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THE COUNCIL
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CARLOS MENCHACA

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TRANSPORTATION

September 17, 2019

Andrew Kimball
Industry City
220 36th Street Suite #2-A
Brooklyn, NY 11232

Dear Andrew Kimball:

I want to share with you my findings and recommendation about the future of Industry City's rezoning proposal.

Earlier this year in February, when we heard that you were preparing to certify Industry City's rezoning application, I and others in the Sunset Park community believed this decision was premature and rushed. The Sunset Park Community Board had only recently completed a series of town halls and had yet to process what they heard. I and other elected officials – including Congressmembers Nydia Velazquez, Jerrold Nadler, and State Senator Zellnor Myrie – still had many questions about its impact.

We were concerned that the rezoning proposal would exacerbate trends affecting New York City that are beginning to have an outsized effect on Sunset Park – displacement, gentrification, rising rents, and unpreparedness for climate change. We were also deeply concerned that these questions could not be addressed adequately during the Uniform Land Use Review Procedure (ULURP).

As I and these other elected officials explained, ULURP is flawed. Aside from an environmental impact analysis that doesn't go far enough, the process behaves like a back-door negotiation rather than an open fact-finding mission. This creates distrust not only between the community and their elected officials, but also between elected officials and the applicant. As a result, the purpose of ULURP – which is to invite New Yorkers into the rezoning procedure so their ideas can modify applications to meet community needs – is rarely fulfilled.

That is why in March I wrote a letter with the Chair of Community Board 7 asking you to delay certification until we could fill the gaps in analysis and meet with a wide variety of community stakeholders to determine whether the rezoning proposal would exacerbate these worrying trends.

You agreed, and in the last six months, I consulted or met with experts in housing, jobs, urban planning, community empowerment, education, and the environment. They include: Community Board 7 leadership, the Association for Neighborhood and Housing Development, the Southwest Brooklyn Industrial Development Corporation, 5th Avenue Business Improvement District, UPROSE, Neighbors Helping Neighbors, Fifth Avenue Committee, Opportunities for a Better Tomorrow, Chinese American Planning Council, the Urban Manufacturing Alliance, Protect Sunset Park, 32BJ, Mixteca, small businesses along 4th, 5th, and 8th Avenues, businesses at Industry City, and many other individuals who are residents of Sunset Park.

I also consulted with the Council's Land Use Division, met with fellow elected officials including the Brooklyn Borough President's office, Congress Member Nydia Velazquez's office, State Senator Zellnor Myrie's office, and met with the Deputy Mayor on Housing and Economic Development.

Based on these discussions, **my main finding is that the current rezoning application before the City Planning Commission is a non-starter.** It will exacerbate gentrification, displacement, and rising rents; leave the community unprepared for climate change; and fail to preserve or strengthen the manufacturing and industrial character of the waterfront.

My second finding, which is equally important, is that allowing you to pursue your as-of-right business model will also exacerbate these trends. You are one of many neighbors here in the community, yet your activities have a disproportionate impact on our future. You must transform your business plan so we can address these issues that affect all of us.

I believe there is a path forward to address these negative impacts through a rezoning, but only on the community's terms and with the community's interest at the center. You must commit to modifying your rezoning application with the following changes:

- Remove hotels from the proposed Special District
- Establish an irreducible minimum amount of space restricted for industrial uses within the proposed Special District
- Further restrict total amount, size and location of retail uses within the proposed Special District

This is the first step, the details of which you agree to finalize through meetings and discussions in the coming week.

Two other conditions must also be met before I will support certification.

The second condition is that the Mayor's Office present to Sunset Park, in writing to me, that they are ready to work with us to make the necessary investments to address our workforce, education

and housing challenges, such as investments for a public technical high school, affordable housing, and tenant support through organizers and legal services.

The third and final condition is that a group in the Sunset Park community emerges to carry forward one end of a community benefits agreement. There must be an identifiable partner in such an agreement and proof that a legal team is present to negotiate and make legally binding commitments from Industry City to the rest of the Sunset Park community. I want you to commit to working with this group, when they emerge, on the following items:

- Establishing a public technical high school and adult education center at Industry City;
- Expanding and enhancing the Innovation Lab to connect more Sunset Park residents to jobs, support worker cooperatives, and provide training and research around green manufacturing;
- Establishing a manufacturing hub that is managed by a mission-driven non-profit to ensure industrial businesses—including those focused on climate resilience and adaptation—have long term access to space and support in Sunset Park;
- Promoting existing Sunset Park businesses through your tenanting process, and establishing programs to incentivize Industry City tenants to source locally;
- Providing Industry City roof space to expand the Sunset Park Solar Cooperative; and
- Providing funds to support and expand tenant organizing, education and advocacy efforts in Sunset Park.

Unless these conditions are met, I will not support the certification of your rezoning application, and will oppose it if it comes before the City Council.

There is a way forward here. I await your response by Thursday, September 19.

Sincerely,



Carlos Menchaca
NYC Council Member | 38th District