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THE COUNCIL
OF
THE CITY OF NEW YORK

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IMMIGRATION

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PUBLIC SAFETY

TRANSPORTATION

CARLOS MENCHACA

COUNCIL MEMBER
38th DISTRICT, BROOKLYN

August 26, 2020

Dear Speaker Johnson,

I know you care deeply about protecting marginalized and vulnerable communities. That is why I was pleased to hear your remarks this morning on Industry City, as it confirms **we agree on what I said about their rezoning proposal last year: that without enforceable conditions, we cannot protect our communities or ensure large developers keep their promises.**

The Sunset Park community created such conditions. Over two years, ten public town halls, a working group of community leaders and planning experts, and numerous conversations with residents, the Sunset Park community developed a framework to address the neighborhood’s needs and keep Industry City – and any future property owner – accountable. There were three conditions: changes to Industry City’s application, Mayoral investments in housing and education, and a legally binding contract with Sunset Park residents.

Those enforceable conditions have failed. Industry City has made no changes to their application – what the City Planning Commission approved was an unchanged application, ignoring the Community Board and Borough President’s thoughtful recommendations. The Mayor refused to help pre-COVID and maintains that the rezoning is not something the Administration can consider. And because Industry City rushed into ULURP before the Sunset Park community could organize, they were unable to find legal counsel, making any negotiation now irresponsible.

That is why I and other elected officials who represent the Sunset Park community are unambiguous in our opposition to the rezoning. Yet despite the lack of enforceable conditions, Industry City believes they are still entitled to get what they want and are now marshalling their awesome economic resources to convince the Council that Sunset Park engaged with their proposal in bad faith.

On the contrary, Industry City is acting in bad faith, hoping that because the Council at large is unfamiliar with the Sunset Park community, and unfamiliar with all the work we did to study the rezoning and devise legally binding conditions, that they can convince the Council to ignore the Sunset Park community’s work.

Industry City is also hoping that our economic recession narrows our focus to jobs alone. But aside from the fact that our neighbors need more than jobs, **Industry City does not need a rezoning to bring jobs to New York City.** They have brought over 8,000 as-of-right already, and over one million square feet of their property sits vacant. Their investors – Jamestown Properties, Belvedere Capital, and Angelo Gordon and Co. – are global multibillionaires who can not only invest more but have expanded their real estate holdings in Sunset Park with a recent purchase from the federal government. They do not need a rezoning to benefit the City economically.

What a rezoning will do - given that enforceable conditions are impossible to achieve at this point - is exacerbate the adverse impacts of the pandemic on local businesses and working-class families. Before the pandemic, our zoning laws were already pushing out businesses in Sunset Park's Industrial Business Zone, because leasing space for office, retail, and events - all as of right in the IBZ - is more lucrative than manufacturing. Today, with an economic recession, the pressure on landlords to drive up rents will only increase. **Rezoning Industry City, then, could mean pushing out Sunset Park's 14,000 existing, essential industrial jobs.**

Moreover, the vulnerability of Sunset Park's residents cannot be overstated. Our City uses rent regulation to protect low-income New Yorkers from displacement. But 70% of apartments in Sunset Park are not even *eligible* for rent regulation. This means 30,000 of our majority-immigrant, low-income families live in apartments where landlords can, and do, jack up rents overnight when it suits them. Nearby landlords are already using Industry City as a key part of their marketing. **This unprecedented rezoning will generate real estate speculation, and our most vulnerable neighbors will be pushed out of our community.**

For Industry City to push forward with their rezoning despite the clear verdict delivered by their neighbors and their representatives is not only disrespectful, but deeply anti-democratic. It is not incumbent on the Sunset Park community to make their case to the Council. That case has been made. Industry City should withdraw their application, and the Council should work to find real pathways to an equitable economic recovery.

We need to work together to develop a comprehensive waterfront plan for the City. One that is laser-focused on bringing manufacturing and green jobs to our existing industrial zones so we can build the solar panels, windmills, and climate-resilient infrastructure of the future. Such jobs will benefit our working-class families the most, meaning that New York City can become a global leader in battling climate change while simultaneously uplifting vulnerable workers. That is the future for which we should be fighting.

I believe you can help lead us down that bright path. But it can only start when we reject Industry City's myopic and self-serving rezoning proposal.

In solidarity,



Carlos Menchaca
Chair of the Committee on Immigration
New York City Council, District 38