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THE COUNCIL
OF
THE CITY OF NEW YORK

CARLOS MENCHACA

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IMMIGRATION

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ECONOMIC DEVELOPMENT

ENVIRONMENTAL PROTECTION

PUBLIC HOUSING

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TRANSPORTATION

September 9, 2020

Dear Council Colleagues,

Thank you for engaging with me on the **Industry City rezoning proposal** these past few weeks.

I know that with summer ending, many of you are trying to find time to recharge and reconnect with your families and loved ones. As someone who takes self-care very seriously, I know how important that is, and so my appreciation is immense.

After speaking with many of you these past weeks, especially after a presentation my office gave through the Progressive Caucus, it is clear that there are great discrepancies between what the Sunset Park community knows through its own research, and what you are being told by Industry City and their lobbyists or supporters.

I also understand that Sunset Park will need to “make the case” to each of you because of the City’s unprecedented circumstances. I am prepared to do that. All I need is your continued willingness to engage. We are scheduling additional briefings and one-on-one meetings.

I will respond to any and all of your questions. Many of you have asked for a one-pager that summarizes the pre-conditions I outlined a year ago in September of 2019 for Industry City, the Mayor and the community. **I am attaching that framework with this letter.**

I want to emphasize two things as you read it. First, these were pre-conditions Industry City had to accept to *structure* the negotiations which included Mayoral investments and legally binding agreement with the community. Neither I, nor the coalition of Sunset Park organizations and residents who arose to meet its challenge, have sat down with Industry City to negotiate anything. This was a framework only. Any assertion that “goal posts are being moved” is categorically false.

Second, the framework is robust, and requires many things to happen *prior* to any vote by the Council on the rezoning application. We have less than a month to go in ULURP, and there is no way these pre-conditions can be met. This was the basis for my officially announcing my opposition.

To my colleagues who are considering voting against the Sunset Park community and in favor of this rezoning application – I ask that you attend the public hearing on September 15. It will be a long one, but it is important you hear directly from the people who will be most impacted by this rezoning.

Industry City's argument boils down to a promise. That they will create thousands of jobs during an economic recession. This argument is also their greatest liability. For having accepted my framework last year, they know the pre-conditions are not met, and therefore their promise is not enforceable.

Let's keep these discussions going so we can achieve the most just outcome.

In solidarity,

A handwritten signature in blue ink that reads "Carlos" followed by a stylized star symbol.

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

Council Member Menchaca’s Framework and Minimum Standards for Equitable Development at Industry City

These standards and preconditions for a rezoning of Industry City were outlined publicly in September 2019.

1. LEGALLY BINDING COMMUNITY BENEFITS AGREEMENT (CBA)

1. Negotiated by a coalition of Sunset Park organizations and residents at minimum representing local residents; industrial businesses and workers; workforce development services; and climate justice advocacy.
2. Coalition must be represented by independent legal counsel during negotiations (independent from both Council and Applicant)
3. A legally binding contract between the Applicant and Coalition must be signed prior to Council vote on application.
4. At a minimum, CBA demands must address workforce, industrial waterfront, and to be managed by a not-for-profit partner.

2. ADDRESS THE PROBLEMATIC SCOPE OF THE ZONING APPLICATION

1. Limit the overall floor area of proposed retail uses not allowed under current zoning (M3-1)
2. Require a minimum amount of floor area for defined industrial/manufacturing uses; these uses cannot include the “manufacturing” of software or other digital products
3. Reduce FAR increase within the proposed Special District
4. Prohibit retail uses in 39th street buildings
5. Remove hotel approval from application (Use Group 5) and any authorization for future addition of hotel use that would not require a ULURP action
6. Details of items 2a, 2b and 2c to be determined in coordination with CBA coalition

3. CITY ADMINISTRATION INVESTMENT IN NEIGHBORHOOD NEEDS

1. Development of new technical High School in Community District 7 modeled on Brooklyn Navy Yard STEAM Center
2. Housing stabilization in CD7
3. New affordable housing development in CD7
4. Workforce development in CD7
5. Climate adaptation and resilience in CD7