't currently
exist in the current site?

DANIELLE MINELLI PAGNOTTA: Right. I think
the major change is really on the physical plant
changes. We currently have a psychiatric nurse
practitioner in a couple days a week. We are planning
to have one full-time along with the needs of the
population, and we would probably also increase our
creative arts therapy. Right now, we layer private
foundation funding on top of City funding to really
create a more clinically focused program, and we
would continue that. So, we have social workers,
licensed clinicians. It's not just kind of, you know,
folks doing access control. There's a little bit
more, and we would continue to do that going forward.

COUNCIL MEMBER OSSÉ: That's terrific, and
how do you plan on continuing your operations during
demolition and construction?

DANIELLE MINELLI PAGNOTTA: So, we
currently have this project spread across two sites.
Our other site is in Prospect Lefferts Gardens, where
we serve about half of the population of 43. We would

continue to do that. Either take down the portion that's living in the two red buildings, but potentially also leverage our relationship with the Brooklyn Diocese to move into a site for a couple years to house those 25 women, and then we have about 15 staff. It's all of our administrative staff working out of that office, and luckily or unluckily, COVID gave us a roadmap for how to kind of work on the fly. So, we would probably put many of our staff in some of our other residences and then couple that with some remote work.

COUNCIL MEMBER OSSÉ: Great. Those are all the questions I have. I'm supportive of this project and really appreciate the work that you do.

DANIELLE MINELLI PAGNOTTA: Thank you.

CHAIRPERSON RILEY: Thank you.

There being no more questions, this panel is excused.

BEN STARK: Thank you, Council Member.
Thank you, Chair Riley.

DANIELLE MINELLI PAGNOTTA: Appreciate your time.

CHAIRPERSON RILEY: There being no members of the public who wish to testify on Pre-Considered

LUs 699-703 Lexington... He has to indicate which one he wants to testify against. All right.

Sergeant, can you tell this person they have to indicate which one they want to testify? Thank you.

There being no members of the public who testify who wish to testify on Pre-Considered LUs 699-703 Lexington Avenue Rezoning, the public hearing is now closed, and items are laid over.

I will now open the public hearing on Pre-Considered LU items for a project known as 1720 Atlantic Avenue Rezoning.

Oh, before I begin, we've been joined by Council Member Salaam and Deputy Speaker Ayala.

Two applications by a private applicant for a zoning map and zoning text amendment to change an M1-1 zoning district to a C4-4D, R7A, and R7A-C2-4 zoning districts, as well as a designation of a Mandatory Inclusionary Housing area. These actions will facilitate the development of a 13-story mixed use building with approximately 300 residential units, including approximately 75 income-restricted units located in Council Member Ossé's District in Brooklyn.

Council Member Ossé gave his opening remarks regarding this project, so I will now call for the applicant panel for this proposal, which consists of Brian Cook, Jay Goldstein, Justin Jarboe, and Soly Bawabeh.

Counsel, can you please administer the affirmation?

COMMITTEE COUNSEL HUH: Applicants, would you please raise your right hands and answer the following?

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

Brian Cook.

BRIAN COOK: Yes.

COMMITTEE COUNSEL HUH: Jay Goldstein.

JAY GOLDSTEIN: Yes.

COMMITTEE COUNSEL HUH: Justin Jarboe.

JUSTIN JARBOE: Yes.

COMMITTEE COUNSEL HUH: Soly Bawabeh.

SOLY BAWABEH: Yes.

COMMITTEE COUNSEL HUH: Thank you.

CHAIRPERSON RILEY: Thank you. I'll just please ask that you please reinstate your name and organization for the record, and you may begin.

JAY GOLDSTEIN: Good morning, Chair Riley, Council Members. Thank you for having us this morning. My name is Jay Goldstein on behalf of the Bermuda Realty, the Bawabeh family. I'm joined today with Brian Cook from Brown and Weinraub, Soly Bawabeh, the owner of the site, Justin Jarboe from my office. We're here today for a proposed rezoning or zoning map amendment of a one-story shopping center at the corner of Atlantic Avenue, Schenectady Avenue, and Pacific Street. We're also here to ask for a zoning text amendment to map Option One of MIH to require at a minimum 25 percent affordability at 60 AMI. Next slide, please.

The site itself has been zoned M1-1 since 1961. The development site itself has approximately 48,000 square feet of lot area. The existing facility, which you can see on your left, is a one-story shopping center that occupies about 28,000 square feet. It has multiple stores and variety of commercial stores in that shopping center. The proposal would facilitate the construction of

approximately 300,000 square foot building. It would be mixed use with approximately 230,000 square feet for residential, consisting of 300 units. Chair Riley, I believe there's a mistake in the numbers. It's actually 84 affordable units as opposed to 72. The remainder of the building, the first and second floor, would have up to 70,000 square feet of commercial and community facility space, which we are working with our existing tenants in the building to facilitate them coming back at the conclusion of construction, which was something that the community itself was very supportive of because this site does have, with specific concern, the supermarket which we would bring back into a larger and more updated facility that benefits the community. The building would have 116 parking spaces, and while parking is not 100 percent mandatory in this site, we believe and the community felt that it was very important to have parking to accommodate the residential tenants as well as the commercial and community facility uses as well. The parking would be off of Pacific Street, which would allow the parking and the commercial loading and unloading to happen off the street and not impacting the street system. Next slide, please.

As you can see, the proposal would facilitate the rezoning from M1-1 district to a C4-4D along Atlantic Avenue, R7A with a C2-4 overlay along a portion of Schenectady Avenue, and R7A along the interior portion of Pacific Street. Next slide.

This site itself has 270 feet of frontage along Atlantic Avenue, and the way this was designed is that the massing of the building and the real bulk of the building would be along Atlantic, and the transition or step down in the zoning from Atlantic towards Pacific would facilitate a step down in the building so that there's texture to the building, but it also doesn't create a mass directly across from the other residential, so it creates a nice transition between the higher density to what's existing. We'd have 200 feet of frontage along Schenectady, 100 feet would be in the C4-4D with 100 feet in the commercial overlay, and then 110 feet along Pacific, that's R7A. Next slide, please.

So, as mentioned, the site itself is an underutilized site. It occupies about half of the lot area of the building and has a number of multiple commercial tenants within the building. The site itself is unique in that it provides us the

opportunity to provide residential, provide community facility, and maintain commercial, without displacing any residential tenants at the site. Next slide, please.

With the passing of City of Yes, the proposal didn't increase that much. The real change to the project was along the R7A, which increased the building from 278 units to 300 units and allowed us to increase the number of affordable units from 70 to 84. Next slide.

Here's a massing of the building. As mentioned, the real taller bulk of the building is along Atlantic Avenue with the step down to four stories at some portions, five stories and six stories throughout, and the building itself is designed to have an interior court as well as a number of open spaces along the rooftops to provide amenities and open space to the tenants in the building. And as you can see, we'll have roughly 70,000 square feet between the first and second floor for commercial and community facility with residential above. Next slide.

The proposal, again, is 300 units, 25 percent, which would be option one is what's

required. The building itself is proposing 28 percent of the units to be affordable, which is the 84 unit number. Next slide.

The unique aspect and in response to comments from the community board, the building was designed to have about 50 percent or 51 percent of the units being two- and three-bedroom apartments with studios and one-bedrooms being making up the remainder of the building. The thought process behind this was to create a community and not to create transient housing. With many of the other projects that the Council sees, you'll see a lot more one bedrooms or studio apartments. Here, we have 150 or so units that can accommodate families that can stay in the neighborhood, and then we also felt it important to have housing for community members that are downsizing or young couples that are just starting out or college students that wish to live in the neighborhood that would benefit from having studios and one-bedrooms. Next slide, please.

In line with AAMUP, we feel that this project does create a vibrant mixed-use building that would benefit the neighborhood by providing much-needed community facility and commercial space and

providing housing and affordable housing at varying unit sizes. Next slide.

The proposed building with the 84 units, it amounts to a 20 percent increase to the overall affordable housing that's available in this neighborhood. Right now in CB8, there are 405 units available, and this would represent a 20 percent increase to that number. Next slide.

The building itself would be updated to have renewable energy, efficient lighting. It would have outdoor space with water conservation, and it would really be an energy-efficient building that would provide open spaces and energy efficiency to the community and to this building. Next slide, please. Next slide. Next slide, sorry.

I don't know what happened to our renderings, but we have pretty renderings of the three façades of the building along Atlantic, along Schenectady, and along Pacific Street. And you'll see from those that we did take a lot of effort and time and utilized a lot of resources to provide a building that does have texture and transition and is not a box in a corner. It is a building that's well-

designed and well-thought-out, responsive to the needs of community.

We're happy to answer any questions.

Yeah, we've submitted them. We have hard copies for the Council, and if you want additional copies, we're happy to submit them.

CHAIRPERSON RILEY: Yeah. I wanted to check out the rendering, so I'll check it out.

But just to jump into my question, and so I could pass it to the Council Member Ossé.

Why did you select the C4-4D/R7A and R7A/C2-4 district for this project?

JAY GOLDSTEIN: So the C4-4D was really an effort to match a bulk that we believe on Atlantic Avenue can accommodate a larger footprint or a larger building with a taller building. And we chose the R7As with the commercial overlay because the commercial overlay would be along Schenectady, which has commercial frontage, and the R7A on the interior would be strictly residential to be respective of the residential that's across the street. It also provides that step down that we had between the C4-4D and the R6A next door to it.

CHAIRPERSON RILEY: Okay.

BRIAN COOK: One last addition. We heard from the Community Board specifically that they didn't want heights larger than 14 stories, which is the height of Albany Houses and the highest buildings in the neighborhood.

CHAIRPERSON RILEY: Okay. What type of retail do you anticipate will move to this development?

JAY GOLDSTEIN: So, we have currently an existing supermarket, which there has been a strong request and a strong urging that that's a need that this community has. We're in talks with our existing tenant to bring him back at the conclusion of construction.

CHAIRPERSON RILEY: Have any existing businesses expressed interest in relocating to this new building?

JAY GOLDSTEIN: I'll let Mr. Bawabeh talk to that.

SOLY BAWABEH: Hi. Can you hear me?

CHAIRPERSON RILEY: Yeah.

SOLY BAWABEH: Hi. My name is Soly Bawabeh. I'm the applicant. So some of the businesses, I mean, like you mentioned, the

supermarket definitely is excited about the idea of having a larger space there. They only have about 5,000, 6,000 feet. It's pretty small for a typical supermarket, especially for that neighborhood. There's not that many supermarkets in the immediate area so we're really looking to expand that by 3x, give them like about 15,000 to 18,000 feet so that will take up the bulk of the space. There is some other interest from some of the tenants, like the pharmacy and the Dunkin Donuts and one of the restaurants. And our goal is to try to accommodate those tenants back into the site. We do realize that, you know, there's going to be a time where, like during construction, where they can't really be there.

So a little bit of background about, you know, what the family does. Our main focus has been retail development in central Brooklyn, and we manage many properties in Bed-Stuy, in East Flatbush, in Brownsville, many along Fulton Street. And our goal is to try to place some of them there in the interim and then see how it's going to work, you know, with the timing.

CHAIRPERSON RILEY: Okay. Thank you. I'm going to check out these renderings. If I have any more questions, I'll come back.

Council Member Ossé.

COUNCIL MEMBER OSSÉ: Thank you so much, Chair.

You said that you're building 100 plus units of parking?

JAY GOLDSTEIN: 116 parking spaces, yeah.

COUNCIL MEMBER OSSÉ: 160?

JAY GOLDSTEIN: 16.

COUNCIL MEMBER OSSÉ: 16? Is that subterranean?

JAY GOLDSTEIN: Some of them will be on the first floor at Pacific Street, and then the remainder will be, about 90 of them will be below grade at the cellar level. The reason we feel that the first floor, ground floor level is important is because it'll allow after hours for the commercial spaces to utilize that for loading and unloading as opposed to having to use the street system.

COUNCIL MEMBER OSSÉ: And you said that's not mandatory, right, the parking?

How much does it cost to build out that subterranean parking and to allocate funds for parking spots?

BRIAN COOK: On average, below grade parking raises project cost around 8 percent. It's one of the things that we are considering, but we understand that any additional cost from that shouldn't affect the affordability. And we've tried to, as we're looking at the affordability numbers, to not take that in account. But what we did very strongly hear from the community was that the current 50 parking spaces were serving the retail, and they believed people would continue to use them to shop, and particularly for groceries and other items that are larger and bulky in that neighborhood.

COUNCIL MEMBER OSSÉ: Have you evaluated potentially cutting parking spaces in half, or even 75 percent, and how much of that additional funding could go towards deeper affordability, or more affordability for the site?

BRIAN COOK: I do not believe we've looked at specifically cutting it by that percentage, but we're happy to take that back and take a look.

COUNCIL MEMBER OSSÉ: Even, I mean, I would love to see, even if you get rid of all of the parking spots, how much that could increase the affordability for the site. I mean, the LIRR is right there, right? So a lot of folks who will be living there, and even going there to do some of that shopping, may be taking public transportation anyways so I think that should be taken into account, because I know that the number one priority here is affordability so I would love to see maybe some breakdowns of costs of eliminating parking, maybe 75 percent, 50 percent, 25 percent, and how much affordability can be increased, especially when it comes to affordable units.

Community Board 8 and the Borough President did recommend the approval of this project, with conditions where they expressed affordability. Can you go into detail about how you are proposing to provide additional or deeper affordability on this project?

BRIAN COOK: Brian Cook, Brown and Weinraub. We are currently looking through different models that we can increase the affordability levels. There are, to be frank, economic challenges here that

don't necessarily exist 20 blocks away, because we believe that you should be pricing units towards what the community could actually afford, and the size of the units towards people who can't afford. Both larger units tend to cost more and give you a little less revenue than the smaller units. That's why fewer developers build larger family-sized units. The other issue is that, obviously, as you get closer to Atlantic, there are a lot of comparable new buildings have been built with, I mean, very high rents. When we looked at this neighborhood, we've done it three times. There have been no new buildings that have come up that are charging more than that 100 percent, 110 percent AMI level. We really don't want to speculate of assuming higher rents that would not be sustainable. Those economic realities are the challenges. On the other side, the levers we are looking at to try and to increase affordability is to truly figure out whether or not, say, the community facility is essential, because while we do really believe it will serve the community, it is a lower rent than what you would get even in most rental cases, as well as, to your point, whether or not parking can be eliminated and, to be honest, the size

of the units and whether or not those need to be adjusted to increase revenue, which might help boost the economic value and allow us to provide a little additional affordability.

COUNCIL MEMBER OSSÉ: Yeah, that's helpful. I think my number one priority here is increasing the amount of affordable units and how affordable they are. When it comes to reducing parking, eliminating that community space, and looking into sizing when it comes to some of these apartments, I think that's my top priority in making sure that there are roofs over people's heads and roofs over people's heads that they can afford, right?

I know that there is another, and I'll ask about this, but have you intended to apply for a FRESH zoning and tax incentive for the supermarket? If you received a subsidy for providing that supermarket within this food desert, you may have additional funds to allocate for increasing affordability. Have you looked into that, the FRESH initiative?

JAY GOLDSTEIN: So when we started the application, we were looking into a FRESH program

through City Planning, through City Council. That was, at the time, not feasible for our property, and they suggested perhaps going through the City for tax incentives. We haven't gotten to that point yet because we don't have a building to really go and analyze with them, so it's something that we can analyze, and if we're able to achieve some sort of tax abatements for that or tax incentives for that, we're happy to pass along the savings. I would say that part of this building, we have spoken with 32BJ and we're on board with 32BJ, and the building itself is proposing to have more than 99 units, so all those costs are something that's factoring into that we're working on balancing when we come back with the numbers and all the different iterations that we've been looking at, those are costs that are also factoring in, so it's beyond the parking, those are things that have to be considered as well. So we're, you know, we're happy to look at the parking, it's a very good idea, but, you know, we've tried to be responsive as a community and the Council Member, so we're working through that as we continue on.

COUNCIL MEMBER OSSÉ: Sure. Maybe we can, and I'm talking to Council Land Use, we'll circle

back about the FRESH program because I would love to just hear from whomever you were corresponding with over there to maybe get an answer on if subsidies can be provided for this project so that that could be factored into affordability prior to a vote on this project.

Another concern that I had, and I know that we've been going back and forth about this, is that, you know, while AAMUP will be delivering significant affordable housing to this District through the comprehensive plan that we did, especially the western part of the District, this part of where the development will be built, potentially will be built, is further east in the District, and it's definitely a different neighbourhood where there's still a desperate need of deeply affordable housing. This building is proposed as a majority market rate development, right, even some of the rents that I've looked at for like a one bedroom, like I couldn't, you know, afford, which I think is a bit concerning and something that I've been taking into account when looking at this project. Have you considered building a 100 percent affordable housing project with subsidy from HPD?

BRIAN COOK: Soly and his family sort of looked in it, it is not their specialty, to be frank. Affordable housing does require a lot of expertise. You know, prior to taking on this role, I was in the New York City Comptroller's Office, where I financed for around 50,000 units of affordable housing. The management, building, and construction of affordable housing does take time, effort, and skill. Like, we should not ignore the fact that our non-profit and for-profit affordable housing developers do God's work, but it also requires a lot of expertise to get those buildings built on time. This project, having spent five years seeking a rezoning, you know, is five years out in its economic, you know, outlay. It is fairly cost prohibitive to also then wait another four to five years generally in the wait list for affordable housing, but I would also be very concerned about the staffing hiring up that the family would have to do to sort of manage this well.

That being said, as I've been talking to Soly and his family about, you know, this prospect, there are potentially other sites, you know, farther out in the District, a little bit closer, that may be opportunities to talk about in the future, but this

site in particular, you know, we believe it's appropriate to sort of meet the growing needs of this community that people want to move in, of the families who are moving out their homes, who are looking for a place to go and, you know, we do believe that, you know, the supply side of belief that if you build enough housing, you can actually, you know...

COUNCIL MEMBER OSSÉ: No. I'm definitely well aware of that and, you know, have been very vocal about that in my own accord, right, but, you know, I don't think with all due respect, that's like a plausible excuse for that it takes, you know, work and time to, you know, work with HPD and non-profit developers on establishing 100 percent affordable sites, especially when that is, you know, a desire within the community, especially as a Council Member who represents this District, people like to see projects like that. Has there been any conversations that you have engaged with HPD at all?

BRIAN COOK: We have not.

COUNCIL MEMBER OSSÉ: Okay.

BRIAN COOK: We haven't reached out to HPD on this.

COUNCIL MEMBER OSSÉ: Do you know that we brought this up though in like a previous, we brought this up in previous conversations, right?

BRIAN COOK: When we spoke in April, one of the things we asked was if you sent along models that you would like us to look at.

COUNCIL MEMBER OSSÉ: Sure.

BRIAN COOK: We were sort of waiting to receive that. We were also asked to analyze the project as though a portion of the site was separated out at 100 percent affordable, so we started doing the underwriting. However, reaching out to HPD and engaging that specific process is a lengthy project. It costs time and money, and putting more money into the soft cost of this site could affect the affordability of it in the long run because it's all costs that eat through the economic value, so we are looking for direction before we're continuing to advance. But we are pursuing this site as a market rate site, you know, that is supposed to be able to be hopefully developed in a faster timeline than the current wait list.

COUNCIL MEMBER OSSÉ: Yeah. Have you discussed this project with any adjacent residents?

BRIAN COOK: We reached out to a number of adjacent residents. We reached out a few times to the Weeksville Houses. We actually didn't get a lot of feedback from people reaching back out to us. We also reached out to a number of non-profits in the community to try and get feedback, and the full Board was actually held at Weeksville Houses directly south of this project. At no point did any community residents engage us or testify. We spent a few years reaching out looking for greater feedback. The most feedback we got was from our early reporting to the Community Board.

COUNCIL MEMBER OSSE: What was that communication medium? How were you reaching out to folks in the area?

BRIAN COOK: I emailed members at the Weeksville Houses. They kept getting recommended to me as the largest housing complex there, as did three of my colleagues multiple times. We were also introduced to them through mutual contacts at the Bed-Stuy Restoration to try and engage as well. We did not get significant feedback at that time that anyone wanted to meet, so we thought the public hearings might be a chance to identify people who are

interested in speaking. The Board was incredibly well engaged. We stayed there for two hours walking through the entire project, but no additional community members identified any desire to speak at the time.

COUNCIL MEMBER OSSÉ: Thank you, Chair.

CHAIRPERSON RILEY: Thank you, Council Member.

There being no more questions for this panel, this panel is excused. Thank you for testifying.

We're going to go to public testimony. I'm going to call on Micah Sander (phonetic) and Christopher Leon Johnson.

Go ahead, Micah.

MICAH SANDER: Good morning, Chair Riley and all Members of the Subcommittee. My name is Micah Sander, and I am here today representing SEIU Local 32BJ. 32BJ is the largest union of property service workers in the country, representing over 175,000 members across 13 states, including tens of thousands of commercial property service workers, security officers, and residential building staff in New York

City. 32BJ supports responsible developers who invest in the communities where they build.

I am happy to report that the developers of this proposed project have made a credible commitment to creating good jobs for the workers who will permanently staff the buildings. Good jobs like these mean prevailing wages, meaningful benefits, and a pathway to the middle class for local community members who tend to fill such positions. Moreover, we need more housing to be built in every neighborhood of New York City to ensure that working families are not displaced by dwindling supply and skyrocketing rents, and the proposed 1720 Atlantic development will include residential units. As the cost of living rises and working New Yorkers struggle to stay in their homes, it is more important now than ever to create both affordable housing and good jobs which uphold the industry standard in the city. For all these reasons, 32BJ is in strong support of this project. Thank you for your time.

CHAIRPERSON RILEY: Thank you.

There being no questions, this panel is excused.

There being no other members of the public who wish to testify on this Pre-Considered LU for 1720 Atlantic Avenue Rezoning, the public hearing is now closed, and the items are laid over.

Okay, I will now open the public hearing on Pre-Considered LU items for the MTA 125th and Lexington Rezoning for two applications by the MTA for a zoning map amendment to change the existing C4-4D zoning district to a C6-11 zoning district, as well as a zoning text amendment to map a Mandatory Inclusionary Housing area, and to create a new sub-district within the Special 125th Street District and establish the Special Transit Land-Use District in East Harlem. These applications will facilitate the development of a new 405-foot residential and commercial building containing more than 680 dwelling units, of which roughly 170 would be permanently income-restricted and would be located in Deputy Speaker Ayala's District in Manhattan.

I will now call for the applicant panel for this proposal, which consists of Paul... Paul, how do you pronounce your last name?

PAUL JANUSZEWSKI: Januszewski.

CHAIRPERSON RILEY: Januszewski and Judith Gallant.

Do we have Sean Fitzgerald and Noah Bernstein online?

PAUL JANUSZEWSKI: They're not.

CHAIRPERSON RILEY: They're not? Okay. No problem.

COMMITTEE COUNSEL HUH: Would you please raise your right hands and answer the following?

Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth in your testimony before this Subcommittee and in answer to all Council Member questions?

Mr. Januszewski.

PAUL JANUSZEWSKI: I do.

Ms. Gallant?

JUDITH GALLANT: I do.

COMMITTEE COUNSEL HUH: Thank you.

CHAIRPERSON RILEY: Thank you. Just please restate your name and organization for the record. You may begin.

PAUL JANUSZEWSKI: Hi. I'm Paul Januszewski, I'm a Vice President in the MTA's Transit Oriented Development Group.

CHAIRPERSON RILEY: You may begin.

JUDITH GALLANT: Judith Gallant, Bryan Cave.

PAUL JANUSZEWSKI: What's that? Oh, I'm sorry, I thought you were introducing yourself.

Thank you, Council Members. As I said, my name is Paul, I'm with MTA's Transit Oriented Development Group. We're here today in connection with the application to rezone an MTA-owned property on East 125th Street and Lexington Avenue. Many of you may recognize this as the former location of the Pathmark Grocery Store in Harlem. Previous rezonings went around this site in a hope to save the grocery store, but that ultimately proved unsuccessful and the store closed in 2015, has been demolished, and is currently vacant. As I said, I'm joined today by Judy Gallant, who's our Land Use Attorney at Bryan Cave. Next slide.

This application is part of the 2nd Avenue Subway Construction Project, which is a top priority capital project for the MTA, which will bring the 2nd Avenue Subway up to 125th Street. MTA recently issued a 2-billion-dollar tunnel boring contract to extend the line north up 2nd Avenue,

creating new stations at 106th and 116th Streets before turning onto 125th Street and culminating at a new station on 125th between Park and the corner of Lexington Avenue, which is the subject of today's application. The MTA plans to partially fund 2nd Avenue construction through transit-oriented development projects. The main tenant of TOD policies involves clustering high density around transit-rich locations to minimize individual vehicle usage and to encourage use of mass transit. This creates more revenue to fund mass transit, both through ground lease revenues to the MTA and from increased transit riders clustered around transit hubs. We view this location as an ideal spot for TOD, addressing the City's housing shortage at a location directly above a new major transit hub and directly linked to Metro North trains along Park Avenue, the Lexington Avenue subway lines, and offering connections to several other subway lines. Next slide.

 This slide shows the overall timeline for 2nd Avenue subway construction and how it relates to this site and this RFP. We're currently in the fourth quarter of '25 as shown by the red rectangle. Design and construction of the 2nd Avenue subway is

underway, and the engineering team is designing station facilities in coordination with the structural requirements necessary to support any future residential overbuilds. Prior to completion of the station work at this site, MTA plans to issue an RFP seeking a private developer to construct a residential building on top of the new station. It's critical that we understand the height, bulk, and framework for the overbuild now so the construction of the residential building can proceed as soon as the subway construction is completed in 2032. Next slide.

Land use in the surrounding area is a diverse mix of residential buildings of all different scales, commercial office buildings, mixed-use buildings with retail frontages, and public facilities. Despite previous area rezonings, several large sites remain vacant, undeveloped, or underutilized as parking lots along 125th Street, the neighborhood's main corridor. Next slide.

We're seeking to rezone Manhattan block 1773 which contains lot 20, 27, and 33. MTA purchased lot 20 from a private developer in 2023 for the construction of the 2nd Avenue subway. The adjacent

lot 27 was also purchased by a private developer who has filed plans with DOB to construct a residential project under existing zoning regulations. Lot 33 shown here is a firehouse owned by FDNY with no plans to relocate. Next slide.

This slide just shows a few views of the site from various perspectives. The first one is looking north up Lexington Avenue with the site on your left. Number two is looking east on 124th Street with the site on your left. And the large image three is looking northeast from the corner of 125th and Lexington Avenue. Next slide.

The site's current C4-4D zoning district permits less density and lower heights than much of the surrounding area. The current C4-4D has a maximum FAR of 7.2. The Park Avenue hub subdistrict outlined in blue here one block west is zoned C6-4 which permits density up to 12 FAR and allows flexible tower regulations which are not permitted on C4-4D. The East Harlem corridor subdistricts outlined in green here just south of the site and west of the site also permit higher densities, taller base heights, and have lower mandatory commercial requirements. Next slide.

If this application is approved, the proposed rezoning would permit one of the first new 15 FAR residential buildings in the city, following the creation of the R11 district and its commercial counterpart as part of the City of Yes for Housing Opportunity which was passed by the City Council last year. We think this is an ideal location for a 15 FAR residential building as it is constructed directly above a new major transit hub in a neighborhood that is desperately in need of more housing. A 15 FAR building here could result in up to 684 new housing units, at least 171 of which would be permanently affordable under the Mandatory Inclusionary Housing regulations. As currently zoned, the site does not require construction of any affordable units.

I'm going to turn it over to Judy Gallant right now from Bryan Cave to discuss in more detail some of the zoning changes proposed.

JUDITH GALLANT: Good morning, Chair Riley, Members of the Subcommittee, and Council Members Ayala and Hudson. I'm Judy Gallant from Bryan Cave, Land Use Counsel to MTA for this application.

As Chair Riley mentioned and as Paul alluded to, this application seeks a zoning map

amendment to change the rezoning area from a C4-4D district within the special 125th and special transit land use districts to a C6-11 district within those same special districts and a companion zoning text amendment to map an MIH area over the rezoning area specifying Options One and Three, Three being deep affordability. In addition, the application seeks a series of zoning text amendments to the Special 125th Street District. Specifically, these amendments would create a new sub-district B that would encompass the rezoning area. Thanks for changing the slide. Modify the maximum base height in the Park Avenue hub sub-district for buildings on and within 50 feet of 125th street from 85 feet to 125 feet. This would better align with the maximum base heights permitted in the confusingly named Park Avenue sub-district of the East Harlem Corridors district which is mapped to the north and south of the rezoning area. Make the height and setback regulations of the Park Avenue hub sub-district as so modified applicable to the new sub-district B that would be mapped over the rezoning area and reduce the non-residential FAR requirement in the Park Avenue hub sub-district from 2 to 1.5 FAR and eliminate that requirement entirely for sites

that contain transit easement pursuant to the special transit land use district easement provisions of Article 9 Chapter 5. This would align with the lower commercial FAR requirements in the Park Avenue sub-district of special East Harlem Corridors district which is mapped as we said to the north and south of the Park Avenue hub sub-district. Next slide please. Actually, next slide after that too. Maybe not.

The proposed C6-11 district permits a residential and total FAR as Paul said at 15 and a commercial and community facility FAR of 12. Development of the MTA-owned lot 20 pursuant to the proposed actions would result in a building or could result in a building with a maximum FAR of 15 with 20 to 25 percent of the residential floor area being permanently affordable, a maximum base height of 125 feet above which a tower with a maximum lot coverage of 65 percent to a height of 300 feet and 50 percent above a height of 300 feet could rise to a height of approximately 400 feet. It's limited to that height due to the site's location in the flight path for LaGuardia airport, and this height of 400 feet could only be exceeded by special permit from the Board of

Standards and Appeals with the concurrence of the FAA and the Port Authority. Next slide.

Manhattan Community Board voted unanimously in favor of the application with conditions, and the Manhattan Borough President also recommended approval with conditions and we are happy to answer any questions that you might have.

CHAIRPERSON RILEY: Thank you so much.

I just have a question that I'm going to pass it to the Deputy Speaker.

The zoning text amendment as proposed extends applicability of certain rules beyond the specific limits of this particular development scenario. So, it's two parts to the question. Part A, can you clarify the fundamental differences between the proposed new sub areas A and B of the Park Avenue hub sub-district to justify two different underlying zoning designations? I'll start with that one, and I'll ask the second one after you answer that.

PAUL JANUSZEWSKI: Okay. Can you answer that, Judy?

JUDITH GALLANT: So this area is not in the Park Avenue hub sub-district. For whatever reason when this area was rezoned, the Park Avenue hub sub-

district was given more FAR and higher base heights than this area was so we are seeking to align this development site and the rezoning area with the Park Avenue hub for consistency in terms of the built environment in an area that is really uniquely well located for transit-oriented dense development being at the confluence of both several subway lines and the Metro North station at 125th street.

CHAIRPERSON RILEY: Okay. And can you tell us today about any plans that you may have for other MTA-owned sites that are within the hub sub-district or within the special district overall but which were not a part of this C6-11 rezoning?

PAUL JANUSZEWSKI: Yeah. I don't think we have any plans that we can announce for other MTA sites other than, you know, obviously the 2nd Avenue subway construction.

CHAIRPERSON RILEY: Okay.

PAUL JANUSZEWSKI: But there are no other plans right now.

CHAIRPERSON RILEY: All right. Thank you.

Deputy Speaker.

DEPUTY SPEAKER AYALA: Thank you. Good afternoon, everyone.

Could you elaborate a little bit on what the conditions from Community Board 11 and the Borough President's were?

JUDITH GALLANT: Sure. The Community Board's conditions consist of the following. There was a request to investigate subsidies to increase the number of affordable units and provide deeper affordability levels; to prioritize development proposals that have more affordable units, deeper affordability ,and larger apartments, specifically two-bedrooms was the request, they requested actually 75 percent two-bedrooms; to establish partnerships with local workforce development organizations; and require the developer to meet with CB11 no later than schematic design to ensure meaningful interaction in with the community in terms of the design. The Manhattan Borough President also recommended those same four conditions.

The Community Board had three other conditions in which the Borough President did not concur. One was to change the proposed zoning district from C6-11 to C4-11 and, assuming you will ask what the difference is, the C4-11, the only difference is that the commercial FAR is lower, it's

3.4 instead of 12, and the C4-11 also doesn't contain certain bonus opportunities that are available under C6-11 but they're not very meaningful, an arcade bonus and a covered pedestrian space bonus so those would not be available in C4-11. They also requested, just the Community Board, not the Borough President, that the MTA include in its RFP for the future developer that that developer enter into a community benefits agreement without specifying what those benefits would be but just the recommendation that one be entered into, and that MTA be required to use all the income from the development of lot 20 pursuant to this rezoning to fund exclusively the development of the second phase of the 2nd avenue subway.

DEPUTY SPEAKER AYALA: Sounds reasonable.

Okay. I like the idea of zoning this this lot. You know, it's been an eyesore for a really long time. It's been vacant, sitting there, waiting for something to happen. I get that we need to do something, and I support, you know, the MTA's proposal. However, I do have some concerns. My concern is the adjacent lots, I'm not sure why I would want to upzone those as well seeing as how they

haven't come to the Council. I've spoken to the developer. They have other plans. They're ready to go with those plans. My concern is that if this, you know, rezoning went through and those development plans changed, we wouldn't have an opportunity to weigh in on what type of housing happens to go there. And the other one I think is the firehouse. I'm not sure why we would want to upzone them.

JUDITH GALLANT: So, with respect to lot 27, that's the one that is currently being developed by the private developer who has filed plans at DOB and has 421a benefits so we feel very confident that they're going to complete that development under those very preferential rules compared to what's available today.

With respect to the firehouse and also with respect to lot 27, in terms of the way the City likes to rezone, as you are aware, it's more consistent with a comprehensive plan to rezone the block so that there isn't a sense of a spot zone or anything like that, but I think that we feel fairly confident, I think MTA had conversations with the City that that firehouse isn't going anywhere so, yeah, it just wouldn't have an impact.

DEPUTY SPEAKER AYALA: Yeah. I don't really trust, and I mean that firehouse has been there for a really long time, but I think that, you know, we can work around that, but I seriously am considering not zoning the entire block, like I don't feel comfortable with it yet so I want to be very honest about that.

JUDITH GALLANT: There is one other element that we'll have to look into and get back to you on, which is that lots 20, which is the MTA site, and 27, which is the private developer site, are part of something called a Zoning Lot Development Agreement. MTA purchased lot 20 subject to the Zoning Lot Development Agreement which allocates floor area, and in the way it was initially allocated under the C4-4D, lot 20 was stripped of a lot of its development potential as lot 27 was allocated more development rights than it by itself would generate. I would have to look to see whether if lot 27 were excluded what the impact of that would be on lot 20 because lot 27 is using more development rights, which it's allowed to do under the agreement, than its lot generates so if it were taken out, it might

put the lot 20 development at a deficit for what is being looked at here.

DEPUTY SPEAKER AYALA: No. I would love to, you know, hear more about that. I hadn't heard that so I would obviously take that into consideration. But while, you know, we're really excited obviously about housing coming into the neighborhood and I understand that there's a desperate need for all types of housing, I would, however, like to see, you know, why is the MTA not committing to more affordable units in this proposal and instead proposing to simply map it MIH, you know, during an affordability crisis, and a transit oriented project like this could come to us from effectively a State agency, can and should do more. Why is this not a 100 percent affordable housing project and can your team commit to exploring avenues to significantly increase the number of affordable units?

PAUL JANUSZEWSKI: Sure. I can respond to that.

As the MTA, we have governing legislation which is the PAL, Public Authorities Law, which requires that all of our funds be used for mass

transit, so we don't have the ability to use our revenues to subsidize public housing. We're required to get market value for any property that we're disposing of, and those funds must be used for public transit. So, to explore additional requirements, we would have to be working with HPD, working on a subsidy. We've expressed a willingness to do that. Unfortunately, this will be five years probably before we release the RFP, and a building of this size would be a challenge for HPD to subsidize. But I think we're willing to have those conversations, but it feels premature to get HPD to make any commitment at this point.

DEPUTY SPEAKER AYALA: I understand what you're saying, but I think that the Community Board is also looking for some sort of commitment here, I mean because we are taking a risk, right, we are upzoning space that potentially will not be developed for 5, 10 years. We want to make sure that when the time comes, the type of development that is constructed is beneficial to the community and, you know, I mean I am not a fan of MIH just because of the disparities and the way that, you know, they allow for significantly more market rate to be

developed than affordable so I don't think that we ever actually catch up on the affordable end and we're in desperate need of both. This is a Charles Rangel quote, but he used to say nobody's banging on my door demanding more market, you know. People are banging down our doors asking for more affordable. And so as responsible Members of this Body, we understand that there's a need for all types of housing, you know, right now. We're in a serious housing crisis that impacts all levels of income. It would be nice to see some sort of commitment, even if it's, you know, premature, some sort of recognition that, you know, this is something that's really important to the community and why, right. That specific area, you know, Council Member Salaam and I have been working really hard to, you know, make improvements on and invested a lot of time and energy and funds to make upgrades for, but I really have always done that with the intention of ensuring that it also is beneficial to the people that already live there, the people that would want to remain living in that community. I'm not trying to necessarily attract, you know, people from all over the city to come to 125th Street. You know, I want there to be

that balance. I'm not into the business of gentrifying communities, and so I take that very seriously. So, I think that if you can commit to something in writing, that would be great, and I think that it would alleviate some of the concerns.

PAUL JANUSZEWSKI: Okay. I understand.

DEPUTY SPEAKER AYALA: Do you know what the process is going to be for MTA to select an eventual developer?

PAUL JANUSZEWSKI: I'm sorry?

DEPUTY SPEAKER AYALA: Do you know what your process will be for selecting a developer?

PAUL JANUSZEWSKI: We'll issue a request for proposals and, you know, go through a public process. We will have criteria in the RFP, and then we'll make a selection. You know, we have a whole formal selection process at the MTA.

DEPUTY SPEAKER AYALA: Okay. That's great. And then in the meantime, that area is obviously in distress. There's a lot of need for better lighting, cleaning services. And thank you for allowing the local artists an opportunity to really design the platforms that are being used to caution off the lot. But is the MTA making any efforts to help remediate

some of these conditions and to maintain, you know, that lot and the sidewalks adjacent to it?

PAUL JANUSZEWSKI: Do you mean before construction?

DEPUTY SPEAKER AYALA: Yeah. I mean you own it now. It's yours.

PAUL JANUSZEWSKI: Yeah. Honestly, I can't answer that. I don't know, but I'm willing to bring that up.

DEPUTY SPEAKER AYALA: Yeah. I mean it's important. It's in need of a little bit of tender loving care. We recently voted on a BID for that community. It would be nice to have the MTA have a representative at those meetings to figure out ways that you can work collaboratively to help improve. I mean, I think it's in the best interest of the lot and also, you know, any future development will be impacted if we're not making the necessary investments to, you know, that location now.

PAUL JANUSZEWSKI: Yeah. I think we can do something on that front.

DEPUTY SPEAKER AYALA: Yeah, I would really appreciate that.

I don't have any further questions. I'm not sure... do you have any questions, Yusef?

COUNCIL MEMBER SALAAM: Just maybe I can just say that I would like my comments to be associated with the beautiful comments that you just made. You know, this area specifically is definitely in tremendous distress indicative of the 1980s crack era, specifically because we have a drug treatment center that may be the primary center in maybe the whole city, right, and so everyone comes there. And, as you can imagine, as people are trying to climb out of the margins of life, a lot of other things happen in those spaces so anything that you all can do to help to bring more light in that dark space will be definitely beneficial.

PAUL JANUSZEWSKI: Okay.

CHAIRPERSON RILEY: Thank you so much.

There being no more questions, this panel is excused.

With there being no other members of the public who wish to testify on Pre-Considered LU for MTA 125th and Lexington Avenue, the public hearing is now closed, and the items are laid over.

I will now open the public hearing on Pre-Considered LU item for the AAMUP Follow-up Action, an application by the Department of City Planning for a zoning text amendment to the Special Atlantic Avenue Mixed Use District applicable to seven blocks within the recent adopted AAMUP plan, which was approved by the Council in May of 2025 in Council Member Hudson's and Ossé's District. This follow-up action is proposed by DCP in response to a request by the community and the Council to modify the non-residential area incentive for large sites by partially tailoring it for specific industrial production, repair, art base, and community facility use. This specific item is in Council Member Hudson's District.

I will now like to recognize Council Member Hudson for any opening remarks.

COUNCIL MEMBER HUDSON: Thank you so much, Chair Riley, and good afternoon, everyone.

The Atlantic Avenue Mixed Use Plan, or AAMUP as we call it, has been years in the making. I'm proud of the work of Council Member Ossé, my office, and our constituencies have done to see this plan through to completion. This follow-up action is

a key component to this neighborhood plan that Community Board 8 and I have been advocating for. Providing incentives for light industrial, arts based, and certain community facilities will ensure that the AAMUP neighborhood plan will provide good jobs and services to our community. I'm pleased that the Administration has taken the community's vision to heart and moved this forward, and I look forward to the presentation from the Department of City Planning. Thank you.

CHAIRPERSON RILEY: Thank you, Council Member Hudson.

I will now like to call the applicant panel for this proposal, which consists of Alex Sommer and Jordan Fraade from the Department of City Planning.

Counsel, can you please administer the affirmation?

COMMITTEE COUNSEL HUH: Would you please raise your raise hands and answer the following?

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

ALEX SOMMER: Yes, I do.

COMMITTEE COUNSEL HUH: Jordan Fraade.

JORDAN FRAADE: Yes, I do.

COMMITTEE COUNSEL HUH: Thank you.

CHAIRPERSON RILEY: Thank you. Just press the button. Restate your name and organization for the record, and you may begin.

JORDAN FRAADE: I'm Jordan Fraade. I'm a Senior Business Planner at the Department of City Planning and the liaison for Community District 8. I'm joined by Alex Sommer, the Director of the Brooklyn office.

We are here today to present the follow-up action for the Atlantic Avenue Mixed Use Plan, or AAMUP, that was created in direct response to top priorities from the City Council and Community Board 8. This action was referred out by the City Planning Commission for a 60-day period of review and feedback on June 30th, and the Commission voted to approve this action and refer it to the Council yesterday. Next slide, please.

As a brief refresher, AAMUP is a neighborhood plan that was approved by the City Council at the end of the May to support housing and

job growth, especially affordable housing, while improving streets, parks, and other infrastructure. In total, AAMUP is projected to create 4,600 new homes, including 1,900 affordable homes, and around 2,800 jobs, or 800,000 square feet of new space for jobs, accompanied with approximately 235 million dollars in capital and programmatic investments, which the Department is excited to share as an update from our work with City Council and City Hall. These include improvements to streets and parks and funding for workforce development training and legal services for tenants. Next slide.

AAMUP included three types of land use actions. The first, zoning map changes to all houses and a mix of uses to allow all housing and a mix of uses. Second, zoning text changes to map Mandatory Inclusionary Housing and establish a special district that adjusted underlying zoning rules to achieve certain goals around mixing uses and improving the streetscape. And third, site-specific actions to facilitate 100 percent affordable housing on City- and non-profit-owned lots. These lots are highlighted on this map in yellow. Next.

As part of the approved zoning map changes, the mid-blocks were mapped with a pairing of M1-2A and R6A zoning districts. We refer to these as the Midblock Mixed-Use Area, roughly covering the area south of Atlantic Avenue between Grand and Franklin Avenues. Those areas are highlighted on this map in a dashed red line. Next slide.

In this geography, the new zoning allows up to 3.9 FAR for residential uses and 3 FAR for commercial, community facility, and light industrial uses. However, in an effort to encourage mixed-use buildings and space for jobs, the special district allows a 1.1 FAR incentive for all types of non-residential uses in mixed-use buildings, allowing up to a total of 5 FAR. The graphic on the bottom helps visualize each of these scenarios. Again, this is what is currently in place. Up to 3.0 FAR for commercial or community facility only, up to 3.9 FAR for residential only, and up to 5.0 FAR for mixed-use residential and commercial. Next slide.

When voting to approve AAMUP this past winter, Community Board 8 added a condition to modify a portion of the midblock incentive to incentivize a more narrow set of light industrial and community

facility uses. Based on the feedback from the Community Board and City Council as well as internal discussions, DCP has advanced a follow-up text amendment to the special district that would match this recommendation. Specifically, the text amendment would limit 0.5 FAR of the 1.1 FAR bonus in the midblock areas to only the uses shown here. This use limitation would not apply to small sites where it would be more difficult to physically accommodate multiple uses on the ground floor. To summarize the uses, the community facilities include libraries, museums, community centers, non-commercial art galleries, and non-profit spaces. The commercial and industrial uses include a referenced set created under the City of Yes for Economic Opportunity Text Amendment which covers repair, maintenance, art-based, and light industrial uses. For those familiar with the Gowanus Special District, these uses mirror the Gowanus mix.

This concludes our presentation, and we're happy to take questions.

CHAIRPERSON RILEY: Thank you so much.

I just have a question, and I'll pass it to Council Member Hudson.

Can you explain for the benefit of the public why City Planning needed to make this follow-up action on the AAMUP neighborhood plan so closely following its adoption by the Council this past May?

JORDAN FRAADE: Absolutely. When the Council took up AAMUP this past spring, changes to the 1.1 FAR bonus non-residential incentive were deemed to be out of scope at the time, and so we committed to the Community Board and to the Council that we would commence a follow-up action in order to make the change to basically take the non-residential use incentive and split it open so that part of it incentivized all non-residential uses and part of it only incentivized the list of non-residential uses that I just shared. We committed to that follow-up action to follow up on the priorities set by the Community Board and the Council Members in response to requests from the community and the Council.

CHAIRPERSON RILEY: Okay. Thank you.

Council Member Hudson.

COUNCIL MEMBER HUDSON: Thank you so much.

Both Community Board 8 and the Borough President recommended approval with the condition that the midblock use incentive for sites 10,000

square feet or greater be removed from for-eligible uses. How do you respond to this concern?

JORDAN FRAADE: Sure. So the 10,000 square foot minimum is a policy consideration or a policy decision that the Department made based on the configurations that tend to exist for the lots in this area. These lots that would be subject to this incentive, many of them on the midblock are 2,000 to 3,000 square foot lots, and they have a single street frontage so they're pretty small and narrow lots, and there's one way in and out. When you pair industrial uses with residential uses on the same lot, it requires some unusual configurations on the ground floor in terms of having to separate the industrial from the residential use in terms of lobbies. There are certain loading requirements. Each one needs its own separate entrance and egress. And accommodating all of that on a 2,000 to 3,000 square foot lot is very difficult. In the other part of the city where an incentive like this applies, Gowanus, the lots tend to be much bigger and they have multiple street frontages. And so we felt that on large lots that can accommodate multiple entrances and egresses and a couple of different types of loading configurations,

it made more sense to apply this incentive and, on smaller lots, we wanted to preserve flexibility for lot owners to build various types of non-residential uses to maximize job growth.

COUNCIL MEMBER HUDSON: Are you an attorney?

JORDAN FRAADE: No.

COUNCIL MEMBER HUDSON: No? You gave the answer like you're an attorney.

Okay. Because what I'm hearing from you is that you are not in support of that recommendation. Is that correct?

JORDAN FRAADE: That is correct.

COUNCIL MEMBER HUDSON: Okay. That's a problem that I think we will have to have further discussion about. I'll come back to that in a second.

These incentives are similar to what was approved in the Gowanus Rezoning. Does City Planning have an idea of how many sites took advantage of that incentive?

JORDAN FRAADE: At the moment, it's still early in the buildout of the Gowanus incentive. What we've seen is that many sites are taking advantage of that incentive, but those that have are generally

filling the spaces with arts-based uses, and those that are doing it are party to the Community Benefits Agreement that was signed as part of the Gowanus Rezoning.

COUNCIL MEMBER HUDSON: Okay. And are you all aware of any businesses that have expressed interest in moving to this are?

JORDAN FRAADE: We are currently preparing to deal with an application from a City agency that would acquire office space in this area. That's the only instance we're aware of of an imminent proposed move to the midblock.

COUNCIL MEMBER HUDSON: Okay. Thank you. Give me just one moment, please.

Apologies. We're just checking on something if you just don't mind bearing with us.

Okay. We have no further questions at this time, but I think if anything else comes up, we'll be sure to reach out directly.

Thank you so much. Thank you, Chair.

CHAIRPERSON RILEY: Thank you, Council Member Hudson.

There being no members of the public who wish to testify on Pre-Considered LU for the AAMUP

Followup, the public hearing is now closed, and the item is laid over.

I will now open the public hearing on LUs 392 for the Long Island City Neighborhood Rezoning City Map Amendment Application. As noted at the outset, a public hearing on the multiple related action was held by this Subcommittee on September 17th in the connection with the Long Island City Neighborhood Plan. Today, we are holding a separate public hearing for this mapping action pursuant to a separate public notice and consistent with ULURP requirements. This application seeks to eliminate, discontinue, and close certain streets, establish new streets, and make any necessary adjustments to street dimensions in the area bounded by the 44th Avenue, Vernon Boulevard, 45th Avenue, and the East River to create a more robust street and open space network in Long Island City in Council Member Won's District.

Counsel, are there any members of the public registered to testify on this application?

COMMITTEE COUNSEL HUH: Chair, we have one person signed up with us in person and no one online.

CHAIRPERSON RILEY: Christopher Leon Johnson.

CHRISTOPHER LEON JOHNSON: Hello, Chair Riley. My name is Christopher Leon Johnson. On the record, I support the other applications, especially, what's that application, the Atlantic Avenue one. I support them all, but I'm here to show strong support for Long Island City Rezoning Plan. I believe that the City Council needs to bring this home in this session. I know there's a lot of controversy within the Districts, within these Community Boards because of the layout of the plan so all I have to say is that I'm calling on City Council to bring this home for the session. Thank you.

CHAIRPERSON RILEY: There being no other members of the public who wish to testify on LU 392 relating to Long Island City Neighborhood Rezoning Mapping Action, the 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 the Sergeant-at-Arms for participating in today's meeting.

This meeting is hereby adjourned. [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 October 25, 2025