

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUB-COMMITTEE ON ZONING AND FRANCHISES

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August 13, 2008

Start: 9:45am

Recess: N/A

HELD AT: Council Chambers  
City Hall

B E F O R E:  
TONY AVELLA  
Chairperson

COUNCIL MEMBERS:  
Joseph P. Addabbo, Jr.  
Simcha Felder  
Eric N. Gioia  
Robert Jackson  
Melinda R. Katz  
Michael E. McMahon  
Helen D. Sears  
Albert Vann

## A P P E A R A N C E S (CONTINUED)

Dominic Answini  
City Planner  
Department of City Planning

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2                   CHAIRPERSON TONY AVELLA: Good  
3 morning. It is still morning. Good morning,  
4 everyone. I apologize for the confusion this  
5 morning but we had a number of issues that we had  
6 to resolve before we actually even started the  
7 meeting. I'd like to reconvene the recess meeting  
8 from yesterday.

9                   As some of you know, we didn't have  
10 the opportunity to vote so we have a vote that has  
11 to be taken. And we have one item, which we were  
12 not able to do yesterday. We had asked City  
13 Planning to come back and talk about the  
14 modifications that we're going to agree to today  
15 regarding the Hudson Yards text, issues that  
16 myself, Council Member Melinda Katz and Council  
17 Member Eric Gioia had brought up.

18                   While I call up City Planning to  
19 talk about those modifications, let me recognize  
20 the Committee members that are here. Council  
21 Member Simcha Felder, Mike McMahon, Helen Sears,  
22 Al Vann, Melinda Katz, Eric Gioia and I know we  
23 have a few other members that are around.

24                   DOMINIC ANSWINI: My name is  
25 Dominic Answini and I'm a planner with the

1  
2 Department of City Planning and I'm working on the  
3 Hudson Yards text--

4 CHAIRPERSON AVELLA: Can you talk a  
5 little bit louder or move the mic close?

6 MR. ANSWINI: Yes, sir. My name is  
7 Dominic Answini, I'm a planner with the Department  
8 of City Planning. I wanted to discuss the  
9 modifications and some issues that some council  
10 members have questions about with regards to the  
11 Hudson Yards zoning modifications.

12 First I'd like to speak about the  
13 proposed text to modify the street wall rules on  
14 10th Avenue and 34th Street in the Hudson Yards.  
15 On 10th Avenue between 35th and 40th Streets and  
16 also on 34th Street between 11th and 9th Avenues.  
17 There's 100% street wall requirement so the entire  
18 amount of the street wall must be at the sidewalk  
19 line. Now the proposed text that came out of the  
20 City Planning Commission would permit recesses of  
21 no more than five feet deep on these street walls  
22 above 30 feet. So from the sidewalk level up to  
23 30 feet you would have to still have a street wall  
24 on the sidewalk. Above that, the architect,  
25 developer, etc. would be able to put, at most,

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five foot recesses into the street wall.

Now the modifications, what they would do is they would raise the minimum height so instead of the recesses beginning at 30 feet the recesses on 10th Avenue would begin at 50 feet. It would be at least a 50 foot solid street wall and on 34th Street, the street walls would begin at 60 feet, ensuring a full street wall of at least 60 feet tall. That was the modification for that particular text amendment.

I'd like to move on now to the text amendment with regards to the district improvement bonus of the Hudson Yards and also the transferable development rights that are available on the Hudson Yards. Just very quickly, the district improvement bonus is a mechanism that was put into the zoning whereby developers could make a contribution into the district improvement fund and receive additional floor area.

As for the transferable development rights, the eastern rail yards between 10th and 11th Avenues, where the LIRR stores their trains, generates development rights that can be distributed in some of the blocks in the Hudson

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2 Yards between 10th and 11th Avenues, between 33rd  
3 and 40th Streets. What the proposal would have  
4 clarified that both for the district improvement  
5 bonus and for the eastern rail yards TDRs, a  
6 developer can get an as-of-right building permit.  
7 To obtain that as-of-right building permit it  
8 would not, in effect, kick the developer out of  
9 the bonus or TDR mechanism.

10 What we wanted to clarify though,  
11 is that the Council had a question as to how does  
12 one know whether the developer intends on getting  
13 a bonus or getting a transferable development  
14 rights in the eastern rail yards if they go to the  
15 Department of Buildings and merely file an as-of-  
16 right building permit.

17 What we've done is we've modified  
18 the district improvement bonus section. Just to  
19 point out, only the district improvement bonus  
20 section because it is impossible for a developer  
21 to get the transferable development rights without  
22 also applying for the district improvement bonus.  
23 And so the modification to the district  
24 improvement bonus would require prior to issuance  
25 of a permit for an as-of-right building that the

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2 Department of Buildings has received a letter from  
3 City Planning notifying the Department of  
4 Buildings that City Planning has received either  
5 one, a letter from the applicant stating whether  
6 it anticipates filing for the district improvement  
7 bonus. The inclusionary [phonetic] housing  
8 program, which also is worked into the bonus in  
9 some areas of the Hudson Yards or the transferable  
10 development rights. Also, City Planning will  
11 notify the Department of Buildings if it has  
12 received an actual application for any of these  
13 bonuses or TDR programs from the applicant.

14 Also, the text requires that copies  
15 of these letters that the Department receives from  
16 either the applicants or that the Department sends  
17 to the DOB will also be forwarded to the local  
18 council member and the affected Community Board.  
19 So there will be notification as to whether a  
20 developer who gets an as-of-right building permit  
21 intends, at some time in the future as far as they  
22 know, to get the district improvement bonus or the  
23 TDRs.

24 Lastly, I wanted to address some  
25 concerns that the Committee had about the proposal

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2 to ensure that floor area in the special Clinton  
3 district that will eventually be used as an  
4 entrance or an easement for the Number Seven  
5 extension would not count towards the floor area  
6 of an eventual development on that site.

7 In earlier testimony I explained  
8 that in the Hudson Yards text, the text states  
9 that a space that will be used for easement or an  
10 entrance some time in the future can be used by  
11 the developer of the space until needed by the MTA  
12 and while it is used by the developer it would not  
13 count as floor area. Unfortunately, that text was  
14 not also put into this Clinton district because  
15 there is indeed a Number Seven extension station  
16 in the Clinton district also. So I just wanted to  
17 point out that number one, the way of treating  
18 these easements does exist in the Hudson Yards  
19 area but it's not exclusive to the Hudson Yards  
20 area.

21 City Planning special transit land  
22 use district, which is actually put in place for  
23 the Second Avenue subway also has similar  
24 treatment of floor area that will eventually be  
25 used for entrances and easements for the Second

1  
2 Avenue subway. I guess in the last ten years  
3 there have been several opportunities that  
4 developers have taken advantage of up and down  
5 Second Avenue so that floor area at this time is  
6 actually be used. In the future, perhaps they'll  
7 be used for a station for the Second Avenue  
8 subway, but at this time are being used by the  
9 developers and they do not count as floor area.  
10 That concludes what I wanted to say.

11 CHAIRPERSON AVELLA: Thanks. Any  
12 questions, any follow ups? Council Member Katz.

13 COUNCIL MEMBER MELINDA R. KATZ:  
14 Just to clarify and I thank you for your  
15 testimony. So my concern before was that a  
16 developer would have to make an application for  
17 as-of-right while going for these bonuses and  
18 there's no place on the application that indicated  
19 that they were also going for the bonus. I  
20 thought that there should sort of be a way to do  
21 that for the community and for the City's sake.  
22 So right now what will happen is that they can't  
23 get the TDR without going to the DIB so therefore  
24 they have to notify City Planning either way if  
25 they're going for the DIB or not.

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2 MR. ANSWINI: Yes.

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MS. KATZ: Before the Buildings  
4 Department will issue the permit.

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MR. ANSWINI: That's correct. And  
6 in fact, the text states that the Chairperson of  
7 City Planning must inform the Department of  
8 Buildings before such a building permit is issued.

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MS. KATZ: Okay. And I assume that  
10 if there's no notification then there won't be any  
11 permit issued. I think that that pretty much  
12 resolves. I just wanted the community to be  
13 notified. I also didn't want to put the developer  
14 in a position where he's being dis-ingenuous to  
15 the Department of Buildings and that there is some  
16 sort of system where he can go for the as-of-  
17 right. That's great.

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I just would like to send a message  
19 back that this should not have been as difficult  
20 as it was. I think that in the future we sort of  
21 need to figure out how to do this so that we're  
22 not all waiting around. It's not your fault but  
23 I'm saying take the message back. And I will  
24 issue the message myself as well. But this was  
25 pretty simple and it was just something that was

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2 brought up by me a month ago to City Planning,  
3 just so you know Mr. Chairman.

4 I appreciate your testimony here  
5 today and the patience of the Committee.

6 CHAIRPERSON AVELLA: I would just  
7 echo the comments of Chair Katz, who is chair of  
8 the Land Use Committee that it shouldn't have been  
9 this difficult. I also appreciate the fact that  
10 modification has been made to the street wall  
11 because that was a big, important issue for many  
12 of us. Thank you.

13 Now because we didn't have quorum  
14 yesterday, we'll be voting on all the items that  
15 have come up between yesterday and today. What I  
16 will do in terms of procedure, I will recommend  
17 the approval on all the items except for the  
18 Rockaway rezoning. We will then take a separate  
19 vote, I will make a separate motion on that. I  
20 will explain what's going on with that when  
21 Council Member Addabbo is here, who represents  
22 part of the at district. I know Council Member  
23 Sanders is here as well.

24 The first vote will be on 610  
25 Lexington Avenue. The Council Member Dan

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2 Garodnick recommends approval. The Hudson Yard  
3 Text amendment, Speaker Quinn recommends approval.  
4 Also we will be modifying that application based  
5 upon the issues we've just heard. We will be  
6 accepting the withdrawal of the sidewalk cafe  
7 application from Qdoba Grill. I hope I pronounced  
8 it right. So Chair recommends approval of those  
9 items.

10 MALE VOICE: Chairman Avella.

11 CHAIRPERSON AVELLA: Aye.

12 MALE VOICE: Council Member Felder.

13 COUNCIL MEMBER SIMCHA FELDER: Yes.

14 MALE VOICE: Council Member Gioia.

15 COUNCIL MEMBER ERIC N. GIOIA: Yes.

16 Thank you.

17 MALE VOICE: Council Member Katz.

18 MS. KATZ: Aye.

19 MALE VOICE: Council Member

20 McMahon.

21 COUNCIL MEMBER MICHAEL E. MCMAHON:

22 Aye.

23 MALE VOICE: Council Member Sears.

24 COUNCIL MEMBER HELEN D. SEAR: Aye.

25 MALE VOICE: Council Member Vann.

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2 COUNCIL MEMBER ALBERT VANN: Aye.

3 MALE VOICE: Those items passed  
4 seven in the affirmative, none in the negative, no  
5 abstentions.

6 CHAIRPERSON AVELLA: The last item  
7 to be voted on is the Rockaway rezoning. This has  
8 been a very controversial issue in one regard and  
9 that is one section of the rezoning call that's  
10 centered around a beach, 116th Street. From what  
11 we've been able to determine, and I think the  
12 council members will back me up on this, 98% of  
13 the application is overwhelming approved by the  
14 community and the Community Board. The issue has  
15 come down to this one section of the rezoning for  
16 the Rockaways that involves a up zoning to R7A.  
17 It has been a real issue for me and I know the  
18 Council Member is going to speak about it.

19 But what I'm going to do is  
20 recommend, myself as Chair, that the R7A part of  
21 the proposal be taken out of the application and  
22 it be left as is. The reason I suggest that is,  
23 and I said this from the very beginning, I think  
24 City Planning can do a better job when it comes to  
25 this section of the Rockaways. I think the

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2 community, and I said this from the very beginning  
3 as well, this section of the Rockaways could be a  
4 special district, it should be a special district.  
5 So that's why I feel this way but I know the  
6 councilman would want to speak against the motion  
7 and in favor of the original application. Council  
8 Member.

9 COUNCIL MEMBER JAMES P. ADDABBO,  
10 JR.: Thank you Mr. Chairman. I do want to thank  
11 you and your Committee for obviously the hours  
12 spent on this issue in Rockaway. It is a very  
13 important issue. Beach 116 during the summer  
14 season will have probably close to a million  
15 visitors during the beach season. Of course, the  
16 residents live with Beach 116 all the time. I  
17 want to thank you, your staff and obviously my  
18 colleagues here on the Committee for entertaining  
19 this issue more than one day.

20 Obviously it is, I'm not going to  
21 say controversial but it is a serious issue that  
22 we face. Let me say at this point I know there  
23 are many of my constituents who are not going to  
24 be happy with the R7A but I commend them for the  
25 work that they've done. They've put a lot of

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2 hours into putting forth their concerns and some  
3 of their concerns are valid. These are concerns  
4 that we can not stop talking about after R7A might  
5 be approved. We need to still consider the issues  
6 of traffic, drainage, pedestrian traffic as well  
7 and what is going to be built there. So we still  
8 have work to do.

9           But when the process had started a  
10 little over two years ago, I pretty much kept  
11 myself out of the process. There was a lot of  
12 house meetings, there was a lot of town hall  
13 meetings. There was, obviously, Committee  
14 meetings amongst constituents in my district and  
15 there was a lot of input on the issue. Basically  
16 I have gotten all the information and all the  
17 concerns of the constituents, I then went to Chair  
18 Burden and spoke about removing 116 out of the  
19 equation or talking about a lower zone, maybe an  
20 R6A or an R5. When you look at 116, for decades  
21 it has been kind of a blight on the Rockaway  
22 community. It is a commercial strip like I said  
23 with close to a million visitors a year but there  
24 are large buildings that have been vacant for many  
25 years. There has been an abandoned hotel there

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2 for a very, very long time. Obviously the way  
3 it's currently zoned does not induce any kind of  
4 development.

5 This is an area, the Rockaway is,  
6 with a very high unemployment rate and no book  
7 store, no major retailer at all. The essentials  
8 that every community, that basically throughout  
9 the city enjoys, Beach 116 doesn't have those. We  
10 have the opportunity here now. And in looking at  
11 protecting the characteristic of the Rockaways and  
12 obviously giving the opportunity to the Rockaway  
13 peninsula of getting jobs, getting some  
14 residential but more importantly getting the  
15 commercial development. I think R7A is really the  
16 one that gives us the best opportunity.

17 As for taking it out of the  
18 equation for now, I believe we may lose that  
19 opportunity. We may not know when, given the  
20 upcoming Mayoral race next year or given any other  
21 timeframe City Planning may have and given the  
22 staffing levels that City Planning has, I'm not  
23 quite confident when we'll take Beach 116 into  
24 consideration once again. We have that  
25 opportunity today. It's been long over due.

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2 The vast majority of my residents  
3 in Rockaway, the ones that I could feel, that I  
4 have spoken to and have been at these meetings and  
5 Community Board, like you mentioned, voted for it.  
6 The Land Use Committee, Community Board 14 voted  
7 unanimously for it. I think the vast majority of  
8 the people want this change. Over the past seven  
9 years in Rockaway the number one complaint that I  
10 heard about was the issues about 116 and how it  
11 looks, the opportunities and the potential that it  
12 had. Here's our time. This is the time we have,  
13 the time is now to change that, grab hold of this  
14 opportunity, grab hold of this potential and do it  
15 right.

16 So, like I said, I go forward with  
17 reservation and with concerns. But these  
18 reservations and concerns must be addressed after  
19 today. Today I firmly believe that although a lot  
20 of my constituents will differ with me and I want  
21 to work with them, the vast majority of the people  
22 would want this. I hope to go forward. I hope  
23 this Committee considers my statements and goes  
24 forward with the proposal here.

25 CHAIRPERSON AVELLA: Any other

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comments before I ask Council to call the vote?  
Council Member Helen Sears. I made a motion to  
modify the application to take out 116th Street  
R7A zoning. Council Member is speaking against  
the motion, asking that the application go ahead  
as presented by City Planning. If my motion is  
defeated, I will then make a new motion to approve  
the application as is because every application  
has to be approved in a positive manner, a  
positive vote.

MS. SEARS: Does your motion have  
to have a second?

CHAIRPERSON AVELLA: No, the Chair  
doesn't have to have a second.

MS. SEARS: Okay. We seem to have  
a little disagreement here. Can that be corrected  
by either the attorneys or somebody else? Well  
because the Chair of Land Use seems to think it  
needs a second. I don't know.

CHAIRPERSON AVELLA: What's going  
to happen if we second?

MS. SEARS: Well there's a vote.

CHAIRPERSON AVELLA: Either way.

MS. SEARS: If he didn't get a

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2 motion then we wouldn't go with it.

3 CHAIRPERSON AVELLA: So second it  
4 and let's go with it. What's the big deal?

5 MS. SEARS: I'm not seconded it.  
6 Then we wouldn't vote on it. Then we wouldn't  
7 vote on it.

8 CHAIRPERSON AVELLA: The Council to  
9 the Committee is checking. It's my understanding  
10 that no committee member has actually asked,  
11 accepting the Chair's rule, that the Chair can  
12 make the motion. However, Council to the  
13 Committee is checking.

14 MS. SEARS: We need to create a  
15 log.

16 MS. KATZ: Let me just reference,  
17 if I can.

18 MS. SEARS: And I can withdraw my  
19 question.

20 MS. KATZ: May I just have a point  
21 of information as the Chair of the full Committee.  
22 I don't believe we need a second. But I think in  
23 a regular modification, you do not need a second.  
24 But since the Council has brought it up then let  
25 her check on it. The reason I don't want to ask

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2 for a second anyway is because I would rather not  
3 set that precedent for future motions by the  
4 Chair. Okay? That's the answer to your question.  
5 Thank you very much, Mr. Chair.

6 MS. SEARS: Otherwise I would just  
7 withdraw my question.

8 CHAIRPERSON AVELLA: Call the vote.  
9 Motion to call the vote. There's a motion on the  
10 floor to call the vote, there's no discussion on  
11 the motion. All those in favor to call the vote  
12 say aye.

13 MANY: Aye.

14 CHAIRPERSON AVELLA: The motion on  
15 the floor to call for the vote, there's no  
16 discussion on that motion. It's been seconded.  
17 All that's in favor of calling the vote say aye.

18 MANY: Aye.

19 CHAIRPERSON AVELLA: Any against?  
20 I ask the Council to call the vote.

21 MS. KATZ: I have a point of  
22 information. If we can wait two minutes, I don't  
23 see what the big deal is. So I would ask my  
24 colleagues to give it two minutes. I believe that  
25 the Chair is correct.

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2 CHAIRPERSON AVELLA: I just want to  
3 say that the big point is that those of us who  
4 have been sitting here since 5:10, it is becoming  
5 a big point. She said it's not a big point but  
6 those of us that have been sitting here since 5 to  
7 10 this morning, it is getting to be a big point.

8 MS. KATZ: If I could make a  
9 suggestion Mr. Chair. I could make a suggestion.  
10 I would first like to comment on what Councilman  
11 McMahan said, every one of us has projects in our  
12 district, every single one of us has kept this  
13 Committee waiting including people that are not on  
14 this Committee for the benefit--

15 CHAIRPERSON AVELLA: [interposing]  
16 No, Melinda. I'm not going to--you all are  
17 keeping the Committee waiting. Not on the merits  
18 of the project, I'll sit here all day, on a  
19 procedural ruling...

20 MS. KATZ: I'm not stopping  
21 anything.

22 CHAIRPERSON AVELLA: ...because of  
23 some personality thing here, which quite frankly  
24 should have been thought of or contemplated. You  
25 guys have been--

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2 MS. KATZ: [interposing] Actually  
3 we're on the same side. We're actually on the  
4 same side of the issue.

5 CHAIRPERSON AVELLA: Not on the  
6 merits of the vote.

7 MS. KATZ: No, but that's  
8 irrelevant. My suggestion was before Councilman  
9 McMahon said anything was that we go forward on  
10 the vote and then if the Council comes back and  
11 says there's a problem. I think we could probably  
12 redo the vote but I don't think there's going to  
13 be a problem.

14 CHAIRPERSON AVELLA: Chair does not  
15 need a second to make a motion. Right? Chair  
16 does not need a second to make the motion. I ask  
17 the Council to call the vote.

18 MALE VOICE: Chairman Avella.

19 CHAIRPERSON AVELLA: Yes.

20 MALE VOICE: Council Member Felder.

21 CHAIRPERSON AVELLA: This is the  
22 first motion. This is my motion.

23 MALE VOICE: Council Member Gioia.

24 MR. GIOIA: I vote no.

25 MALE VOICE: Council Member

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2 Jackson.

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MR. JACKSON: Mr. Chair, may I ask for clarification, please. What is the motion on the floor at this moment?

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CHAIRPERSON AVELLA: The motion that I have made that the Council Member has spoken against is to take out the Beach 116th Street R7A from the application.

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MR. JACKSON: So a yes vote would be in favor of your motion. A no vote would be in favor of leaving it--

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CHAIRPERSON AVELLA: [interposing] Against the motion and in favor of the respective Council Member.

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MR. JACKSON: Okay. That's the motion that's on the floor?

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CHAIRPERSON AVELLA: Correct.

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MR. JACKSON: I vote no.

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MALE VOICE: Council Member Katz.

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MS. KATZ: I vote no and also respectfully thank everyone for their time here today. I know we started late. We had many issues that we actually are still trying to clarify for Land Use. We might even be here

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2 longer. Those issues are not done yet. So  
3 whether or not we finish this Committee meeting  
4 now or later, I just want everyone to understand  
5 that there's still an issue in the Rockaways that  
6 we are trying to fix. I'm not told yet whether or  
7 not that has happened. So I want everyone's  
8 continued patience if we can as I vote no.

9 MALE VOICE: Council Member  
10 McMahon.

11 MR. MCMAHON: Just to say to our  
12 Chairwoman of the greater Committee, of course we  
13 all appreciate her great efforts on all these  
14 issues for members. My protestation was only over  
15 spending time going back and forth on procedural  
16 issues. But as long as we're dealing with  
17 substance and her great leadership on those  
18 issues, for all members of the Council and the  
19 people of the City of New York it is appreciated.  
20 No.

21 MALE VOICE: Council Member Sears.

22 MS. SEARS: No.

23 MALE VOICE: Council Member Vann.

24 MR. VANN: Aye.

25 MALE VOICE: By a vote of one in

1  
2 the affirmative, seven in the negative, the motion  
3 to amend is defeated.

4 CHAIRPERSON AVELLA: Now as Chair I  
5 will make the positive motion in favor of the  
6 application, which is the rest of it, is  
7 overwhelmingly approved by everybody in the  
8 Rockaways. So I make the motion to approve the  
9 application as presented.

10 MALE VOICE: Chairman Avella.

11 CHAIRPERSON AVELLA: Aye.

12 MALE VOICE: Council Member Felder.

13 MR. FELDER: Aye.

14 MALE VOICE: Council Member Gioia.

15 MR. GIOIA: Yes.

16 MALE VOICE: Council Member  
17 Jackson.

18 MR. JACKSON: On the motion, yes.

19 MALE VOICE: And on previous items?

20 MR. JACKSON: I'm sorry. The  
21 previous items being? Yes.

22 CHAIRPERSON AVELLA: Being the  
23 Hudson Yards text, the 610 Lexington Avenue and  
24 the motion to accept the withdrawal of the  
25 sidewalk cafe application.

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2 MR. JACKSON: I vote yes on all  
3 previous other items.

4 MALE VOICE: Council Member Katz.

5 MS. KATZ: I vote aye.

6 MALE VOICE: Council Member  
7 McMahon.

8 MR. MCMAHON: Aye.

9 MALE VOICE: Council Member Sears.

10 MS. SEARS: Explain my vote. I  
11 vote yes, aye. But I do believe that what Council  
12 Member Addabbo said, that it's only the beginning,  
13 which means that we will be looking at and working  
14 with 116th Street to have that far more in the  
15 plan. So with that, I do vote aye because I trust  
16 the Councilman and City Planning that you will  
17 work this out. I think the big question is if  
18 commercial overlay what will get in there. I  
19 think that you will be able to sit right on top of  
20 that one so I vote aye.

21 MALE VOICE: Council Member Vann.

22 MR. VANN: Aye.

23 MALE VOICE: Council Member Felder.

24 MR. FELDER: Permission to explain  
25 my vote since we're waiting for Land Use anyway.

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2 MS. KATZ: Just so everybody knows.  
3 WE do have an agreement for Land Use but please.  
4 I wasn't answering his question. I just wanted to  
5 let everybody know we have an agreement so they  
6 shouldn't leave.

7 MR. FELDER: Permission to explain  
8 my vote. I just want to say I vote yes. I just  
9 do want to add that our two colleagues represent  
10 this rezoning, Council Member Sanders and Council  
11 Member Addabbo. Some people have complained over  
12 the years that when members have a rezoning and  
13 they have preferences as to whether the zoning  
14 should be done or not, that colleagues most often  
15 vote in favor of those preferences. I am proud of  
16 that.

17 Of course, I'm the last person to  
18 say that I know exactly what would be right or  
19 wrong in Councilman Addabbo's district or  
20 Councilman Sanders district or anybody else's  
21 district. I would hope that when things come up  
22 in my own district that people have confidence in  
23 believing not that I'm perfect but that I have a  
24 little better knowledge of those items. But  
25 especially this case, that two distinguished

1  
2 colleagues, I can't remember the last time or the  
3 first time that either of them have ever said that  
4 they strongly support an item and said to any of  
5 us, we're really in support of this despite the  
6 problems that may exist.

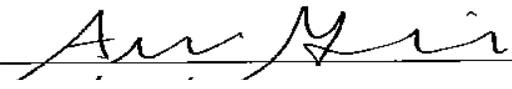
7                   So I am very proud to have the  
8 opportunity to give them and the overwhelming  
9 community that they represent the vote of  
10 confidence in voting yes on their side.

11                   MALE VOICE: By a vote of eight in  
12 the affirmative, none in the negative, no  
13 abstentions, L.U. 820 and 824 are referred to the  
14 full Land Use Committee.

15                   CHAIRPERSON AVELLA: Thank you  
16 everyone. This finally closes this meeting of the  
17 Zoning and Franchises Meeting. Obviously  
18 everybody should stay for the Land Use Committee.  
19 I turn it over to Council Member Melinda Katz.

C E R T I F I C A T E

I, Amber Gibson, 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.

Signature \_\_\_\_\_  \_\_\_\_\_

Date \_\_\_\_\_ 08/27/2008 \_\_\_\_\_