

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ZONING AND FRANCHISES

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September 24, 2009

Start: XX:XXam/pm

Recess: XX:XXam/pm

HELD AT: Council Chambers
City Hall

B E F O R E: TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Joel Rivera
Simcha Felder
Robert Jackson
Melinda R. Katz
Helen Sears
Albert Vann
Eric N. Gioia

2 SERGEANT-AT-ARMS: Quiet, please.

3 Quiet, please.

4 CHAIRPERSON AVELLA: Good morning,
5 everyone, I'd like to reconvene the meeting of
6 Zoning and Franchises. We had laid over a number
7 of items for the vote and I'll quickly just
8 refresh everybody's memory.

9 We're voting on the Navy Green
10 application and the application for 470 Vanderbilt
11 Avenue--

12 [Off mic]

13 CHAIRPERSON AVELLA: --which are in
14 Council Member Letitia James' district. We'll
15 also be voting on the Sunset Park Rezoning, which
16 is in Council Member Gonzalez's district, and
17 Jasper's Italian Cuisine. And who's district was
18 that in, again? Which is a sidewalk café.

19 MALE VOICE: In Koppell's district.

20 CHAIRPERSON AVELLA: In Oliver
21 Koppell's district, right. The respective Council
22 Members are in all favor of the applications.

23 What I will do is ask for a motion
24 to support the Navy Green, 470 Vanderbilt Avenue,
25 and the Jasper's Italian Cuisine, and then Council

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2 Member Katz will make the motion for Sunset Park
3 Rezoning.

4 So I'll ask Counsel to call the
5 vote on Navy Green, 470 Vanderbilt Avenue, and
6 Jasper's Italian Cuisine. Chair recommends
7 approval.

8 COUNSEL: Chair Avella.

9 CHAIRPERSON AVELLA: Aye.

10 COUNSEL: Council Member Rivera.

11 COUNCIL MEMBER RIVERA: I vote aye.

12 COUNSEL: Council Member Felder.

13 COUNCIL MEMBER FELDER: Yes.

14 COUNSEL: Council Member Jackson.

15 COUNCIL MEMBER JACKSON: I vote aye
16 on both.

17 COUNSEL: Council Member Katz.

18 COUNCIL MEMBER KATZ: Aye on both.

19 MALE VOICE: It's three.

20 COUNSEL: Council Member Sear--

21 [Off mic]

22 MALE VOICE: No--

23 [Off mic]

24 COUNCIL MEMBER KATZ: Oh, aye on
25 all three.

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COUNCIL MEMBER SEARS: Aye.

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COUNSEL: Council Member Sears.

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COUNCIL MEMBER SEARS: Aye.

5

[Off mic]

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COUNCIL MEMBER JACKSON: There's

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only two, right?

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COUNSEL: Council Member Vann.

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COUNCIL MEMBER VANN: Aye on all.

10

[Pause]

11

CHAIRPERSON AVELLA: Yeah, correct

12

the record.

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COUNCIL MEMBER JACKSON: Mr. Chair,

14

I thought there were only two items that we are

15

voting on in this vote.

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MALE VOICE: No, three.

17

COUNCIL MEMBER JACKSON: There's

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three, so I change my vote to aye on all.

19

COUNSEL: By a vote of seven in the

20

affirmative, none in the negative, no abstentions,

21

470 Vanderbilt Avenue, Navy Green, and Jasper's

22

Italian Cuisine are approved and referred to the

23

full Land Use Committee.

24

FEMALE VOICE: Thank you.

25

CHAIRPERSON AVELLA: Thank you.

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2 And now I'll call on Council Member Katz.

3 COUNCIL MEMBER KATZ: I'd like to--

4 [Crosstalk]

5 CHAIRPERSON AVELLA: Shh.

6 COUNCIL MEMBER KATZ: I'd like to
7 make a motion to pass the rezoning and the text
8 amendment for Sunset Park. It is 128 blocks, it's
9 at the request of the local elected officials and
10 the residents of the neighborhood. It's to
11 preserve the character by placing height
12 limitations throughout the development and for
13 allowing a new development to keep with existing
14 context of the neighborhood, it also creates
15 opportunities for affordable housing. The text
16 amendment allows for inclusionary zoning and I
17 make a motion to approve.

18 And it's LU number 1190 and LU
19 number 1191.

20 COUNSEL: Chair Avella.

21 CHAIRPERSON AVELLA: No. No.

22 COUNSEL: Council Member Rivera.

23 COUNCIL MEMBER RIVERA: I vote aye.

24 [Off mic]

25 COUNSEL: Council Member Felder.

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COUNCIL MEMBER FELDER: Yes.

COUNSEL: Council Member Jackson.

COUNCIL MEMBER JACKSON: May I be excused to explain my vote?

CHAIRPERSON AVELLA: Yes.

COUNCIL MEMBER JACKSON: Thank you.

[Off mic]

COUNCIL MEMBER JACKSON: While I'm voting aye on this particular matter, I've listened to the concerns that have been expressed by members of the community that are opposed to this rezoning, and also in reading the recommendations of Community Board, I believe it's 7, and the Borough President's recommendations. While I'm voting yes, I'm concerned about the situation that may proceed with this rezoning of harassment of residents that live in the neighborhood.

So my warning is to the Council Member in order to do everything that you can as a Council Member to ensure that the residents are educated as to anti-harassment measures and to make sure that the concerns that were expressed by the Community Board and the Borough President

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2 about insuring that no harassment takes place of
3 the residents that live in that area. That you
4 monitor that as closely as possible in order to
5 ensure that these residents are protected.

6 And, with that comment, I vote aye.

7 COUNSEL: Council Member Katz.

8 COUNCIL MEMBER KATZ: I vote aye.

9 COUNSEL: Council Member Sears.

10 COUNCIL MEMBER SEARS: Aye.

11 COUNSEL: Council Member Vann.

12 COUNCIL MEMBER VANN: Aye.

13 COUNSEL: By a vote of six in the
14 affirmative, one in the negative, no abstentions,
15 LU 1190 and LU 1191 are approved and referred to
16 the full Land Use Committee.

17 [Pause]

18 CHAIRPERSON AVELLA: Council Member
19 Gioia has just joined us, so I'll ask Counsel to
20 call on him for the vote.

21 COUNSEL: Council Member Gioia.

22 COUNCIL MEMBER GIOIA: Thank you.

23 I vote yes.

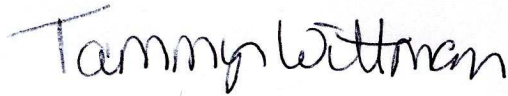
24 COUNSEL: Vote now stands seven in
25 the affirmative, one in the negative on 1190 and

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2 1191; and eight in the affirmative and none in the
3 negative on LU 1209, 1210, 1211, 1212, 1214, 1215,
4 and 1216.

5 CHAIRPERSON AVELLA: Thank you
6 everyone, this closes this meeting of the
7 Subcommittee on Zoning and Franchises.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in black ink that reads "Tammy Wittman". The signature is written in a cursive style with a large initial 'T'.

Signature_____

Date October 4, 2009