

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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July 28, 2009
Start: 10:55 am
Recess: 11:00 am

HELD AT: Committee Room
City Hall

B E F O R E: TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Tony Avella
Simcha Felder
Eric N. Gioia
Robert Jackson
Melinda R. Katz
Larry B. Seabrook
Helen Sears

A P P E A R A N C E S

Carol Clark
Assistant Commissioner
HPD

Miriam Colon
Assistant Commissioner on Housing Incentives
HPD

Arden Sokolow
Director of Inclusionary Housing
HPD

CHAIRPERSON AVELLA: Thank you, everyone. I guess we're starting at least an hour late. I'm not going to introduce everybody in the interest of time, but joining are Council Members Larry Seabrook, Helen Sears, Eric Gioia, Melinda Katz and Simcha Felder. I know we have members of the Land Use Committee here as well. First I have to call upon Carol Clark from HPD to give a brief statement about the inclusionary housing text amendment. I think you heard my colleagues say brief.

CAROL CLARK: Good morning, Council Members. It's very brief. Thank you. I'm Carol Clark. I'm the assistant commissioner at HPD and I'm testifying on the proposed inclusionary zoning amendment. I'm joined by two HPD colleagues, Miriam Colon, who is the Assistant Commissioner on Housing Incentives and Arden Sokolow, who for the last three years has directed the Inclusionary program for HPD. At the request of Speaker Quinn who raised concerns about the program operation, HPD will take the guidelines for the operation of the inclusionary homeownership program through the Citywide Administrative Procedures Act or CAPA

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2 process. This will ensure that there is a careful
3 public review by all parties involved. We look
4 forward to working collaboratively with the City
5 Council and all of our partners in this effort and
6 we thank you. I hope that was brief enough.

7 CHAIRPERSON AVELLA: I'd like to
8 call upon Council Member Inez Dickens.

9 COUNCIL MEMBER DICKENS: Thank you,
10 Chair Avella for this opportunity. While this is
11 definitely not a total cure, it is a beginning.
12 We must begin to seize the opportunity for home
13 ownership for all of the residents of this great
14 city. I ask my colleagues to vote in favor of
15 this important new policy to take the beginning
16 step, not just for the city but for each of our
17 districts where the benefits are most needed and
18 must be realized. I had a full statement but due
19 to the essence of time and my colleague's request,
20 I have severely shortened it.

21 CHAIRPERSON AVELLA: Thank you. We
22 all appreciate that. Thank you. Since this is a
23 continuation of a recessed meeting, what the
24 committee will be doing is having two votes. The
25 first vote, chair recommends approval on the

1 following items: the Flatbush rezoning, the Middle
2 Village/Maspeth rezoning, inclusionary housing
3 text amendment, the special College Point
4 District, which is actually in my district and EDC
5 is agreeing to do a follow-up corrective action to
6 tighten up the language in the special zoning
7 district, and the Greenpoint-Williamsburg
8 contextual zoning. Then I will call upon Council
9 Member Melinda Katz to do the recommend on the
10 Dumbo rezoning. I would also remind Larry, Eric
11 and I don't see Joel here that you also need to
12 vote on one of the items that we actually did
13 yesterday. So Chair recommends approval for those
14 five re-zonings.
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16 CAROL SHINE: Carol Shine, counsel
17 to the subcommittee. Chair Avella?

18 CHAIRPERSON AVELLA: Aye.

19 CAROL SHINE: Council Member
20 Felder?

21 COUNCIL MEMBER FELDER: Yes.

22 CAROL SHINE: Council Member Gioia?

23 COUNCIL MEMBER GIOIA: Yes.

24 CAROL SHINE: And on the item from
25 yesterday?

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2 COUNCIL MEMBER GIOIA: I vote yes
3 on that as well. Thank you for the reminder.

4 CAROL SHINE: Council Member Katz?

5 COUNCIL MEMBER KATZ: Aye on all.

6 CAROL SHINE: Council Member
7 Seabrook?

8 COUNCIL MEMBER SEABROOK: I vote
9 aye on all and also aye on all previous items.

10 CAROL SHINE: Council Member Sears?

11 COUNCIL MEMBER SEARS: Aye on all.

12 CAROL SHINE: Council Member
13 Jackson?

14 COUNCIL MEMBER JACKSON: I vote
15 aye.

16 CAROL SHINE: Vote stands at seven
17 in the affirmative, none in the negative and no
18 abstentions.

19 CHAIRPERSON AVELLA: Thank you.
20 Now I will call on Council Member Melinda Katz.

21 COUNCIL MEMBER KATZ: We have an
22 application for contextual zoning to facilitate
23 the character development of a portion of Dumbo.
24 One is an amendment to the zoning text. The other
25 is an amendment to the zoning map to pursue

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2 proposed R7-A and R8-A districts. I make a motion
3 to approve.

4 CHAIRPERSON AVELLA: I'll ask
5 counsel to call the vote.

6 CAROL SHINE: Chair Avella?

7 CHAIRPERSON AVELLA: If I may have
8 a moment to explain my vote. The reason I'm going
9 to be voting against this is I just don't think
10 this application goes far enough. The Dumbo
11 Neighborhood Association was here testifying
12 yesterday that it doesn't protect the
13 neighborhood. They were very upset that the
14 borough president's recommendations were not taken
15 seriously. So I think since this was a rezoning
16 requested by the community, I think it's
17 disappointing that it doesn't go far enough to
18 address their needs and I vote no.

19 CAROL SHINE: Council Member
20 Felder?

21 COUNCIL MEMBER FELDER: Yes.

22 CAROL SHINE: Council Member Gioia?

23 COUNCIL MEMBER GIOIA: I'm voting
24 yes. Thank you.

25 CAROL SHINE: Council Member Katz?

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COUNCIL MEMBER KATZ: Yes.

CAROL SHINE: Council Member

Seabrook?

COUNCIL MEMBER SEABROOK: I vote

aye.

CAROL SHINE: Council Member Sears?

COUNCIL MEMBER SEARS: Aye.

CAROL SHINE: Council Member

Jackson?

COUNCIL MEMBER JACKSON: I vote aye

on all.

CAROL SHINE: By a vote of six in

the affirmative and one in the negative, the

aforementioned item is approved and referred to

the full committee.

CHAIRPERSON AVELLA: Thank you,

everyone. This closes the meeting of Zoning and

Franchises.

C E R T I F I C A T E

I, Donna Hintze 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 *Donna Hintze*

Date August 17, 2009