



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE EXECUTIVE DIRECTOR

Council Member Carlos Menchaca
250 Broadway, Suite 1728
New York, NY 10007

Cesar Zuniga
Chair, Brooklyn Community Board 7
4201 4th Avenue
Brooklyn, NY 11232

December 13, 2019

Re: Industry City Rezoning

Dear Council Member Menchaca and Community Board 7 Chair Zuniga,

Thank you for your recent letter to Mayor Bill de Blasio concerning the Industry City rezoning proposal. He has asked me to respond to your letter.

As you know, Industry City has put forth a private application proposing a series of zoning changes which started the City's formal Uniform Land Use Review Procedure (ULURP) on October 28, 2019. As the private applicant, Industry City is responsible both for articulating the need and rationale for the actions it proposes and for responding to community concerns about its proposal. ULURP is meant to ensure that every application for a land use change provides a consistent and predictable opportunity for residents, business owners, community groups, and other stakeholders to participate in a public discussion about the merits of a proposal. It is the role of the Community Board, the Borough President, the City Planning Commission, and the City Council to assess the appropriateness of a private application based on both local and citywide perspectives.

We encourage robust conversations around any proposed land use changes and commend you for facilitating the ongoing community input related to Industry City's private application. We are pleased that residents and other local stakeholders have engaged in multiple public discussions in advance of the official start of ULURP, and are grateful that you often led those discussions with hundreds of attendees. We look forward to the additional input that will be expressed at the public hearings held by the Community Board and Borough President, and anticipate that their comments and concerns will be formally incorporated into their recommendations. There will be

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additional opportunities to provide direct comments at the City Planning Commission and City Council public hearings, prior to these bodies' votes on the private application.

In response to your request to pair public contributions with this private application, I would like to clarify the scope of the Neighborhood Development Fund (NDF). NDF was created for the specific purpose of funding public investments in neighborhoods undergoing city-led, areawide rezonings that would directly encourage or catalyze housing growth. NDF cannot fund any investments related to private applications or non-residential rezonings.

Though NDF is not available for needs related to a private rezoning application, I do want to highlight a few of the ongoing initiatives that relate to some of your requests related to tenant protections, a new vocational high school, and job counts.

Housing Protections for Sunset Park Residents: Certificate of No Harassment and Right to Counsel

The NYC Department of Housing Preservation and Development oversees the Certification of No Harassment (CONH) pilot program. As set forth in the law, buildings with high levels of physical distress or ownership changes in certain targeted areas of the city are placed on a building list. Also included on the list are buildings that are the subject of a full vacate order, have been active participants in the alternative enforcement program for more than four months since February 1, 2016 and which have an AEP order, and buildings in which there has been a finding of harassment within the last five years by a court or by New York State Homes and Community Renewal. The program requires owners of these properties to obtain a CONH before undertaking any work involving demolition or change in use/occupancy. Eighteen buildings in Brooklyn Community District 7 are subject to this pilot program.

Additionally, preserving the affordability of buildings is a critical tool in keeping people in their homes. HPD administers multiple financing programs to facilitate the physical and financial sustainability and affordability of privately owned, multi-family and owner-occupied buildings. HPD has preserved 448 affordable homes in Brooklyn Community District 7 since 2014, including 408 units across multiple buildings known as Sunset Park Apartments with Fairstead through the HUD Multifamily program in 2017. HPD also recently launched the HomeFix program, a partnership with the Center for New York City Neighborhoods, which provides repair loans to owners of one- to four-family residences, which can help them and their tenants stay in their homes. Interested homeowners can find an application on HPD's website, or attend one of HPD's monthly Property Owner Clinics at 100 Gold Street.

Free legal services administered by the Office of Civil Justice (OCJ) of the Human Resources Administration (HRA) are available to tenants in Sunset Park who are facing eviction, harassment and other displacement pressures. In Fiscal Year 2019, OCJ's tenant legal services

programs served approximately 300 households comprised of approximately 700 residents in Council District 38 – more than double the number of Sunset Park residents served in Fiscal Year 2015. In all, since Fiscal Year 2015, roughly 1,000 households (approximately 3,200 residents) in CD38 have received legal representation, advice or other assistance through OCJ's legal services. OCJ continues to implement New York City's first-in-the-nation Universal Access to Counsel law that will ensure that every tenant facing eviction in Housing Court or in public housing administrative proceeding can access free legal services and assistance. At full implementation, which is expected in Fiscal Year 2022, free legal representation will be available to all tenants with household incomes at or below 200% of the federal poverty line, or roughly \$50,000 for a household of four, with legal counseling available to those earning more. When Universal Access is fully implemented, the City's tenant legal services programs are expected to provide access to legal services for 125,000 households, or 400,000 New Yorkers, each year and will help to level the playing field for tenants facing eviction and displacement.

New Technical High School: modeled on the STEAM Center at the Brooklyn Navy Yard

NYC School Construction Authority and the NYC Department of Education are planning four new capacity projects that will add elementary school seats and address overcrowding in and around Sunset Park. Over the next few months, DOE will engage in planning conversations with the Sunset Park and broader D15 community around use of this new capacity.

We look forward to continuing the productive relationship with you and local groups to understand neighborhood needs and opportunities for the siting of new schools. We are thrilled with the success of the Brooklyn STEAM Center at the Brooklyn Navy Yard, which currently partners programmatically with eight schools across Brooklyn. DOE will continue to identify additional opportunities for partnering across more Brooklyn neighborhoods and look for opportunities to expand this successful model. However, at this time, we do not have a need for additional high school seats in Brooklyn.

Tracking Jobs: Reviewing Legislative Package for mandatory job tracking related to major rezonings

The City continues to work to ensure that its investments create accessible job opportunities for its residents and will continue to update the Council on our progress. We have not seen the legislative package referenced, but look forward to reviewing it.

Like other neighborhoods throughout the city, Sunset Park residents are concerned about climate change adaptation, housing insecurity, underemployment, and assuring that our industrial neighborhoods serve New Yorkers. These are issues that we are tackling across the city and in a variety of ways. The City plans for growth and change across neighborhoods as a regular course of business, tailoring priorities, policies and investments to particular neighborhoods as

appropriate. From the annual Community District Needs Assessments and Community Board budget requests, to approval of the City's capital budget in which neighborhood investments are approved by the City Council, the City responds to changes on the ground in nearly real time. This helps City agencies and the public to continually reevaluate neighborhood, borough, and citywide priorities.

I look forward to our continued dialogue and working with you and other residents, advocates, and elected officials as we plan for the needs of Sunset Park. We are always ready to meet and discuss broader planning and policy concerns, in addition to the existing processes that I have outlined above.

Regards,

A handwritten signature in blue ink, appearing to read "Anita L", with a stylized flourish at the end.

Anita Laremont
Executive Director