

**Testimony of Vicki Been, Commissioner of the
Department of Housing Preservation and Development
City Council Subcommittee on Zoning and Franchises
Hearing on the East New York Community Plan
March 7, 2016**

Good morning, Chair Richards and members of the City Council. I am Vicki Been, Commissioner of the Department of Housing Preservation and Development. The current affordable housing crisis threatens to harm the quality of life, and limit the opportunities, of New York City's lowest income residents, hurts the city's economic competitiveness, and contributes to the growing inequality gap that undermines our ideals and unravels the social fabric of our neighborhoods. The proposed rezoning in East New York is one step of many towards resolving that crisis by allowing our neighborhoods to grow, while protecting the distinct architecture, street life, historic significance, and mix of housing types and uses, and preventing the displacement of current residents. In response to concerns we've heard from the community, we've crafted a set of strategies that will use permanently affordable housing to allow existing residents to stay in the neighborhood they love even as the neighborhood changes, and to ensure that future development results in an even more diverse and livable community.

SLIDE: THE PLANNING PROCESS

As Chair Weisbrod just described, the East New York Community Plan is the result of an extensive community planning process that spanned a number of years. The mayor's Housing New York Plan started with neighborhoods, and committed the City to "thoughtfully planned development" which has led to an unprecedented degree of interagency collaboration and engagement with local communities. At HPD, the Mayor's focus on neighborhoods led us to form a new Office of Neighborhood Strategies to focus on community engagement around the development of neighborhood plans, such as this one [point to Plan], that speak directly to community needs and concerns. We began in 2014 with "desktop research" – an analysis of the existing housing stock, the demographics of the community, and the threats and opportunities for affordability that

East New York faces. Throughout 2015, along with many of our sister agencies, we conducted a series of listening sessions, workshops, and stakeholder meetings to get feedback on the extent to which the preliminary research resonated with community members based on their "lived experience" of the neighborhood. Last summer, we also participated in a series of working meetings with the East New York Coalition for Community Advancement, where HPD Deputy and Assistant Commissioners were on hand to brainstorm creatively about how to work together with the community to achieve common objectives. Based on the ideas developed at these meetings, we drafted a Housing Plan specifically for East New York. The Housing Plan outlines and will continue to guide and focus our housing policies, programs, and investments in the community. The process has been very iterative – while we were crafting the Housing Plan, we met with local elected officials, the Coalition, and others to provide updates and gather additional input. We have copies of the Housing Plan available here today.

SLIDE: WHAT WE LEARNED

As we are all aware, Brooklyn's population has grown considerably in recent years. The borough is seen as one of the most desirable places to live in this country, and is one of the most expensive. East New York is often cited as one of the few remaining affordable neighborhoods in the borough, attracting people priced out of other areas. In addition, existing residents are remaining in place as they have children, and increasingly are aging in place, so East New York is growing even without in-migration. Between 2000 and 2010, the area's population increased at a rate of 11% – faster than Brooklyn and the city as a whole, which only grew by about 2%.

As population grows, the increased demand for housing is putting pressure on the area's housing supply. Between 2000 and 2013, prior to the announcement of any rezoning, median home values in East New York increased by over 100%. Median rents increased by approximately 26% in East New York over the same period, compared to 16% in all of Brooklyn.

The median household income in the neighborhood is about \$33,000, but in order to afford current asking rents in East New York, one would need to earn at least \$44,000 for a one-bedroom or \$56,000 for a two-bedroom apartment. Indeed, over two-thirds of East New York households are already spending more than what the federal Department of Housing and Urban Development (HUD) defines as "affordable."

Many of you may have seen a statistic quoted in the press that says 50,000 East New York residents are going to be displaced as a result of the proposed community plan. That figure, taken out of context from the Draft Environmental Impact Statement, has been grossly misrepresented. What the report actually says is that 50,000 people are *already* at risk of displacement. Because so much of the housing in East New York is in small buildings, there are 50,000 people in East New York today who do not live in housing that is regulated by a government agency or rent stabilized and, because of their low incomes, cannot afford the increasing rents I described just a moment ago. Those people are at risk of displacement as pressure continues to rise on rents because the demand for housing in New York City outstrips supply.

SLIDE: HOUSING STRATEGIES

So what are we proposing to do about that risk? Doing nothing is not an option – if the supply of housing is not increased, rents will rise, and displacement will occur. Protecting residents who are vulnerable to displacement is our number one priority. So first and foremost, we will preserve the existing stock of regulated housing and ensure that homeowners and rent protected tenants have the resources to enforce their legal rights and resist pressures to move.

But to keep rents from skyrocketing, we must ensure that we are allowing the supply of housing to increase to meet demand, and that any new housing built must include affordable homes.

SLIDE: PRESERVING EXISTING REGULATED HOUSING

A large proportion of the homes in the East New York rezoning area – over 40%, or about 25,000 homes – are already affordable because of existing regulatory restrictions that require the housing to serve low income families, or limit rent increases. These units are regulated by government agencies, and we are monitoring these properties and reaching out to owners with regulatory agreements that are near the end of the affordability period to let them know about the financial incentives we can provide to preserve affordability. Approximately 1,100 homes will reach the end of their existing regulatory period by 2020, and we are doing everything we can to keep those homes under regulatory protections.

SLIDE: BRINGING UNREGULATED HOUSING INTO AFFORDABILITY PROGRAMS

We are also working to identify opportunities to protect the affordability of buildings that are *not* currently regulated. We are taking a much more proactive and strategic approach than ever before to target building owners who could benefit from our financing and tax incentives in exchange for agreeing to maintain the affordability of their units. Many owners are either not aware of our products or feel uncomfortable working with a public agency, but we are trying to better serve those owners. One example is the new Green Housing Preservation Program, which targets small buildings of 5 to 50 units with low interest loans that will make buildings more energy efficient in exchange for maintaining the affordability of their units; in the Spring, we will be launching a comprehensive outreach and technical assistance campaign specifically targeting East New York property owners who could benefit from this new program.

SLIDE: RESOURCES FOR HOMEOWNERS

There is also a significant stock of unregulated housing in East New York – predominately in owner-occupied, small, one- to four-family homes. We have heard from

homeowners that they are being approached to sell their homes on a daily basis, and many do not have the resources to make critical repairs or protect themselves against this sometimes aggressive form of harassment. So we are prioritizing several programs. First, we will be dedicating a "Homeowner Helpdesk" in the community, with financial and legal counselors to help homeowners modify mortgages, prevent foreclosures, access home repair and weatherization loans, and address scams such as deed thefts and other issues. This responds to an issue the Coalition explicitly raised in our working meetings, and will be an important resource to help protect homeowners and their tenants.

We are also working to increase awareness of and access to our range of small home repair loan programs, as well as to expand our down payment assistance program for first-time, low- and moderate-income homebuyers in the neighborhood.

SLIDE: PROTECT TENANTS

Protections for tenants in rental housing are also critical. The City is deploying immediate, proactive tools to protect residents from landlords that engage in harassment or do not maintain the safety of their buildings:

- Free legal services are available to any tenant in East New York facing harassment – Mayor de Blasio has increased funding for these programs by ten-fold;
- We are participating in the first ever task force dedicated to investigating and bringing enforcement actions – including criminal charges – against landlords who harass tenants;
- Among other tools, the new Tenant Support Unit goes door-to-door in neighborhoods across the city, informing tenants of their rights, documenting building violations, soliciting complaints related to harassment and eviction, and making referrals to free legal support whenever necessary. Since it launched in July 2015, the Unit has identified 2,400 New Yorkers that needed help. 1,000 of those cases have been resolved so far, and agencies and legal service providers are addressing the remainder.

With these kinds of programs in place, we are pleased by the recent announcement that evictions citywide decreased by 18% last year.

SLIDE: ZONING FRAMEWORK

We must also create opportunities for new housing, and especially new affordable housing, to relieve the demand pressures that are driving up rents in East New York. In this way, we view the zoning proposal before you as an additional and important preventative measure to combat residential displacement.

The zoning proposal has been crafted to ensure new development is only permitted along the major commercial corridors – Atlantic, Fulton, Liberty, and Pitkin – that currently contain very few residential units.¹ Residential areas on the side streets are *not* being rezoned to allow for greater density, thereby ensuring that the existing low-scale character of these residential areas is preserved, and ensuring that the rezoning will provide no incentive for owners to change the nature of the housing.

On the avenues, we are proposing to implement the Mandatory Inclusionary Housing program, also known as MIH; if approved, this will represent the first neighborhood-scale implementation of the ambitious new program. Through MIH, any new development in these locations would be required to set aside at least 25% of the units as affordable for a family of three making, on average, \$47,000 per year, or 60% of the Area Median Income (AMI). Remember that the MIH program would require these units to be *permanently* affordable. To average at 60% of AMI, a 100 unit building could include 25 units, for example, with 10 for families making \$31,000; 5 for families making \$47,000; and 10 for families making \$62,000.

¹ The Draft Environment Impact Statement catalogues each of the buildings that could potentially be redeveloped as a result of this plan and counts all of the units (53 units).

SLIDE: AFFORDABILITY COMMITMENTS

But in East New York, MIH is only the floor – not the ceiling. When developers come to HPD for financing, we will only finance buildings that are 100% affordable, and at levels that target low and extremely low incomes. Within these 100% affordable buildings, we are committing that at least 40% of all units will be reserved for households earning as little as \$23,000 to \$39,000 for a three-person family (30-50% of AMI). The remainder of the units in each building would primarily be affordable to households making less than \$47,000 for a three-person family (60% of AMI). We have Fact Sheets available in the room today [point to Fact Sheet] describing precisely what rent levels and income qualifications we will require of developers.

I cannot stress enough; asking rents for apartments on the market in East New York today are significantly higher than the affordable housing we will finance, so the new housing we will support will create more, not less, opportunity for current residents to find an apartment they can afford.

One example of the type of development we expect the rezoning will encourage is the project we just funded at the corner of Pitkin Avenue and Berriman Street – and which is shown here. Cypress Hills Local Development Corporation is the developer of this project, which is starting construction this year; when completed, it will include 60 units of affordable housing for families at the income levels I just described, as well as 12 units for formerly homeless tenants. It will also include a new supermarket. This site was rezoned about two years ago to the zoning districts that are now being proposed for all of Pitkin Avenue (R7A/C2-4), which allows 8 to 10 stories of residential uses with commercial and community uses on the ground floor.

SLIDE: 1,200 UNITS IN 2 YEARS

As a down payment on our commitment to affordability, we are seeking to expedite the construction of over 1,200 units of deeply affordable housing, plus other facilities in the

neighborhood – including a new 1,000-seat public school – over the next two years. But we need the proposed zoning plan approved so we can move forward with these projects, as housing and educational uses are not permitted under the current zoning.

These sites include the publicly owned site at Dinsmore Place and Chestnut Street, and the former Chloe Foods facility, now owned by the non-profit affordable housing developer, Phipps Houses, who will develop 100% affordable housing serving the incomes described on the Fact Sheet. To meet calls from the community that more housing should serve the lowest earning families, on public sites we are committing to finance even more units at the 30% and 40% AMI bands.

SLIDE: 1,200 UNITS IN 2 YEARS (AFFORDABILITY BREAKDOWN)


Here you can see those 1,200 units broken out by affordability level. Within the next two years, we are proposing to finance the construction of 480 homes serving families earning less than \$39,000, and 686 homes for families earning between \$39,000 and \$47,000 (all incomes assuming a household of three). A remaining 45 homes will serve homeowners and renters in one- to four-family buildings throughout the district.

SLIDE: LOOKING AHEAD

Lastly, as part of our housing plan for the neighborhood, we are committing to full transparency in the projects we invest in and the programs we are deploying in East New York so that the public can keep us accountable to what we say we are going to do and track whether we are making progress towards our goals. We will also continue to evaluate market and demographic trends in the neighborhood on an ongoing basis – and make those analyses public as well – in order to determine whether policy refinements or new tools are required to address changing needs. We are not walking away from East New York once this plan is approved; to the contrary, our work is only beginning, and we are going to shift into implementation mode. I'm including a chart here showing HPD's capital budget allocation over the next five years, which totals \$3.8 billion, to re-iterate

that our capital funding remains stable and the Mayor's commitment to Housing New York, and East New York, remains fully funded.

Thank you for the opportunity to testify today. I would be happy to take any questions.

A black and white photograph of a multi-story brick building. A prominent fire escape with multiple landings and stairs is attached to the left side of the building. The building has several windows, some with decorative lintels. To the right, a portion of another building with a curved bay window is visible. The sky is clear, and a tree is partially visible on the right.

September 21, 2015

East New York Housing Plan

Office of Neighborhood Strategies
NYC Department of Housing Preservation & Development

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Executive Summary

This Housing Plan summarizes the goals, strategies, and actions that the NYC Department of Housing Preservation and Development (HPD) is proposing to undertake in response to a range of needs and priorities articulated by East New York residents. The Housing Plan is part of the East New York Community Plan, a comprehensive neighborhood plan to promote affordable housing development, encourage economic development, create pedestrian-friendly streets, and introduce new community resources to support the long-term growth and sustainability of East New York, Cypress Hills, and Ocean Hill.

The NYC Department of City Planning (DCP) launched the outreach and engagement process for the Community Plan in September 2014, and the Plan is expected to be finalized in the Spring of 2016. The East New York Community Plan is an initiative of *Housing New York*, the Mayor's housing plan to build and preserve affordable housing through community development initiatives that foster a more equitable and livable New York City.

For more information, or to submit feedback, visit nyc.gov/eastnewyork.

What We Heard—Community Voices

Throughout the public engagement process, residents expressed a range of concerns regarding the availability of affordable housing and the future of their neighborhood. The fear of being displaced from the community in which they may have grown up or lived for many years is strong. With new, denser development being permitted and reports chronicling recent real estate speculation, residents are worried that landlords will begin raising rents or harassing tenants – or that property tax assessments will increase. In addition, while the prospect of new affordable housing development could bring with it many benefits, many are concerned that the rents will be too expensive and may lead to increased costs of living for all residents.

There are also a number of vacant development parcels that the City currently owns, and community members want to see neighborhood amenities and housing that is affordable to very low-, low-, and moderate-income residents built on these sites. Finally, residents want to ensure that local residents, local businesses, and service providers – including retailers, non-profit organizations, developers, and contractors – have opportunities to benefit directly from new development.



Neighborhood Snapshot

Housing Stock

The East New York sub-borough area, which closely approximates Community District 5 (CD5), contains approximately 60,000 units of housing across a broad spectrum of building types and with different regulations that control for affordability.

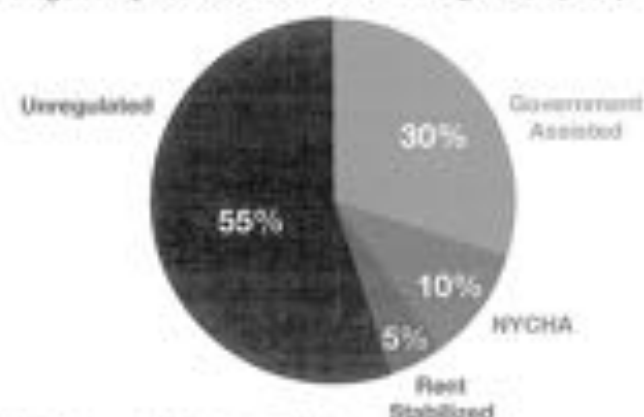
A large proportion of the housing stock is considered regulated affordable housing.¹ Approximately 30% of all units were financed using HPD, HUD, or other government subsidies and are subject to regulatory agreements.² These units have strong governmental oversight that preserves affordability and protects tenants against unjustified evictions. By contrast, less than 15% of all units citywide are subject to these types of affordability restrictions.

An additional 10% of units in the neighborhood are owned and managed by NYCHA. Families living in NYCHA housing pay 30% of their income towards rent and are protected from sharp rent increases and eviction.

Finally, a small number of units in East New York – about 5% – are rent stabilized but not subject to regulatory agreements with a government agency. These apartments are typically located in buildings of six or more units that were built between 1947 and 1974. Rent stabilized tenants are protected from sharp increases in rent and have the right to renew their leases.

Just over half of CD5's housing stock is unregulated and in the general private market. While many of these "market rate" units may currently be occupied by low- and moderate-income residents, if market demand increases

Regulatory Status of East NY Housing Stock (CD5)



HPD Research & Evaluation 2015

without offsetting increases in supply, that gap could put pressure on the housing stock and lead to higher rents over time.

Small, one- to five-unit buildings are the predominant residential building type in CD5, which explains why there are so few rent stabilized apartments. While larger apartment buildings do exist, approximately 60% of units are located in buildings with less than six units. The building stock is generally old. About half was constructed prior to 1947, and another third was built before 1974. Only about 10% of the housing that exists today was built after 2000.

Affordable Housing Development & Preservation Activity in East NY (CD5)

Const. Type	2003-13	2014-6/15	Total
New Construction	2,089	809	2,898
Preservation	3,999	95	4,094
Total Units	6,088	904	6,992

HPD Performance Management & Analytics

¹ The term "regulated affordable housing" is defined as all housing that receives government assistance (including NYCHA), is subject to a regulatory agreement that restricts rents, and/or is rent stabilized.

² These units are subject to a regulatory agreement that restricts rents and/or are rent stabilized. Three quarters of the housing stock in East NY is renter occupied.

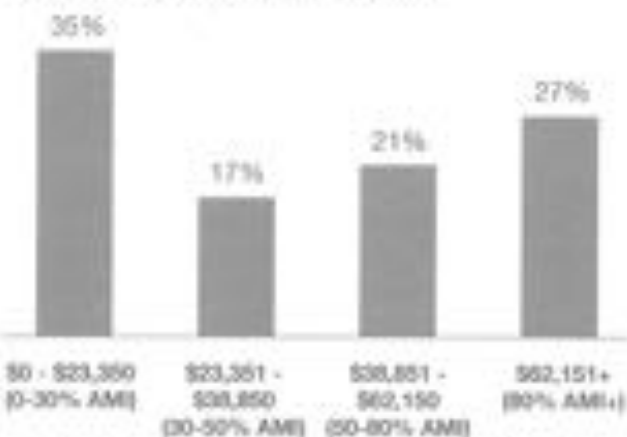
Since 2003, under the *New Housing Marketplace* and *Housing New York* plans, HPD has financed the construction or preservation of about 7,000 units of affordable housing in CDS. Approximately two thirds of these units have been preserved in existing buildings, while a third was developed in new buildings. The vast majority of housing financed by HPD is currently affordable to households earning less than 80% of AMI, or \$62,150 for a three-person family.

Incomes and Affordability

Housing affordability is determined by how much a household pays in monthly or annual housing costs. Housing is considered "affordable" if a household spends no more than a third of its total income on housing costs.

Each year, HUD determines the Area Median Income, or AMI, for every city across the nation. HPD is required to use the AMI defined for New York City as a point of reference in order to

East NY Household Incomes (CDS)



Sample incomes are for a three-person household. ACS 2007-11

qualify for federal funding, but the agency sets its own income requirements that are tailored to meet the needs of New York City residents.

Households in East New York earn a range of incomes. The median household income is \$34,512 per year, and over a third of families earn less than 30% of AMI, or \$23,350 for a three-



Vision & Guiding Principles

person family, which approximates the federal poverty line.

On the other end of the spectrum, just under a third of households earn over 80% of AML, or \$62,150 for a three-person household.

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Housing affordability affects residents of East New York and NYC overall. As the city's population and demand for housing continues to grow, housing costs will continue to increase in many neighborhoods throughout the City unless the supply of housing increases. At the same time, the City is committed to using its resources to build new affordable housing, preserve existing affordable housing, and prevent the disruptive displacement of residents from their communities.

- Support the development of a diverse, livable neighborhood anchored by affordable housing serving a range of incomes
- Preserve the quality and affordability of existing housing, and prevent displacement



Public workshop in East NY, July 1, 2015
Riverside Community Center for City Planning

01 Preserve Existing Affordable Housing

Focus and expand financing and tax incentive programs to maintain affordability

Strategy 1

Strive to preserve all identified government-assisted housing in East New York whose affordability requirements are expiring

- HPD's new Community Partnerships Division is working with government agencies and community stakeholders to monitor buildings with expiring regulatory agreements or tax benefits in East New York, as well as proactively reaching out to and working with owners to extend affordability.
- HPD is also meeting regularly with HUD and community organizers to ensure close coordination on opportunities to preserve affordability in HUD-assisted buildings that are at risk of opting out.

Strategy 2

Protect current tenants from displacement in City-financed buildings where rents are restructured to rehabilitate existing affordable housing

- HPD preservation programs aim to keep housing affordable for current and future residents. In general, HPD prohibits

owners benefiting from agency subsidies from increasing rents and displacing residents.

- In rare cases, HPD will restructure rents in a building that is obtaining City financing so that the building has enough rental income to cover maintenance and other expenses.
- Where a rent restructuring would increase the rent above 30% of a current tenant's reported income, HPD will either provide an affordable preferential rent for that tenant or, when available and appropriate, provide a Section 8 voucher for the tenant.

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Rehabilitation of Glenmore Apartments
NYC Department of City Planning

Strategy 3

Use the new Green Housing Preservation Program to rehabilitate and preserve affordable housing in East NY

- HPD recently launched a new Green Housing Preservation Program that provides financing for private owners of small to mid-sized buildings to undertake energy efficiency and water conservation improvements, as well as moderate rehabilitation, to improve building conditions, reduce greenhouse gas emissions, and preserve affordability.
- The Program provides 0% interest, evaporating loans for energy efficiency and water conservation improvements and 1% repayable loans to help cover the costs of moderate rehabilitation improvements that go beyond the energy efficiency measures.²
- In exchange for City financial assistance, properties will be required to enter a regulatory agreement to keep rents affordable. Additionally, the improvements will result in lower overall utility costs, which will further safeguard affordability and promote the sustainability of the housing stock.
- While financial incentives under the Program will be available citywide, the City will initially focus outreach and technical assistance on neighborhoods within Con Edison's Brooklyn Queens Demand Management Zone, which includes East NY.

For more information about HPD's preservation finance opportunities, visit: www1.nyc.gov/site/hpd/developers/private-site-preservation.page

Summary of the Green Housing Preservation Program

Financing for energy efficiency and water conservation improvements, as well as moderate rehabilitation

Eligibility: 5+ units and less than 50,000 SF

0-1% interest loans

Buildings may reduce utility costs by approximately 10% or more annually

Strategy 4

Streamline and expand small home repair loan programs, including through improved outreach and access to information

- HPD has loan programs that can help pay for small home repairs and rehabilitation work related to heating, insulation, lead-based paint, plumbing, and other issues. The Home Improvement Program (HIP), for example, offers loans of up to \$30,000, with interest rates as low as 2.5%, to low-income owner-occupants of a one- to four-family home. The Senior Citizen Home Assistance Program (SCHAP) specifically targets low-income seniors.
- HPD is assessing ways to shorten the application process for SCHAP and NHS so homeowners can more quickly make necessary improvements.
- HPD will use the additional funding allocated to our existing NHS programs³ and continue to request increased funding for SCHAP.

² Examples of energy efficiency improvements include insulation, efficient light fixtures, weatherproofing windows, and the installation of efficiency controls on systems such as boilers and low-flow water fixtures. Based on a typical scope of work, buildings may reduce utility costs by approximately 10% or more annually.

³ Neighborhood Housing Services of New York City (NHS) administers the Home Improvement Program (HIP).

- HPD is also improving outreach to small homeowners about our home repair programs by developing a one-page document to allow easy access to information about programs, and we are working with local community groups to develop creative ways to connect homeowners to the various repair/ weatherization programs available to them.
- HPD will continue to evaluate additional potential funding sources that specifically serve one- and two-unit buildings.

Small Home Repair Programs	Eligibility
Home Improvement Program (HIP)	Owner-occupied 1-4 units Low to moderate income
Neighborhood Housing Services Revolving Loan Fund (RLF)	
Senior Citizen Home Assistance Program (SCHAP)	

Strategy 5

Work with DEP to explore opportunities for a water rate relief program for affordable housing

- HPD will continue conversations with the NYC Department of Environmental Protection (DEP) to explore ways to reduce water and sewer charges for qualifying affordable housing properties, while continuing to incentivize water conservation.

Strategy 6

Enhance marketing and outreach efforts to owners of buildings that are not currently government assisted

- In many cases, HPD has financing and tax incentives that are more attractive than those available on the private market. However, many owners of large apartment buildings have never participated in HPD's programs and are not aware of the options available to them.
- HPD will expand its efforts and proactively work with community-based organizations in East NY to broaden awareness of its programs and help owners of unregulated buildings understand how to take advantage of these benefits.

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Strategy 7

Explore opportunities to expand down payment assistance programs to help low-income, first-time homebuyers in East NY

- HPD's HomeFirst Down Payment Assistance Program provides qualified low-income, first-time homebuyers with up to \$15,000 toward the down payment or closing costs on a one- to four-family home, condominium, or cooperative.
- HPD is actively exploring opportunities to enhance down payment assistance programs to both serve more homeowners and increase the size of the loans.

For more information about HPD's homeowner assistance programs, visit www1.nyc.gov/site/hpd/centers/homeowner.page

Target code enforcement to ensure housing quality

Strategy 8

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Continue to proactively identify buildings at risk and coordinate the rehabilitation of distressed properties through better information sharing and coordination among existing HPD programs in enforcement, preservation finance, and community partnerships

- HPD offers a wide variety of programs and resources to address housing quality issues, including:
 - Proactive Preservation Initiative
 - Alternative Enforcement Program
 - Emergency Repair Program
 - Underlying Conditions Program
 - 7A Management Program
 - As a last resort, litigation against non-complying property owners
- HPD encourages referrals from East NY community groups on buildings where there are previously unreported violations or where tenants are facing harassment so we can channel them into the appropriate program.

Strategy 9

Coordinate with the Mayor's emergency task force on three-quarter houses to address resident concerns on overcrowding and substandard living conditions

- HPD encourages referrals from community partners and direct resident complaints about three-quarter houses that may violate the Housing Maintenance Code or the Building Code.
- HPD's Division of Code Enforcement will inspect, issue violations if warranted, and refer properties with violations to the appropriate Housing Quality Enforcement Program.
- HPD will also coordinate strategies and oversight with the Mayor's emergency task force on three-quarter houses, as well as with HRA and other relevant agencies.

For more information about HPD's housing quality enforcement programs, visit: www1.nyc.gov/site/hpd/owners/compliance-housing-quality-enforcement-programs.page

If your landlord is neglecting repairs in your building or compromising the health and safety of you or your neighbors, please call 311.

HPD Activity - FY 2014	East NY (CDS)
Inspections Completed	20,000
Violations Issued	12,500
Violations Removed	11,000
Emergency Repairs Completed	\$1.5 million

Strengthen community partnerships to protect residents from displacement

Strategy 10

Continue to provide free legal representation to East NY tenants facing harassment

- A recent \$36 million commitment from the City will provide free legal representation in housing court to all tenants in rezoned neighborhoods facing harassment.
- The New York City Council also recently passed legislation to protect tenants from harassment and unwanted solicitation by ensuring tenants know their rights around buy-outs, requiring solicitors to provide in-writing notification prior to contact, and classifying buy-out offers after a tenant has asked them to stop as a form of harassment.

If you feel that you are a victim of harassment and would like to consult with a legal services provider, please call 311.

Strategy 11

Work with the new Tenant Harassment Prevention Task Force to investigate and take action against East NY landlords who harass tenants

- The City recently announced the creation of a Tenant Harassment Prevention Task Force to investigate and bring enforcement actions – including criminal

charges – against landlords who harass tenants in East NY and other neighborhoods.

- The Task Force will address complaints that landlords are using a variety of tactics, including disruptive and dangerous renovation and construction projects, to force tenants into vacating rent-regulated apartments.

Strategy 12

Partner with the Tenant Protection Unit of the New York State Division of Housing and Community Renewal (HCR) to ensure that rent stabilized tenants are protected and not charged unlawful rents

- The Tenant Protection Unit (TPU) was established in 2012 as a proactive law enforcement office within the New York State Division of Housing and Community Renewal (HCR). The unit preserves affordable housing by detecting and curtailing patterns and practices of landlord fraud and harassment through audits, investigations, and legal actions. The TPU also encourages compliance by informing tenants and owners of their rights and responsibilities under the rent regulation laws.
- HPD and the TPU, in coordination with community partners, will identify the most pressing issues facing rent stabilized tenants in East NY and use our tools to ensure compliance with the rent stabilization laws and protect rent-regulated tenants.

Strategy 13

Support the community's efforts to establish a Cease and Desist Zone in East NY through the New York Department of State to protect homeowners from unwanted solicitation

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- Homeowners in a Cease and Desist Zone can notify the Department of State that they no longer wish to receive mailings, phone calls, and in-person visits about selling their homes from real estate brokers and other individuals.
- The City does not have any direct control over the establishment of Cease and Desist Zones but will support the community's efforts to have one established.
- The Center for New York City Neighborhoods (CNYCN), an HPD partner, continues to operate the Homeowner Protection Program and Homeowner Hotline, which connects homeowners at risk of foreclosure in East NY and other neighborhoods with free housing counseling and legal services.

Strategy 14

Work with the NYC Commission on Human Rights' Law Enforcement Bureau to investigate possible discrimination by realtors and landlords in East NY and pursue appropriate administrative and legal action where discrimination is revealed

02 Develop New Affordable Housing

Ensure at least 50% of the total units developed in the East NY rezoning area over the life of the *Housing New York* plan are affordable to low- and moderate-income residents

HPD anticipates that through a combination of public land, private sites, the City's new Mandatory Inclusionary Housing policy, and the availability of HPD financing, over half of all new residential units that are developed within the rezoning area through the end of 2024 will be affordable.¹

Strategy 1

Prioritize the development of approximately 1,200 units of affordable housing within the next two years

- HPD has identified six clusters of publicly-owned sites (to be awarded via competitive RFP/Q) and is working with private developers to prioritize the development of over 1,200 units of affordable housing within the next two years following ULURP approval.
- The sites include opportunities for large-scale affordable rental housing with ground-floor retail and community facilities, as well as for low-income homeownership units on residential side streets.

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	Pipeline Sites (CD5) ¹	Affordable Units (Estimated)
	Private Sites	900
●	Dinmore-Chestnut Site	200
●	NCP - North Cluster RFO	35
	NCP - South Cluster RFO	30
●	NIHOP - North Cluster RFO	10
	NIHOP - South Cluster RFO	20
	NIHOP - East Cluster RFO	15
	Total	1,210

¹ HPD depends on private and non-profit developers who own property to come forward with proposals to develop affordable housing in exchange for financing and tax incentives. HPD does not directly build affordable housing and only controls a limited number of public sites in the neighborhood; therefore, it cannot control the total number of units that are ultimately constructed in East NY.

² Unit counts may change; programming and design for the Dinmore-Chestnut site are subject to further discussion with elected officials and community partners.

Strategy 2

Require developers using HPD subsidy to create housing at deep affordability levels

- HPD is committed to providing financing for housing development in the East NY rezoning area only in exchange for deep affordability that meets the needs of local residents who may be at risk of displacement.⁷
- During the life of the *Housing New York* plan (through the end of 2024), HPD will work with developers to ensure that, overall, the following levels of affordability are achieved:
 - 10% of units will serve families earning up to 30% of AMI
 - 15% of units will serve families earning up to 40% of AMI
 - 15% of units will serve families earning up to 50% of AMI
 - 40-60% of units will serve families earning up to 60% of AMI
 - Up to 20% of units may be set aside for families earning up to 90% of AMI
- The percentage of units at these income bands may vary from project to project to provide flexibility for deeper affordability.
- HPD will also consider proposals that set aside 30% of all units for formerly homeless households. For these projects, the remaining 70% of units would serve families earning up to 60% of AMI.

Strategy 3

On public sites, require even deeper affordability

- HPD controls six clusters of public sites in the East NY rezoning area and CDS that could generate approximately 300 units of affordable housing. The largest site is located at the intersection of Dinwiddie Place and Chestnut Street. The City is committing to expedite the development of these sites with affordable housing and other community benefits, including a new 1,000-seat public school, over the course of the next two years following ULURP approval.
- The public sites will be awarded to developers through public and competitive RFP/Q processes. On these sites, HPD will require developers to provide even deeper affordability at the following minimum levels:
 - 15% of units will serve families earning up to 30% of AMI
 - 20% of units will serve families earning up to 40% of AMI
 - 10% of units will serve families earning up to 50% of AMI
 - 35-55% of units will serve families earning up to 60% of AMI
 - Up to 20% of units may be set aside for families earning up to 90% of AMI
- There are three clusters of one- to four-family homeownership sites (i.e., NINOP sites) that will be made affordable to moderate-income households earning 80% of AMI and above.
- HPD is continuing to work with its partner agencies to identify additional public sites in the rezoning area and CDS that could be redeveloped with affordable housing and other community uses, such as parks and gardens.

⁷ HPD's current assessment is that multifamily development in East NY is not financially feasible in the near term without subsidy because "market rate" rents are not high enough to support the cost of developing and maintaining a building.

Income Band (AMI)	Percent of CD5 Households	Proposed East NY Affordability Requirements	Proposed East NY Public Site Requirements
Extremely Low Income (<30%)	35%	10%	15%
Very Low Income (31-40%)	17%	15%	20%
Very Low Income (41-50%)		15%	10%
Low Income (51-60%)	21%	40-60%	35-55%
Low Income (61-80%)		Up to 20%	Up to 20%
Moderate/Middle Income (>81%)	27%		

Strategy 4

Implement Mandatory Inclusionary Housing to require that a share of all new residential development include permanently affordable housing

- The rezoning of East NY will include the implementation of a new Mandatory Inclusionary Housing (MIH) policy that will require a share of all new housing developments in the rezoning area to be permanently affordable.
- Over the long term, as HPD subsidy is no longer required to finance housing development in East NY, MIH will ensure that a minimum percentage of all new housing development is affordable.
- The MIH program will undergo a public land use review process concurrent with the East NY rezoning. The current proposal is to require that, at a minimum, 25% of the total floor area in any new development must be for affordable housing for residents with incomes in income bands averaging 60% of AMI (or \$42,620 for a three-person family).



Strategy 5

Over the life of the *Housing New York* plan, the City will have funds available to finance all new affordable housing development projects in East NY that HPD finds should receive subsidy

- The City, through the *Housing New York* plan, has committed to finance 80,000 affordable apartments throughout the five boroughs. The City has budgeted over \$8.2 billion in City funds towards this goal, and those funds will leverage approximately \$30 billion in private funds.
- HPD financed the development of 8,483 new affordable apartments in Fiscal Year 15 – the largest number of affordable units ever financed in New York City's history.
- HPD will continue to look for every opportunity to finance affordable housing in East NY – both on its own and through its partnerships with the community.

Strategy 6

Explore opportunities to finance the development of affordable artist housing, live/work space, and/or studio and performance space

Strategy 7

Evaluate individuals and entities seeking to do business with HPD to verify their integrity and competence

- Individuals and entities seeking to do business with HPD (e.g., as developers or contractors) are required to complete the Sponsor Review process. Through a series of disclosure statement reviews and background checks, some of which are performed in consultation with the Department of Investigation, HPD's Sponsor Review Unit works to ensure that sponsors are honest, reliable stewards of public resources.
- HPD also analyzes the physical and financial health of sponsors' property portfolios and works with sponsors to ensure that corrective actions have been taken to address outstanding violations and arrears prior to loan closing.
- HPD does not finance projects of owners or developers who have violated the Tenant Protection Act within the past three years without corrective action, and it requires disclosure of all cases of human rights, rent stabilization, and other law violations within the past 10 years.

03 Promote Local Economic Development

Leverage affordable housing development to create local jobs and strengthen small businesses

HPD will work with the Economic Development Corporation (EDC), the Mayor's Retail Task Force, and Small Business Services (SBS) to:

Strategy 1

Design programs that support small businesses (mom and pop), community facilities, and important neighborhood amenities, such as grocery stores, integrated with affordable housing

Strategy 2

Expand opportunities for minority and women-owned businesses (M/WBEs) in the affordable housing development industry

- Build the capacity of M/WBE developers through professional development, networking, and mentoring programs.
- Improve access to capital for M/WBE developers with low-cost financing options for site acquisition and predevelopment costs.
- Enhance the ability of M/WBE developers to compete more effectively for HPD support by providing targeted new construction and preservation opportunities.
- Encourage affordable housing developers to employ M/WBE contractors and professional service firms.

Strategy 3

Explore opportunities to connect local residents to career training and job opportunities in affordable housing

17



04 Track & Report

18

Regularly review and report on the changing needs in East NY to test how our commitments are being implemented and evaluate whether the fine-tuning of policies or programs is required



Strategy 1

HPD will issue annual progress reports on housing development and preservation activity

- Once per year, we will use data from HPD's Division of Performance Management and Analytics to report on the stock of all affordable housing that is built or preserved in CDS. The following data will be made available for public review and comment:
 - Project location
 - Construction type (new construction or preservation)
 - Number of units
 - AMI levels
 - Rental or owner
 - Start/completion dates
 - Size of retail/community uses
- We will also update this Housing Plan to communicate our progress in implementing and achieving the many goals and strategies described above.

Strategy 2

Every three years, HPD will publish demographic and housing analyses to evaluate neighborhood change and determine whether policy refinements or new tools are required

- As the data becomes available, HPD's Division of Research and Evaluation will use the Housing and Vacancy Survey⁸ to issue a report describing changing demographic characteristics and affordable housing needs in the community. The report will include the following information in comparison to previous years:
 - Household incomes
 - Regulatory status of housing
 - Rental housing costs
 - Property values
 - Housing quality

⁸ The New York City Housing and Vacancy Survey is conducted every three years by the U.S. Census in coordination with HPD to comply with New York State and New York City's rent regulation laws.

Plan Comunitario de Asequibilidad de la Vivienda en East New York

Descripción general

El plan facilitará la creación de miles de nuevas unidades de viviendas asequibles a lo largo de los corredores de East New York, Cypress Hills y Ocean Hill.



Livonia Commons y Dumont Green (imagen anterior) recibieron el financiamiento del Departamento de Conservación y Desarrollo de Viviendas (HPD) e incluyen viviendas 100 % asequibles con alquileres similares a aquellos que se proponen para ENY.

El Departamento de Conservación y Desarrollo de Viviendas (HPD, por su sigla en inglés) de la Ciudad de Nueva York anticipa que, a través de una combinación de terrenos públicos, sitios privados, la nueva política de la ciudad de Vivienda inclusiva obligatoria (MIH, por su sigla en inglés) y la disponibilidad de financiamiento por parte del HPD, más de la mitad de todas las nuevas unidades residenciales que se desarrollen dentro del área de re zonificación hasta finales del 2024 serán asequibles.

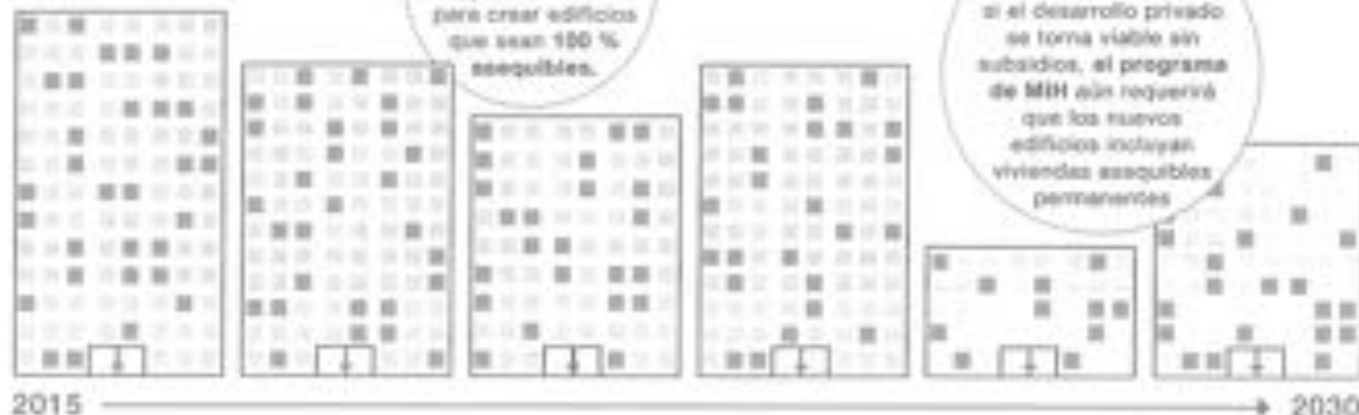
Estas unidades serán asequibles para familias con diferentes ingresos, desde menos del 30 % del ingreso medio del área (AMI, por su sigla en inglés) o \$23,350 para una unidad familiar de tres personas, hasta

el 90 % del AMI o \$69,930 para una unidad familiar de tres personas. Consulte el reverso de este folleto para conocer los requisitos propuestos de ingresos y alquileres para todas las viviendas subsidiadas por el HPD que se construyan en el área de re zonificación de East New York.

El HPD también está trabajando para comenzar con la construcción de más de 1200 unidades de viviendas asequibles dentro de los próximos dos años luego de la obtención de la aprobación según el proceso de revisión de uso de tierra uniforme (ULURP, por su sigla en inglés). Estas unidades se construirán en seis grupos de sitios públicos, como también en terrenos de propiedad privada.

¿Cómo se desarrollarán las nuevas viviendas asequibles durante los próximos 10 a 15 años?

- Unidades asequibles creadas a través de programas de financiamiento del HPD
- Unidades asequibles creadas a través del programa de Vivienda Inclusiva Obligatoria (MIH)



*Solo a las fines ilustrativas. El diseño del edificio debe cumplir con los requisitos de designación de zona para reflejar el contexto del vecindario. El desarrollo real puede variar considerablemente en relación con los planes de desarrollo ilustrados.

Plan Comunitario de Asequibilidad de la Vivienda en East New York

El HPD se compromete a otorgar financiamiento para el desarrollo de viviendas en el área de re zonificación de East New York solo a cambio de que existan altos niveles de asequibilidad para satisfacer las necesidades de los residentes locales que puedan estar en riesgo de desplazamiento.

Durante la vigencia del Plan de Viviendas para Nueva York (2024), el HPD trabajará con los desarrolladores para garantizar que, en general, se logren los niveles de asequibilidad que se describen en la tabla a continuación. En los sitios públicos, se requerirán niveles de asequibilidad incluso mayores. En la columna de la izquierda, se describe el porcentaje de todas las nuevas unidades que serán asequibles para cada segmento

de ingresos. En las columnas de la derecha, se muestran los requisitos de ingresos en función del tamaño de la familia, como también ejemplos de alquileres mensuales para diferentes unidades.

Las personas o las familias que cumplan con los requisitos de ingresos y tamaño de la familia que se detallan en la tabla a continuación pueden ser elegibles para solicitar las nuevas unidades que se construyan en el vecindario.

Para obtener detalles completos acerca del Plan Comunitario de East New York y las estrategias de HPD a preservar la vivienda asequible existente y proteger a los inquilinos, o para enviar comentarios, visite el siguiente sitio web: www.nyc.gov/eastnewyork.

Objetivos de alquileres e ingresos para viviendas asequibles en sitios privados en East New York

% de unidades nuevas	Tamaño de familia*	Ejemplos de ingresos anuales**	tamaño de unidades	Ejemplos de alquileres anuales***
10%	↑	\$15.232 - 18.150	Estudio	\$453
	↑↑	\$16.663 - 20.750	1 Dormitorios	\$486
	↑↑↑	\$19.989 - 23.350	2 Dormitorios	\$583
	↑↑↑↑	\$21.189 - 25.900	3 Dormitorios	\$673
15%	↑	\$20.743 - 24.200	Estudio	\$605
	↑↑	\$22.217 - 27.640	1 Dormitorios	\$648
	↑↑↑	\$26.640 - 31.080	2 Dormitorios	\$777
	↑↑↑↑	\$30.789 - 34.520	3 Dormitorios	\$898
15%	↑	\$25.920 - 30.250	Estudio	\$756
	↑↑	\$27.772 - 34.550	1 Dormitorios	\$810
	↑↑↑	\$33.292 - 38.850	2 Dormitorios	\$971
	↑↑↑↑	\$38.469 - 43.150	3 Dormitorios	\$1.122
40% a 60%	↑	\$31.097 - 36.300	Estudio	\$907
	↑↑	\$33.326 - 41.460	1 Dormitorios	\$972
	↑↑↑	\$39.943 - 46.620	2 Dormitorios	\$1.165
	↑↑↑↑	\$46.183 - 51.780	3 Dormitorios	\$1.347
Up to 20%	↑	\$36.308 - 54.450	Estudio	\$1.059-1.361
	↑↑	\$38.880 - 62.190	1 Dormitorios	\$1.134-1.458
	↑↑↑	\$46.662 - 69.930	2 Dormitorios	\$1.361-1.748
	↑↑↑↑	\$53.897 - 77.670	3 Dormitorios	\$1.572-2.020

*El tamaño de la familia incluye a todas las personas que vivirán con usted, incluidos padres y niños. Sujeto a criterios de ocupación.

** Según los límites de ingresos del Departamento de Vivienda y Desarrollo Urbano (HUD, por su sigla en inglés) para el 2015. Los ingresos de una familia incluyen sueldo, salarios por hora, propinas, seguro social, manutención de niños y otros ingresos de los miembros de la unidad familiar. Los postes de ingresos están sujetos a cambios.

*** El alquiler incluye gas para calefacción, agua caliente y cocina, como también electricidad para consumo doméstico.

Testimony of Carl Weisbrod, Chairman of the Department of City Planning
to the City Council Subcommittee on Zoning and Franchises
Hearing on the East New York Community Plan

March 7, 2016

Good Morning, Subcommittee Chairman Richards, Committee Chairman Greenfield, and City Council Members.

I am pleased to be here today to present the East New York Community Plan, the first neighborhood plan developed as part of *Housing New York*.

I am joined by my colleagues, Housing Preservation and Development Commissioner, Vicki Been; Economic Development Corporation President, Maria Torres-Springer; Small Business Services Commissioner Gregg Bishop; and our Executive Director at the Department of City Planning, Purnima Kapur.

As you will hear this morning, the East New York Community Plan responds to multi-faceted goals identified during extensive outreach with the community. It is the product of unique, unprecedented collaboration among several city agencies including the Departments of Transportation, Parks and Recreation, Cultural Affairs, the School Construction Authority, the Department of Environmental Protection, the Office of Management and Budget, and the Mayor's Office, as well as the Departments represented here today.

I am going to provide a very brief overview of our efforts to date in East New York. Ms. Kapur will make a presentation on the Planning Framework, followed by Commissioner Been, President Torres Springer, and Commissioner Bishop, who will discuss the critically important housing and economic development elements of the Plan.

While East New York remains well below its peak of close to 70,000 residents in the 1950's, over the past decade it's population has been growing. In fact, since 2000, East New York's population has increased more than five times faster than Brooklyn as a whole. Housing production has not kept pace, and this imbalance has led to increased crowding and pressure on housing prices, threatening to undermine the social fabric and stability of the community. If we do nothing, the

pressures will continue and the threat of displacement of existing residents will increase. The City has vastly expanded its anti-displacement efforts, as you will be hearing from Commissioner Been, in East New York and elsewhere. Last week's report of a significant decline in evictions last year is an encouraging sign that these efforts are working.

But we must act affirmatively for the future, while we continue to provide effective measures to resist powerful economic forces that are being felt not only in East New York, not only elsewhere in the City, but in urban areas throughout the country.

East New York represents a new approach to neighborhood planning. We are committed to looking at neighborhoods holistically, engaging communities from the ground up, deploying not only our zoning powers, but our capital resources, our design expertise, our economic development tools and our planning skills.

We aim to increase, through zoning, housing capacity – in a City as well as in a neighborhood – that is growing and needs more affordable housing, and to forever protect the affordability of a significant portion of that new housing.

Through this Plan's unprecedented level of community outreach, we heard from hundreds of community residents, community boards and organizations, the Coalition for Community Advancement, business and property owners, elected officials and other stakeholders. In dozens of meetings, we learned about how proud they feel of their community, their wishes and hopes to make it even better for themselves, and for their kids and grandkids. The invaluable input from this public outreach effort can be found in this Plan's goals, strategies and proposals.

We are intent on doing so while fostering a more livable, thriving East New York community by making coordinated public investments – in a new school, open space, better streets and streetscape – particularly through a major investment on Atlantic Avenue – as well as by working to spur economic development and job opportunities.

Our goal is to provide housing, more and better retail and services and a quality physical environment for the existing community – which has long suffered in East

New York. But we also want to protect and enhance the neighborhood for generations to come.

The Department of Environmental Protection has already started installing bioswales in the IBZ to treat stormwater and beautify streets, and will soon be doing so throughout the East New York neighborhood.

We hope to be able to deploy new tools such as Mandatory Inclusionary Housing (MIH) and Zoning for Quality and Affordability (ZQA) which are currently under consideration by City Council. If enacted, East New York would represent the first application of the MIH program.

And we have already established a dedicated, \$1 Billion Neighborhood Development Fund (NDF) to support growth in neighborhoods where we are planning for increased housing capacity. NDF funding will ensure that the public investments needed to make neighborhoods better for existing residents and those to come – for example, great parks and better streets – are planned and funded up front. The City is putting its money where its mouth is to assure that commitments are made and commitments are kept. The East New York Community Plan, if approved, would represent the first application of the Neighborhood Development Fund as well.

The East New York Plan could facilitate the development of approximately 6,400 new apartments. As you will be hearing from Commissioner Been, HPD has committed to financing more than 1,200 units of deeply affordable housing in the first two years after the Plan's adoption – skewed heavily towards low- and extremely low-income residents. In the next few years, we fully expect that other new housing built in East New York will require HPD subsidies and HPD has committed that any building it subsidizes will be 100% affordable. When the market is strong enough to support unsubsidized multi-family housing, then MIH will guarantee that at least 25% of these new apartments in East New York will be permanently affordable – and that means forever. You will be hearing much more about the Housing Plan from Commissioner Been.

We have also committed to building a new 1,000 seat school in East New York on the City-owned Dinsmore-Chestnut site. It is already budgeted. And this site will also contain new affordable housing with commercial and community facility space.

We have committed to a significant upgrading of Atlantic Avenue that will make this central spine of the neighborhood safer and more attractive, with a better streetscape, including a raised, planted median, safer crosswalks and new sidewalks complete with benches, bike racks, and more than 100 new street trees.

These actions will finally remove a significant physical barrier between the north and south side of the East New York community. Some of the funds for this had already been committed, but we have enhanced the scope of the project using the Neighborhood Development Fund.

The NDF will also fund a series of open space improvements including the transformation of an asphalt portion of City Line Park, which will have its own community design process; the redevelopment of a playground in Lower Highland Park.

And as you will be hearing from EDC President Torres-Springer and SBS Commissioner Bishop, the City will also be deploying its economic development tools to enhance opportunities within the East New York Industrial Business Zone, as well as job opportunities for local residents by establishing a Workforce1 Career Center in East New York. SBS will also be working with local businesses and residents to help them take advantage of the new service and retail opportunities in East New York.

The sum of this unprecedented level of collaboration and these actions, commitments and public investments will support a more vibrant, inclusive neighborhood with a wide variety of housing options for current and future residents, local and regional commercial uses, job opportunities, attractive streets, and high-quality schools, parks and other community resources.

Upon the conclusion of the presentations by Ms. Kapur, Commissioner Been, President Torres-Springer, and Commissioner Bishop, we would be pleased to answer your questions.

Testimony of Purnima Kapur, Executive Director of the Department of City Planning to the City Council Subcommittee on Zoning and Franchises Hearing on the East New York Community Plan

March 7, 2016

Good Morning Subcommittee Chairman Richards, Committee Chairman Greenfield and Council Members. For the record, my name is Purnima Kapur and I am the Executive Director of the Department of City Planning.

As you heard from Chairman Weisbrod, the East New York Community Plan is a comprehensive neighborhood plan to promote affordable housing, economic development and improved community resources. The land use framework and zoning proposal developed by DCP in partnership with other city agencies and with community input, would facilitate these objectives by identifying areas for growth along major corridors such as Atlantic Avenue, as well as areas where the residential character would be protected through contextual zoning. Broadway Junction and Industrial Business Zone are not included in the rezoning proposal, however as you will hear from EDC President Maria Torres Springer, strategies to support economic development and job growth in the IBZ are crucial elements of this plan.

The East New York land use proposal includes the following actions:

- o A zoning map amendment to promote mixed-use growth and preserve the character of side streets
- o Zoning text amendments to establish Mandatory Inclusionary Housing, create Enhanced Commercial Districts to promote active retail districts, and Special Mixed-Use Districts to allow light industrial and residential uses in select areas.

- o An amendment to the Dinsmore-Chestnut Urban Renewal Plan to allow new uses including affordable housing
- o And an authorization for the disposition of the city-owned site at Dinsmore-Chestnut

The zoning in East New York today allows auto and industrial uses in manufacturing and auto-oriented commercial zoning districts found along Atlantic Avenue, Liberty Avenue and portions of Ocean Hill; and low-density residential uses with some commercial uses along Pitkin Avenue and Fulton Street. No new housing is allowed along Atlantic Avenue or in this part of Ocean Hill. Restricting new development to only low-density limits the production of affordable housing. Zoning has not been changed in most of the neighborhood since 1961, and does not reflect current uses. For example, over half of the lots in Ocean Hill are residential, despite the manufacturing zoning district.

The proposed zoning as part of the Community Plan would promote mixed-use development on key corridors and near transit, mandate affordable housing in areas where we are adding substantial capacity to develop new housing, require active uses at the ground floor on major corridors, protect the residential character of neighborhood side streets and allow light industrial and residential uses in MX districts where there are some active industrial uses today.

On key corridors, such as Atlantic Avenue, Fulton Street, Pitkin Avenue and Liberty Avenue, medium-density residential districts with commercial district overlays are proposed to promote mixed-use development with housing, retail and community facilities. These districts would allow for the construction of affordable housing in areas close to transit. Atlantic Avenue is a central corridor lined with low-density auto-oriented uses today. Based on the existing conditions and the desire we heard from community members to see substantial new affordable housing, we believe Atlantic Avenue has the

potential to transform from an auto-centric thoroughfare into a vibrant destination with new affordable housing, shops and community facilities, and ultimately connect Cypress Hills and East New York by adding new activity and significant streetscape improvements to this underutilized corridor. Fulton Street and Pitkin Avenue are transit corridors which could support medium-density affordable housing with retail and community facility uses.

To support the ambitious housing goals of this plan, the land use proposal includes the first application of the proposed Mandatory Inclusionary Housing program which would require permanent affordable housing in all medium density districts that are being upzoned to allow substantial new residential use. While MIH is an important strategy for achieving neighborhood affordability, in East New York, we expect new development in the near future to be publicly subsidized, which, combined with this zoning proposal to allow medium-density development along corridors, will enable us to achieve broader and deeper affordability than can be achieved through a zoning requirement alone. The zoning proposal would also strengthen key commercial corridors of Atlantic Avenue, Pitkin Avenue and Fulton Street by requiring that any new development provide an active use at the ground floor—such as new stores or community space.

In addition to residential districts, commercial and mixed-use districts are proposed in response to the community's desire to allow a greater diversity of commercial and light industrial uses, along with new residential uses. Commercial districts are proposed for key areas on Atlantic Avenue, Pitkin Avenue, Fulton Street and at Broadway Junction to allow larger scale commercial uses such as shopping and entertainment destinations. Special Mixed-Use districts, which combine manufacturing and residential districts, are proposed on parts of Atlantic Avenue, Liberty Avenue, and in Ocean Hill to better reflect and support the existing mix of light industrial and residential uses currently found in these areas.

At the core of the East New York rezoning area are the residential blocks between the major corridors. These side streets are characterized by two- to three-story row houses and small three- to four-story apartment buildings built in the early 1900's. Recent development conforms to the current R5 regulations which require off-street parking often provided in the required front yards, producing developments that do not match the form and character of existing buildings. R5B and R6B contextual residential districts would cover large swaths of the rezoning area, between corridors and west of Broadway Junction where residential uses are predominant. The proposed contextual zoning would ensure that new infill development complements and enhances the existing residential character, which allows parking along the side of homes instead of in front yards to maintain the historic street wall.

There is one large city-owned site within the rezoning area, located at Dinsmore Place and Chestnut Street, with frontage on Atlantic Avenue. This site is intended to be used for a new school with open space, as well as new affordable housing with stores or community facilities at the ground floor. The requested amendment to the Urban Renewal Plan, which applies only to this site, would allow these uses, per the proposed zoning. The requested action would also authorize disposition of this site by HPD to facilitate redevelopment.

Together these land use strategies, investments and services will work together to support a more vibrant, affordable and inclusive neighborhood. This is an image of Atlantic Avenue at Warwick Street today. As you can see, the street is lined with low rise auto-oriented uses, there is almost no housing, as no new residential uses are permitted, and the 120-foot wide street is unsafe and difficult for pedestrians to cross, creating a barrier between neighborhoods.

In the future, as Community Plan strategies are implemented, Atlantic Avenue would be lined with significant amounts of new affordable housing; stores and community facilities

at the ground floor of new buildings would provide the neighborhood with more retail and services, as well as local jobs; a planted median, new crosswalks, and sidewalks would make the street safer and more inviting for pedestrians; and the corridor would connect residents to a new school and improved parks, giving residents the benefits of a growing, healthy neighborhood that they have asked for and deserve.

Commissioner Been will now present the East New York Housing Plan, that will work in tandem with this planning framework to ensure long-term affordable housing production and preservation in East New York and Ocean Hill.

EAST NEW YORK COMMUNITY PLAN

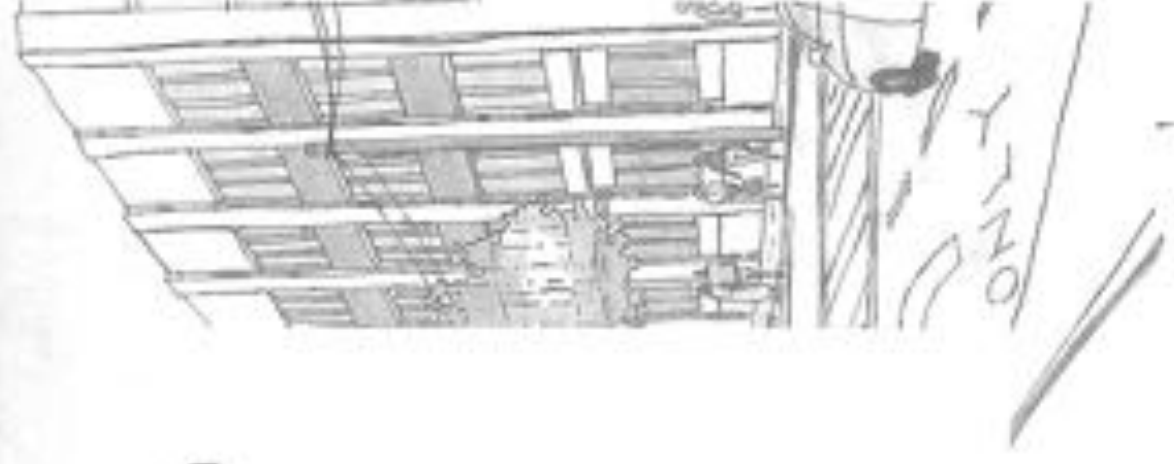


NYCPLANNING



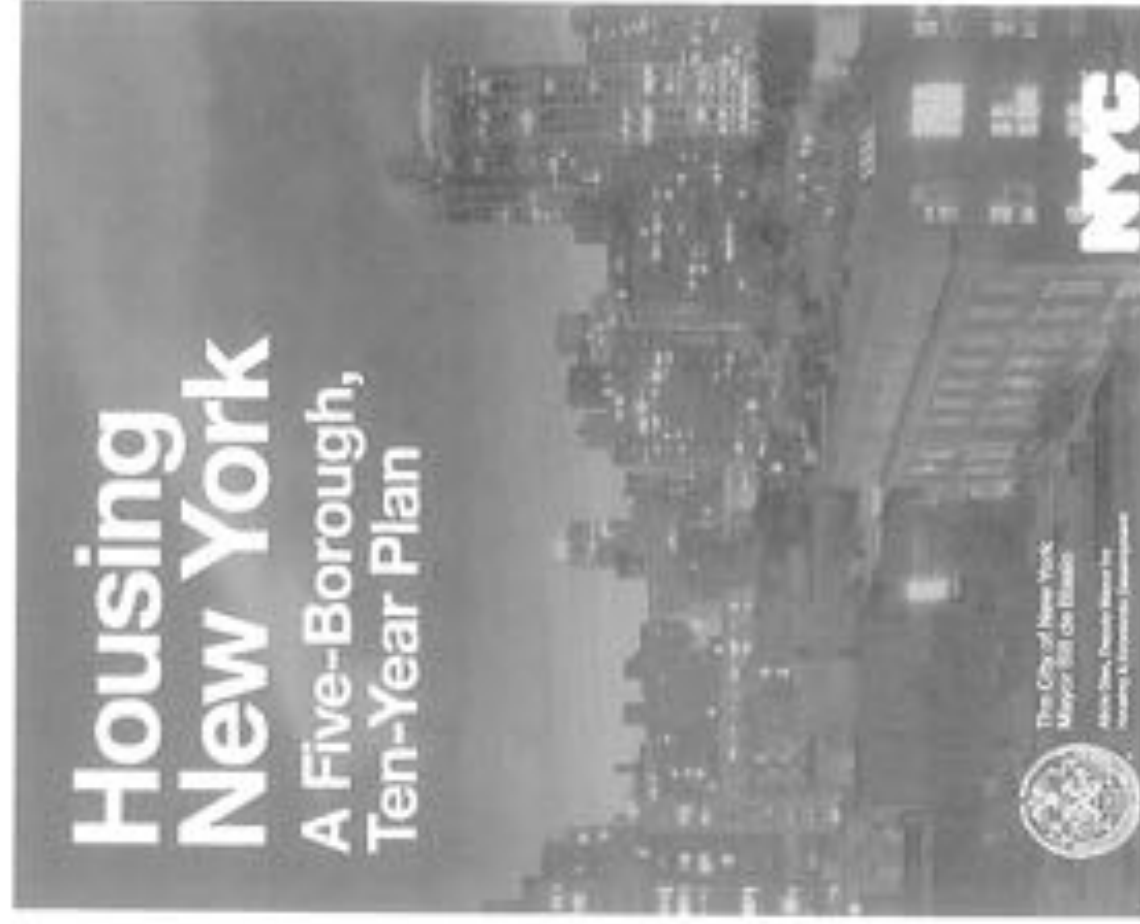
A neighborhood plan to strengthen
East New York, Cypress Hills, and
Ocean Hill as vibrant, inclusive
neighborhoods of opportunity with

- Affordable housing
- Economic opportunities
- New Community Resources



A New Approach to Neighborhood Planning

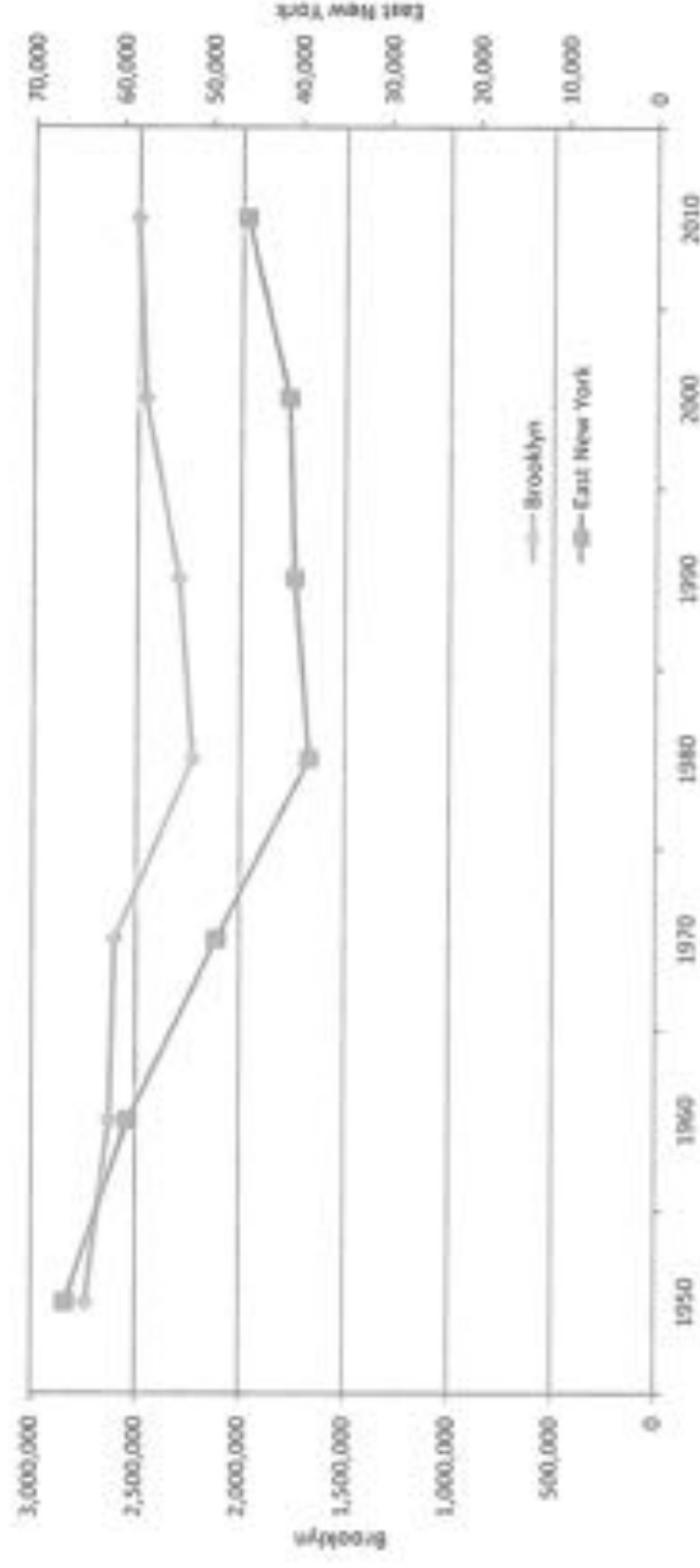
- Addresses the need for affordable housing citywide and in East New York to foster a more livable, safe, vibrant neighborhood for all residents
- A neighborhood plan developed with community residents, elected officials, stakeholders and City agencies
- Coordinates city investments and programs to support existing and future community needs



East New York Neighborhood Snapshot

Steady population growth in recent decades after years of decline

- **Population: 46,112** • **11% population increase since 2000**
(Brooklyn: 2,504,700)
(Brooklyn: 2%)



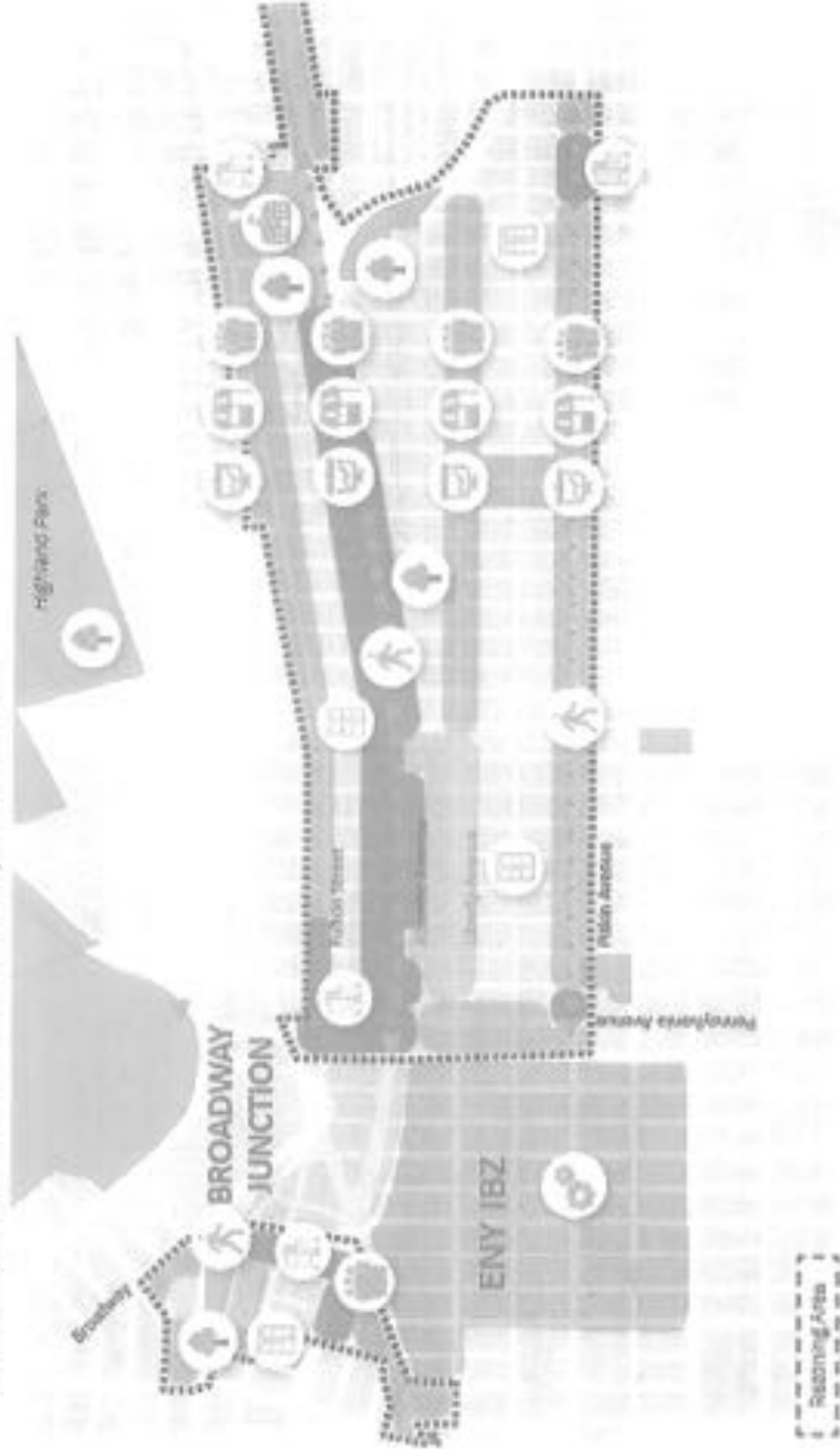
Community Planning Process

- East New York Community Plan process began in May 2014
- Built on recommendations of Sustainable Communities
- Community outreach events held with City agencies, community boards, and elected officials



EAST NEW YORK COMMUNITY PLAN

A comprehensive neighborhood plan with strategies for housing, economic development, and community resources



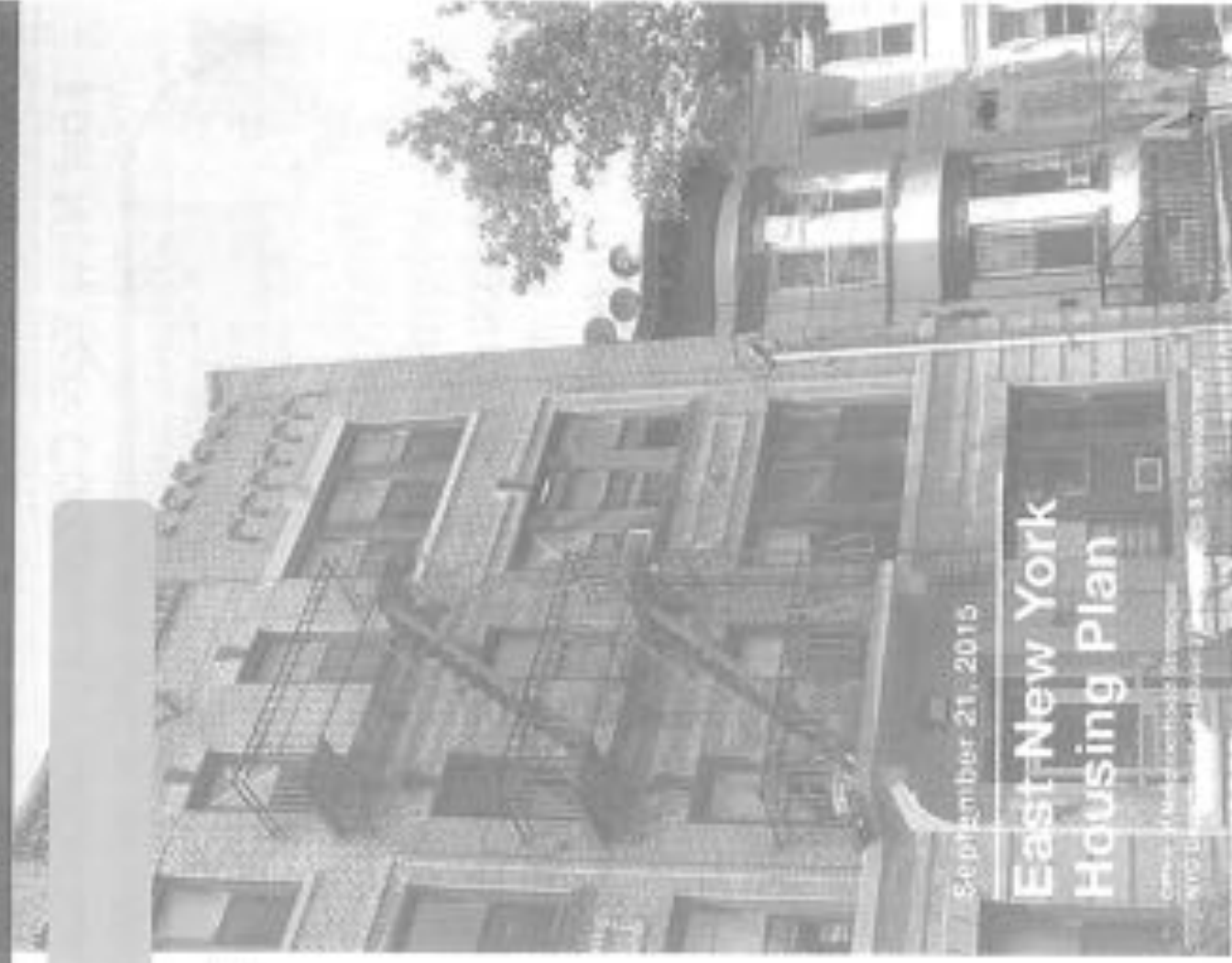
East New York Community Plan would promote:

- 
- Substantial amount of new housing, half of which would be affordable to local residents
 - 1,200 affordable units financed in first two years
 - First application of MIH program to require affordable housing
 - Protection for existing tenants
 - New retail and community facility spaces along corridors
 - Support for existing and new businesses to grow
 - New Workforce1 Center with job training
 - New 1,000 seat school
 - Improvements to local parks
 - Safe and attractive Atlantic Avenue

STRATEGIES for HOUSING

EAST NEW YORK HOUSING PLAN

- Preserve the quality and affordability of existing housing
- Protect tenants
- Develop new affordable housing serving a range of incomes



STRATEGIES for COMMUNITY RESOURCES

**GOAL: BUILD A NEW SCHOOL TO MEET
EXISTING & FUTURE NEEDS OF THE
COMMUNITY**

STRATEGIES:

- City has committed to build a new school with up to 1,000 seats in East New York



STRATEGIES for COMMUNITY RESOURCES**GOAL: ENSURE SAFER STREETS & IMPROVE CONNECTIVITY****STRATEGIES:**

- Implement Atlantic Avenue Safety Improvement Project which includes the construction of a raised, planted median with safety islands at major intersections as well as new sidewalks, street trees, and pedestrian amenities.



Atlantic Avenue at Elton Street with safety improvements

STRATEGIES for COMMUNITY RESOURCES

GOAL: IMPROVE EXISTING NEIGHBORHOOD PARKS

STRATEGIES:

- Create new green space at City Line Park by turning a one-acre asphalt area into a new recreation space through a community design process



STRATEGIES for ECONOMIC DEVELOPMENT

- Connect residents to career opportunities
- Support existing and new businesses
- Strengthen commercial corridors
- Promote business and job growth in the Industrial Business Zone (IBZ)



Strategies for Land Use & Zoning



Strategies for Land Use & Zoning

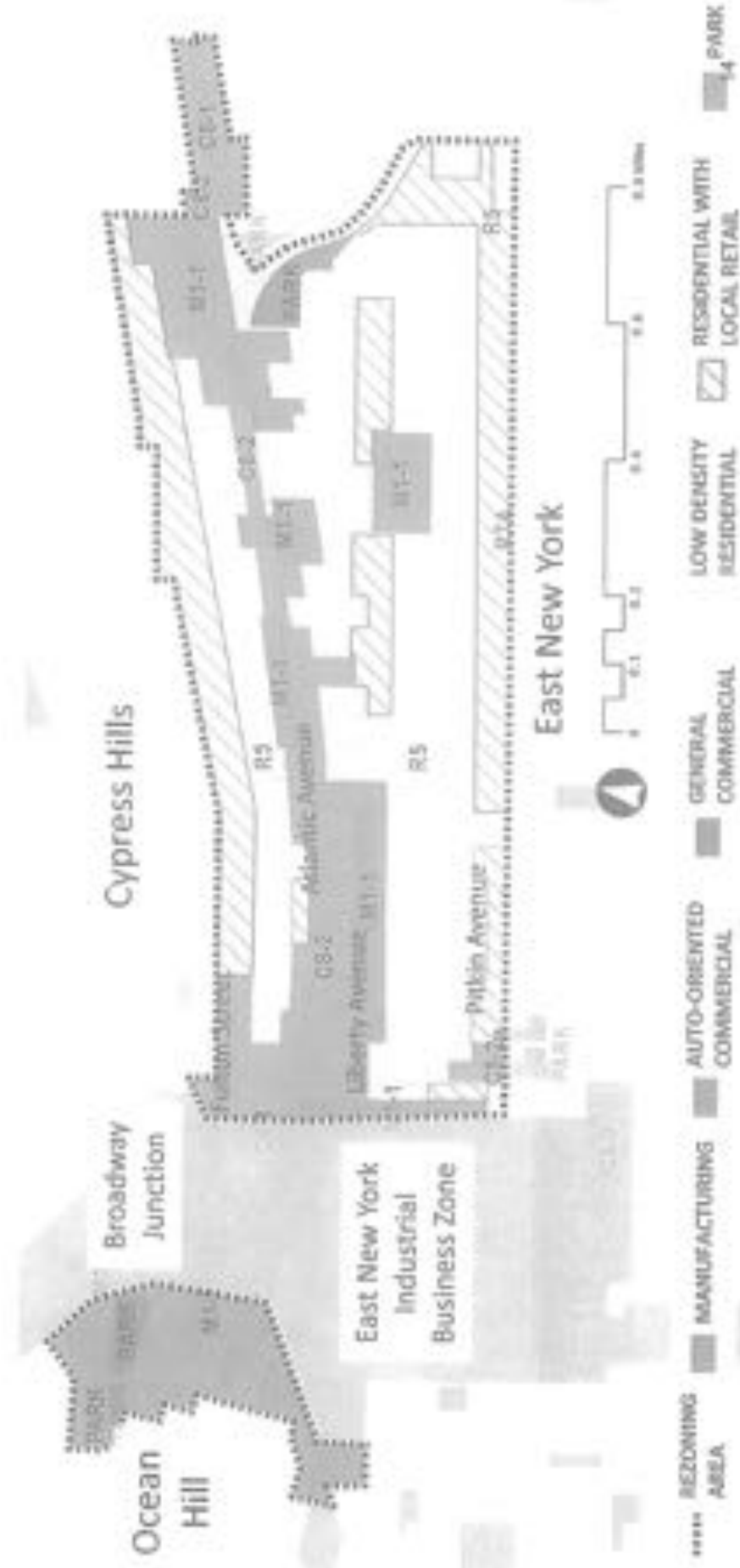
EAST NEW YORK LAND USE PROPOSAL:

- **Zoning Map Amendment**
 - Promote mixed-use growth along key corridors
 - Preserve low-density residential character of side streets
- **Zoning Text Amendments**
 - Establish Mandatory Inclusionary Housing in medium-density districts
 - Create Enhanced Commercial Districts to promote active retail districts
 - Create Special Mixed-Use Districts to allow industrial and other uses
- **Amendment to Dinsmore-Chestnut Urban Renewal Plan**
 - Allow new residential, commercial, community facility and light industrial uses per zoning
- **Disposition of City-owned site at Dinsmore-Chestnut**

LAND USE PROPOSAL

NYC PLANNING
UNIVERSITY OF THE STATE OF NEW YORK

Existing Zoning



Proposed Zoning: Mixed-Use Corridors

- Medium-density residential districts (R8A, R7A, R6A) with commercial overlays promote **mixed-use development with housing, retail and community facilities** on key corridors of Atlantic Ave, Fulton Street, Pitkin Avenue, and parts of Liberty and Pennsylvania Avenues



Proposed Zoning: Commercial & Industrial Areas

- Commercial (C4-4D, C4-5D, C4-4L) and Mixed-Use Districts (M1-4 and M1-1 with residential districts) would allow more **diverse commercial and light industrial uses** as well as residential uses on parts of Atlantic Avenue, Fulton Street, Pitkin Avenue, Liberty Avenue, and around Broadway Junction



Proposed Zoning: Residential Blocks

- Contextual residential districts (R5B and R6B) would require that new infill development on side streets would **match the existing low-scale residential character** of two-three story rowhouses of central blocks



LAND USE PROPOSAL

NYCPLANNING
PLANNING AND CITY DEVELOPMENT

Amendment to Dinsmore-Chestnut Urban Renewal Plan



Atlantic Avenue today

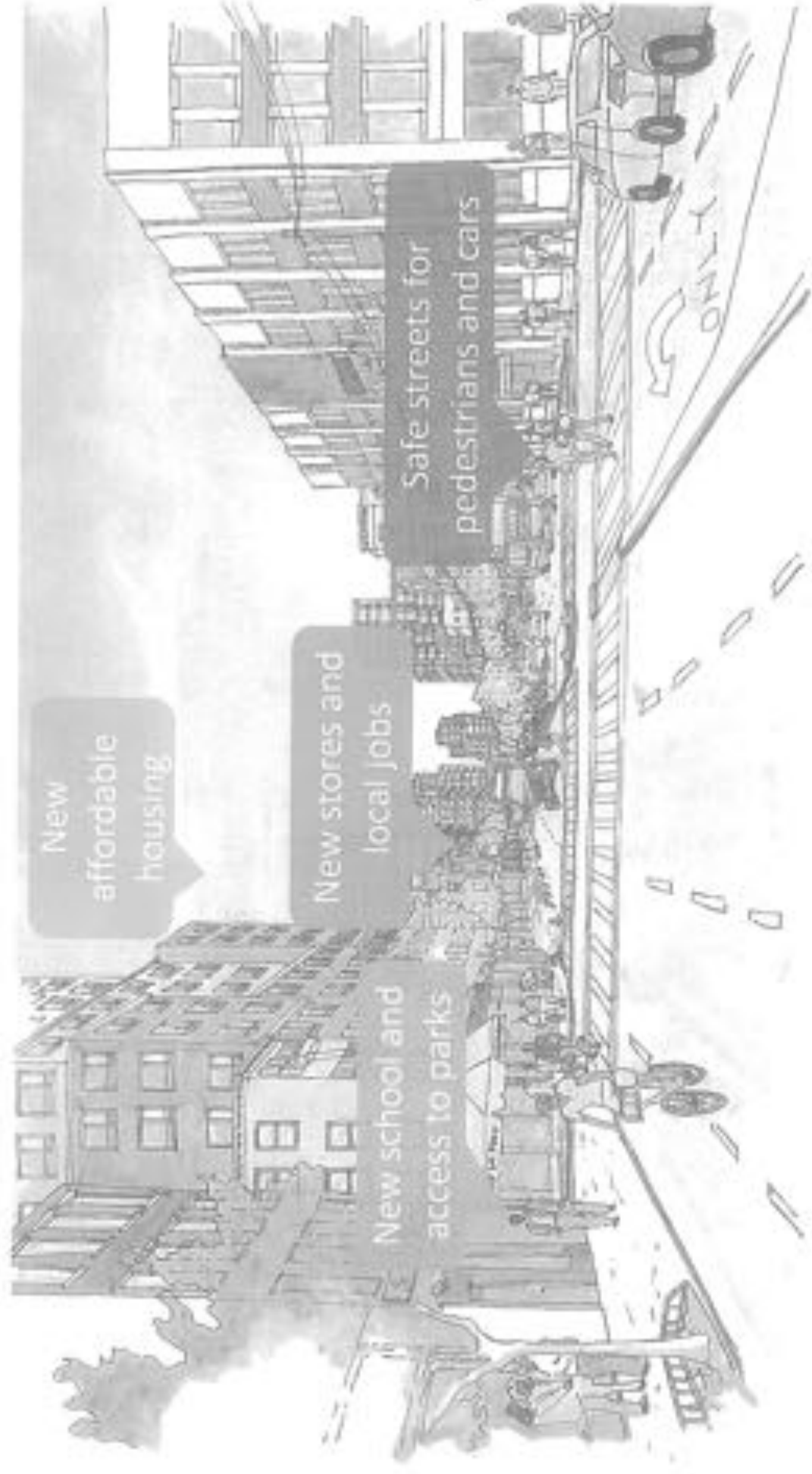
Low-scale auto-oriented uses

No new housing permitted

Barrier between neighborhoods

Wide street unsafe for pedestrians

Atlantic Avenue with Community Plan strategies implemented





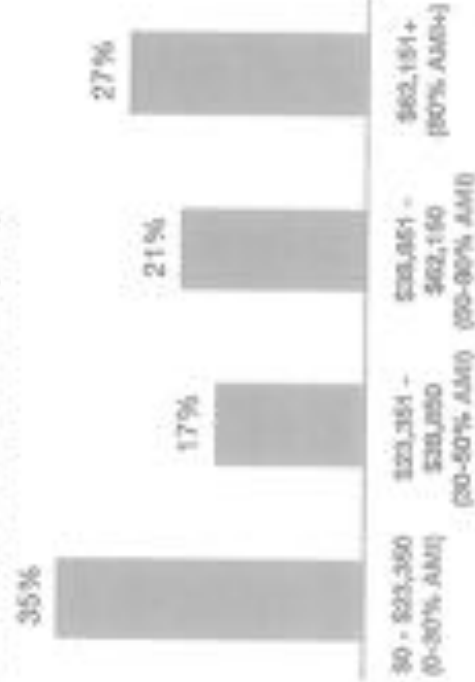
March 7, 2016
City Council Hearing

East New York Housing Plan Affordable Housing Plan

The Planning Process

- **Desktop Research - Data Analysis**
 - Housing Snapshot
 - Neighborhood Trends
- **Lived Experience - Community Engagement**
 - Listening Sessions
 - Workshops
 - Stakeholder Meetings

East NY Household Incomes (CDE)



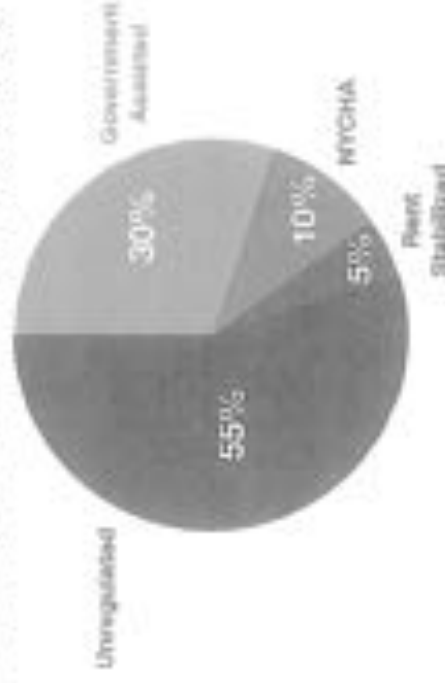
Sample incomes are for a three-person household, ACS 2007-11



What We Learned

- East New York population is **growing** faster than Brooklyn and NYC overall
- Demand is outpacing supply
- A majority of East New Yorkers **spend more than they can afford** on housing
- High proportion of **unregulated** housing puts residents at risk of displacement

Regulatory Status of East NY Housing Stock (CDE)



HERO Research & Evaluation 2015



Housing Strategies

01 Anti-Displacement

- Preserve Existing Affordable Housing
- Resources for Homeowners
- Protect Tenants

02 Increase Housing Supply

- Zoning Framework
- Affordability Commitments
- 1,200 Units in 2 Years

01 Anti-Displacement

Preserve Existing Affordable Housing

- Over 40% of all homes in East New York (about 25,000 units) are protected and **regulated** by a government agency
 - About 1,100 units in Community Board 5 will reach the end of their regulatory periods over the next 4 years
 - We are monitoring these buildings and working with owners to ensure they remain affordable to current tenants



01 Anti-Displacement

- We are also working to identify opportunities to protect the affordability of buildings that are ***not currently regulated***
 - We are providing loans and tax benefits for owners to rehabilitate their buildings in exchange for maintaining affordability
 - New Green Housing Preservation Program
 - Enhanced marketing, outreach, and technical assistance



Green Housing Preservation Program

Low interest loans to finance energy efficiency, water conservation improvements, and moderate rehabilitation

Buildings are expected to reduce utility costs by approximately 10% or more annually*

*Based on a typical scope of work

01 Anti-Displacement

Resources for Homeowners

- Provide anti-foreclosure, financial, and legal counseling
- Increase funding and outreach for small home repair loan programs
- Expand down payment assistance programs for low-income homebuyers



01 Anti-Displacement

Protect Tenants

- **Free legal representation** in Housing Court for tenants
- **New Tenant Harassment Prevention Task Force** investigating and bringing enforcement actions – including criminal charges – against landlords who harass tenants
- **Tenant Support Unit** engaging directly with tenants, reporting housing quality issues, and assisting with harassment cases
- Partnering with NYS for heightened **compliance efforts** to ensure that rent stabilized tenants are not being charged unlawful rents
- **New laws** have increased civil penalties for harassment and prohibit harassing buy-out offers

02 Increasing Supply

Zoning Framework

- First opportunity to implement **Mandatory Inclusionary Housing (MIH)** along Atlantic, Fulton, Liberty, and Pitkin Avenues
- MIH Option 1 proposed:
 - **25% of housing must be affordable** for a family of three making, on average, \$47,000 per year (60% AMI)
 - Units required to be **permanently affordable**



Illustrative drawing of proposed affordable building forms - Atlantic Ave

For example, in a 100 unit building, MIH averaging could result in:

10 units for \$31K income
+ 5 units for \$47K income
+ 10 units for \$62K income
= 25 units averaging \$47K

02 Increasing Supply

Affordability Commitments

- All HPD-financed projects will be **100% affordable**
- Moreover, developers will be required to provide housing at even deeper affordability levels:
 - **40% to be reserved** for a family of three making \$23,000 to \$39,000 (30-50% AMI)



Milliken Barrington Housing Development - Cypress Hills Local Development Corp.

02 Increasing Supply

1,200 Units in 2 Years

- HPD will **expedite construction** of over 1,200 units of affordable housing – as well as a new 1,000-seat public school – over the next two years:
 - Former Chloe Foods site
 - Dinsmore-Chestnut site*
 - NCP/NIHOP RFQ*
- Public sites* will accommodate more units at 30% and 40% AMI, plus affordable homeownership



02 Increasing Supply

1,200 Units in 2 Years



Incomes shown are for a family of 3

Looking Ahead

Regular Tracking & Reporting

- Annual public review of HPD investment and progress towards goals

Ongoing Program & Policy Development

- Continuing to refine existing and evaluate new tools to meet changing neighborhood needs

HPD Capital Plan





OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

Testimony Delivered by:

Deputy Brooklyn Borough President Diana Reyna

On behalf of:

Brooklyn Borough President Eric L. Adams

Wednesday, March 7, 2016

Good morning.

My name is Diana Reyna and I'm the Deputy Brooklyn Borough President, here to testify on behalf of Brooklyn Borough President Eric L. Adams. Together, we represent the 2.6 million Brooklyn residents who call this great borough home.

I want to thank the New York City Council for giving me the opportunity to provide comments at this public hearing on the East New York Community Plan.

On December 30th of last year, Borough President Adams submitted a Uniform Land Use Review Procedure (ULURP) recommendation to disapprove with conditions of an application submitted by the New York City Department of City Planning (DCP) to amend the zoning of approximately 200 blocks in the neighborhoods of Cypress Hills, East New York, and Ocean Hill. The response was issued following months of dialogue with local stakeholders and community activists, including a public hearing he held in the courtroom of Brooklyn Borough Hall on Monday, November 23rd. Borough President Adams has recommended a number of measures to ensure the proposal achieves a meaningful creation and preservation of affordable housing, including greater resources to combat resident displacement as well as increased efforts to build very-low and low-income units on previously unstudied lots. Additionally, his recommendations address the need to document the City's commitment to the holistic community development outlined in their plan, including the establishment of a post-approval follow-up body with local representation. According to the recommendation report of the City Planning Commission, there has been much progress in the furthering of commitments associated with the overall plan.

Recognizing the added rental pressures that the proposed rezoning will have on existing residents living in housing not subject to rent regulation, Borough President Adams has expressed the importance of achieving permanent affordability for affordable housing units created through the East New York Community Plan, beyond the proposed 25 percent requirement of any new

residential development with more than 25 units. In particular, he has focused on achieving agreements of permanent affordability at the City-owned Dinsmore-Chestnut Urban Renewal disposition site and scattered New Infill Homeownership Opportunities Program (NIHOP) sites, as well as the City-financed former Chloe Foods site — where Phipps Houses has now been on record that its approximately 1,000 units will be permanently affordable.

Borough President Adams has called for accountability to put in place and sustain the anti-displacement initiatives the City has proposed in their East New York Community Plan, including code enforcement by the New York City Department of Housing Preservation and Development (HPD) and funding for free legal representation in housing court for all tenants facing harassment — which is now a firm commitment by the Administration. He has also expressed concern regarding the potential for displacement on additional sites — identified through an analysis by our office — which may be attractive for future development. Efforts he proposes include the potential implementation of anti-harassment areas, creation of tax incentive options for small property owners in return for indexing rental unit lease renewals to increases by the Rent Guidelines Board (RGB), and cataloguing of government-assisted housing with expiring affordability requirements to proactively protect affordable housing units — with HPD now being proactive with outreach to owners where affordability requirements are soon to expire.

In addition, Borough President Adams has recommended implementing further measures to address the current and potential future displacement of local residents. He has outlined a proposed commitment of 50 percent preference for new area housing to residents of Community Districts 5 and 16, inclusive of former residents who were previously displaced, with targeted educational resources and marketing outreach. He has also encouraged the City to increase the supply of very-low and low-income affordable housing through new opportunities that have not been under consideration thus far, including the Grant Avenue Field municipal parking facility, the site previously considered for the Brownsville Community Justice Center, as well as development rights possessed by local NYCHA properties and the PS 178 St. Clair McKelway annex. Borough President Adams has highlighted that this effort should be extended to houses of worship with development rights, following the successful engagement with clergy across the borough as part of his Faith-Based Property Development Initiative; HPD is, in fact, engaged with entities of two such faith-based properties. His anti-displacement strategy also includes zoning text amendments to encourage deeper and more flexible bands of affordability in new housing, a study of proposed residential districts to better match the allowable zoning — including the potential for targeted downzoning to combat displacement — as well as a codification of the minimum threshold for family-sized units on HPD-owned and HPD-financed sites.

Regarding commercial development related to the rezoning proposal, Borough President Adams has reiterated his general displacement concerns and asked for an assurance of access to Food Retail Expansion to Support Health (FRESH Zone) grocery stores, ensuring that any lost supermarkets are replaced on site. His recommendations highlight the need to support local entrepreneurs and artisans who provide quality local jobs, impacting his call for a restriction on big-box retail in the rezoned area and financial incentives to prevent commercial displacement. In particular, he has noted the need to strengthen and preserve the East New York Industrial Business Zone (IBZ), inclusive of promoting new urban agriculture uses and \$20 million toward financing an industrial development fund for the East New York IBZ. In keeping with his past ULURP recommendations, Borough President Adams has articulated the importance of local

hiring and the retention of Brooklyn-based contractors and subcontractors, especially those who are designated locally-based enterprises (LBEs) and minority- and women-owned business enterprises (MWBs). HPD has subsequently committed to promoting MWBs in the developments it subsidizes.

Because a number of the holistic community development measures outlined in the East New York Community Plan are not directly stipulated in the City's land use application, Borough President Adams had advocated for the documenting of efforts to address issues that will accompany an increased population, such as:

- Access to jobs: HPD has since committed to connect local residents to job training and job opportunities in developments it subsidizes.
- Sufficient school seats: In addition to Dinsmore-Chestnut, DOE has replacement of the trailers in its five year plan.
- Quality open space: City Line Park redesign's community outreach will begin this Spring.
- Reliable transportation, and
- Upgraded stormwater/wastewater green infrastructure: DEP now has 116 bioswales in its pipeline.

Other strategies that Borough President Adams has offered include:

- A potential CUNY Innovation Lab
- Neighborhood-based siting of a new Workforce1 Career Center: SBS has now committed to opening the center.
- Establishment of remote locations for local access to City agency services: In response to this, HPD has moved forward to conduct mobile van outreach and tenant resource fairs.
- Relocation of government offices from Downtown Brooklyn to Broadway Junction: Borough President Adams will be calling for explicit agency relocations through his response to the Citywide Statement of Needs, which would subsequently result in improved commercial development and quality of life initiatives.

To ensure accountability for these efforts, in addition to other aspects of the final plan, Borough President Adams is calling for a post-approval follow-up body to be established that would include appropriate agencies, Community Boards 5 and 16, local elected officials, community-based development organizations, and representative community organizations.

The Office of the Brooklyn Borough President continues to monitor this process closely. We look forward to working with the residents and stakeholders of East New York to make sure the aforementioned recommendations are upheld as well as hold the administration accountable. As the stewards of this great City, we must demand what will not only be beneficial to the environment, our local and regional economy, and our quality of life, but an East New York Community Plan that will benefit generations to come.

Thank you.

###

**TESTIMONY BY
COMMISSIONER GREGG BISHOP
NEW YORK CITY
DEPARTMENT OF SMALL BUSINESS SERVICES
BEFORE THE
CITY COUNCIL SUB-COMMITTEE ON ZONING & FRANCHISES**

MONDAY, MARCH 7, 2016

Good morning Chair Richards and members of the City Council. My name is Gregg Bishop and I am the Commissioner of the New York City Department of Small Business Services ("SBS"). Today, I will discuss a series of programs and services SBS is delivering to East New York jobseekers, small businesses and commercial corridors, developed together with our local partners to strengthen the East New York Community Plan. These investments were inclusively informed by extensive community outreach including nearly 30 community meetings, workshops, and forums with East New York stakeholders over the past two years.

SERVICES FOR JOBSEEKERS:

Over the course of the community planning process we've heard the need to provide East New York residents with better access to occupational training and employment opportunities in growing industry sectors. To meet this need, SBS will open a Workforce1 Career Center in East New York where employers can access free recruitment services to find qualified talent, and jobseekers can receive employment services including job placement, skills training, career advisement and job search counseling. SBS is actively evaluating sites with Council Member Espinal and targeting space selection as soon as possible. We have been working diligently with 14 local CBOs, including Cypress Hills LDC, the Hope Program, and Community Solutions to design a custom suite of services for this new Workforce1 Center to ensure that the services provided will serve the East New York community. In collaboration with our partners, we've identified major barriers to employment, and the need to focus on serving: out-of-school/out-of-work youth and individuals formally acquainted with the criminal justice system.

The new ENY Workforce1 Center will also enable SBS to use the City's newly expanded HireNYC program to connect East New York residents to employment opportunities generated by the City's work. As the largest and most impactful targeted hiring program in the nation, HireNYC will enable the City to leverage its economic development investments to connect more New Yorkers to jobs while helping ensure local businesses find the talent they need. The program's expansion requires any contractor receiving \$2 million or more in subsidy from HPD, as well as any contractor with a City contract for goods and services valued at \$1 million or more, to post open positions with the City's Workforce1 system and consider qualified candidates referred through this system.

Additionally, to further advance the policies laid out in the City's Career Pathways report, SBS is tripling its investments in occupational skills trainings, creating industry partnerships to expand access to career-track jobs in fast-growing industry sectors, and improving job quality. In conjunction with the new East New York Workforce1 Center, the City will leverage our economic development investments, customized trainings, and industry partnerships to connect more New Yorkers to jobs while helping ensure local businesses find the talent they need.

SERVICES FOR LOCAL BUSINESSES:

To respond to changing neighborhood and real estate challenges faced by small businesses, SBS is expanding and launching several new programs to support existing East New York mom & pop businesses as well as the commercial corridors that anchor the community. First, SBS will provide free commercial lease workshops and clinics to business owners. We are partnering with the East New York Restoration LDC and Brooklyn Public Libraries to bring a series of commercial leasing workshops and clinics to East New York this spring. SBS will also provide business owners with legal assistance and free lease-review case management. Beginning tomorrow, SBS is launching a FastTrac GrowthVenture business course to help East New York business owners strategically grow their businesses and adapt to changes in the market. With support from the Cypress Hills LDC, our first FastTrac GrowthVenture course is customized for East New York to help local businesses access capital, identify growth opportunities, build sales strategies, improve financial performance, and adapt to changing markets. The class will be offered in both English and Spanish.

SERVICES FOR COMMERCIAL CORRIDORS

To lay the groundwork for the development of East New York's commercial corridors, We are working with Cypress Hills LDC, Highland Park CDC, and LDC of ENY to conduct Commercial District Needs Assessments of the Fulton, Atlantic, Liberty, and Pitkin Avenue commercial corridors. These partnerships and assessments are a component of a new, comprehensive SBS approach to neighborhood development called Neighborhood 360°. This program will proactively help SBS and its community partners better understand the needs of local commercial corridors and develop ground-up recommendations to develop a healthy local retail mix. Over the next six months SBS will

- o Publish an East New York neighborhood retail profile coproduced with the LDC of ENY, Cypress Hills LDC, and Highland Park CDC
- o Facilitate a work plan with local stakeholders on how to best align SBS, City, and community resources with the needs of the East New York's commercial corridors
- o Award competitive funding to nonprofits to deliver commercial revitalization services to East New York; and
- o Place a paid, full-time Neighborhood 360° Fellow at Cypress Hills LDC to help coordinate and augment the Neighborhood 360° East New York initiative.

The program also aims to build and maintain a strong SBS staff presence focused on East New York beyond the community planning and ULURP processes, thereby cultivating stronger community relationships and agency accountability.

Conclusion

We have much work ahead of us but I believe we have an extraordinary opportunity to leverage the efforts of our partner City agencies and the local community-based organizations on the ground so we can continue to serve and support the jobseekers, businesses and commercial corridors of East New York. Thank you for the opportunity to speak today and I am happy to address any questions you may have.

CITY COUNCIL HEARING
TESTIMONY OF MARIA TORRES-SPRINGER, PRESIDENT
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

March 7, 2016

Introduction

Good morning Chair Richards, Chair Greenfield, and members of the City Council. My name is Maria Torres-Springer, and I am President of the NYC Economic Development Corporation. EDC has been coordinating closely with our sister agencies, residents, and stakeholders in East New York over the past two years to help develop the East New York Community Plan.

East New York has been undergoing tremendous market change over the last few years. The purpose of the City's work is to ensure that these changes happen in a way that benefits the local residents and small businesses of East New York. We will achieve this through investments and zoning changes that will balance two key needs: mixed-income residential growth, and job-intensive mixed-use commercial development along key transit corridors in East New York, Cypress Hills, and Ocean Hill.

Since last summer, in partnership with Councilmember Espinal, we've been engaged in a comprehensive planning study for the East New York Industrial Business Zone, with the goal of positioning the IBZ for growth, building upon its roots as an industrial hub, and better connecting it to local residents and workforce.

Through engagement with the LDC of East New York, Cypress Hills Local Development Corporation, East New York Restoration LDC, Community Boards 5 and 16, and over 40 business and property owners, we have been developing a comprehensive plan to spur economic development in East New York. The plan focuses on three primary strategies:

- (i) **Preserving and Growing Commercial and Industrial Space;**
- (ii) **Connecting Local Businesses and Workforce to Development Opportunities; and**
- (iii) **Attracting New Employers**

I'd like to use my time today to quickly discuss each of the three strategies.

Preserving and Growing Commercial and Industrial Space

First, in order to create jobs for residents of East New York, we need to both preserve existing commercial and industrial space, and create additional space for new employers. The East New York Community Plan will introduce a *minimum* of 859,000 square feet of commercial uses, and at least 457,000 square feet of community facilities, that are expected to generate approximately 4,000 new jobs by 2030.

At the same time, we'll also be strengthening the IBZ, which is currently home to 250 businesses and 3,000 well-paying jobs. The IBZ is *not* being altered or rezoned as part of the East New York Community Plan. In fact, Mayor de Blasio recently announced that the City will be limiting hotel and mini-storage development in IBZs in order to ensure that space remains available to the types of employers that create jobs accessible to a wide range of New Yorkers.

EDC has a long history of investing in the IBZ, and we are pleased that this summer we will begin construction on a \$1.5 million renovation to the East New York Industrial Building, a City-owned 30,000 square foot building at Powell Street in order to make it a better industrial facility for existing and future tenants alike.

Just last week, we also began accepting applications for a brand new \$150 million Industrial Development Fund. The fund will help spur the creation of 400,000 square feet of new industrial space by providing grants and low-interest loans to non-profit industrial developers to preserve and develop modern industrial space to accommodate good jobs in neighborhoods like East New York.

Connect Local Businesses and Workforce to Development Opportunities

Our second strategy involves connecting local businesses and workers to development contracts and jobs. We at EDC are working to ensure that we're not just investing in new buildings, but in new *opportunities* for the people of East New York; that any investment that the City makes in East New York directly benefits businesses and workers in East New York. That's why through our HireNYC program, developments that receive City funding will be required to first engage with the City's public workforce system when hiring for new jobs being created, ensuring that the people of East New York have a first shot at these employment opportunities.

My colleague, Commissioner Gregg Bishop, will discuss City efforts to connect East New Yorkers to job opportunities in greater detail. But I also want to mention some of EDC's efforts to ensure that MWBE developers and companies have the ability to take part in all of our development work.

This summer, we will begin recruiting for a Brooklyn cohort of our **Manage Forward** program, which provides small business owners, including construction companies, with business education to help them grow. And we'll be putting a particular focus on East New York business owners when recruiting for this program. We'll also be providing opportunities for ENY businesses through our **Blueprint to Success** program, which matches MWBE-certified construction companies with a team of consultants, leaving them better positioned to gain City contracts.

We're making more funding available to MWBE businesses as well. The Mayor recently announced **\$30 million in funds** to help MWBEs better participate in City development work. This includes a range of financial assistance programs that will help to ensure that East New York-based firms are poised to benefit from all of the new development that will occur within the neighborhood. Meanwhile, our **Kick-Start Loan Program** will provide MWBEs with loans of up to \$250,000, which can be used to cover labor, equipment, and material costs, and to provide working capital.

We're also working with local partners to ensure East New York companies can take advantage of new business opportunities. The LDC of ENY has already had great success helping local businesses secure construction contracts in the community. Through a series of "Meet the Developer" events, five local companies have secured over \$3.2 million in contracts for the Livonia Phase 1 project, an approximately 300-unit affordable housing project in partnership with HPD and Dahn Development Corporation.

Attracting New Employers & Local Retention

This brings me to third component of our strategy: growing jobs by attracting new employers to the East New York IBZ.

EDC has been aggressively recruiting companies to the IBZ, providing assistance whenever needed to create good jobs for local residents. We were recently able to help Eastern Effects, a video and film production company, to convert a 25,000 SF warehouse on Georgia Ave into new film studios, creating new good-paying permanent jobs. And via our FRESH program, which provides zoning and financial incentives to promote neighborhood grocery stores in high-needs areas, we worked with Cypress Hills Local Development Corporation to bring a 7,400 SF Fine Fare to their new mixed use development currently under construction at Pitkin Avenue and Berriman Street. In the months and years ahead, we'll be very focused on bringing even more companies to East New York.

In a changing market, we are also mindful of the pressures existing businesses face, and we recently worked with UltraFlex, a flexible plastic packaging manufacturer, to keep the company in East New York, its home for over 40 years. As part of a deal with the NYCIDA, we helped to retain its existing 260 employees, and add an additional 50 jobs, all of which will be sourced via HireNYC.

We also know that attracting businesses requires investment in core infrastructure. We recently revamped the four East Brooklyn BID gateway signs with a new design and lighting repairs. And we are looking to create better and safer pedestrian connections between the Industrial Area and Broadway Junction, resulting in more

access for residents of East New York to every part of their community. These investments won't just help attract new businesses – they will provide significant benefit to both existing employers and local residents.

In the weeks ahead, as we finalize our study of the East New York IBZ, we'll be making additional announcements and working with Councilmember Espinal and community leaders on a full plan for implementation of the strategies that emerge from the study.

Thank you again, and I'm happy to take any questions at this time.



FOR THE RECORD

**Catholic Charities Brooklyn and Queens
Catholic Charities Progress of Peoples Development Corporation
New York City Council
Hearing on East New York Community Plan
Written Statement
March 4, 2016**

Hello, My name is Claire Hilger and I am the Senior Vice President for Real Estate for Catholic Charities Brooklyn and Queens and the Director of Catholic Charities Progress of Peoples Development Corporation, the affordable housing arm for Catholic Charities.

Catholic Charities Brooklyn and Queens has been providing assistance to the residents of Brooklyn and Queens since 1899. We have over 160 programs with services as diverse as early childhood education for low-income families to senior centers and everything in between. Over the course of a year, approximately half a million people will have some significant contact with Catholic Charities Brooklyn and Queens.

In East New York we operate several programs focused on catering to the needs of the community. St. Malachy's Early Childhood Development Center on Atlantic and Hendricks promotes educational, social and cognitive development and a love of learning to children from low-income and homeless families. Hundreds of children are currently on the waitlist for the program. At the Dr. Elizabeth Lutas Center on Fulton and Shepherd, Catholic Charities has two critical programs focused on keeping East New York families together in East New York. Our Homebase Homeless Prevention Program works with East New York residents to try and prevent vulnerable families and individuals from becoming homeless. The East New York Family Support Program provides direct assistance to keep families together.

In 117 years of working in Brooklyn and Queens, Catholic Charities has witnessed sweeping changes. The Dr. Elizabeth Lutas Center in East New York is on the front lines of the changes that are coming to the neighborhood. Our staff work hard to prevent the displacement of hundreds of residents every year. Since 2013, the number of clients we are helping has more than tripled. Last year we worked with more than 1,500 individuals and families who were at risk of homelessness. Our staff see early signs of gentrification speeding towards us on the J train. Single mothers in East New York are now struggling to find one bedroom apartments for \$1,500 per month. This is simply not affordable for a home health aide with three kids trying to make ends meet.

The current zoning in East New York has resulted in a neighborhood primarily made up of 1, 2 and 3 family homes. Homes of this size are not subject to rent stabilization, which means there are very few regulated apartments outside of NYCHA. Renters in the majority of East New York apartments have no protection against a landlord who wants to raise the rent.

Catholic Charities has developed over 3,000 units of housing for low-income seniors, families and individuals throughout Brooklyn and Queens. Recently we opened the Msgr. Anthony J. Barretta Apartments for 64 low-



income families in Ocean Hill on Atlantic and Sackman. We received 5,000 applications for 45 apartments. Most of the applicants from the local community board had incomes that were too low to cover the rents set by the previous administration.

The current zoning in East New York has prevented us from developing more rent regulated apartments in the neighborhood. In the low density 1, 2, and 3 family home areas, zoning does not allow us to build enough apartments to cover our expenses. Across from the Barretta Apartments we wanted to build more apartments for low-income families, but the existing industrial zoning prohibited residential uses. Most of that block remains vacant to this day.

Catholic Charities supports rezoning East New York to encourage the creation of housing that is affordable to the people who live in East New York, and is regulated to protect East New Yorkers from the rising rents that are displacing the community. We applaud the administration for targeting lower incomes and providing greater subsidy. However, we are hopeful that the City Council and the administration will come to an agreement that will result in levels of affordability that will benefit all residents of East New York.

We urge the administration to provide greater resources to preserve existing housing, to commit to preferences for local residents in new housing, encourage deeper levels of affordability, provide greater capital and rental subsidy, and to preserve and encourage local small businesses. By strengthening the current proposal we can create a plan that will work for East New York.

Thank you for your time.

Written Testimony

**NYC Council Hearing
Subcommittee on Zoning and Franchises
East New York Community Plan Rezoning Proposal**

March 7, 2016

Presented by:

Nancy Carin – Executive Director, Business Outreach Center Network

The Business Outreach Center (BOC) Network, together with affiliate CDFI loan fund, BOC Capital Corp., provides business technical assistance, customized small business training and access to capital to largely immigrant and minority communities throughout New York City. BOC Network is well known for its service model, bilingual services, supporting entrepreneurs at every stage of business development; for its sector-specific training for child care and construction businesses; for its job creation community economic development projects; and for its collaborative work with NYC as the Industrial Business Solutions Provider for Queens West, Manhattan and Brooklyn East.

As an Industrial Business Solutions Provider, BOC Network is dedicated to providing reliable assistance on a broad range of business matters to help businesses grow, ultimately saving and creating living wage jobs for New Yorkers.

Manufacturing/industrial businesses are thriving in East New York. Among East New York's manufacturing businesses are wood and metal product manufacturers, corrugated and solid fiber box, food manufacturing, electric equipment and thread manufacturers. ENY also has a concentration of construction, specialized trucking and wholesale. Support for these businesses and the jobs they create and sustain is crucial to current and future equitable economic development.

1. **Manufacturing creates livable wage jobs.** The average manufacturing job pays \$50,934 per year in contrast to the average retail wage of \$25,416 and is more likely to be unionized and provide crucial benefits like healthcare. The manufacturing workforce tends to be non-white with limited formal education, but is frequently highly skilled: 78% are people of color, 64% are immigrant and 82% live in the outer boroughs. The manufacturing and industrial sector presents an enormous opportunity for well-paid,

long-term employment for many of New York's most under-employed populations. Supporting these jobs is critical for a community like ENY with 19% unemployment.

2. **MX zoning (Special Mixed Use) is a threat to industrial jobs.** MX was established to facilitate mixed residential and industrial uses in close proximity. Evidence shows that MX zoning puts manufacturing businesses and future development at risk and favors future residential development. Any change to MX in the ENY rezoning plan will result in manufacturing displacement. Why? Because other uses attract higher rents. The real estate market rewards residential development over industrial, even when Mixed-Use districts have been implemented, market forces have driven the large scale loss of industrial use. MX zones would also encourage real estate speculation which drives instability, and instability discourages long-term investment in businesses and in the City's workforce.
3. **Proposed rezoning threatens existing manufacturing and industrial businesses.** The area proposed for rezoning has over a couple dozen manufacturing businesses and a significant number of other types of industrial users would be threatened and displaced under the proposed zoning changes. Rezoning along Atlantic and Liberty Avenues would have an adverse impact on industrial businesses currently located in the area, particularly steel and iron manufacturers because their uses are incompatible with commercial or residential. Rezoning may also cause an increase in traffic along proposed MX zones due to private vehicles competing with trucks and buses currently located in the area.
4. **Industrial uses are not compatible with residential development.** Close proximity to industrial areas may present conflicts between businesses and neighbors. Truck transport and access, on street parking, and early / late operating hours present issues that impact residents and businesses alike. Community conflict could potentially lead to erosion of the industrial business zone in the future.
5. **Atlantic Avenue is the only through east/west truck route in the Borough of Brooklyn.** A plan to increase pedestrian traffic across Atlantic Avenue presents a public safety hazard. Expanding pedestrian use of a through truck route presents a risk to families and children, and will negatively impact business operations. Atlantic Avenue is already severely congested, and is forecast to experience severe traffic conditions by 2025, according to the "Truck Route Management and Community Impact Reduction Study". (http://www.nyc.gov/html/dot/downloads/pdf/trm2_part3a.pdf)

Just as housing needs a physical location, jobs also need a place to live. No housing is affordable without a job.

We therefore applaud City Councilmember Espinal for maintaining a high priority for preserving the ENY Industrial Business Zone and proposing a jobs plan for the neighborhood.

To retain industrial and manufacturing businesses and jobs in East New York, we recommend:

- Preserve existing M-zones in Ocean Hill and along Liberty Avenue.
- Avoid MX zoning. MX zoning has some inherent challenges and we don't believe it's the right approach for preserving manufacturing.
- Allow only commercial development along Sheffield Avenue between Pitkin and Atlantic Avenues to maintain a buffer between the ENY IBZ and residential uses.
- Develop an area within the ENY IBZ designed to attract new businesses to create jobs for community residents.
- Avoid community uses, such as residential and schools, that will create risks for children and families along through truck routes.

BOC Network joins the Association of Neighborhood Housing Developers (ANHD) in their recommendation to:

- Trade density increases planned for M sites and add to large residential sites on major corridors (Pitkin Ave), near transit hubs.
- Train local residents for jobs with career ladders. Ensure that local graduates of workforce programs are given first priority for local construction jobs.
- Establish a Workforce! Satellite Center and a Youth Development Opportunity Center in East New York focused on local job placements. Workforce programs must focus on jobs that will be created as a result of the rezoning - especially in construction.
- Incentivize developers to meet and exceed local hiring requirements for building projects within the rezoning area.
- Provide small business support services including legal counseling and access to capital.

Let us not abandon the promise of growing the City's industrial and manufacturing sector to create middle-class jobs. And again, in closing: No housing is affordable without a job.



Testimony of Yvette Cumberpatch
SEIU 32BJ Member, East New York Resident
New York City Council Zoning & Franchise Sub-committee
East New York Rezoning
Monday, March 7, 2016

Hello, my name is Yvette Cumberpatch. I am a security guard and I have lived in East New York for 16 years. I am a 32BJ member and I am raising four grandchildren in East New York.

I'm here on behalf of my union, SEIU 32BJ. We represent 3,000 building service workers who live in East New York, and more than 500 who work here.

Right now, East New York is in crisis. As everyone here knows, housing costs are going up too much, and too fast. In 2013, when my grandchildren moved in with me, I decided to start saving to buy us a house. When I was looking in 2013, the prices seemed reasonable. But now that I have put some money aside, I can't afford to buy a place in East New York. Since 2012, the price of housing has gone up more than 150%. Luckily, I have a good job that has allowed me to put some money aside, but it is still not enough to afford the housing in my neighborhood.

In East New York, we have more people living in poverty than all but one other neighborhood in the city.¹ We have three times more unemployment than the rest of the city.² For many, the jobs we do have don't pay a decent wage.

My community needs a plan that sees good jobs and affordable housing as two sides of the same coin. The new residential buildings will create more supers, porters and handymen jobs. As a security guard, I know the difference it makes when these are prevailing wage jobs and when they are not. When it's a union job and when it's not. I know my community needs jobs, but I know that we need GOOD jobs even more. So I want a plan for my community that makes sure these new building service jobs are high quality jobs that pay prevailing wage.

While I urge the Mayor and City Council to do all within their power to ensure the rezoning results in high quality jobs, I also call on developers and owners of the properties being rezoned to commit to creating the kinds of jobs that will allow working people to support a family in New York.

Currently, property owners are a silent, yet powerful stakeholder in East New York and they are going to benefit greatly from the rezoning. Existing property owners who intend to sell will likely see their property values soar because of the increased development

¹ <http://www.nyc.gov/html/ceo/html/poverty/lookup.shtml>

² Coalition for Community Advancement, "East New York Neighborhood Re-zoning community plan" July 2015. p.6

potential permitted as-of-right. Developers are already capitalizing on this. After the Mayor announced plans to rezone East New York, Phipps Houses purchased a parcel that can hold over 1,000 units of housing and Bluestone Group purchased the second largest development site, which can hold 800 units after the rezoning.

We need commitments that these developers and the other property owners—both those who currently own parcels set to be rezoned and the future owners that purchase these properties—are going to develop responsibly.

The ULURP process is the most effective process to ensure individual developments provide benefits to the community. And so right now, before the rezoning is approved, we need the developers and property owners to make a firm commitment to create good quality permanent building service jobs on their site.

Thank you.



**City Council Hearing, East New York Rezoning
March 7, 2016**

Thank you to the City Council for giving me an opportunity to comment on the proposed rezoning of East New York.

My name is Maritza Silva-Farrell, and I'm the coordinator of Real Affordability for All, a labor, community and faith-based coalition united to create deep affordability and good jobs for all New Yorkers. I also am a campaign director at ALIGN: the Alliance for a Greater New York. ALIGN is a permanent alliance of community and labor united to create good jobs, vibrant communities and an accountable democracy.

We share the goal with the Mayor of creating and preserving affordable housing throughout New York City, especially in neighborhoods that the administration intends to rezone. Unfortunately, the Mayor's current plan in East New York will leave behind many of the same lower-income and moderate-income New Yorkers whose housing and job needs were ignored by the Bloomberg administration.

The Mayor's plan includes no standards or criteria for job quality or local hire, and it doesn't achieve the real affordability levels for the current residents of East New York.

- In East New York, the average medium income for a family of three is around \$35,000 a year. The Mayor's plan is to build 1,200 affordable units in the first 2 years, and only 324 of those units will be for people making \$35,000 or less. This means that very little will be done to address the affordable housing needs of the vast majority of the East New York population.
- The total plan is to create about 6,400 units of housing as a result of the rezoning. That means, after the initial 1,200 units, there will be around 5,200 additional units of housing built in taller buildings in East New York. The administration has pledged to set aside subsidies for these units. But by the time construction will start, the neighborhood will already be rezoned, and the pace of change in an already adjusting market will be accelerated. There is no guarantee that developers would actually take these subsidies going forward, meaning the only affordable housing that would be sure to be created would be generated from the mayor's woefully inadequate MIH proposal.

- 55% of Housing in East New York is unregulated, which means even with legal support, all of these tenants are at huge risk of displacement.
- The lack of attention to job quality is even more disconcerting when you consider the recent evidence showing that even \$15 per hour isn't enough to make low-income neighborhoods affordable. Low-wage workers and their families living in neighborhoods that will be rezoned will not be helped by the current plan. They will be left behind.

That's why we need a better plan that gets us deeper levels of affordability while creating good jobs for local residents impacted by the rezoning. What we are saying is: Build it right.

This rezoning is bringing increased density along key corridors in East New York. That's what we're talking about today: increasing the density of the neighborhood. When the city gives away density like it's considering right now, it needs to be more effective so we can create and preserve real affordable communities. The city sees the increasing density as a primary tool in creating affordable housing. So then, the question is, why are we getting so little in return?

Density is a big bargaining chip we can use with developers to get to deeper affordability and good jobs; we shouldn't give it away for free like in this proposal. We need to require developers to meet high standards for real affordability and job quality when giving them greater density, like along Atlantic Ave. That's a fair and reasonable deal. If developers won't agree to it, then they shouldn't build in East New York.

The Real Affordability for All coalition suggests a better way forward, where developers need to actually build housing that East New York can afford, using East New York residents, if they want the increased density. This would be done by creating a floor area affordability bonus that on its own would not create increased density in a neighborhood, but would ensure that when the city is upzoning like in East New York, the plan benefits the current residents.

Our message is simple: either build it right, or don't build at all! We can't continue to give in to the wealthy real estate interests in this City who only care about their bottom line. We must use our zoning power to prevent gentrification, and to create good jobs for local residents. The Mayor's plan fails on all these counts, and we are at risk of losing one of the last remaining working-class neighborhoods in Brooklyn.

Thank you

New York City Council
Public Hearing on East New York Community Plan and Rezoning
City Hall, New York, NY
Testimony by Martin Dunn, President, Dunn Development Corp.
March 7, 2016

My name is Martin Dunn and I am the founder and president of Dunn Development Corp., a Brooklyn based developer of affordable and supportive housing. I have been developing affordable housing for 23 years – initially as the director of a non-profit community development corporation in East New York – and have been involved in the development of more than 3,500 apartments including some of the most highly regarded affordable housing projects in New York City. I almost exclusively develop affordable housing - 99% of the units I've worked on have been affordable and only 1% market rate housing.

I have a long history of working in East New York going back to 1992 when I spent 5 years working for the East New York Urban Youth Corps, first as the Director of Housing Development and then as the Executive Director. After that, I consulted on affordable housing development with HELP USA and other non-profits working in the community and then later developed affordable housing through Dunn Development Corp.

At the East New York Urban Youth Corps we did numerous affordable housing projects in the rezoning area including multiple new construction buildings on Pitkin Avenue, a new construction project on Elton Street between Liberty Avenue and Glenmore Avenue and multiple rehabilitation projects. As a private developer I have completed multiple new construction affordable housing projects in East New York including one in the rezoning area.

We are interested in purchasing sites and developing new buildings in the rezoning area. Any sites we develop in the rezoning area will be deeply affordable – both because that is what we are committed to doing and because that is the only option. We cannot do development in East New York without City and/or State capital subsidies. And those capital subsidies require deep affordability.

In addition to badly needed affordable housing, East New York needs additional retail stores to serve the community as well as more community facility spaces for neighborhood services. Atlantic, Liberty and Pitkin are all well suited for this. Much of the automotive uses and fast food restaurants on Atlantic serve people just driving through. And Liberty and Pitkin will never attract strong retail without higher density and reduced parking requirements. And Pitkin has the added challenge of it being expensive to build along the subway line as I know from experience.

And the one and two story taxpayers on Atlantic – and even on Pitkin – have real value to their owners under their current uses and without the significant density increases proposed, you will never get owners to sell their properties to allow for redevelopment.

I want to mention two projects which I think shed important light on the current proposals.

The first is Livonia Commons in East New York which has a lot of similarities to Pitkin Avenue: a subway line runs down it, it used to be a thriving commercial corridor and it defied previous attempts at revitalization. We completed a rezoning along 7 blocks of Livonia – converting R6 zoning with C2-3 overlays to R7A with a C2-4 overlay – exactly what is proposed for much of Pitkin. It enabled us to build higher density and it reduced parking requirements. The result – new affordable housing with deeply affordable units that meet neighborhood needs (almost 60% of the units serve households earning less than 40% and 50% AMI), high quality ground floor retail and community facility space (we've already signed up a pharmacy, a supermarket, a community arts center and a Catholic Charities program) and local jobs. Lots of local jobs. During the construction the general contractor and subcontractor made 51 new local hires of Community Board 5 residents (as some workers after finishing one trade for one subcontractor were hired by a second subcontractor for another trade, there 45 unique individuals newly hired) with another 15 CB#5 residents being employed on the construction because they already worked for local subcontractors we hired. We also provided job training to 145 local residents, employed a local firm to manage the local training and hiring, and utilized multiple local suppliers and subcontractors. And for the maintenance jobs the management company has hired East New York residents too. That is what this new rezoning can accomplish too. Without higher residential density and reduced parking, Pitkin, Liberty and Atlantic will not attract the quality retail services and community facility services the neighborhood is looking for.

The second project is Liberty Apartments which we opened in 2010 in the rezoning area in partnership with Cypress Hills Local Development Corporation. The development site was 30,000 square feet of land – an assemblage of 2 private lots we purchased and 15 City owned lots. The whole end of the block – with three street frontages. On that 30,000 square feet of land, we were able to build only a three-story building with 43 apartments because of the R5 zoning. Under the current zoning proposal, the site would have generated more than 100 affordable housing units.

But the other thing I wanted to mention about Liberty Apartments is that we included 21% of the units for households earning less than 30% of AMI with the rest of the units

at 60% AMI. The amount of capital subsidy from the City and State we needed to accomplish that was \$10.9 million, or more than \$253,000 per apartment. Not \$253,000 per apartment below 30% AMI – but \$253,000 for every apartment. And that is not including the value of the free land provided by the City of New York. And that was in 2009 when construction costs were much lower.

More recently on our Livonia Commons project, which is just completing construction, the capital subsidies from the City and State totaled \$272,000 per residential unit plus free land in order for 56% of the units to have rents below 40% and 50% of AMI with the balance of units having rents below 60% AMI (a small % of units have rents at 60% of AMI with rental subsidies that make them affordable to lower income households which is why 56% of the units have rents below 40% and 50% AMI but 60% of the units are affordable to households earning less than 40% and 50% of AMI).

The reason I bring this up is because we need to be realistic about the %s of affordable units and the AMI levels that are required as part of the rezoning. We want this rezoning to result in the development of lots of new affordable housing and not be so cost prohibitive that no development happens or only very little development happens. And affordable housing is needed by existing East New York residents at a wide range of AMI levels – including units at 30% AMI, 40% AMI, 50% AMI, 60% AMI and above 60% AMI.

When we marketed the affordable apartments at Livonia Commons, we received 5,555 applications from Community Board #5 residents. As of the last census, there were 46,588 renter households in CB#5 (there were 60,390 total households, but 13,802 owned their own apartments/homes). This means that about 1 in 8 renter households from East New York applied. And the income levels of those applicants were well distributed across all of those AMI levels – 30% AMI, 40% AMI, 50% AMI, 60% AMI and even above 60% AMI. This tracks very well to the requirements of HPD's ELLA term sheets.

And let's be clear – the affordable housing created by the rezoning and the City's related preservation efforts may not address every housing need in East New York, but it is a far better option than doing nothing. Voting down the rezoning will not prevent gentrification from affecting East New York. But what it will mean, is that when gentrifiers do arrive, who can pay more to purchase or rent properties than existing local residents can, there will be no new affordable housing options that enable them to stay in the community. And that would be a tragedy.

I appreciate the opportunity to testify and would be happy to answer any questions.

**TESTIMONY OF JONATHAN FURLONG, BEFORE
THE ZONING SUBCOMMITTEE OF THE NEW YORK CITY COUNCIL**

March 7th, 2016

Good morning--Thank you to the members of the subcommittee for the opportunity to testify today.

My name is Jonathan Furlong and I am the Zoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of New York City neighborhood-based housing and economic development groups, CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have nearly 100 members throughout the five boroughs who have developed over 100,000 units of affordable housing in the past 25 years alone and directly operate over 30,000 units.

My testimony today focuses on the needs of 1-4 family homeowners, and what the city can do to help preserve a critical supply of affordable housing and create protections for renters, who's homes do not fall under any city or state regulatory programs.

Small homes--or those buildings with one to four apartment units--are the predominant housing type in the East New York area, accounting for more than 3,300 units. Most of these structures within the study area are over 100 years old and are in need major systems repairs, including new roofs and energy retrofits. Taking a quick look at expenses, the cost of water was 6.06% of a building's expense budget in 2007 rising to 8.5% in 2013. A large percentage of the small homes in the community contain basement apartments.

Community Board 5 continues to be affected by the foreclosure crisis, with over 1,000 foreclosure actions filed in the zip codes within it last year. All of these factors taken together: average age of the buildings, the need for repairs and retrofits, the continuing foreclosure crisis, and the low incomes of many homeowners - - make neighborhood ripe for speculators who prey on my fellow homeowners in deed theft and loan modification scams and harass them to sell their homes at below market rates.

ANHD has been working with the Coalition for Community Advancement and others (most notably the Center for New York City Neighborhoods) on policies and ideas that would assist owners of small homes to support low and moderate income homeowners and to keep rents low for tenants. We urge the city to consider implementation of the following policy ideas and to include them in the East New York Plan:

- **Good Neighbor Tax Credit**

Many live-in landlords in the community give low-income tenants below-market rents because they are more interested in supporting their neighbors than maximizing their profits. But as land values and property taxes go up, it will become harder for these landlords to maintain low rents. A Good Neighbor Tax Credit could protect unregulated affordable housing by providing a tax break to landlords of 1-4 family homes who offer one-year leases to low-income tenants at below-market rates.

- **In East New York, pilot Chhaya CDC's BASE campaign to retrofit and legalize basement apartments to allow homeowners to provide safe, affordable units to low income tenants**

The Basement Apartments Safe for Everyone (BASE) campaign proposes that New York City add a new category of residence to building, housing, and zoning codes creating an "Accessory Dwelling Unit" (ADU) code. The New York City Ordinance on Accessory Dwelling Units defines "accessory dwelling unit" as a residential living unit that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single-family dwelling it accompanies. The ADU code would legalize safe units, even in areas that are currently zoned to limit housing to single-family residences. It would keep units affordable by creating a conditional tax incentive for owners, and provide technical and financial assistance to homeowners who participate in the pilot program.

- **In East New York, pilot the Urban Homesteading Assistance Board's recommendations for the City's tax lien policy.**

For rental housing where there is outstanding tax debt, pursue one of the following policies: (a) City enters into a payment plan with existing owner that includes rent regulation of exiting units, or (b) for owners that continue to not pay outstanding tax debt, the City initiates foreclosure and uses the existing Third Party Transfer program to transfer the buildings to an affordable housing provider. Ensure that the City continues to withhold tax debt on low-income cooperatives from the lien sale in favor of working with the cooperators on a plan to stabilize those units.

- **For East New York, create grants for whole home retrofits**

Create a fund for capital upgrades for low-income homeowners to finance roof replacements and energy efficiency measures to offset rising housing costs, improve health indicators associated with indoor air quality, and develop a retrofit and small home repair market for local contractors.

- Establish lower water and sewer rates for low-income home owner- occupants

Explore ways that the City can lower the rates for water and sewer bills for long-term, low-income owner-occupants of 1 to 4-family homes

- Enact a flip tax to disincentivize real estate speculation

Reclassify investment-purchased small homes (1 to 4 units) as Class 2 properties to increase property tax rates and increase the transfer tax of properties sold in less than five years from their original purchase,

In conclusion, we are asking that the City be a partner in pioneering new preservation tools to preserve low and moderate homeownership specifically in East New York, but also in all neighborhoods as a means of protecting the low income tenants that live in small homes. The City's housing agency has stated they will investigate and research many of these proposals but to date, we have no firm commitments.

**TESTIMONY OF EMILY GOLDSTEIN, BEFORE
THE NEW YORK CITY COUNCIL ZONING SUBCOMMITTEE**

March 7th, 2016

Good afternoon. I'd like to thank Council Members Greenfield and Richards, and the entire committee for the opportunity to testify today.

My name is Emily Goldstein and I am the Senior Campaign Organizer at the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of New York City neighborhood-based housing and economic development groups, CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have nearly 100 members throughout the five boroughs who have developed over 100,000 units of affordable housing in the past 25 years alone and directly operate over 30,000 units.

The City's focus in East New York as well as in the other neighborhoods where rezoning proposals have been announced, there has been a central focus on the development of new housing. However, we are concerned that the majority of the new housing developed based on the current rezoning proposal for East New York will be unaffordable to the majority of people currently living in the neighborhood. Approximately 40% of households in and around the East New York Study Area (within a half-mile buffer) are at or below 30% AMI, or about \$25,900 per year. The lowest affordability level guaranteed by the currently proposed version of Mandatory Inclusionary Housing is 60% AMI, or about \$51,800 per year. With subsidy under the terms of the HPD ELLA program, 10% of units would be affordable to families at 30% AMI. Not only does that not match the needs of East New York residents, but the deeply affordable units would not be permanently affordable the way units required by zoning would be, and would also not be guaranteed – developers could choose not to use HPD subsidy, and future administrations might not have the same commitment to subsidizing deeply affordable housing.

The mismatch between the new housing likely to be built and the income levels of East New York residents makes a greater focus on preserving the area's existing affordable housing and preventing the displacement of residents from their current homes all the more important.

Existing sources of affordable housing include a large amount of unregulated housing, as well as approximately 3,000 units of rent-regulated housing, which represent a vital commodity for any neighborhood. The city must incorporate strong anti-displacement measures into ANY land-use action to ensure that these units are not lost through speculation or tenant harassment. Legal services are welcome, but are not enough to counteract the profit motive that leads many landlords to drive out long-time residents in favor of higher profits.

One tool that can and should be used to help prevent the displacement of low-income residents in East New York is the implementation of a Certificate of No Harassment requirement when landlords apply for permits from the Department of Buildings. If landlords with a history of tenant harassment were either unable to renovate their buildings to attract higher-paying tenants, or had to provide a cure of permanently affordable apartments in the building, there would be a clear monetary disincentive for tenant harassment. Based on the experiences of tenants and community organizers in the Clinton Special District on Manhattan's West Side, we believe this mechanism would help to relieve the mounting pressure on East New York's low-income tenants.

We urge you to amend the zoning proposal before you to incorporate a Certificate of No Harassment requirement. We also encourage the Council to pass legislation implementing a Citywide version of the requirement, to protect tenants outside the immediate rezoning boundaries who nonetheless will feel the ripple effects of changes in the neighborhood, and to ensure that in other neighborhoods protections are in place proactively, before speculation based on anticipated zoning changes starts to impact tenants.

ANHD has been proud to work with the Coalition for Community Advancement in developing an alternative plan for the East New York rezoning. We urge the committee, and the Council as a whole to take seriously the local community's very legitimate concerns about how the rezoning proposal before you will negatively impact East New York residents, workers, and business owners, and to incorporate the practical and carefully considered recommendations the Coalition has developed to ensure that East New York can grow and change in ways that benefit all of the area's community members.



**Testimony of Dave Powell, Fifth Avenue Committee/Neighbors Helping Neighbors,
Before City Council in Opposition to the Currently Proposed Plan to
Re-Zone East NY/Cypress Hills, March 7, 2016**

My name is Dave Powell and I am the Director of Organizing and Advocacy at the Fifth Avenue Committee (FAC) and Neighbors Helping Neighbors (NHN), an affiliate of the Fifth Avenue Committee based in Sunset Park. Our organizations are active in the Brooklyn neighborhoods of Gowanus, Park Slope, Boerum Hill, Sunset Park, Downtown Brooklyn, Prospect Heights, Red Hook and beyond. Both organizations fight to keep families in their homes through eviction prevention casework, tenant association organizing and policy activism.

So why are we here expressing our opposition to a plan to re-zone East NY? There are two key reasons and they are not merely relegated to East NY but also to Jerome Avenue and other neighborhoods that are slated to be re-zoned a part of Mayor de Blasio's housing plan.

First and foremost we want to express our support for the Coalition for Community Advancement's Neighborhood Re-Zoning Plan. An over-arching theme identified in CCA's plan is that a lack of formal community input is a deep and fatal flaw in the current proposal to re-zone East NY put forth by the administration. There cannot be trust in this process, let alone justice in the result, without community residents at the decision making table. We say this in solidarity with the residents of East NY but also because this is the level of collaboration that we expect when the administration comes to re-zone Gowanus and Sunset Park. The era of top-down planning characterized by the Bloomberg administration must be relegated to the dustbin of history.

Secondly, the proposed re-zonings in East NY, Jerome Ave and beyond, while admirable in their goals for affordable housing creation, are critically flawed in that they rely on inflating current housing values without creating additional protections for tenants and businesses, that will almost certainly face displacement. Simply put, without such protections in place BEFORE any rezoning, the forces of predatory real estate speculation will find fertile ground in the Mayor's proposals and any proposal that unleashes additional density for market-rate development.

The phrase "housing crisis" has been used both by advocates and elected officials for decades now and has generally referred to ever escalating rents and the chronic lack of housing affordable to low- and moderate-income residents. While this affordable housing crisis is still very much in full swing, I think we are all aware that we are



currently are experiencing a closely related but often un-named crisis in New York City and that is the *displacement crisis*. Unfortunately the relationship between these two is not often explicitly discussed and specific policy attempts to systematically address the latter are rarely forth coming. The tenants of New York City are in need of aggressive protections to address this displacement crisis, which has been fueled by international speculative investment in our housing market, deregulation loopholes created in the rent stabilization laws and the up-zoning of dozens of our communities by the Bloomberg administration. These dynamics have created profitable incentives for landlords to displace families from low-rent housing through harassment and constructive eviction.

So we are here expressing solidarity with the residents and community groups of East NY/Cypress Hills and testifying in our own self-interest to deflect the flawed elements of the plan for these communities from migrating to our communities. But I am also before you to issue a cautionary tale, as our community and organization has experienced first-hand what up-zoning without tenant protections can do to a neighborhood. For an example of why tenant protections and neighborhood planning must be put in place BEFORE neighborhood re-zonings, look no further than 4th Avenue in North and South Park Slope in the wake of the 2003 and 2007 re-zonings. Both of these land use actions not only brought displacement through harassment but also the demolition of sound, rent stabilized housing.

A prime example of this was the destruction of 150 -158 4th Avenue, five rent stabilized buildings that provided 40 units of deeply affordable housing to low- and moderate-income families in our community (*see attached one pager*). The increase in density was too tempting for this unscrupulous landlord who viciously and persistently harassed every last tenant out of these buildings until they were empty. By 2009 these buildings were demolished and today our community walks by a luxury development that receives a 421a tax break where 40 of our beloved neighbors once lived. Just down the block is 140 4th Avenue where only two families are left to resist the constructive eviction and harassment techniques of the landlord, as he recklessly slaps two additional floors onto this 8 unit building. Diagonally across the street is 78 St. Marks Place, another 8 unit building where two households bravely fight against a landlord who first harassed tenants out, but now has shifted gears and has applied to DHCR to demolish the building legally (*see attached NYT article*).

The danger and harassment endured by these 56 families – only 4 of whom are still in our community today – is a cautionary tale about the destructive forces that are unleashed by increased density and a call for additional tenant protections. I was in front of this body two weeks ago testifying in favor of Intro 152-A which would establish a citywide anti-harassment district. Had this bill been law and additional protections identified in the Coalition for Community Advancement's plan been operationalized in our neighborhood a decade ago, it is quite likely that the families I have testified about would still be part of our community and that the affordable housing that they lived in would not have been lost.



I urge the City Council and in particular Council Members Espinal and Barron to vote "No" on the proposal that is before you unless and until a community planning framework and strong anti-displacement measures put forth by the Coalition for Community Advancement can be integrated into the current plan. I will remind all Council members that although this is a local land use action, we all know that what happens in East NY will likely set a template that at least 14 more neighborhoods will be subject to follow in one form or another. So please vote as if the plan put forth by the administration for East NY is going to set the terms and conditions under which your district is going to be re-zoned – because there is a strong possibility that is exactly what will happen.

On both a citywide and neighborhood level we look forward to working with advocates, residents, this Council and the relevant city agencies to implement a planning framework that puts community voices first and that distinctly addresses the crisis of displacement that is destroying our neighborhoods.

###

150-158 4th AVE CASE STUDY

After the North Park Store reopening was approved in 2003 the owner of 150, 152, 154, 156 and 158 4th Avenue embarked upon a campaign to empty these five rent-stabilized buildings. Fifth Avenue Committee (FAC) worked with tenants in the subject buildings and discovered that the landlord was using buy-outs, harassment, and threats of deportation to get tenants out. Organizers at FAC learned the landlord wanted to empty the buildings to meet the conditions of a pending sale to a luxury housing developer.



The subject buildings in 2007 (left) and luxury housing development (right) in 2011

Source: Governor's Office, Fifth Avenue Committee

From 2004 to 2006 the tenants who did not take buy-outs were met with serious harassment through neglect and poor conditions of the buildings and verbal abuse. Vermin, flooding, mold, no heat, no hot water, suspicious fires, robberies, trash, and urine in the halls were the norm. The front door of 156 4th Avenue did not lock; homeless people frequently slept in the hallways where discarded hypodermic needles and liquor bottles could be found. A tenant organizer at FAC recalls that a real estate agent, hired by the landlord, warned a tenant, a single-mother, that she should be concerned about her children's safety given the state of the building; her apartment was broken into soon thereafter.²⁴

The tenants, with the help of FAC, initiated numerous BP actions (tenant-initiated court cases to force landlords to make repairs) and got hundreds of violations placed on the building but code enforcement was slow and conditions remained poor. One apartment in 156 4th Avenue alone had 26 violations, including 2 Class C violations, 21 class B violations, and 3 class A's. Despite the protections afforded to tenants under rent stabilization the landlord prevailed in his campaign. By December of 2006, 40 rent-stabilized units were vacant and the buildings were boarded up. The buildings were ultimately demolished and today are being developed as luxury housing.

The landlord in this case made a business decision to deliver an empty building to a developer, not by "sparing" the developer the DCHCR process of providing normal tenant demands or "demolition" evictions cases. Instead, the route chosen was to harass his tenants into leaving. The exiting landlord became rich while the developer received an easy development site while retaining "clean hands." Meanwhile, a minimum of 40 low/moderate income families were displaced from the neighborhood and the neighborhood lost 40 units of deeply affordable housing.

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EXCLUSIVE: Eric Schneiderman hits tax cheat developer with \$500,000 settlement

On Sunday, the Daily News reported that several companies have been building city-subsidized affordable housing, even as they owe \$11.8 million in back wages.

BY GREG G. SMITH / NEW YORK DAILY NEWS | Wednesday, November 18, 2014, 12:01 PM

AAA

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JOHN BROWN/SHUTTERSTOCK.COM (L) AND AP/WIDEWORLD

On Tuesday the developer, 150 Fourth Avenue LLC, agreed to pay \$500,000 as part of a settlement, Eric Schneiderman announced.

A Brooklyn developer got a sweet \$500,000 tax break by promising he'd either make half his apartments affordable or pay his building employees prevailing wages.

Instead, state Attorney General Eric Schneiderman says, he did neither.

On Tuesday the developer, 150 Fourth Avenue LLC, agreed to pay \$500,000 as part of a settlement — the first shot fired in Schneiderman's ongoing hunt for builders who reap tax benefits but don't live up to their obligations.

"Tax breaks offered to developers and landlords are not treaties," Schneiderman said, announcing his agreement with 150 Fourth Avenue LLC and three smaller settlements.

The use of tax breaks to encourage more affordable housing is a key issue for Mayor de Blasio, who's vowed to create or preserve 200,000 affordable units over 10 years.

On Sunday, the Daily News reported exclusively that several companies have been building city-subsidized affordable housing, even as they owe \$11.8 million in back wages.

On Tuesday, de Blasio praised Schneiderman's settlements and said, "We need to get the most out of every dollar we spend, and it is vital that the people

DOWNTOWN BROOKLYN



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N.Y. / Region

After Decades at a Walk-Up, Tenants Fear Losing a Home

FEB. 17, 2014

Photo



The landlords of 78 St. Marks Place in Park Slope, Brooklyn, want to demolish the building to put up a condominium tower. Credit Michelle V. Agins/The New York Times

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Gotham

By MICHAEL POWELL

To hop a snowdrift and push through the dented door to 78 St. Marks Place in Park Slope, Brooklyn, is to walk into a beehive, the tenants so intertwined as to call to mind a single family. Dominican and Puerto Rican, these families lived in this walk-up for decades. There are two carpenters, a cabdriver, a home health aide, a school counselor and a factory laborer. They

do their own repairs. Their children sleep two and three to a bedroom and rumble up and down the ramshackle stairs.

There's not a fancy flat to be found. It's just home. "This was my life," said Benito Cruz, who has thinning hair and a 12-year-old daughter and a toddler. "I always thought I would grow old here."

His use of the past tense is intentional. His building resembles an airport departure lounge.

A father and son team, Victor and Harry Einhorn, purchased this building two years ago and want the tenants gone. The Einhorns have filed papers with the city and state to demolish the building and its seven apartments. Officially, they propose to build a warehouse; unofficially, they acknowledge, they plan to toss up a condominium tower.

Photo



Benito and Eugenio Cruz, from left, are brothers who live at 78 St. Marks Place. Eugenio Cruz has lived in the building since 1973 and Benito Cruz has lived there since 1977. Credit Michelle V. Agins/The New York Times

That tower should make them a sweet pile of money. A two-bedroom edges near \$800,000. In December 2012, the landlords offered the tenants \$50,000 and a deadline of two weeks. The tenants refused, and now the Einhorns' offer may be twice as much. Those checks will get taxed and the tenants will have to move far from here.

"I asked Mr. Einhorn where I'd go," Mr. Cruz said. "No answer, nada. He just says go."

This is New York City in an age of real estate as oil wells. To speak of gentrification, that house-by-house renovation march, is not to do this justice. This is turbo charged, developer plotted, bank fueled, quite intentional and difficult to mediate.

The situation at 78 St. Marks offers a microlesson in what hasn't worked. In 2003, the Bloomberg administration and the City Council crafted new zoning for Fourth Avenue. Landlords could tear down and build up. Everyone, including then-Councilman Bill de Blasio, voted for it.

A forest of homely upper-middle-income condo towers rose. The city set aside \$6 million to encourage building affordable housing. It accomplished little.

A few years later, along came the developer Bruce Ratner, a politically savvy fellow who has a dairy-farmer-like appreciation for the test of public subsidy. He wanted permission to knock down apartment buildings and build residential skyscrapers, and an arena.

Give me enough subsidies, he said, and I'll make 50 percent of the apartments sort of affordable. He promised to finish by 2016.

Now his completion deadline is decades away. All that's gone up is the Barclays Center, which disgorges a beautiful income stream.

"Barclay's put even more pressure on these neighborhoods," said Jackie Del Valle, an organizing director at the Fifth Avenue Committee, which is helping these tenants. "It's another wave of gentrification."

No tenant at 78 St. Marks gets weepy for the old days. Junkies shot up in their vestibule. Gang members punched little girls in the nose. A dead woman was found, gape-mouthed, inside the burned-out frame of a sedan.

[Continue reading the main story](#) [Continue reading the main story](#)

Now there's a natural food store, a wine grotto, a good supermarket. The schools have gotten much better.

"It was ugly," Mr. Cruz said. "Now it's not. I'd like to stay."

The Einhorns make quite a team. Last year, on Christmas Eve, they served eviction papers on a day care and senior center in Williamsburg. Victor Einhorn was convicted of an \$8 million fraud in 2002. The federal judge noted his "history of deceit" and "blatant" law breaking.

I asked his son about this history. His father, he replied, was his bookkeeper. "What does he have to do with my company?" he asked.

I noted Victor Einhorn introduced himself as the landlord to the tenants, and their law firm copied his father on correspondence with the state.

Whatever.

You're going to build a nice residential tower? I asked.

"Correct," Harry Einhorn said. "That's correct."

In their application to the state, the Einhorns said they would build a warehouse.

For now, the tenants try to think about what they'd do with \$100,000. Mr. Cruz has had three heart operations and is 62 years old. That \$100,000, he said, buys his family nothing.

Downstairs, Eugenio Rafael Cruz worked as a doorman until he hurt his back. He drives a taxi. "It's impossible," he said. "I'm 53; for me, this is the end of New York. I'm gone."

So a corner of New York crumbles.

Email: powellm@nytimes.com

Twitter: [@powellnyt](https://twitter.com/powellnyt)

A version of this article appears in print on February 18, 2014, on page A16 of the New York edition with the headline: After Decades at a Walk-Up, Tenants Fear Losing a Home. [Order Reprints](#)[Today's Paper](#)[Subscribe](#)



My name is Naved Husain, Lead Organizer at CAAAY Organizing Asian Communities. On behalf of hundreds of our members that are low income immigrants living in Chinatown and in Queensbridge, we demand that any rezoning should benefit the communities that have lived in a neighborhood for generations and not simply benefit wealthy developers and land speculators.

The problems that residents of East New York are facing are the same problems that residents in Chinatown, in Jerome Ave in the Bronx, and in East Harlem are facing. There is not enough affordable housing and whatever affordable housing that is available is being delivered to the private market. Once in the private market, developers and landlords hike up rents so that the communities that have been living there for generations can no longer afford to live there. Overwhelmingly, the communities being rezoned in this destructive manner are low-income communities of color, African-American, Latino/as and immigrants. The very fabric of New York City's diversity is being ripped apart.

Not only are landlords and developers pushing for policies that will get rid of affordable housing, but the manner in which they are evicting tenants, using methods of harassment, which include hiring firms that are paid to harass tenants to using construction as harassment. Many of these actions done by landlords run afoul of law and violate the dignity and peace of long time residents.

Residents of Chinatown have seen what bad rezoning policy has done. About 8 years ago, the East Village was rezoned to allow more luxury development. Since then, there has been massive displacement of low-income communities there. In response to this, CAAAY as well as other members of the Chinatown community created our own group, the Chinatown Working Group. We have released our own rezoning proposal that the residents of Chinatown want the city to implement. In our proposal, we find much in common with our allies in East New York. We demand that any rezoning create affordable housing units that are pegged to realistic AMI levels, not the inflated AMI levels currently used, but numbers that reflect the actual incomes of people living in East New York and in Chinatown. We also demand that East New York and Chinatown be deemed a special district similar to the Special Clinton District that would help discourage and penalize landlords and developers that harass tenants through various means. We also demand that the process through which rezoning happens is open and transparent to the community's needs. This is the only way we can preserve affordable housing and protect the working New Yorkers and immigrants that make up this city and make it run. Thank you.

Written Testimony
Subcommittee on Zoning and Franchises
East New York Rezoning Proposal
March 7, 2016

My name is Eva Hanhardt and I am an adjunct assistant professor at Pratt Institute Program for Sustainable Planning and Development and a member of the Collective for Community, Culture and Environment, one of the technical assistance providers to the Coalition for Community Advancement.

The East New York Neighborhood Rezoning Community Plan identifies the existing lack of adequate community facilities such as schools, childcare and community centers. The Plan further responds to the fact that this inadequacy will be exacerbated by the significant increase in population resulting from the proposed rezoning. This impact is also identified in the FEIS.

While it is commendable that the Department of City Planning is working in collaboration with other city agencies to improve community resources and that the City has established the Neighborhood Development Fund to guarantee the commitments for public investments, there is no specific provision in the proposed zoning that, given a 15 year build out, will guarantee that needed community facilities will actually be provided in the future.

Yet, in many other neighborhoods in NYC, the zoning resolution has already codified provisions that seek to ensure the adequacy of community facilities and/or public infrastructure along with new development. For example, the Special South Richmond Development District requires the Chairperson of the City Planning Commission to certify that sufficient school capacity exists to accommodate new residential development prior to the granting of a building permit. (see attached)

In the case of the Lower Density Growth Management Areas - designated in Community Districts 1, 2 and 3 in Staten Island and Community District 10 in the Bronx - special zoning controls match future development to the capacity of supporting services and infrastructure in parts of the city experiencing rapid growth.

Selected other examples where the zoning resolution supports the provision of space for community facilities and/or public infrastructures in new development include Special Regulations Applying to Fresh Food Stores, Hudson Yards Special District, Special Transit Land use District and Union Square Special District. In these instances the community facilities or public infrastructure are not counted in the development FAR.

East New York should deserve an equal guarantee. I, therefore, urge the City Council to modify the current East New York rezoning proposal to provide a similar zoning provision to guarantee that the community facility and public infrastructure commitments will be met throughout the entire build out resulting from the proposed rezoning.

Thank you,

Eva Hanhardt

Special South Richmond Development District-

(2/2/11)

107-121

Public schools

For any #development# containing #residential uses#, the Department of Buildings shall be in receipt of a certification from the Chairperson of the City Planning Commission which certifies that sufficient #school# capacity exists to accommodate the anticipated primary and intermediate public school children of the #development#. All applications for certification pursuant to this Section shall be referred by the Chairperson of the Commission to the Board of Education.

The Board of Education shall issue a report concerning the availability of #school# capacity within sixty days after receipt of the application. The Chairperson of the Commission shall report shall specify the following:

- (a) whether or not #school# space is available;
- (b) if #school# space is not available, the report shall include:

- (1) the number of seats required;
- (2) the grade organization;
- (3) the location of the #school#;
- (4) size of #school# (sq. ft. per pupil); and
- (5) the proposed financing mechanism.

For the purposes of this Section, sufficient #school# capacity shall be deemed to exist if:

- (1) such capacity is available in existing #schools#; or
- (2) construction funds have been authorized in the Capital Budget to accommodate anticipated primary and intermediate public school children from the #development# upon its completion or within three years from the date of the Chairperson's certification; or
- (3) sufficient #school# space is to be provided by the applicant under a plan jointly approved by the Chairperson of the Commission and Board of Education.

After approval of the Chairperson of the Commission and Board of Education of the applicant's plan to provide the #school building#, the certification may be granted either upon approval of a financial agreement by the Board of Estimate or such guarantee of construction with provision for future #school# occupancy as may be accepted by the Board of Education and the Chairperson of the Commission.

However, the Chairperson of the Commission may grant such certification if capacity is not presently available and the Board of Education after consulting with the Community School Board determines that the impact from the #development# will have a minimal effect on the concerned #schools# and includes such statement in their report.

N.Y City Council
N.Y City Hall

March 2016 — Testimony/Comments to NYC City Council — Public hearing

From: Rene Arlain

Address: 187 Arlington Ave.; Brooklyn, NY 11207

Organizations: community resident, Cypress Hills/East NY Community Coalition for Advancement,
Cypress Hills L.D.C (CHLDC): Housing Counseling Div. Dir.

Dear City Council Members:

The importance of anti-displacement strategies for tenants and owners in small homes is incalculable. I urge that you vote NO on the Mayor's East New York Rezoning Plan though the Dept. of City Planning has recently voted in favor of the City's plan and as such rejected the Community's alternate plan. Unless there are strong anti-displacement policies, programs and resources in-place as outlined in the community's Alternate Plan, ENY/Cypress Hills residents will probably face unfavorable changes and challenges that are part & parcel of gentrifying and gentrified communities in Brooklyn and the other boroughs.

Given that the Mayor's affordable plan proposes to develop and preserve affordable housing, I urge that resources be targeted to distressed owners, owners facing foreclosure lawsuits, renters, and 1st time homebuyers.

Based on PropertyShark.com online real estate database, each week there are about 20 owners in CB #5 named on lis pendens, foreclosure filings. Not only are investors, speculators and scammers vying for cheap acquisitions, some are unscrupulous and resort to deed theft, property flipping, loan modification scams, even manipulating unwitting owners engaged in short-sales transactions. I estimate that far more cases of illegal and/or unethical real estate practices go unreported compared to the cases that are reported or that reached nowhere because complainants cannot afford the legal representation these cases require. There are many vulnerable owners (with performing and non-performing mortgage accounts) being pursued by speculators with offers of all cash-transactions. Daily, these owners have to contend with inordinate numbers of unsolicited phone calls, visits, video graphing, etc.

The proposed rezoning of Cypress Hills/East NY has exacerbated the volume and intensity of solicitations and speculation. Real estate interests have exerted significant pressure on the market, inflating property values; however, underwater loans/homes are still fairly commonplace in CB # 5 despite reports of appreciating property values. Further, many owners and renters are saddled with total household debt, i.e., credit, housing, etc., reaching 50 - 55% and more of gross income. In CHLDC's caseload, owner-clients are largely low to moderate income, ranging from 25% - 70% of AMI, of ages from early 40s to late fifties; and renters are definitely below 30% of AMI. In this speculative climate, most senior owners and renters are particularly vulnerable and in danger of being displaced. The City's Draft Environmental Impact Statement ignores the real threat of displacement of low income renters in small homes that are unregulated and to low income homeowners. That unscrupulous and opportunistic owners of rent regulated properties will attempt to unlawfully evict renters and/or increase rents, decrease services of those who don't know their right or are afraid to exercise them.

Concerning the overwhelming majority of unregulated 1-4 family homes in Cypress Hills/East NY, and contrary to HPD code enforcement staffer's testimony during the DCP hearing, indicating that there are few harassment complaints; in fact, most renters experiencing regular harassment and/or housing code violations avoid filing formal complaints for fear of retaliation, e.g., decreased services, holdover/eviction actions, and harassment. As we're all aware, owners of unregulated buildings can bring holdover petitions without cause. Yet, in this community, there's a unique juxtaposition of interests between owners and renters: these stakeholders are

critically aware of housing affordability's importance, dealing with this market, while struggling and managing property repairs, mortgages, rent, tax, water, sewer charges, etc., and more so when there is financial crisis.

As part of a long list of anti-displacement strategies that the Coalition is proposing, we are calling for specific ones for small homes, i.e., incentives to keep property taxes and rents low, and disincentives to speculation as follows:

- the Coalition proposes a Good Neighbor Tax Credit and a Flip Tax, for which more details are stated in the Community's Alternate Plan
- the Coalition calls for the creation of an Investor Landlord Tax Classification, which would reclassify investment-purchased small homes (1-4 units) as Class 2 properties to increase property tax rates.
- the Coalition proposes that the City lower water and sewer rates for low income homeowners and explore a variety of preservation strategies for small homes that would provide deep rehabilitation subsidies in exchange for affordability for renters.

The City should revise in its final Final Environmental Impact Statement:

- an accurate assessment of the threats to owners of small homes and the tenants living there
- commitments to mitigate these threats
- and specific commitments to protect owners and tenants from displacement
- the Coalition urges the City Council vote No on the City's Plan, unless the City adopts the Community's Plan.
- I would add that the short to long-term socioeconomic cost to neighborhood stabilization and preservation will be immeasurable if the owner-occupancy rate declines in Cypress Hills/East NY. 2014 NYU's Furman Center State of NYC's Housing & Neighborhood data reports that the community's owner-occupancy rate is approximately 21%.
- Further, the City must invest in financial incentives, services, etc., for low/moderate income 1st time homebuyers, future owner-occupants, instead of enabling a culture of speculation and investors in the wake of a rezone plan that proposes to close the gap in affordable housing citywide and Cypress Hills/East NY
- In light of the speculation the rezone plan has fostered, the City has to actively engage in making lenders accountable for their lending practices and underwriting criteria

I urge that the City provide more resources and funding to support additional proactive services run by not-for-profit counseling programs for owners and renters including:

- counseling/education services to owners about the pros and cons of selling their homes relative to any given offer
- counseling/education services for renters on the pros and cons of financial incentives/ offers, intended to get them to surrender possession of their apartments
- Education for all residents concerning neighborhood stabilization and preservation

Testimony regarding East New York Rezoning
City Council Zoning and Franchises Committee
3-7-16

Enrique Colon
CASA/New Settlement Apartments,
Bronx Coalition for a Community Vision

Hello everyone,

My name is Enrique Colon and I am the outreach coordinator at CASA (Community Action for Safe Apartments) the housing organizing initiative of New Settlement Apartments located in the South West Bronx. I am also a part of the Bronx Coalition for a Community Vision.

I have lived my entire life in the neighborhood being rezoned in the Bronx near Jerome Avenue.

I am here representing our coalition in the Bronx to let you know that we are watching and we are concerned. If housing is built but isn't for people in the neighborhoods who need it the most, then who is it for? If getting some housing leads to the displacement of thousands of black, brown and immigrant residents of our city, then in whose interest are we doing this? Your decisions about how to move forward in East NY will send a message not just to the residents here but to thousands of us in the Bronx about who we care about as a city, and whose lives we value the most.

The average income for families in East NY is \$33,000. How does this plan ensure enough housing for them? How does it prevent displacement? How does it paint a path towards union jobs and local hire? How does it reflect the needs and priorities that community members have outlined for you in their own plan?

We are concerned that our brothers and sisters in East NY are not happy with this plan. If they aren't happy--that means they haven't been respected.

What you decide to do has implications and will set the stage for the rest of the city. We hope that when we meet again in the Bronx, we will know that you take us seriously and respect the gravity of our work to create a more just city.

Respectfully,

Enrique Colon

718-716-8000 x 122

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New York City Council Hearing
Subcommittee on Zoning and Franchises
Hearing on East New York Rezoning

03/07/2016

Testimony prepared by:

Sophia Carlton, LMSW

Director of the Family Resource Center

Partnership for the Homeless

Members of the Subcommittee on Zoning and Franchises, thank you for the opportunity to testify. My name is Sophia Carlton and I am the Director of Partnership for the Homeless' Family Resource Center in East New York. Partnership for the Homeless is a direct service and advocacy organization, with a mission of researching and developing best practices to end the generational cycle of homelessness and poverty. At the Family Resource Center, we serve hundreds of families each year through our Health, Housing, Education Rights and Family Stability programs. Most of the families we serve are either homeless or at risk for losing their housing.

Even with the City and State FEPS programs, intended to help families out of shelters; quality housing in East New York is still out of reach for many homeless families. We are currently working with 43 families who have been approved for City FEPS and are waiting to find decent, safe and affordable housing. Most of these families would like to stay in East New York or in surrounding neighborhoods, but are being forced to move to other boroughs such as the Bronx and Staten Island – where they have no family or community connections. Our Housing Advocates have found it extremely challenging to find affordable housing for small families with 4 or less individuals, as there are few units available at the rent caps for these family sizes. Increasing rent and stagnant rental subsidies are forcing families to either accept subpar conditions, or go into apartments that are too small for their family size. We recently worked with one family of 6 that moved into a two-bedroom unit, against our recommendation because they were so desperate to get out of the shelter.

At Partnership for the Homeless, we are greatly concerned about the condition of housing accessible for East New Yorkers who are currently homeless. Many of the units that are offered at or under the City FEPS or FEPS rental caps do not meet the Department of Housing and

Urban Development's basic Habitability Standards. We have begun to document units that fail inspection to help ensure that families do not feel external pressure to accept units in subpar conditions. The unfortunate thing here is that even if we deem a unit to have failed inspection, and do not recommend that a family accept it in present condition, they may be under so much stress and pressure to move out of the shelter that they are willing to accept even a roach infested unit with broken appliances and mold. These are not units that just need a little "TLC." This is representative of a huge issue that needs city-level intervention. It is clear that East New York is in desperate need of affordable housing that reflects families' dignity and worth.

From 2013 to 2015, we saw a doubling of the number of families coming to us for assistance who are at risk of eviction. Most of these are holdover cases in unregulated units, where landlords are not willing to renew the lease. We are now seeing families who have been in their homes for years, decades even, who are now facing eviction. One elderly couple that came to us had resided in their home for over 30 years, with the landlord beginning the eviction process this past year.

Families who are being pushed out of housing often do not go directly into shelter, but rather go into doubled up situations with family or friends, until they have worn out their welcome. According to a study from the National Alliance to End Homelessness, as many as 39 percent of families enter shelter from a doubled up situation.¹ In New York City specifically, one study found that only 37 percent of families in shelter were the primary lease holder before becoming homeless.² This is of concern, because families who are doubled up for one year or

¹ <http://www.endhomelessness.org/library/entry/prevention-targeting-101>

² Shinn, M. (2002). Homelessness: What is a psychologist to do? *American Journal of Community Psychology*, 20(1): 1-24.

longer prior to entering shelter are not eligible for these housing subsidies and thus face even greater difficulties in getting back on their feet and into stable housing.

The area median income for East New York \$35,000. The average income of the families we serve at the Family Resource Center is significantly lower. Partnership for the Homeless therefore supports the Coalition for Neighborhood Advancement's proposal to dedicate construction of permanently affordable, family-sized units at levels of affordability that make sense for East New York's AML. New housing developments must include units available at 15 percent of AML. This would allow many of the families we serve to have access to housing that is inaccessible according to the current plan. Offering housing at this level will help to curb the rate of community displacement – which has long-term implications on the cycle of poverty and homelessness. In addition, we support the Coalition for Neighborhood Advancement's proposals to dedicate funds to repair aging housing stock as well as incorporating an array of anti-displacement policies to prevent further evictions.

If these recommendations are not adopted, families will continue to be evicted from their homes and displaced from East New York at alarming rates. Housing is not just a structure with walls, windows, electricity and running water. Housing is the primary context through which families experience their lives. The families we serve have ties to East New York; they have existing social networks and social capital that have taken years, even generations to establish. Once we uproot families from this community, their foundation for regaining economic stability is derailed, and this is simply not acceptable. I look forward to being part of upcoming discussions on the rezoning plan to ensure that the voice of homeless families are part of this conversation. Thank you.

**TESTIMONY BEFORE THE NEW YORK CITY COUNCIL ON
THE PROPOSED REZONING IN EAST NEW YORK**

March 7, 2016

My name is Luis Henriquez and I am the Deputy Director of the Housing Unit at Brooklyn Legal Services, as part of which I am involved in our tenant protection work in NYC neighborhoods that are currently slated for rezoning, including East New York and Brownsville. LSNYC has a rich history of fighting poverty and seeking racial, social and economic justice for low-income New Yorkers. For over 45 years, we have challenged systemic injustice and helped clients meet basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. Our neighborhood-based offices across the five boroughs service over 80,000 New Yorkers every year. With approximately 400 staff city wide, we have a team of over 100 attorneys and support staff providing a comprehensive range of housing legal services to low-income tenants across the city.

The current Administration has shown great concern for the creation and preservation of affordable housing and homelessness prevention, in particular through free legal services interventions. LSNYC applauds the Administration's efforts in this regard, particularly in the absence of support from the federal and state governments. We are aware that the proposal to rezone tracts of East New York arises in this context and in the context of a significant housing shortage citywide.

We are deeply concerned, however, that the proposal to rezone East New York, as recently approved by the City Planning Commission, will have a number of adverse consequences for our client group, which is predominantly low-income people of color, including tenants, low-income home owners and low-income small-business employees. In particular we are concerned: (a) that the proposed rezoning will accelerate gentrification in East New York and therefore also increase displacement of low-income tenants from the neighborhood; (b) that the Administration's accompanying Mandatory Inclusionary Housing (MIH) proposal will not create the amount of affordable housing needed to counteract that displacement and that any housing created under MIH will not be affordable to most current residents of East New York; (c) that this will lead to a situation where the character and accessibility of the neighborhood will be forever transformed, and many current East New York residents will not remain to enjoy any of the benefits of the proposed rezoning.

(a) Rezoning East New York will accelerate gentrification.

As housing attorneys defending low income tenants and home owners every day, we see the effects of gentrification first hand. Already in neighborhoods citywide we see low income people of color being displaced from their homes and their communities. Seeing the promise of greater profits and windfall returns on their investments, landlords citywide are incentivized to harass tenants and to engage in unscrupulous actions to push long-term tenants out of affordable housing so that they can re-rent their units to tenants who can pay much higher rents or so they can sell their property for redevelopment into luxury apartments that the originally displaced

tenants will never be able to afford. We see this story in our work day in, day out. Often times we see this happening in neighborhoods that have experienced minimal gentrification so far, though they are pegged as the “next big thing” – mere speculation is enough to trigger a wave of dire consequences for tenants and homeowners. We are deeply concerned that rezoning will add fuel to this fire in East New York, creating an incentive for landlords to harass tenants to leave but also creating an incentive for landlords to evict low-income tenants from unregulated units because now they have the promise of much bigger returns, whether that is through higher rents or through selling their properties. To the extent that it will accelerate gentrification, the proposed rezoning of East New York also has the potential to be a direct cause of massive displacement of low-income people of color.

(b) Mandatory Inclusionary Housing (MIH) will not create enough affordable housing for the residents of East New York and so the result of this rezoning will be one of displacement.

At the same time as this rezoning will spur displacement of low-income East New Yorkers, we are concerned that MIH as it is currently proposed will not create housing that is affordable to current residents of East New York. Primarily, the MIH proposal creates a requirement that, where there is the development of new housing in rezoned areas, the housing must include a percentage of affordable housing – either 25% of housing at 60% of AMI (leaving 75% to be market rate housing) or 30% of housing at 80% of AMI (leaving 70% to be market rate housing). From our perspective, the key question is whether said affordable units are within the reach of

low-income residents currently living in the neighborhoods that will be rezoned under the Mayor's housing plan. If they are not, the City's program as a whole has the potential of doing more harm than good, specifically to the extent that it will accelerate the gentrification process while failing to protect existing low-income residents.

We believe there are two main issues with the MIH program as currently proposed. First, the percentages for affordable housing mandated under the program are not sufficient to meet the demand in the communities that will likely see significant displacement resulting from the rezoning process itself. In East New York, the proposed rezoning has already resulted in the increase of property values, which primarily affects unregulated tenants but has an impact as well in the eventual deregulation of rent stabilized housing. Rents in the neighborhood are likely to continue increasing once the construction of thousands of new market rate units becomes a reality.

Second, as it stands the MIH program defines affordability based on citywide AMI levels. However, median incomes in some of the City's poorer neighborhoods, neighborhoods where the majority of our clients live, are significantly lower. This includes East New York. The corresponding citywide AMI for a family of three is \$46,620, whereas that AMI in East New York for the same family size is \$34,512.¹ Furthermore, in East New York, one third of families earn less than 30% of AMI and over half of East New York families are earning less than 50% of

¹ See the Department of Housing and Preservation and Development's *East New York Snapshot*, July 10, 2015, available at <http://www1.nyc.gov/assets/hpd/downloads/pdf/community/East-New-York-Snapshot.pdf>

the city AML.² Not surprisingly, in East New York 61% of families are rent burdened or severely rent burdened (meaning they spend more than 30%, and in many cases more than 50%, of their income on rent).³ So, by design, many East New Yorkers and, in fact, those East New Yorkers who need it most, do not stand to benefit from the MIH program as currently proposed. In East New York, almost 73% of families are below 80% of AMI, which is one of the thresholds available to developers for the creation of 30% of affordable housing.⁴ Recently, the Office of the City Comptroller published a report that, in essence, concludes that in East New York the rezoning plan stands to produce far more market rate housing than affordable housing, and even the latter will remain out of reach of at least half of the area's low-income residents.⁵ Considering the magnitude of the non-rent regulated housing stock in East New York, tenants forced out of their apartments will not be able to re-rent in the same neighborhood and will ultimately be displaced – in many instances being forced to move out of New York City altogether.

(c) In the absence of an effective affordable housing program, the net result of rezoning

East New York will be significant displacement of low-income people of color.

In the past year, LSNYC and other legal services providers have received unprecedented City funding to dramatically increase our provision of tenant protection services in the neighborhoods

² Ibid

³ Ibid

⁴ Ibid

⁵ See New York City Comptroller Scott M. Stringer, *Mandatory Inclusionary Housing and The East New York Rezoning: An Analysis*, December 2, 2015, available at http://comptroller.nyc.gov/wp-content/uploads/documents/Mandatory_Inclusionary_Housing_and_the_East_New_York_Rezoning.pdf

proposed for rezoning. We have already had an impact on thousands of low-income area residents, both through individual representation in housing court and through strategic building-wide litigation and advocacy work. Unfortunately, our impact in these communities cannot extend to saving apartments for unregulated tenants who are lawfully taken to court once their leases expire. And legal services alone cannot counteract market forces that price out low-income tenants and make it impossible for them to find affordable housing in their current neighborhoods when they are displaced or need differently sized housing. While we can educate and advise low-income homeowners, the offers of predatory purchasers are understandably very appealing to homeowners who are struggling to make ends meet.

For this reason, we are deeply concerned that the administration's MIH proposal will not create affordable housing that is (a) sufficient in number to offset all potential displacement of low-income tenants from East New York and other neighborhoods facing rezoning, and (2) within the economic reach of these families based on neighborhood-specific AMI levels. We have discussed above how that will impact the accessibility of this new housing for East New York residents.

In addition, however, even if some small percentage of residents are able to access the affordable housing envisioned under the Administration's MIH program, that housing is a long term plan that will be many years in the making. In the meantime, this rezoning will more rapidly lead to the displacement of large number of tenants and homeowners who will not be able to remain in

their communities. Those community members will not be around to enjoy the new green spaces and the new school in this rezoning plan. With the current trend of gentrification citywide, many will not be able to stay in New York City at all. And those who can stay, will face constant threats of displacement in years to come as a result of this accelerated transformation of their neighborhood – we have seen this in other rapidly gentrifying neighborhoods across the City where low-income tenants living in affordable housing are threatened with displacement again and again over many years. Those who withstand this initial tide of displacement and future threats, will also find their neighborhoods transformed by gentrification – increasingly small business-owners will be forced out and the kinds of businesses that low-income community members frequent will become fewer and fewer, being replaced by businesses that low-income residents usually cannot afford. This is typical in gentrifying neighborhoods and neighborhoods like the Lower East Side in Manhattan reflect exactly this kind of change.

We are also concerned that many of the benefits of the administration's rezoning plan are things that East New York residents have been needing and asking for over the course of many years – things like more green spaces, more schools, safer roads. These are things that low-income, people of color in our city deserve as a matter of right. Yet now, there is a promise to finally provide these things but (1) it is being made contingent on rezoning and significant development in the neighborhood; and (2) that same rezoning and development will trigger increased displacement, meaning that so many of the community members who longed for and deserved more schools and green spaces, won't be around to enjoy them. As an organization that fights for

racial, social and economic justice, we believe that the injustice of this is self-evident. We are deeply concerned that this signals a trend in our city of failing to provide for basic needs of poor, communities of color until those neighborhoods become appealing to big real estate interests and possible sites of gentrification.

We are an organization that is fighting day in and day out for the rights of low-income New Yorkers. Fundamentally, we share the Administration's objective of promoting and preserving affordable housing in East New York and citywide. We are deeply concerned, however, that this goal will not be realized based on the current proposal to rezone East New York and the current MIH proposal. Moreover, we fear that the unintended – yet wholly foreseeable – result will be to heighten the wave of gentrification already overwhelming so many of our neighborhoods, including East New York, and to create even more displacement than is currently foreseeable without the rezoning. We grapple with the consequences of gentrification every day in our work and hope that the City Council will bear our comments in mind when considering the current proposal to rezone East New York.

Finally, we are concerned that this City Council hearing regarding the East New York rezoning was only publicly announced on the evening of Monday February 29th, giving the public less than a week's notice of the hearing. Given what is at stake here, we fear that many community members and grass-roots organizations will not have had the opportunity to contribute valuable

testimony and that the City Council members considering this significant proposal will not receive the benefit of their input.

Should the City Council have any questions regarding our testimony or require any additional information, please contact Marika Dias, Director, Anti-Displacement Project, Legal Services NYC on (646) 442-3588 or via mdias@ls-nyc.org.



**Testimony of Judi Kende
Vice President & New York Market Leader
Enterprise Community Partners, Inc.**

**To the New York City Council
Hearing on the Rezoning of
East New York**

March 7, 2016

My name is Judi Kende and I lead the New York office of Enterprise Community Partners, a non-profit affordable housing organization that has worked to create and preserve affordable housing here and nationwide for 30 years. Enterprise has offices in 10 locations, including Los Angeles, New Orleans, and Chicago. We invest capital in affordable housing and community development projects, create programs to help residents remain stably housed, and provide policy development and research to promote solutions at scale to some of the biggest challenges impacting low-income communities. Locally, we have helped create or preserve more than 50,000 affordable homes for 114,000 New Yorkers.

Thank you, Chair Richards and the City Council Subcommittee on Zonings and Franchises, for the opportunity to submit testimony on the proposed rezoning of East New York. This is an important moment as the first official rezoning under the de Blasio Administration rolls out, and it is understandable that residents of East New York are concerned and that the whole city watches to see how rezonings could impact other neighborhoods.

There is no doubt that New York City faces an affordable housing crisis, with nearly one million low-income residents either already homeless or paying more than half of their income on rent. Vacancy rates are extremely low overall, and the market is especially tight for units affordable to low-income renters. The shortage of housing at all income levels leads to, among other things, higher income renters living in units that are affordable to lower income families.

To address this issue, we must increase the supply of housing. Development is happening and we need more housing to accommodate our city's growing population and increasing demand. It is important to include developer-provided affordable housing as part of this development to bolster the City's initiatives to preserve housing opportunities for low- and moderate-income households.

We must also ensure that many of the units created and preserved in East New York and elsewhere are affordable, and that we harness the resources of the private market to produce those units. The city's programs, such as the Extremely Low & Low-Income Affordability Program (ELLA) requires developers to set aside units for formerly homeless or extremely low-income households. This program, coupled with Mandatory Inclusionary Housing in other developments, can help provide a variety of housing and ease market pressures.

Finally, development sparks fears of displacement, and we see people being priced and harassed out of their neighborhoods throughout New York City. It is essential that the city provide intensive anti-displacement measures, including legal representation for residents facing housing court or harassment from their landlords.

Given the state of our affordability crisis and the city's plans to provide anti-displacement programs in East New York, we support the rezoning plans and encourage the city to work closely with community-based organizations to ensure resident voices are a part of the implementation.

Written Testimony

To the members of the city council and the various stakeholders that may read this, I am Keron W. Alleyne, a concerned member of the East NY community. In my community I wear many different hats, from community groups to family titles that we all hold, but the most important one I hold for this platform is East New Yorker. I am a part of the local population and everything that it stands for.

East NY provided my parents, two Trinidadian immigrants, an opportunity to own property in a section of the city that was neglected by administrations of government that stem back to the sixty's. White flight, red lining, arson and a slew of other factors left the neighborhood in ruin and few would venture in to take what was left and make it into a community or raise a family. My parents did just that and raised four children and were also able to provide shelter for all four of my grandparents at one time or another. Communal living is a staple of the African diaspora and will continue as long as we can protect it. The East NY community plan attempts to make communal living a lost ingredient in the recipe of the black family. Here is how.

East NY is one of the last true black and brown community's in NYC and is fully threatened by the displacement of this plan. According to the City Comptroller Scott Stringer, 50,000 residents of East NY are threatened to be displaced by the ENY Community Plan—some of which has started already. Property owners, or landlords, that have needed a monetary surplus have taken full advantage of these changes and have raised rents alongside other creative ways to usher tenants out. Gentrification is a breach of the human rights of the people of East NY. It uproots the lives of people who've stood firm through the neglect of harder times. This plan is ushering that in before it even passes.

The hard numbers of the plan make this no better. East NY's area median income is a mere \$34,000 and the plan as it stands puts forth 6,300 units. Half of the units are automatically set to go forth at market rate and the other half is divvied up various ways. According to the Rent Guidelines board "Tenants of market-rate housing have less legal protections regarding the right to a lease renewal and evictions. Owners of market-rate housing are not required to provide tenants with leases and are allowed to raise rents to whatever rate they feel the market can bear. Market-rate housing also tends to be more expensive, especially in neighborhoods with high demand." East NY is now in high demand and those that have lived here are bearing the burden of colonial type greed. The population of East NY currently here must deal with an influx of market rate housing that they cannot afford.

Personally, I barely flirt with the area median income and if I'm to leave nest and build my own family I'll have to leave East NY to do so. There's no good reason to me why the plan doesn't fully support the preservation of the current community through their definition of affordability. The majority of the plan, not a portion, should benefit the current community. As I look to start my own family I want my testimony to clearly state, that with the plan as it currently stands, hinders my opportunity to repeat the steps my parents made to safeguard a future for myself, my elders, and my children .



COALITION FOR COMMUNITY ADVANCEMENT: PROGRESS FOR EAST NEW YORK/CYPRESS HILLS STEERING COMMITTEE MEMBER ORGANIZATIONS:

Arts East New York, Cypress Hills Local Development Corporation, Local Development Corporation of East New York, Highland Park Community Development Corporation, Muhammad Mosque 7c, North Brooklyn YMCA, Sabaoth Group, St. Peter's Lutheran Church, United Community Centers, COFAITH Church, local houses of worship, residents, and business owners (list in formation)

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ACCOUNTABILITY

Members of City Council,

Our major concerns about the East New York Plan are:

- There are not enough deeply affordable housing units proposed in the Plan;
- The anti-displacement measures currently in the Plan are insufficient;
- Service needs of current and future residents are not adequately addressed;
- Economic development aspects of the Plan need to be strengthened and;
- There are few accountability mechanisms in place to ensure the commitments made today are kept for the long-term.

The affordability of the proposed housing to be built does not match the incomes of current residents. The City has stated that 50% of the housing will be market rate and 50% will be affordable. In East New York, market rate housing might as well be luxury housing - - it is totally unaffordable for current residents. To date, only 1,200 units of the proposed 3,000+ affordable units have been identified and even those do not reach the deepest affordability levels that we need in our community. We need more deeply affordable housing and have consistently advocated for 5,000 units to be constructed.

The Coalition has put forward over a dozen proposals for strengthening anti-displacement policies including implementing an Anti-Harassment Zone in East New York - - we need action and commitment on these proposals. We have documented the severe shortage of school seats that already exists and will be exacerbated by the rezoning. We need additional commitments on school seats and all of the critical services that make a neighborhood livable, healthy, and strong.



That is why we have proposed a Special Purpose District that would support the development of new services throughout the life of the East New York Plan.

The Economic Development aspects of the Plan need to be strengthened with additional resources, preservation of manufacturing and stronger anti-displacement strategies to retain the 500+ Mom & Pop small businesses on the impacted commercial corridors. We also need firmer commitments on local hiring strategies which will result in living wage employment for East New York residents in the construction, manufacturing, retail and other neighborhood growth sectors. Furthermore, too many communities have been promised great things by developers and City officials alike, only to realize that pledges made at zoning hearings, promises made to Council Members, and even agreements worked out by the City are rarely enough to secure meaningful community benefits. This is why we have urged the City to modify its plans to enshrine more commitments within the zoning text and commit to high level coordination, accountability and an Evaluation Plan.

We believe to make this rezoning a success, it is critical that the City establish an Office of Neighborhood Development charged with ensuring the effective and timely implementation of the rezoning plan and related mitigation strategies. The City also needs to establish a Neighborhood Cabinet to serve as an empowered advisory board to work together with the City agencies on neighborhood initiatives.

In our outcomes driven world, an initiative as important as the East New York Plan and the rezoning of 15 neighborhoods in New York City merits an Evaluation Plan and an Evaluation Tool that tracks demographic data, displacement data and is based on equity, health and well-being (all of the principles this City stands for) to ensure ongoing accountability and to measure



impact throughout implementation. In addition to the overarching goals of the East New York Plan, the community deserves to see specific, detailed plans from each implementing agency regarding their timetables for implementing projects, that funding is included in capital and expense budgets, that targets are set, quantified and measured that there are staff “on the ground” to implement these initiatives.

East New York has long been a neighborhood of opportunity – a place that welcomes immigrants and low and moderate income residents of all races and ethnicities and gives residents a “leg-up” to climb the economic ladder. New York City must preserve and invest in these kinds of communities and ensure that its land use actions are not destroying that core character of these neighborhoods.

At a baseline we need to know in 15 years that East New York is a more equitable, sustainable, healthy and economically strong community than it was in 2016 and that the current residents were not displaced because of City actions or at the very least, we should have the courage and openness to measure what happened and report on it.

We are here today to urge you to vote “No” on the City’s East New York Plan, unless the Coalition’s Alternate Plan is implemented. Thank you!



HOUSING DEVELOPMENT

Good Afternoon Esteemed Council Members,

My name is Shai Lauros and I am the Community Development Director at Cypress Hills Local Development Corporation. Our organization, CHLDC, is a proud member of the Coalition for Community Advancement. We are a 32-year-old, not-for-profit community development organization and settlement house. We have many concerns about the housing development and preservation aspects of the rezoning plan.

First, on the centerpiece of the Plan: the 6,500 units of housing to be built with 50% being “affordable” and 50% at market rate does not adequately address the dire housing needs of current residents. Given the average AMI of East New Yorkers is \$34,000 a year, market rate housing is tantamount to luxury housing – almost no one can afford it. Second, we have serious doubts that HPD can produce the 50% affordable units that they have promised in the Plan. Third, HPD’s definition of affordability does not match what current East New Yorkers can afford for housing. Lastly, the HPD’s Housing Plan lacks specific and committed resources, staff, targets and timetables to preserve housing in the community.

Cypress Hills and East New York residents are not opposed to increased density if the resulting housing is affordable to them. However, this is not the case, with the Administration’s 50% affordable housing and 50% market rate housing ratio. In the rezoning area alone there are 5,246 households, representing 40% of all households, with severe housing needs defined as those entering the shelter system, paying more than 50% of their income on housing, or who are living doubled up.



Further, the City's Plan overstates the number of affordable units likely to be generated by the Rezone, relying too heavily on sites that have not been identified and the use of HPD subsidies that are voluntary and do not offer permanent affordability. So far only 1,200 units of the promised 3,250 "affordable" units have been sited and committed. That means the Administration is up-zoning to allow more than 4 times the amount of higher-income housing as the guaranteed deeply affordable housing.[1] Land speculation in the community has driven up the prices beyond what affordable housing developers can afford for acquisition and "still make the numbers work," even with density increases between 100%-200%. If the City does not have the projects now in the affordable pipeline, we strongly urge the Council to reduce the overall scope of the rezoning.

Even the housing that will be subsidized by HPD and produced through MIH will not reach those most at risk of displacement. A third of East New York residents (33%) earn under 30% of AMI, but only 10% of the units to be built with HPD subsidies will be affordable to these residents and MIH does presently not include a lower affordability band.

The Administration has repeatedly stated that by increasing the overall supply of housing in East New York, it relieves rent pressures and prevents displacement of the 12,635 low and moderate income residents living in small homes in the rezone area.[2] That's not how NYC real estate works, and everyone in this City knows it. But more specifically, we challenge this argument on other grounds: if low and moderate income residents cannot afford the market rate units, and more than a third cannot afford the "affordable units", or if these residents are not lucky enough to secure units through the lottery system, than the rezoning will not have served as a "preventative measure" for displacement – it will, instead, have hastened it!



The HPD Housing Plan produced 5 months ago for the community includes numerous “big picture” strategies for preserving housing and promoting local economic development but there are no specific details included in the Plan as to the targeted number of units to be preserved, jobs to be created or small businesses to be retained. The Plan needs quantifiable targets, funding, staff and timetables.

The Coalition for Community Advancement has been advocating for the vast majority of the new units (5,000 units) to be affordable at current neighborhood income and affordability bands. We have also proposed desperately needed small homes preservation strategies. We implore you, the members of the City Council, our elected representatives who most understand the needs of struggling East New Yorkers, to take action now and not approve the rezoning plan without significant changes to increase the number of affordable units, deepen the depth of affordability and add a robust small homes preservation plan.

[1] 6500 total units -1200 “affordable” already committed =5300, or about 4.4 times the 1200

[2] http://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/east-new-york/03_feis.pdf



RETAIL PLAN

Members of City Council,

My name is Robert Santiago and I am the Executive Director of the Highland Park Community Development Corporation, and we are members of the Coalition for Community Advancement. I will testify today on the importance of a retail plan to strengthen the commercial corridors of the rezoning area and the need to implement anti-displacement policies for small businesses in Cypress Hills/East New York.

The Department of Small Business Services should be commended for its commitment to conducting a Commercial District Needs Assessment for the commercial strips in the rezoning area. There are roughly 500 small Mom & Pop retail and service shops on these commercial strips that can benefit greatly from City investments in business attraction and retention services, storefront and building improvements, merchant organizing and small business technical assistance. The Commercial District Needs Assessment will identify the longer term projects that the City will implement to preserve these commercial corridors. We need commitments that the financial resources for these strategic interventions will be available in the following fiscal years.

The potential displacement of small business is a major concern of the Coalition which has not been adequately addressed. In the FEIS, the City concludes that the direct displacement of 88 businesses (that employ about 584 people) does not constitute a significant adverse impact. It also states that the rezoning intends to increase the amount of retail space for local businesses and that directly displaced businesses will be able to find space in new developments. We question these assumptions. We doubt that newly constructed retail spaces without significant public subsidies can match what small businesses are paying now on Fulton Street and Pitkin



Avenue and we ask: Where in Brooklyn will these businesses go? Furthermore, there is contradictory projections in the FEIS about future retail growth in East New York. The FEIS says that the rezoning would not create “new types of retail uses”, such as destination retail. Instead, the FEIS expects new businesses to be primarily “local-scale commercial activity to support anticipated residential development”. However, the FEIS omits an analysis of the impact of the C4-4D and C4-4L zoning districts proposed for each of the four corners of the East New York rezoning area and the fact that they are designed to foster regional commercial centers that will compete with local merchants and drive rental prices up.

The Coalition asked that the FEIS measure and share the potential impact that new commercial and commercial-overlay zoning districts will have on existing small retail businesses, including an analysis of the impacts of chain stores on local businesses and the potential displacement that larger commercial footprints will likely create.

Mitigation strategies that need to be studied are outlined by the Coalition in its Alternate Plan and include:

Setting aside spaces in new mixed-use developments at current commercial rental levels for neighborhood small businesses and start-up entrepreneurs;

Coordination between the City’s housing and small business agencies in implementing the Retail Plan and not locating new retail in direct competition with existing small businesses;

The Good Neighbor Tax credit to create incentives for owners of mixed-use buildings to keep rents affordable;

Storefront improvement grant and building repair loans/ grants that could incentivize owners to keep long-term commercial tenants and;



Attraction of high road retailers to destination retail locations or down-sizing the amount of current proposed destination retail.

Lastly, East New York has one of the highest rates of unemployment in NYC-19% of East New Yorkers are unemployed. This is actually three times higher than NYC unemployment. We need to ensure that the ENY Rezone Plan includes strategies to increase living wage jobs for local residents. We proposed a Community Benefits Ordinance, requiring developers seeking public subsidy for projects to provide notice to a designated City agency, then to the community and Council Member, and negotiate a community benefits agreement to ensure local hiring. Because the City's plan has failed to acknowledge the threats to current retail businesses and has failed to generate sufficient mitigation strategies, we urge the City Council to Vote "No" on the City's Plan, unless the City adopts the Coalition's Alternate Plan.



MANUFACTURING

Members of City Council,

My name is Bill Wilkins and I represent the Local Development Corporation of East New York and we are members of the Coalition for Community Advancement. I will testify today on the impact that the rezoning will have on manufacturing businesses in the area.

The City has proposed changing the zoning of almost all existing manufacturing properties in the rezoning area to MX zoning. These industrial properties are currently zoned M-1 and are located on Atlantic Avenue and Liberty Avenues. Businesses in the current M-1 zone include metal fabricators, bakeries, sign makers, and producers of plastic and paper products as well as transportation companies, wholesalers and suppliers and auto repair and sales shops. We are very concerned about the manufacturing sector in our community which has long been the backbone of an otherwise bleak local economy. Manufacturing jobs pay an average of \$50,934 annually: good, living-wage jobs that East New Yorkers desperately need and deserve.

The MX zoning districts being proposed allow for industrial, residential and commercial development. But in fourteen other neighborhoods of the City, MX zoning has failed to promote a real mix of uses or to preserve land for manufacturing. As documented by the Pratt Center for Community Development

(http://prattcenter.net/sites/default/files/making_room_for_housing_and_jobs_may_5_2015_0.pdf), without exception, the MX designation has resulted in a loss of industrial land. They have found that a total 41% of industrial space in MX zones, which represents over 4.2 million square feet, was lost by 2014 and other uses increased by 71%. The simple reason is that both retail and residential uses generate much higher profit.



We have started to see this trend already prior to the East New York rezoning even being approved. The former Borden's Dairy Factory at 2840 Atlantic Avenue is being sold for \$12 million or \$157 a square foot for mixed uses and residential development (<http://www.loopnet.com/xNet/MainSite/Listing/Profile/Profile.aspx?LID=19424998&SRID=6535852140&StepID=101>) - - at this cost prohibitive acquisition price, the neighborhood will neither preserve good manufacturing jobs nor get the deeply affordable housing it needs. We call upon the City to preserve as much existing manufacturing land as M zones as possible while they simultaneously strengthen the East New York IBZ.

Indeed, the City's own Final Environmental Impact Survey (FEIS) states that there will be a net decrease of 27,035 square feet of industrial uses. We find it implausible that the FEIS concludes that despite the elimination of all industrial zoning districts in the rezoning area, there will be no significant adverse impact on industrial businesses. It states that the rezoning would "follow" the trend of the decrease of manufacturing firms across the City. This reasoning does not acknowledge the role that local land use policy plays in perpetuating this trend. The FEIS also wrongly reasons that manufacturing businesses "can largely be located elsewhere in the City" and that the proposed MX zoning districts will "facilitate" the retention and growth of existing industrial businesses. This logic equates the fact that industrial uses are allowed as-of-right in MX districts with their being facilitated to be there. Particularly because of the industrial businesses that are now in manufacturing districts and will become legal but non-conforming uses in new residential districts, the City should establish an industrial relocation fund to assist displaced companies to relocate in the East New York IBZ. The FEIS also inconsistently applies the law of supply and demand. It acknowledges that industrial rents are rising and vacancy rates



are falling, but it doesn't acknowledge that reducing the supply of industrial land (via the re-zone) will exacerbate the challenge of rising industrial rents.

The Coalition asked that the FEIS consider the flaws of MX zoning for retaining and expanding industrial business over time due to its tendency to facilitate market pressures that are likely to cause eventual conversion to all-residential/commercial districts. The City's response was that MX zoning allows existing industrial businesses to continue operations and/or expand and allows for new industrial businesses to set up shop. This inadequate response merely states that industrial uses are as-of-right in MX zones and completely disregards the Coalition's point that the real estate economics dictate that industrial uses are at a disadvantage in MX zones. For this reason, we are urging the City Council to vote no on the City's East New York Plan and instead adopt the policy proposals outlined in the Coalition's Alternate Plan.



SMALL HOMES



ANHD
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TESTIMONY OF JONATHAN FURLONG, BEFORE THE ZONING SUBCOMMITTEE OF THE NEW YORK CITY COUNCIL

March 7th, 2016

Good morning--Thank you to the members of the subcommittee for the opportunity to testify today.

My name is Jonathan Furlong and I am the Zoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of New York City neighborhood-based housing and economic development groups, CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have nearly 100 members throughout the five boroughs who have developed over 100,000 units of affordable housing in the past 25 years alone and directly operate over 30,000 units.

My testimony today focuses on the needs of 1-4 family homeowners, and what the city can do to help preserve a critical supply of affordable housing and create protections for renters, who's homes do not fall under any city or state regulatory programs.

Small homes--or those buildings with one to four apartment units--are the predominant housing type in the East New York area, accounting for more than 3,300 units. Most of these



structures within the study area are over 100 years old and are in need major systems repairs, including new roofs and energy retrofits. Taking a quick look at expenses, the cost of water was 6.06% of a building's expense budget in 2007 rising to 8.5% in 2013. A large percentage of the small homes in the community contain basement apartments.

Community Board 5 continues to be affected by the foreclosure crisis, with over 1,000 foreclosure actions filed in the zip codes within it last year. All of these factors taken together: average age of the buildings, the need for repairs and retrofits, the continuing foreclosure crisis, and the low incomes of many homeowners - - make neighborhood ripe for speculators who prey on my fellow homeowners in deed theft and loan modification scams and harass them to sell their homes at below market rates.

ANHD has been working with the Coalition for Community Advancement and others (most notably the Center for New York City Neighborhoods) on policies and ideas that would assist owners of small homes to support low and moderate income homeowners and to keep rents low for tenants. We urge the city to consider implementation of the following policy ideas and to include them in the East New York Plan:

- **Good Neighbor Tax Credit**

Many live-in landlords in the community give low-income tenants below-market rents because they are more interested in supporting their neighbors than maximizing their profits. But as land values and property taxes go up, it will become harder for these landlords to maintain low rents. A Good Neighbor Tax Credit could protect unregulated affordable housing by providing a tax break to landlords of 1-4 family homes who offer one-year leases to low-income tenants at below-market rates.



- **In East New York, pilot Chhaya CDC’s BASE campaign to retrofit and legalize basement apartments to allow homeowners to provide safe, affordable units to low income tenants**

The Basement Apartments Safe for Everyone (BASE) campaign proposes that New York City add a new category of residence to building, housing, and zoning codes creating an “Accessory Dwelling Unit” (ADU) code. The New York City Ordinance on Accessory Dwelling Units defines “accessory dwelling unit” as a residential living unit that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single-family dwelling it accompanies. The ADU code would legalize safe units, even in areas that are currently zoned to limit housing to single-family residences. It would keep units affordable by creating a conditional tax incentive for owners, and provide technical and financial assistance to homeowners who participate in the pilot program.

- **In East New York, pilot the Urban Homesteading Assistance Board’s recommendations for the City’s tax lien policy.**

For rental housing where there is outstanding tax debt, pursue one of the following policies: (a) City enters into a payment plan with existing owner that includes rent regulation of exiting units, or (b) for owners that continue to not pay outstanding tax debt, the City initiates foreclosure and



uses the existing Third Party Transfer program to transfer the buildings to an affordable housing provider. Ensure that the City continues to withhold tax debt on low-income cooperatives from the lien sale in favor of working with the cooperators on a plan to stabilize those units.

- For East New York, create grants for whole home retrofits

Create a fund for capital upgrades for low-income homeowners to finance roof replacements and energy efficiency measures to offset rising housing costs, improve health indicators associated with indoor air quality, and develop a retrofit and small home repair market for local contractors.

- Establish lower water and sewer rates for low-income home owner- occupants

Explore ways that the City can lower the rates for water and sewer bills for long-term, low-income owner-occupants of 1 to 4-family homes

- Enact a flip tax to disincentivize real estate speculation

Reclassify investment-purchased small homes (1 to 4 units) as Class 2 properties to increase property tax rates and increase the transfer tax of properties sold in less than five years from their original purchase,

In conclusion, we are asking that the City be a partner in pioneering new preservation tools to preserve low and moderate homeownership specifically in East New York, but also in all neighborhoods as a means of protecting the low income tenants that live in small homes. The City's housing agency has stated they will investigate and research many of these proposals but to date, we have no firm commitments.



SMALL HOMES

From: Rene Arlain

Address: 187 Arlington Ave.; Brooklyn, NY 11207

Organizations: community resident, Cypress Hills/East NY Community Coalition for Advancement, Cypress Hills L.D.C (CHLDC): Housing Counseling Div. Dir.

Dear City Council Members:

The importance of anti-displacement strategies for tenants and owners in small homes is incalculable. I urge that you vote NO on the Mayor's East New York Rezone Plan though the Dept. of City Planning has recently voted in favor of the City's plan and as such rejected the Community's alternate plan. Unless there are strong anti-displacement policies, programs and resources in-place as outlined in the community's Alternate Plan, ENY/Cypress Hills residents will probably face unfavorable changes and challenges that are part & parcel of gentrifying and gentrified communities in Brooklyn and the other boroughs.

Given that the Mayor's affordable plan proposes to develop and preserve affordable housing, I urge that resources be targeted to distressed owners, owners facing foreclosure lawsuits, renters, and 1st time homebuyers.

Based on PropertyShark.com online real estate database, each week there are about 20 owners in CB #5 named on lis pendens, foreclosure filings. Not only are investors, speculators and scammers vying for cheap acquisitions, some are unscrupulous and resort to deed theft, property flipping, loan modification scams, even manipulating unwitting owners engaged in short-sales transactions. I estimate that far more cases of illegal and/or unethical real estate practices go unreported compared to the cases that are reported or that reached nowhere because complainants cannot afford the legal representation these cases require. There are many



vulnerable owners (with performing and non-performing mortgage accounts) being pursued by speculators with offers of all cash-transactions. Daily, these owners have to contend with inordinate numbers of unsolicited phone calls, visits, video graphing, etc.

The proposed rezoning of Cypress Hills/East NY has exacerbated the volume and intensity of solicitations and speculation. Real estate interests have exerted significant pressure on the market, inflating property values; however, underwater loans/homes are still fairly commonplace in CB # 5 despite reports of appreciating property values. Further, many owners and renters are saddled with total household debt, i.e., credit, housing, etc., reaching 50 - 55% and more of gross income. In CHLDC's caseload, owner-clients are largely low to moderate income, ranging from 25% - 70% of AMI, of ages from early 40s to late fifties; and renters are definitely below 30% of AMI. In this speculative climate, most senior owners and renters are particularly vulnerable and in danger of being displaced. The City's Draft Environmental Impact Statement ignores the real threat of displacement of low income renters in small homes that are unregulated and to low income homeowners. That unscrupulous and opportunistic owners of rent regulated properties will attempt to unlawfully evict renters and/or increase rents, decrease services of those who don't know their right or are afraid to exercise them.

Concerning the overwhelming majority of unregulated 1-4 family homes in Cypress Hills/East NY, and contrary to HPD code enforcement staffer's testimony during the DCP hearing, indicating that there are few harassment complaints; in fact, most renters experiencing regular harassment and/or housing code violations avoid filing formal complaints for fear of retaliation, e.g., decreased services, holdover/eviction actions, and harassment. As we're all aware, owners of unregulated buildings can bring holdover petitions without cause. Yet, in this



community, there's a unique juxtaposition of interests between owners and renters: these stakeholders are critically aware of housing affordability's importance, dealing with this market, while struggling and managing property repairs, mortgages, rent, tax, water, sewer charges, etc., and more so when there is financial crisis.

As part of a long list of anti-displacement strategies that the Coalition is proposing, we are calling for specific ones for small homes, i.e., incentives to keep property taxes and rents low, and disincentives to speculation as follows:

- the Coalition proposes a Good Neighbor Tax Credit and a Flip Tax, for which more details are stated in the Community's Alternate Plan
- the Coalition calls for the creation of an Investor Landlord Tax Classification, which would reclassify investment-purchased small homes (1-4 units) as Class 2 properties to increase property tax rates.
- the Coalition proposes that the City lower water and sewer rates for low income homeowners and explore a variety of preservation strategies for small homes that would provide deep rehabilitation subsidies in exchange for affordability for renters.

The City should revise in its final- Final Environmental Impact Statement:

- an accurate assessment of the threats to owners of small homes and the tenants living there;
- commitments to mitigate these threats;
- and specific commitments to protect owners and tenants from displacement;

The Coalition urges the City Council vote "No" on the City's Plan, unless the City adopts the Community's Plan.

I would add that the short to long-term socioeconomic cost to neighborhood stabilization and preservation will be immeasurable if the owner-occupancy rate declines in Cypress Hills/East NY. 2014 NYU's Furman Center State of NYC's Housing & Neighborhood data reports that the community's owner-occupancy rate is approximately 21%.



Further, the City must invest in financial incentives, services, etc., for low/moderate income 1st time homebuyers, future owner-occupants, instead of enabling a culture of speculation and investors in the wake of a rezone plan that proposes to close the gap in affordable housing citywide and Cypress Hills/East NY

In light of the speculation the rezone plan has fostered, the City has to actively engage in making lenders accountable for their lending practices and underwriting criteria

I urge that the City provide more resources and funding to support additional proactive services run by not-for-profit counseling programs for owners and renters including:

- counseling /education services to owners about the pros and cons of selling their homes relative to any given offer
- counseling /education services for renters on the pros and cons of financial incentives/ offers, intended to get them to surrender possession of their apartments
- Education for all-residents concerning neighborhood stabilization and preservation



SMALL HOMES

Members of City Council,

My name is Aida Castillo. My name is Aida Castillo. I am a lifelong resident of Cypress Hills, my parents are homeowners in Cypress Hills, and I am a member of the Coalition for Community Advancement. I am testifying on the need for the City to help the owners of 1-4 family homes preserve their housing and create protections for our renters. I will testify today on the importance of anti-displacement strategies for tenants and owners in small homes. We are urging you to vote “No” on the City’s East New York Plan, unless there are strong anti-displacement policies, programs and resources in-place as outlined in the community’s Alternate Plan.

The City’s Final Environmental Impact Statement ignores the huge threat to displacement of low income renters in small, un-rent-regulated homes and to low income homeowners themselves. The FEIS states that the re-zone “would not result in a significant adverse direct residential displacement impact and no further analysis is needed.” We disagree. Rezoning, without locking in affordable rental units in small homes and without preserving affordability for low income and senior citizen homeowners, will lead to massive displacement. Small homes, containing 1 to 5 units, is an extremely prevalent housing type in the ENY re-zone area, accounting for more than 3,300 residential units. At three residents per unit, nearly 10,000 people live in this vulnerable housing type.

The re-zone puts low-income renters at greater risk of losing their apartments to skyrocketing rents and homeowners at risk of losing their homes because of rising real estate taxes and increased pressures from scammers and speculators. The average median income of



homeowners in Cypress Hills/East New York is significantly lower than the citywide average, making local homeowners more vulnerable to housing market changes. Home values in the area have risen by more than 150% since 2012. This in turn causes increases property taxes and raises rents. We are proposing ways to prevent displacement in these homes.

As part of a long list of anti-displacement strategies that the Coalition is proposing, we are calling for specific ones for small homes: incentives to keep property taxes and rents low and disincentives to speculation. The Coalition has proposed a Good Neighbor Tax Credit and a Flip Tax. The Good Neighbor Tax Credit would be a property tax credit to incentivize tenant protections by requiring leases, tenant protections and affordable rents, in exchange, for a real estate tax credit. The “Flip Tax” would be an Investor Purchaser Transfer Tax and would increase the transfer tax on transfers to non-owner occupied/investor-purchased units. In addition, the Coalition is calling for the creation of an Investor Landlord Tax Classification, which would reclassify investment-purchased small homes (1-4 units) as Class 2 properties to increase property tax rates. We have also asked the City to lower water and sewer rates for low income homeowners, provide deep rehabilitation subsidies in exchange for affordability for renters, create grants to retrofit basement conversion programs that require homeowners to sustain low income tenants; and to create a fund for capital upgrades for low-income homeowners to finance roof replacements and energy efficiency measures to offset rising housing costs.

Our neighborhood needs these tools! The City must use all the tools it can to ensure that the ENY re-zone keeps current residents in their homes and in their community. Because the



City’s plan has failed to do this, we urge City Council to vote “No” unless the City adopts the community’s plan.



SPECIAL ZONING FOR COMMUNITY FACILITIES



Testimony of Paula Crespo, Senior Planner New York City Council Subcommittee on Zoning and Franchises Hearing East New York Rezoning

March 7, 2016

Hello. My name is Paula Crespo, and I am a planner at the Pratt Center for Community Development, one of several technical assistance providers to the Coalition for Community Advancement.

The community resources and facilities that exist in East New York today -- schools, child care centers, spaces for youth, etc. -- are at overcapacity and are not sufficient in number to meet the needs of the current population. This rezoning is designed to lead to housing for tens of thousands of new residents in the neighborhood. However, there is nothing in the plan that outlines a strategy or policy that will ensure that as these new residents come to the area community facilities will be built to support them.

We cannot just naively assume that enough of school seats and child care slots will be created to meet the needs of a growing community. Downtown Brooklyn is only one example of a rezoned neighborhood whose recent residential growth has placed serious strains on existing infrastructure like public schools. Therefore, provisions should be established in the zoning to



ensure that commitments to build needed infrastructure, amenities, and space for community facilities are binding and will be fulfilled over the multi-year course of residential development in East New York.

The City should consider mapping a special area-wide zoning tool onto the rezoning area to accomplish this goal. This could include but is not limited to a Special Purpose District or a newly designed Density Growth Management Area. Zoning could require that developers of housing over a certain size get a CPC certification that would either state that: a) existing community facilities are adequate and can absorb the new residential development, or b) the developer will be granted additional FAR for the creation of a community facility. The developer would be required to use the extra FAR to build out a space for a community facility, and they would be paid the fair market value for it. (As such, it would not be a developer exaction.) Since the City is deploying zoning as a tool to meet its ambitious housing creation goals, it should also be using zoning to deliver the community facilities that existing and new residents will need.

This is not a radical or new idea. There is ample precedent in New York City for using zoning to privilege, or even to mandate very specific desired uses. Given the magnitude of the impact on communities that don't have enough community facilities, the modest amount of time that DCP would have to spend to assess if there are enough community facilities before letting new residential development move forward would be time well spent.

Finally, we also recommend that the City to use a tool called a PILOT, or payment in lieu of taxes, to create a dedicated fund to pay for developing community facilities. As a technical assistance provider to the Coalition, I strongly urge the City to genuinely and meaningfully



consider using the power of zoning to ensure that the build-out of community facilities keeps up with the significant increase in population that this rezoning is intended to spur. Thank you.



CHILD CARE

Good Afternoon City Council Members,

My name is Maria Contreras Collier and I am the Executive Director of the Cypress Hills Child Care Corporation. I am here to testify about the East New York Rezoning Plan's impact on Child Care Services. The Cypress Hills Child Care Corporation was founded in 1990 and runs a nationally-accredited ACS Early Learn Child Care Center, a Head Start Program and a family day care network. We serve 500 low-income, Latino families a year with high quality early childhood education programs.

According to the City's Final Environmental Impact Statement (FEIS), the rezoning would result in a significant adverse impact on publicly funded child care facilities. Specifically, the rezoning will result in another 630 children under the age of six needing publicly funded child care programs and that an additional 203 slots will be needed after available slots are used. We urge the City to fund more day care facilities and programs now through the rezoning plan and adopt the Coalition for Community Advancement's proposal for a Special Purpose District in the neighborhood to match the growth of the pre-school population with new child care centers. The CHCCC has several concerns about the lack of commitments for new day care facilities as part of the Rezoning Plan.

First, we know the City's statistics in the EIS are flawed. None of the child care centers in Cypress Hills have any additional capacity, including ours, but we are shown as having open slots in the EIS.¹ Between the Cypress Hills Child Care Corporation, St. Peter's Lutheran Church's Preschool and St. Malachy's Day Care Center and Head Start program in Cypress Hills

¹ http://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/east-new-york/04_feis.pdf



- all in the rezone area, we have a combined waiting list of 240 families who desperately need care for their infants, toddlers and preschoolers. The demand is greatest between the ages of infancy – 3 years old.

Second, the mitigation strategies proposed by the Administration in the Final Environmental Impact Statement are not viable. The City believes that 4 year olds can be served by UPK. We wish that this was true but our public schools are already overcrowded, several elementary schools do not offer UPK because of the lack of space and non-profit sponsors of UPK have no additional room or capacity. The City also proposes that family day care providers can absorb some of the influx of children. Unfortunately, this will only benefit parents that can privately pay for child care as ACS has notoriously long waiting list for vouchers. Another mitigation suggested by the City is that parents will travel with their children to find day care centers closer to their jobs. Although many parents are forced to do this – it is an extreme hardship for parents to travel on the J train (if they can get their strollers up the J train stairs) with toddlers and preschoolers to other communities. Many of our families work 2 and 3 jobs and need affordable, and accessible child care.

Another mitigation strategy that the City lays out in the FEIS is the development of ground floor commercial space that would allow community facilities such as child care centers. While we hope that these opportunities will arise, we know (having developed our own facility) that millions of dollars, capital dollars, will be need to outfit and equip new day care facilities on these ground floors and that commitments for the actual slots and operational costs will be needed.



Therefore, we request specific commitments be made to fund new child care facilities to meet the current and future needs of families and that the Council support the Coalition for Community Advancement's proposal for the establishment of a Special Purpose District that would peg the creation of community facilities such as child care centers to new development. In conclusion, we ask the City Council to vote "No", unless the City commits to the implementation of the Coalition's Alternative Community Plan.



SCHOOLS

Good afternoon City Council Members:

My name is Maria Jaya and I am also a proud member of the Coalition for Community Advancement. I am testifying on the need for the City to plan for more public schools as part of the East New York Plan. For 30 years, I fought with other parents and community groups, to reduce school overcrowding in Cypress Hills and we were successful in convincing the City to build three new public schools in the neighborhood. We are urging you to vote “No” on the City's East New York Plan, and adopt the Coalition's Alternative Plan.

We commend the City for including in the East New York Plan, a commitment to build a new 1,000 seat school that would open in the 2020-2021 academic year. However, one school is not enough! According to the Final Environmental Impact Statement (FEIS), the rezoning would have a negative impact on elementary and middle schools located in the southern portion (CSD 19, Sub-District 2) of the neighborhood and a temporary negative impact on elementary and middle schools located in the northern portion (CSD 19, Sub-district 1) of the neighborhood.

The proposed 1,000 seat school is expected to completely address the impact on the public schools on the north-side of CSD19 (Sub-district 1.) Given the City’s track record of keeping their promises made during rezonings, we demand that the City make plans now as to how they will alleviate the temporary and significant overcrowding that will occur prior to the completion date of the new school and come up with alternatives in the event that the school is not ready by the academic year 2020-21.

In the FEIS, the City identifies that the rezoning would result in the deficit of 1,168 elementary and middle school seats (720 elementary school seats and 448 middle school seats) in



the southern portion of the neighborhood- - this is the negative impact with the new school! We believe that even this documented adverse impact this is a tremendous under-counting of the number of seats needed. The City has not taken into account the thirteen (13) charter schools that serve elementary students in the study area and six (6) charter schools that serve intermediate students--all of which are allocated in DOE buildings! Charter schools were not considered in the quantitative analysis. The seats taken by charter schools need to be deducted from local school capacity estimate.

Furthermore, the City should not treat the school seats in trailer class rooms as permanent and should adjust their utilization rates to reflect this. Any City action to relieve overcrowding in schools in East New York, as part of the rezoning plan, should include plans to eliminate existing trailers by adding seats to existing facilities or through new construction. The plan should also preserve treasured community service sin school buildings like the East New York Diagnostic & Treatment Center clinic and the Beacon at the IS 302 campus.

The final plan should identify the sites needed for expanding public school seats and clearly state the financing commitments which will be made. The mitigation measures set forth in the Final Environmental Impact Statement must identify, earmark and include large development sites (over 50,000 square foot footprint) in the NYC Department of Education's Capital Plan for school construction as part of the rezoning. Given the scarcity of large developable sites and the need to provide comprehensive community services for the current community and for any future population increase (a goal that the Rezone recognizes), the City must address as a part of their rezone how it will proactively acquire sites for school. The City



must use all of the tools at its disposal, including eminent domain, to acquire sites before there zoning is complete and land prices skyrocket.

Because of these concerns about the method for calculating current and future need for school seats, concerns about the lack of clear, on-time construction of the one school in the City's Plan, and concerns about timely identification of sites for additional schools, we urge the City Planning Commission to vote “No” to the East New York Rezoning Plan and advocate for the adoption of the Alternative Plan presented by the Coalition for Community Advancement.

The proposed 1,000 seat school is expected to completely address the temporary impact on the northern schools while partially addressing the negative impact on southern schools. Given the City’s track record of keeping their promises made during rezonings, we demand that the City make plans now as to how they will alleviate the temporary and significant overcrowding that will occur prior to the completion date of the new school and come up with alternatives in the event that the school is not ready by the academic year 2020-21.



EMERGENCY SERVICES

Members of City Council,

My name is Darma Diaz and I am a home-owner and long-time resident in Cypress Hills. I am also a proud member of the Coalition for Community Advancement I am testifying on the need for the City to plan for more emergency services as part of the East New York Plan. We are urging City Council to vote NO on the City's East New York Plan, unless it is the Coalition's Alternative Plan.

The City acknowledges that the rezone will bring about 24,455 residents and workers to the area. But, it says that the re-zone will not "create a sizable new neighborhood where none existed before" and so there is no need to assess the potential impacts to fire protection. It seems impossible, given the density and built-up nature of Brooklyn and the population increase, that our neighborhood wouldn't need additional fire protection services. The Coalition continues to request that the final environmental impact statement include an assessment of the potential impacts to fire protection.

In addition, since both Engine 236 and Engine 332/Ladder 175 are located directly next to proposed development sites within the rezoning area, the Coalition asked that the Final Environmental Impact Statement assess how developing these sites would potentially impact or inhibit access to these facilities. The Coalition is pleased that these concerns were heard, however, the Final Environmental Impact Statement concluded that no construction impacts would be expected and that response times would (and I quote) "not be materially affected by construction due to the geographic distribution of the police and fire facilities and their



respective coverage areas." We believe there would be a serious impact that would threaten the safety of all of us.

Like with fire protection, the Coalition asked that the FEIS assess what additional NYPD patrols, personnel, and facilities will be needed to serve the estimated 24,455 new residents and workers. The request was also based in the fact that the 75th police precinct is one of the geographically largest in the City. The City's response was the same as its response to the request to study indirect impacts on fire protection: the rezoning (and I quote) "will not create a sizable new neighborhood where none existed before" and is therefore is not needed.

The Coalition also specifically asked that, especially given the 75th police precinct's large catchment area, response times for emergencies in Highland Park be assessed given the increased demand for emergency services generated by 24,455 new residents in the community. The City responded that the issue is outside the scope of assessment, probably because they believe that no "sizeable new neighborhood" will be created. Just like with fire protection, this seems impossible.

This plan must be more than a housing plan. It must address the needs of existing community members, especially our needs for emergency services. Because the City's Plan fails to identify our neighborhood's increasing needs for emergency services and mitigate threats to public safety, we urge the City Council to vote no to the East New York Rezoning Plan and advocate for the adoption of the Alternative Plan presented by the Coalition for Community Advancement.



COMMUNITY GARDENS

Members of City Council,

My name is Roy Frias. I am a resident of East New York, a staff member at United Community Centers in East New York, and we are members of the Coalition for Community Advancement: Progress for East New York/Cypress Hills.

I am here to talk about creating and preserving green spaces, specifically community gardens. Though the city has very beautiful botanical gardens, many families in my community lack the extra money to pay for public transportation and the admission fees to visit these wonderful spaces. Also visitors to these spaces are prohibited from using their senses of taste and smell to fully experience the flowers and plants.

In 2010, a group of community residents tired of living near vacant lots filled with trash, debris, weeds, and rodents joined forces with the Cypress Hills Local Development Corporation to obtain the necessary permits to clean and convert the lot to a community garden. While we had many residents, we lacked the financial resources to build as it costs a lot of money to purchase soil, compost, lumber, etc. However, with the leadership and guidance of the Cypress Hills Local Development Corporation, we were connected to organizations such as Greenthumb, GrowNYC, New York Restoration Project, & East New York Farms who provided us with funds, materials, and/or additional labor to build out this site and several others.

Fast forward to 2016 and residents are gardening in five new community gardens that are providing residents with a green space to grow food to feed their families, thus stretching their income and increasing their overall health. They are spaces to meet neighbors, make new friends, and even get away from the hectic and stressful moments to recharge mentally. Our children



have learned about nutrition, botany, carpentry, mural painting, and even about raising chickens and enjoying their eggs within hours of being laid.

As a community gardener, I have met new neighbors and formed new friendships in the safe space that is the garden. The community garden has forced me to venture to the other side of Atlantic Avenue, which can be daunting to cross. As long as I grow tomatoes, peppers, eggplant, and basil in the plot, the family is happy and the rest of the space has been used to grow vegetables uncommon and unknown in the neighborhood such as kale, Swiss chard, tomatillos, and collard greens. When in the garden, I can be quietly there with the plants and the chickens, tending them, and in turn receiving nutrients for my body, color for my mind, and peace for my soul.

We request the Commission of City Planning consider the following:

- Low income communities, such as East New York don't have the economic capacity to implement urban gardening projects That should not be an impediment to having and enjoying green spaces on public land.
- We need more green spaces in this neighborhood so people can interact, and children and learn about the importance and relationships we enjoy with plants, and also develop social skills.
- Not every parcel of land needs to be developed into a building. Green is more pleasing and relaxing to the eye and mind than grey concrete slabs.
- We ask that you consider converting vacant lots too small for development into community gardens.
- We request that you preserve the land of the current community gardens but also helping with the maintenance or expansion of existing gardens.

To close, we call on City Council to vote “No”, unless the City commits to adopting the Coalition’s Alternate Plan.



ARTS

Greetings Members of New York City Council,

My name is Catherine Green and I am Founder and Executive Director of ARTs East New York a local non-profit arts organization, a member of the Coalition for Community Advancement of ENY/Cypress Hills and long-time resident of the East New York community. I stand here today demanding that the details of the rezone plan are modified to include REAL Affordable Housing, strengthened protections against tenant harassment and displacement and the preservation of local grassroots artists and culture cultural institutions that contribute to the existing creative economy in our community.

With the rise in property value, our artists, the torch bearers of our local culture, would lose opportunities and resources available for affordable space for work and collaboration. We understand that change is inevitable, however, all of those present in this room have the ability to work together to create change that is inclusive, fair and sustainable. As one who works with local Artists, artisans and a beautiful community of creatives I have witnessed this first hand.

From ENY residents who after realizing that NYC had abandoned the areaturned vacant lots into gardens that not only provide a healthy sustainable lifestyle, beautified blocks and created a source of income for these families.....with little to no resources.

Local dance companies such as Purelements who have national and international audiences decided to turn and devote their talents to training youth in the very neighborhood that they were born and raised.... with little to no resources.

And ARTS EAST NY creating a cultural infrastructure that has used the arts as a tool for socioeconomic change and most recently Provined alternative uses to vacant spaces in a



community where access to public spaces that are not just parks. Transitioning them to into bustling artist and vendor market providing space for artists and entrepreneurs an opportunity to create and generate income that circulates the local dollar.

With our renewlots vendor market and artist incubator providing giving 10 entrepreneurs their first chance at a store front and 4 artists affordable studio space.

We are concerned that the existing ENY plan is not inclusive of artists and cultural institutions that preserve the very heartbeat of our community. We are concerned that the cultural economy has not been an intriguing part of the plan. We are concerned that there has not been a more detailed plan to assist the existing Cultural organizations via grants/loans as modeled in The City of New Orleans where similar communities' arts orgs are offered no fee capacity building loans to ground their work and prepare them for larger cultural organizations that seek to take advantage of the wealth of new resources and attention coming to the area.

While we appreciate efforts to map and research and offer capacity building workshops. We would like to see a stronger commitment to ensure that local Artists and artisans are not displaced out of an area that they have made beautiful. We know that the community plan must incorporate the preservation and further development of the creative economy that organizers in the neighborhood, like myself and the team at AENY, can continue to build on and not see their work wasted as the community gets painted over.



ANTI-HARASSMENT



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TESTIMONY OF EMILY GOLDSTEIN, BEFORE the New York City Council Zoning Subcommittee

March 7th, 2016

Good afternoon. I'd like to thank Council Members Greenfield and Richards, and the entire committee for the opportunity to testify today.

My name is Emily Goldstein and I am the Senior Campaign Organizer at the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of New York City neighborhood-based housing and economic development groups, CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have nearly 100 members throughout the five boroughs who have developed over 100,000 units of affordable housing in the past 25 years alone and directly operate over 30,000 units.

The City's focus in East New York, as well as in the other neighborhoods where rezoning proposals have been announced, has been largely on the development of new housing. However, we are concerned that the majority of the new housing developed based on the current rezoning proposal for East New York will be unaffordable to the majority of people currently living in the



neighborhood. Approximately 40% of households in and around the East New York Study Area (within a half-mile buffer) are at or below 30% AMI, or about \$25,900 per year. The lowest affordability level guaranteed by the currently proposed version of Mandatory Inclusionary Housing is 60% AMI, or about \$51,800 per year. With subsidy under the terms of the HPD ELLA program, 10% of units would be affordable to families at 30% AMI. Not only does that not match the needs of East New York residents, but the deeply affordable units would not be permanently affordable the way units required by zoning would be, and would also not be guaranteed – developers could choose not to use HPD subsidy, and future administrations might not have the same commitment to subsidizing deeply affordable housing.

The mismatch between the new housing likely to be built and the income levels of East New York residents makes a greater focus on preserving the area's existing affordable housing and preventing the displacement of residents from their current homes all the more important.

Existing sources of affordable housing include a large amount of unregulated housing, as well as approximately 3,000 units of rent-regulated housing, which represent a vital commodity for any neighborhood. The city must incorporate strong anti-displacement measures into ANY land-use action to ensure that these units are not lost through speculation or tenant harassment. Legal services are welcome, but are not enough to counteract the profit motive that leads many landlords to drive out long-time residents in favor of higher profits.

One tool that can and should be used to help prevent the displacement of low-income residents in East New York is the implementation of a Certificate of No Harassment requirement when landlords apply for permits from the Department of Buildings. If landlords with a history of tenant harassment were either unable to renovate their buildings to attract higher-paying



tenants, or had to provide a cure of permanently affordable apartments in the building, there would be a clear monetary disincentive for tenant harassment. Based on the experiences of tenants and community organizers in the Clinton Special District on Manhattan's West Side, we believe this mechanism would help to relieve the mounting pressure on East New York's low-income tenants.

We urge you to amend the zoning proposal before you to incorporate a Certificate of No Harassment requirement. We also encourage the Council to pass legislation implementing a Citywide version of the requirement, to protect tenants outside the immediate rezoning boundaries who nonetheless will feel the ripple effects of changes in the neighborhood, and to ensure that in other neighborhoods protections are in place proactively, before speculation based on anticipated zoning changes starts to impact tenants.

ANHD has been proud to work with the Coalition for Community Advancement in developing an alternative plan for the East New York rezoning. We urge the committee, and the Council as a whole to take seriously the local community's very legitimate concerns about how the rezoning proposal before you will negatively impact East New York residents, workers, and business owners, and to incorporate the practical and carefully considered recommendations the Coalition has developed to ensure that East New York can grow and change in ways that benefit all of the area's community members.



INFRASTRUCTURE



113 HESTER STREET • NEW YORK, NY 10002 • WWW.HESTERSTREET.ORG

**Testimony for Betsy MacLean, Executive Director, Hester Street Collaborative New York
City Council Subcommittee Meeting on Zoning + Franchises: East New York Rezoning
Scheduled for March 7, 2016**

Good afternoon, Chairman Richards, Council Member Espinal and Committee Members. My name is Betsy MacLean and I am the Executive Director of Hester Street Collaborative. Hester Street has been providing planning, design and real estate development technical assistance to community based organizations, private firms and City agencies since 2002. Along with some of our technical assistance colleagues, we have been very involved in many of the rezonings currently in process throughout the City – most recently working alongside the Speaker’s Office, the Manhattan Borough President’s Office, CB 11 and Community Voices Heard in East Harlem.

I appreciate the opportunity to discuss the proposed East New York re-zoning plan with you today. East New York is particularly near and dear to my heart: I spent a good chunk of my career developing affordable housing and community facilities in the neighborhood. It is my opinion that a re-zoning plan has the potential to expand housing and economic opportunities, to invest in the kind of infrastructure that has long been lacking, the services and resources most needed to ensure the equitable, sustainable development of the neighborhood long into the future. However, that is only possible if the Plan meets the needs of current residents and is



responsive to deep and justified concerns about speculation, gentrification and displacement of long-term residents. Today I'd like to specifically address the New York City Infrastructure Fund as it relates to the equitable development of East New York.

We'd like to applaud the Mayor for committing some \$1.6 billion in capital funds to infrastructure needs in all of the neighborhoods set to be re-zoned. Our understanding is that those funds are divvied up among 4 Funds: the Neighborhood, Rezoning, Housing + Acquisition Funds. This kind of capital commitment is a step in the right direction toward holistic neighborhood plans – not just zoning changes. These funds also offer the opportunity to respond directly to local needs – to engage communities directly in the long-term development of their neighborhoods, connecting local priorities to discreet capital projects. Unfortunately, in East New York, we feel that this might easily become an opportunity lost.

The City has committed \$703 million to a Neighborhood Fund – money for priority projects identified in City rezoning plans. These projects include parks, playgrounds, pedestrian plazas and street improvements. While we have concerns about the size of the fund – when spread across all of the rezoning neighborhoods over the next five to ten years, its potential impact diminishes greatly – we are, however, most concerned about the process by which these “priority projects” are identified. In East New York, DCP has identified these three projects: • Upgrades to City Line park • Highland Park Playground Reconstruction • Atlantic Avenue Reconstruction (sidewalk repair, trees, lighting, seats)

These projects were chosen by DCP, and while City Planning consulted with the East New York community on the specifics of the parks and traffic calming projects after they were chosen, the community was not offered a choice. There was never a discussion on the parameters



of eligible uses for the funds or which projects would be funded. There is, of course, a very big difference between weighing in on the details of a plan already put in place – the number of benches or placement of planters – and having the opportunity to make an informed choice about which projects will be chosen in the first place. The East New York community has been very specific about their infrastructure wants and needs in the Community Re-Zoning Plan. The Neighborhood Fund resources seem designed to help bridge a gap between City Planning goals and community priorities.

We urge the City to go back to the community, to define the total amount available for these projects, the eligible uses of the funds and to engage in truly participatory planning and design, where community members have a seat at the drawing board from the very beginning. Another opportunity presented by the collective Infrastructure Funds is the acquisition of private land by the City for affordable housing and community facility development. Seventy-five million dollars has been set aside in an Acquisition Fund for the purchase of private land by the City in rezoning neighborhoods. City-owned sites, of course, are some of our greatest resources when it comes to developing deeply affordable housing. Without astronomical land prices to contend with, and with the help of HPD subsidies, responsible developers are able to build quality housing that is deeply affordable in perpetuity. The City has the added benefit of being able to shape the uses of those sites – to require the development of needed community facilities, like schools and grocery stores – to maximize the benefit of City-owned land. Unlike East Harlem, East New York does not have multiple, large, City-owned sites to re-develop. Of the 1200-some affordable units HPD is projecting will be developed over the next two years, only 310 will be developed on City-owned land. Of those 310, 45 are to be developed as small homes



affordable to owners earning at 80% of AMI – far above the income of most East New York residents.

The one large, City-owned site being redeveloped as part of the Plan, located on Chestnut and Dinsmore Streets, is set to contain some 200 affordable apartments and a 1,000- seat public school – a huge benefit to the community. However, that site alone is not enough to provide the depth of affordability the community is asking for, along with the community facilities they’ve made clear they need to ensure the healthy growth and development of the neighborhood well into the future.

There is one site in the re-zoning area that could provide a tremendous amount of housing and has a large enough footprint to also allow for thousands of square feet of community facility and much needed green, open space. For many, many years, the Arlington Village site, located on Atlantic between Berriman Street and Montauk Avenue has loomed large in the lives of East New York residents. Long a symbol of neighborhood blight and disinvestment, countless elected officials, community developers and service providers have dreamed of, studied, elicited community feedback on, and invested in highly developed plans for the possibilities of the 300,000 square foot site.

Given the development potential of the Arlington Village site – hundreds and hundreds of units in addition to thousands of square feet of community facility and retail space – we think it’s the perfect candidate for the Acquisition Fund. We urge the Administration to acquire this site – singular in both its size and potential – and work with community members to realize the kind of development that serves neighborhood needs and meets affordable housing development goals. If the City does not step in, the neighborhood will lose a rare resource that would go a long, long



way to meeting community housing, education, retail and open space needs. Long-term residents have fought for the kinds of benefits the re-zoning and related investments will surely bring to the neighborhood. Acquiring this site and mandating development that meets local needs and priorities will ensure that it is the East New York community that reaps those benefits, not a private developer.

Thank you for the time and opportunity to discuss the Infrastructure Fund and its potential to strengthen the proposed East New York re-zoning plan in order to ensure maximum benefits to the East New York community. I'm happy to address any questions you might have.



COMMUNITY BENEFITS ORDINANCE

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COMMUNITY DEVELOPMENT PROJECT

TESTIMONY OF ADRIEN A. WEIBGEN BEFORE THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON ZONING AND FRANCHISES REGARDING THE EAST NEW YORK REZONING

Monday, March 7, 2016

Thank you for the opportunity to testify today. My name is Adrien Weibgen, and I am a Staff Attorney at the Community Development Project of the Urban Justice Center, or “CDP.” CDP’s mission is to strengthen the impact of grassroots organizations in New York City’s low-income and other excluded communities. We partner with community organizations to win legal cases, publish community-driven research reports, assist with the formation of new organizations and cooperatives, and provide technical and transactional assistance in support of their work towards social justice. As part of its work around neighborhood change, CDP is working with the Coalition for Community Advancement to support responsible, equitable development in East New York and Cypress Hills.

CDP and the Coalition share the City’s desire to create more affordable housing in the neighborhood. But we have grave concerns about the City’s plans to significantly upzone East New York without guarantees that most of the housing is affordable to the current community. Inviting the construction of significantly more apartments that current residents cannot afford will not help alleviate their housing crisis, because the benefits of housing that is out of reach will not “trickle down.” The City must do more to ensure that a greater share of what is built is deeply affordable. We urge the City not to open the floodgates of market-rate housing in East



New York – a move that will not meet local housing needs, that risks displacing thousands of people, and that can never be undone.

The City estimates that the rezoning in East New York will produce 6400 new apartments, and it is aiming to make half of those units affordable. But there are two fundamental problems with the City’s development plans. The first is that the City does not have a concrete, realistic way to get to the number of affordable apartments it has promised. As of today, HPD has committed to subsidizing just 1200 apartments – less than a fifth of the total. Because Mandatory Inclusionary Housing could not get the overall share of affordable apartments up to half on its own, the City would have to subsidize almost 1000 more units to meet the goal of half affordability it has set for East New York. But the City has not said where or when these units will be built. Subsidies are a voluntary strategy that will not work as a way to get affordable housing once the market in ENY is stronger, and we cannot know precisely when the market will have shifted to the point that developers no longer want to accept HPD subsidies. What we do know is that land prices and rents – which had been stable for years – skyrocketed after the City completed a prior planning initiative in ENY, and again after the City announced this rezoning.

The City is assuring community members that developers will not be able to build without subsidies for years, but the truth is that the City doesn’t know this, and the only statements it has made about when developers might stop taking subsidies estimate that that tipping point may arrive as soon as two years from now. In other words, the City has a two-year funding plan for a fifteen-year building plan. The City’s heavy reliance on voluntary subsidies without the ability to predict what will happen in the future leaves significant doubt about whether the City will meet its stated goal of making half of the new apartments affordable. And

even that goal – half affordable, and half market rate – is not something current East New Yorkers want. The community does not need a glut of market-rate apartments; it already has thousands of units of unregulated housing where rents could double or triple as market pressures increase, and it does not need more of the same. What East New York needs, and all it needs, is more housing that will stay deeply affordable in the long term.

The second fundamental problem with the City’s plans is that the affordability levels do not match the current neighborhood need. The Mandatory Inclusionary Housing Option the City is seeking to implement in East New York would require just a quarter of new construction units to be permanently “affordable,” but they will be affordable at 60% AMI, to households making over \$50,000 a year – well above the community’s median income of \$34,000 a year for a family of four. Over half of current neighborhood residents will not be able to afford even the “affordable” units produced by MIH. And even though over a third of families in East New York earn less than 30% AMI, there is nothing in the Mandatory Inclusionary Housing policy that requires developers to build housing at this income level, in East New York or anywhere else. The HPD-subsidized projects will come closer to meeting the neighborhood need, but close enough is not good enough. Subsidized projects include too much housing at 60% AMI and too little where the need is greatest – at or below 40% AMI, the neighborhood median income. In HPD subsidized projects, just a quarter of apartments will be affordable to families earning up to the local median income. So far, that means 300 units – less than 5% of the new housing the rezoning will bring.

The City’s plans create too great a risk for East New York with too little reward. The question is not whether this rezoning plan is better than the rezoning plans under the Bloomberg



administration or previous mayors, but whether this is the best plan we can do now for the people of East New York – and the answer to that question is no. Similarly, the question is not whether City agencies have met with the Coalition and other community members, but whether they have listened to them and revised the rezoning plan to meet their needs – and the answer to that is, not yet. If current residents cannot afford the vast majority of the new apartments the rezoning brings, the rezoning will hurt, not help them. And the rezoning will hasten displacement pressures, not alleviate them.

But it's not too late to make this a plan that works for the people of East New York. The City should drive down rent levels in the projects it subsidizes – a move that will require additional subsidy dollars, but an investment that the community deserves after so many decades of neglect. The City should also cut the amount of upzoning to more closely match the amount of housing HPD can subsidize soon, which will help curb gentrification and displacement by making deeply affordable housing a greater share of the total. Finally, the City must create a deep affordability band within MIH to ensure that that program creates permanently affordable housing where the need is greatest – below 30% AMI.

East New York is not just a means to the end of the Mayor's housing plan – it is a community with needs of its own, which this rezoning must address. The rezoning should be for the people of East New York, or it should not happen at all.

Thank you for the opportunity to testify. If you have any questions about my testimony, I can be reached at aweibgen@urbanjustice.org or 646-459-3027.



SPECULATION

Good Morning/Afternoon City Council Members,

My name is Rose Martinez and I am a Morgan Stanley/Association for Neighborhood and Housing Development Community Development Fellow placed at the Cypress Hills Local Development Corporation, who is a member of the Coalition for Community Advancement: Progress for East New York/Cypress Hills. I will testify today on the property sales research I have conducted for the Coalition. Using the Department of City Planning's MapPLUTO land use and geographic data, and the Department of Finance's property sales data, I investigated to see if there has been an increase in the average property sales price in Community District 5 and within the rezone area boundaries from the 18 months before and after the Mayor's announcement of the East New York Rezoning and Housing Plan made in May 2014.

In Community District 5, the average property sales price has increased for mixed-use, industrial, and vacant properties. Mixed-use properties have increased 146%, industrial 113%, and vacant 64%. Focusing on industrial properties, the average sales price for industrial properties before the rezoning announcement was \$895,828 and \$1,906,785 after the rezoning announcement. This is a \$1,010,957 difference which corresponds to a 113% increase. When looking only at factories, the average sales price before the rezoning announcement was \$1,104,091 and \$4,018,615 after the rezoning announcement. This is a \$2,914,524 difference or a 264% increase.

In the rezone area, the average sales price for multi-family walkups, industrial² and vacant properties is significantly much greater than average sales price found for Community District 5. Multi-family walkups have increased 201%, industrial 298%, and vacant 226%. The average sales price for multi-family walkups before the rezoning announcement was \$483,250 and \$1,452,558 after the rezoning announcement. There is a \$969,308

² For the rezone area, the number sales of factories and warehouses are too low. Averages calculated for factories and warehouses may not be representative and skewed.



difference which corresponds to a 201% increase. The average sales price for industrial properties before the rezoning announcement was \$546,451 and \$2,172,501 after the rezoning announcement. There is a \$1,626,050 difference which corresponds to a 298% increase which is alarming.

My analysis strongly indicates that there has been an increase in speculation in the rezone area since the announcement of the rezoning. Residents of unregulated units are currently vulnerable to harassment and displacement from speculators seeking a return in their investment. To prevent the displacement of these residents, the Coalition proposes the Flip Tax, which increases the transfer tax on all transfers to non-owner occupied/investor-purchased units and to implement citywide anti-harassment legislation based on the Special Clinton District. The Special Clinton District requires owners of multiple-dwelling buildings to apply for a Certification of No Harassment from HPD prior to seeking a DOB permit to alter, demolish, or change the shape or layout of a building.

In conclusion, we ask the City Council to vote NO, UNLESS the City commits to the implementation of the Coalition's Alternative Community Plan. Happy to answer any questions.

Thank you!

Increase in sales price after rezoning

Property Sales												
	Entire Community District 5						Rezone Area					
	Before Rezoning		After Rezoning		Difference		Before Rezoning		After Rezoning		Difference	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
TOTAL # of SALES	2038		2040		2	0.1%	760		891		131	17.2%
Total # of \$0 Sales	710	35%	670	33%	-40	-6%	256	34%	287	32%	31	12.1%
Average Sale Price						Average Sale Price						
1-3 Family	\$329,553		\$369,676		\$40,123	12%	\$316,309		\$357,523		\$41,215	13%
Walkup Rental	\$604,793		\$1,012,861		\$408,068	67%	\$483,250		\$1,452,558		\$969,308	201%
Rental 4-10 Units	\$284,548		\$699,225		\$414,677	146%	\$286,081		\$691,909		\$405,828	142%
Coops & Condos	\$234,049		\$238,723		\$4,674	2%	\$254,666		\$146,367		-\$108,300	-43%
Industrial	\$1,472,564		\$2,602,565		\$1,130,001	77%	\$2,223,051		\$2,172,501		-\$50,550	-2%
Factories	\$1,104,091		\$6,926,014		\$5,821,923	527%	\$438,750		\$18,162,000		\$17,723,250	4039%
Warehouses	\$3,195,828		\$2,725,769		-\$470,058	-15%	\$4,379,394		\$1,055,000		-\$3,324,394	-76%
Commercial Garages	\$506,814		\$636,181		\$129,366	26%	\$233,750		\$422,854		\$189,104	81%
Commercial	\$973,816		\$1,151,471		\$177,655	18%	\$893,483		\$705,400		-\$188,083	-21%
Facilities	\$316,927		\$1,741,689		\$1,424,762	450%	\$1,000		\$400,000		\$399,000	39900%
Other	\$349,444		\$334,132		-\$15,313	-4%	\$210,000		\$294,125		\$84,125	40%
Vacant	\$199,183		\$327,325		\$128,142	64%	\$93,695		\$342,945		\$249,251	266%
Average Sale Price/Land SF						Average Sale Price/Land SF						
1-3 Family	\$168		\$184		\$15	9%	\$160		\$182		\$21	13%
Walkup Rental	\$198		\$219		\$22	11%	\$172		\$193		\$21	12%
Rental 4-10 Units	\$249		\$314		\$65	26%	\$194		\$320		\$126	65%
Coops & Condos	-		-		-	-	-		-		-	-
Industrial (All)	\$153		\$148.39		-\$4	-3%	\$114		\$111		-\$3	-3%
Factories	\$156		\$263		\$106	68%	\$93		\$93		\$0	0%
Warehouses	\$208		\$132.67		-\$75	-36%	\$305		\$239		-\$66	-22%
Commercial Garages	\$113		\$104.60		-\$9	-8%	\$60		\$99		\$39	64%
Commercial	\$175		\$225.57		\$50	29%	\$122		\$224		\$103	84%
Facilities	\$89		\$152.48		\$63	71%	\$0.33		\$155		\$155	46412%
Other	\$84		\$90.59		\$7	8%	\$84		\$124		\$40	47%
Vacant (All)	\$92		\$86.47		-\$5	-6%	\$43		\$67		\$25	57%
Vacant Commercial	\$139		\$75.40		-\$64	-46%	\$41		\$60		\$19	47%
Tax Class 1 Vacant	\$77.35		\$87		\$10	13%	\$43		\$71		\$28	65%

*Removing two outlier sales (\$25,695,450 & \$36,000,000):

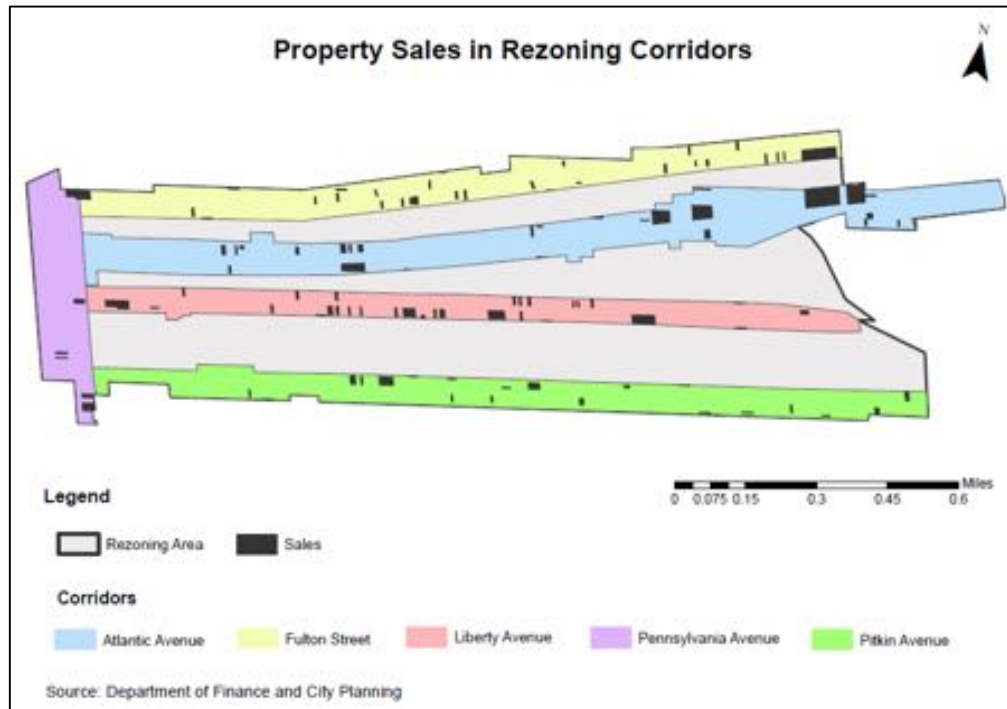
	Entire Community District 5					Within Rezoning Boundary			
Average Sale Price	Before Rezoning	After Rezoning	Difference			Before Rezoning	After Rezoning	Difference	
Industrial	\$895,828	\$1,906,785	\$1,010,957	113%		\$546,451	\$2,172,501	\$1,626,050	298%
Factories	\$1,104,091	\$4,018,615	\$2,914,524	264%		\$438,750	\$18,162,000	\$17,723,250	4039%
Warehouses	\$1,320,859	\$2,725,769	\$1,404,910	106%		\$826,718	\$1,055,000	\$228,282	28%
Avg Sale Price/Land SF	Before Rezoning	After Rezoning	Difference			Before Rezoning	After Rezoning	Difference	
Industrial	\$125	\$147.65	\$22	18%		\$103	\$111	\$8	8%
Factories	\$156	\$270	\$114	73%		\$93	\$93	\$0	0%
Warehouses	\$116	\$132.67	\$17	14%		\$138	\$239	\$101	73%

**** Factors affecting averages:**

- Large sales price for industrial \$25,695,450
- Small sample size
- Included \$1-\$1,000 sales (excluded \$0 sales)

CB 5 Averages				
Before Rezoning			After Rezoning	
Sample Size	Low-High Range		Sample Size	Low-High Range
Warehouses	13	\$44,562- \$25,695,450	13	\$500,000 - \$8,000,000
Facilities	3	\$1,000-\$625,000	4	\$10,000-\$1,735,000

Rezone Area Averages				
Before Rezoning			After Rezoning	
Sample Size	Low-High Range		Sample Size	Low-High Range
Coops & Condos	1	\$254,666	4	\$97,666-\$202,800
Factories	5	\$10,000-\$950,000	2	\$324,000- \$36,000,000
Warehouses	7	\$44,562- \$25,695,450	2	\$500,000-\$1,610,000
Facilities	1	\$1,000	1	\$400,000
Other	1	\$210,000	12	\$60,000-\$650,000



Number of Sales			Difference	
Rezoning Corridors	Before	After	Count	Percent
Fulton Street	32	52	20	63%
Atlantic Avenue	32	42	10	31%
Liberty Avenue	34	40	6	18%
Pitkin Avenue	31	57	26	84%
Pennsylvania Avenue	7	18	11	157%

Number of Sales in Rezone Area			Difference	
By Land Use	Before	After	Count	Percent
One-Two Family	133	172	39	29%
Multi-Family Walk-up	75	83	8	11%
Mixed Use	35	54	19	54%
Commercial	6	4	-2	-33%
Industrial	11	6	-5	-45%
Parking	5	13	8	160%
Vacant	11	25	14	127%



ARLINGTON VILLAGE

Good Morning Council Members,

Thank you for the opportunity to testify on the East New York Plan. I am Rebecca Crimmins, a Project Manager at Cypress Hills Local Development Corporation responsible for the development of affordable housing in Cypress Hills and East New York. We want to express our concerns with the inclusion of the Arlington Village site in the rezoning of the Cypress Hills/East New York Neighborhood. We support the Coalition for Community Advancement's demand to cut out Arlington Village from the East New York Rezone Plan.

This site is of extreme importance to the community, in that it is the single largest development parcel in the neighborhood, a lot size of 310,000 SF, with a total buildable area of 329,588 SF currently allowable under the existing zoning, and, with the proposed East New York rezoning, an increased 854,992 SF allowable for a total buildable development of 1,184,580 SF. The site is also at a critical location, as it is centrally sited in the community and on the largest thoroughfare receiving the most additional density in the rezoning plan - Atlantic Avenue.

Given the many, many years of disinvestment in the property and the community by the previous owner, the infamous Rita Stark, and given its sale to the infamous speculative developer, Bluestone, providing additional density on this site averts what in any other neighborhood would require a developer to go through an extensive public review process, and to make commitments to the neighborhood in the form of, for example, a Community Benefits Agreement, or similar. Evading this process makes the City not only complicit in the actions of

this developer, which so far has included illegal renovations and harassment of tenants, but actually rewards them for their speculative behavior based on the assumption of easily obtaining additional density, without any consideration as to how an expansive, critical site could and should contribute to the needs of the neighborhood. We must address what is wrong with our City that a slumlord can earn almost 30 million dollars off the backs of the low-income tenants of this neighborhood, and pursuantly a developer can avoid the construction of any significant quantity of affordable housing.

This is where the government must step in, now, to ensure what the market does not provide - but the public needs - actually happens. Perhaps there should be a policy on any FAR increase on sites over a certain very large SF threshold, over which square footage, an increased amount of affordable housing is then required, perhaps 50%. We'll call this an East New York Option 2.

The stakes are simply too high to allow the City to award extensive FAR benefits to this site without any prerequisites to meet the needs of the community - by way of affordability and other neighborhood needs as expressed by the community. The City has said that cutting the developer out means they will build without any affordability and the damage will be worse. However, the numbers paint a different picture, such that:

1)The developer will not build the approximately 450 units now at market rate that is allowable with existing zoning if the site is cut out, because the current market rate of the neighborhood will not cover the cost of construction and debt required to finance that development.



2) Under current MIH, only 25% of the units would be affordable - so the gains to the site and developer are tremendous, and yet the community would only receive an estimated 207 units of housing at 60% of AMI. To be clear: the negative impacts of the other 621 units of luxury housing added to the neighborhood do not justify the 207 units, mostly unaffordable to the community.

In fact, the damage is not worse if the site is cut out, the damage is worse if the site is kept in the rezoning plan. The major significance of the Arlington Village site requires a real, site-specific, public review process.

Thank you for your consideration.



GENTRIFICATION

Members of City Council,

My name is Brother Paul Muhhamad and I am an East New York homeowner, represent Mosque 7C of East New York, and we are members of the Coalition for Community Advancement: Progress for East New York/Cypress Hills. I will testify on the concerns we have about the rezoning in regards to fair housing and equity. We are urging you to vote NO on the City's East New York Plan, unless it is the Coalition's Alternative Plan.

Throughout the years, we have seen Gentrification in Williamsburg, Bushwick, Bed Stuy and Harlem covered up by “urban renewal” projects, these same neighborhoods have seen tremendous loss in affordable housing (because the rent is already too high). At its very core gentrification (for us) is about those working families not being able to afford to live and raise families anymore. We lived and stayed in these places despite our struggles because we believed this was the right place to be and we continue to invest our lives into this study area. We may not be able to invest the millions of dollars’ developers used to make more millions from the community, but we speak from a place of understanding that the rates this plan is calling for will bring gentrification to our neighborhood.

The real estate index in neighborhoods like Bed Stuy, Park Slope and Fort Green has increased by more than 26% from 2008 to 2014, that’s only six years. As the cost of living has risen, the income index has not. While many landlords continue to find ways to increase their revenue, New Yorkers are being pushed out of their homes. Over the years, the affordable housing stock continues to be depleted as rent stabilized units are being taken off the market.



While one goal of rezoning parts of East New York and other New York City neighborhoods is to develop additional affordable housing, we need to prioritize maintaining the affordable housing that already exists in our community. We want to ensure first and foremost that the people who live in this community now can stay in their homes as long as we welcome with open arms a new community of “housing refugees.” In East New York, half of all households earn less than 30 Thousand dollars a year. We want 100% of what the city builds here in our neighborhood to be built for the people who live here.

Historically, East New York saw redlining deny mortgages. We’re a neighborhood that is already under attack, and we want a plan that will support us more. Give us the rates that will allow the community to stay, give us housing that families making \$34,000 can afford. We demand that the City help us negotiate to create jobs for our community. East New York has one of the highest rates of unemployment in NYC-19% of East New Yorkers are unemployed. This is actually three times higher than NYC unemployment. We need to ensure that the ENY Re-Zone Plan includes strategies to increase living wage jobs for local residents.

We demand that the City work with our community to create programs for skills that will help build a self- sustainable people. We demand a training and workforce development center in East New York (not in Brownsville), support for small businesses and preservation of manufacturing jobs and good, with living wage jobs with a future.

We call on you, as our City Council Members, to vote “No” on the Mayor’s East New York Plan and instead implement to the Coalition’s Alternate Plan.



ALLIES

Testimony of Dave Powell, Fifth Avenue Committee/Neighbors Helping Neighbors,
Before City Council in Opposition to the Currently Proposed Plan to
Re-Zone East NY/Cypress Hills, March 7, 2016

My name is Dave Powell and I am the Director of Organizing and Advocacy at the Fifth Avenue Committee (FAC) and Neighbors Helping Neighbors (NHN), an affiliate of the Fifth Avenue Committee based in Sunset Park. Our organizations are active in the Brooklyn neighborhoods of Gowanus, Park Slope, Boerum Hill, Sunset Park, Downtown Brooklyn, Prospect Heights, Red Hook and beyond. Both organizations fight to keep families in their homes through eviction prevention casework, tenant association organizing and policy activism.

So why are we here expressing our opposition to a plan to re-zone East NY? There are two key reasons and they are not merely relegated to East NY but also to Jerome Avenue and other neighborhoods that are slated to be re-zoned a part of Mayor de Blasio's housing plan.

First and foremost, we want to express our support for the Coalition for Community Advancement's Neighborhood Re-Zoning Plan. An over-arching theme identified in CCA's plan is that a lack of formal community input is a deep and fatal flaw in the current proposal to re-zone East NY put forth by the administration. There cannot be trust in this process, let alone justice in the result, without community residents at the decision making table. We say this in solidarity with the residents of East NY but also because this is the level of collaboration that we expect when the administration comes to re-zone Gowanus and Sunset Park. The era of top-down planning characterized by the Bloomberg administration must be relegated to the dustbin of history.



Secondly, the proposed re-zonings in East NY, Jerome Ave and beyond, while admirable in their goals for affordable housing creation, are critically flawed in that they rely on inflating current housing values without creating additional protections for tenants and businesses, that will almost certainly face displacement. Simply put, without such protections in place BEFORE any rezoning, the forces of predatory real estate speculation will find fertile ground in the Mayor's proposals and any proposal that unleashes additional density for market-rate development.

The phrase "housing crisis" has been used both by advocates and elected officials for decades now and has generally referred to ever escalating rents and the chronic lack of housing affordable to low- and moderate-income residents. While this affordable housing crisis is still very much in full swing, I think we are all aware that we are currently experiencing a closely related but often un-named crisis in New York City and that is the displacement crisis. Unfortunately, the relationship between these two is not often explicitly discussed and specific policy attempts to systematically address the latter are rarely forthcoming. The tenants of New York City are in need of aggressive protections to address this displacement crisis, which has been fueled by international speculative investment in our housing market, deregulation loopholes created in the rent stabilization laws and the up-zoning of dozens of our communities by the Bloomberg administration. These dynamics have created profitable incentives for landlords to displace families from low-rent housing through harassment and constructive eviction.



So we are here expressing solidarity with the residents and community groups of East NY/Cypress Hills and testifying in our own self-interest to deflect the flawed elements of the plan for these communities from migrating to our communities. But I am also before you to issue a cautionary tale, as our community and organization has experienced first-hand what up-zoning without tenant protections can do to a neighborhood. For an example of why tenant protections and neighborhood planning must be put in place BEFORE neighborhood re-zonings, look no further than 4th Avenue in North and South Park Slope in the wake of the 2003 and 2007 re-zonings. Both of these land use actions not only brought displacement through harassment but also the demolition of sound, rent stabilized housing.

A prime example of this was the destruction of 150 -158 4th Avenue, five rent stabilized buildings that provided 40 units of deeply affordable housing to low- and moderate-income families in our community (see attached one pager). The increase in density was too tempting for this unscrupulous landlord who viciously and persistently harassed every last tenant out of these buildings until they were empty. By 2009 these buildings were demolished and today our community walks by a luxury development that receives a 421a tax break where 40 of our beloved neighbors once lived. Just down the block is 140 4th Avenue where only two families are left to resist the constructive eviction and harassment techniques of the landlord, as he recklessly slaps two additional floors onto this 8 unit building. Diagonally across the street is 78 St. Marks Place, another 8 unit building where two households bravely fight against a landlord who first harassed tenants out, but now has shifted gears and has applied to DHCR to demolish the building legally (see attached NYT article).



The danger and harassment endured by these 56 families – only 4 of whom are still in our community today – is a cautionary tale about the destructive forces that are unleashed by increased density and a call for additional tenant protections. I was in front of this body two weeks ago testifying in favor of Intro 152-A which would establish a citywide anti-harassment district. Had this bill been law and additional protections identified in the Coalition for Community Advancement’s plan been operationalized in our neighborhood a decade ago, it is quite likely that the families I have testified about would still be part of our community and that the affordable housing that they lived in would not have been lost.

I urge the City Council and in particular Council Members Espinal and Barron to vote “No” on the proposal that is before you unless and until a community planning framework and strong anti-displacement measures put forth by the Coalition for Community Advancement can be integrated into the current plan. I will remind all Council members that although this is a local land use action, we all know that what happens in East NY will likely set a template that at least 14 more neighborhoods will be subject to follow in one form or another. So please vote as if the plan put forth by the administration for East NY is going to set the terms and conditions under which your district is going to be re-zoned – because there is a strong possibility that is exactly what will happen.

On both a citywide and neighborhood level we look forward to working with advocates, residents, this Council and the relevant city agencies to implement a planning framework that puts community voices first and that distinctly addresses the crisis of displacement that is destroying our neighborhoods.



Testimony regarding East New York Rezoning
City Council Zoning & Franchises Committee Hearing
3-7-16

Enrique Colon
CASA/New Settlement Apartments,
Bronx Coalition for a Community Vision

Hello everyone,

My name is Enrique Colon and I am the outreach coordinator at CASA (Community Action for Safe Apartments) the housing organizing initiative of New Settlement Apartments located in the South West Bronx. I am also a part of the Bronx Coalition for a Community Vision which is organizing around the city's plan to rezone Jerome Avenue. CASA is also a member of the city-wide affordable housing coalition called RAFA (Real Affordability for All).

I have lived my entire life in the neighborhood being rezoned in the Bronx near Jerome Avenue.

I am here representing our coalition in the Bronx to let you know that we are watching and we are concerned. If housing is built but isn't for people in the neighborhoods who need it the most, then who is it for? If getting some housing leads to the displacement of thousands of black, brown and immigrant residents of our city, then in whose interest are we doing this? Your decisions about how to move forward in East NY will send a message not just to the residents here but to thousands of us in the Bronx about who we care about as a city, and whose lives we value the most.

The average income for families in East NY is \$33,000. How does this plan ensure enough housing for them? How does it prevent displacement? How does it paint a path towards



union jobs and local hire? How does it reflect the needs and priorities that community members have outlined for you in their own plan?

We are concerned that our brothers and sisters in East NY are not happy with this plan. If they aren't happy--that means they haven't been respected.

What you decide to do has implications and will set the stage for the rest of the city. We hope that when we meet again in these City Hall chambers, we will know that you took us seriously and respected the gravity of our work to create a more just city.

Respectfully,

Enrique Colon

718-716-8000 x 122

e.colon@newsettlement.org

JAMES H.R. WINDELS, ESQ., BOARD CHAIR

MARTIN S. NEEDELMAN, ESQ., EXECUTIVE DIRECTOR AND CHIEF COUNSEL

PAUL J. ACINAPURA, ESQ., GENERAL COUNSEL



Brooklyn Legal Services Corporation A

building communities, ensuring opportunity, achieving justice

*From the Desk of David J. Bryan
Director, Anti-Predatory Lending and Foreclosure Unit
Phone and Fax 718-487-0856
Email dbryan@bka.org*

STATEMENT OF DAVID J. BRYAN TO THE CITY COUNCIL

I am David J. Bryan, Director of the Consumer Economic Advocacy Unit of Brooklyn Legal Services Corporation A, the only Brooklyn nonprofit law firm dating from the 1960's that is managed by people who look like and represent the community they serve. I represent between 100 and 150 homeowners every year facing foreclosure and other financial catastrophes. We represent those homeowners in every city, state and federal courthouse in Kings and Queens County. I have worked for this firm for the most part since I became a lawyer in 1998 as a product of New York City Public Schools.

My first job as a lawyer was serving HIV positive clients in East NY and other parts of Brooklyn. My job was located in the second floor of the Citibank building located at the corner of Jamaica and Pennsylvania Avenues at the mouth of what is now the Jackie Robinson Parkway. At that time, serving HIV positive people in Brooklyn meant that you were working with people of color who were living in the shadows. The stigma of AIDS was such that people who needed help the most were the most afraid to obtain it. The stigma of AIDS also meant that



many people from outside the community imposed their ideas of how to resolve the issues of my clients lives. Some ideas were good, some weren't but the thing that was most frustrating was that you had bright and earnest people who would tell my clients that you didn't know what was best for yourself. Your years of working and suffering counted for nothing because the "A" team was on the job. With all due respect, I fear that's what is happening today.

East New York is a community of one, two and three family homes. While the mayor's reliance upon legal services organizations and those organization's newfound commitment to represent small homeowners (contrary to their past decision only to represent rent regulated homes) is admirable it is not the answer to decent affordable housing to the people of this community. The best attorney cannot resolve an eviction case if there is no affordable place to have the tenant return to live.

I write to you today about the problems that I have seen, researched and lived as an advocate in this City which purport to have been solved by "bright and earnest people". Bright and earnest people have always come forward to resolve problems in crisis and they do so from a sense of public service. In the 1930's depression bright and earnest people came forward in the Roosevelt administration and worked to solve the housing crisis. They created various federal programs that sought to solve the freezing of mortgage lending by creating guarantees for lenders. Those earnest people created what we know today as "redlining" by using their own very earnest and very bright perceptions to safeguard the government's monies by keeping it away from people of color which everyone knew couldn't be trusted to repay their mortgages. This was a conventional wisdom that any bright and earnest person would rely upon to construct public policy. Eighty years later, Elizabeth Warren shows that descendants of the same very



bright people advise HUD, FHA and others not to modify loans in East New York. I am concerned because I see that any reasonable person can see that bright and earnest people have determined that the resolution of East New York’s housing crisis is to create a world where East New York’s people cannot be housed.

My clients have been the backbone of East New York during hard times and have maintained the foothold necessary to keep the community in place. Any plan that any reasonable council certifies would require that the community supersedes the determinations of “bright and earnest people”. If the affordable housing cannot be afforded, it is a social and economic issue and it is not an accomplishment or an analysis, it is simply a mistake. If the plan cannot be constructed in a fashion that is affordable for the current residents, then it is not appropriate to move ahead and I urge the Council to send the administration back to the drawing board.

Testimony by Andrea Kretchmer, Principal at The Kretchmer Companies and Type A Real Estate Advisers

Submitted March 15, 2016

City Council of New York

The Subcommittee on Zoning and Franchises

My name is Andrea Kretchmer. I am a Principal at The Kretchmer Companies and Type A Real Estate Advisers, a Woman-owned Business Enterprise certified by NYC Small Business Services and qualified by NYC HPD as an MWBE affordable housing developer. TKC and Type A are New York-based firms that specializes in community mixed-use development in New York City , including affordable and mixed-income housing and community facilities. Thank you for this opportunity to submit testimony in support of the East New York Neighborhood Plan.

Since 2006, The Kretchmer Companies has developed nearly 440 units of affordable housing and 63,000 sf of community facility space in Brooklyn, NY. The principals of Type A have developed a million square feet of charter schools over their 15-year careers. We are proud of the role we have played in helping revitalize communities in Harlem, and in Brooklyn and the Bronx. We remain committed to helping address the housing crisis currently facing low-income New Yorkers.

We support the East New York Neighborhood Plan and agree with Commissioner Been at HPD: the proposed rezoning in East New York is one step of many towards resolving that crisis by allowing our neighborhoods to grow, while protecting the distinct architecture, street life, historic significance, and mix of housing types and uses, and preventing the displacement of current residents.

I'd like to focus my testimony on the aspects of the plan that create new opportunities for affordable housing: increased density and affordability restrictions.

Increased Density

As stated by Commissioner Been: We must also create opportunities for new housing, and especially new affordable housing, to relieve the demand pressures that are driving up rents in East New York. In this way, we view the zoning proposal before you as an additional and important preventative measure to combat residential displacement. .

As an example of how increased density could support the development of many more units of affordable housing, consider this project currently in development: The Kretchmer Companies is in construction now on what was an underutilized NYCHA parking lot in an R5 zone. We are building 240 units, all at 60% AMI or less, including almost 20% of the units for formerly homeless (20% AMI). With the increased density proposed in the Neighborhood Plan, we could be building nearly three times as many units at these low-, very low- and extremely-low incomes, housing hundreds of additional families.

Affordability Restrictions

The neighborhood housing plans foster predictability so affordable housing developers understand how they can work with the agency to achieve community goals.

HPD's plan also proposes to implement the Mandatory Inclusionary Housing program, also known as MIH, along the avenues in the study area. Through MIH, any new development in these locations would be required to set aside at least 25% of the units as affordable for a family of three making, on average, \$47,000 per year, or 60% of the Area Median Income (AMI). The MIH program would require these units to be permanently affordable.

Type A responded to the HPD's MWBE RFP for the Bushwick site at 1510 Broadway. We proposed a scenario using one of HPD's mixed-income models. Without the income restrictions we see in the proposed East New York Neighborhood Plan, we are not accommodating the proportion of low-income families that HPD has identified as needing the housing most. So although the site is outside the ENYHP study area, our own submission demonstrates the benefits of HPD's imposing such affordability restrictions.

We know that it is only a matter of time before the surge in development that we see in Bushwick will make its way to ENY. Asking rents for apartments on the market in East New York today are significantly higher than the affordable housing that the proposed program will finance, so the new housing HPD will support will create more, not less, opportunity for current residents to find an apartment they can afford. While I am arguing here against my own MWBE submission, I feel obligated to be part of an honest discussion of the important affect affordability restrictions have on the private market.

We look forward to continuing to do our part to promote smart, affordable neighborhood growth and make our city more affordable for all New Yorkers.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Name: FAIRVE Smith Date: _____
(PLEASE PRINT)
Loretta Fine

Address: Local 79

I represent: NYCC

Address: RA

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Name: Barrie Smith Date: _____
(PLEASE PRINT)
NY

Address: Local 79-1 CC

I represent: Local 79-1 CC

Address: Local 79-1 CC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Name: Ryan Jacobs Date: _____
(PLEASE PRINT)
NYCC

Address: NYCC

I represent: NYCC

Address: NYCC

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Ismene Speliotis

Address: Mutual Housing of New York

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 10215 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Maritza Silva-Fairall

Address: _____

I represent: Real Affordability for All

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Rev Edward Mason

Address: 1477 St Marks Ave, Brooklyn, NY

I represent: myself / Cypress Hill Loc / CPHH

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 104 Res. No. _____

☐ in favor ☒ in opposition

Date: 02/07/10

(PLEASE PRINT)

Name: Enrique Colon

Address: Brooklyn

I represent: CASA

Address: Brooklyn

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Father Ed Mason

Address: 1677 St Marks Ave

I represent: Our Lady of Presentation & Loreto ^{EPCL} Our Lady

Address: " " ^{of mercy} Church

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Roy Frías

Address: 52 Sheridan Ave

I represent: Community Resident

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: BRO. PAUL MEHRMAN

Address: _____

I represent: Resident

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: ZULAIKA THEN

Address: 45 CLEMENT AVE BROOKLYN, NY

I represent: PRESERVING EAST New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: RENE ARLAIN

Address: 187 ARLINGTON AVE.

I represent: CYPRESS HILLS ENVY

Address: BKLYN 11207

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: MOISES GUERPERO

Address: 786 BELMONT AVE

I represent: NY for change

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/2/16

(PLEASE PRINT)

Name: Emily Goldstein

Address: _____

I represent: ANHD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

(PLEASE PRINT)

Name: JONATHAN FURLONG

Address: 59 BROAD ST

I represent: ANHD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)
Name: David Powell
Address: 621 DeGow St. Bklyn 11217
I represent: Film Ave. Committee
Address: as above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

(PLEASE PRINT)
Name: ENRIQUE COLON
Address: _____
I represent: Community Action for Safe Apartments
Address: 1512 Townsend Ave (CASA)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)
Name: Shai Lauros
Address: 2966 Fulton Street
I represent: CHLDC
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/17/2016

(PLEASE PRINT)

Name: ADRIEN WEIBGEN

Address: 123 WILLIAM ST

I represent: URBAN JUSTICE CENTER

Address: 123 WILLIAM ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Rebecca G. Crimmins

Address: 170 Fenimore St RB4 Brooklyn 11225

I represent: Cypress Hills LWC

Address: 625 Jamaica Ave Brooklyn 11208

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Mariq Collier

Address: 138 Fulton

I represent: Cypress Hills

Address: 2966 Fulton Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

Name: Bill Wilkins (PLEASE PRINT)

Address: _____

I represent: Coalition for Community Advancement CHEN

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

Name: Barrie Smith (PLEASE PRINT)

Address: _____

I represent: B.A. Local 79 & Prec. 100 Block

Address: Christchurch 2d St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

Name: Rolando Rincón (PLEASE PRINT)

Address: 12320 Alibon

I represent: HFC

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☒ in opposition

Date: 03/07/2016

(PLEASE PRINT)
Name: Eldae Kyazimzade
Address: 8447 Lefferts Blvd Apt 1415
I represent: LG Union New Rochelle
Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)
Name: Emiliya Van Ingen Springer
Address: @ 625 Jamaica Ave
I represent: Coalition for Community Advancement
Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)
Name: Paula Crespo
Address: 200 Willowlby Ave. Bk. NY 11203
I represent: Pratt Center + Coalition for
Address: Community Advancement

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Maria Jaya

Address: 2966 Fulton Street Bk 11208

I represent: Coalition for Community Advancement

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 03/07/15

(PLEASE PRINT)

Name: David Benke

Address: _____

I represent: St. Lutheran Church

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 03/07/16

(PLEASE PRINT)

Name: Anita Castillo

Address: Residence

I represent: _____

Address: 2966 Fulton Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Darma Diaz

Address: _____

I represent: Coalition for Community Advancement

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/3/16

(PLEASE PRINT)

Name: Rose Martinez

Address: Resident Union Street NYC 11208

I represent: Coalition for Community Advancement

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

(PLEASE PRINT)

Name: Betsy McLean

Address: _____

I represent: Hoster Street Collaborative

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

Name: YVETTE CUMBERBACH
(PLEASE PRINT)

Address: 1167 STANLEY AVE

I represent: 32 BT

Address: 25 KL 15 ST NYC NY 10011

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3-7-16

Name: Sh Sheila Butse
(PLEASE PRINT)

Address: 354 Schenk Ave

I represent: Rehevia Housing

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

Name: Amy
(PLEASE PRINT)

Address: 169 major Steter Island 10305

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Elaine L. U

Address: 197 Hester St #4 New York

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Zhu Tian Cai

Address: 233 Henry St apt 6

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Lisa

Address: 964 59th St 3rd floor NY 11219

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Leah Archibald

Address: _____

I represent: Evergreen

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: ENRIQUE COLON

Address: 1512 TOWNSEND AVENUE BRONX NY

I represent: CASA / BRONX COALITION FOR A

Address: 1512 TOWNSEND AVE BRONX NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 2/7/16

(PLEASE PRINT)

Name: Sophia Carlton

Address: 100 PENNSYLVANIA ave 3rd Flr

I represent: Partnership For the Homeless

Address: 100 PENNSYLVANIA ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: GEORGE FINLEY

Address: 106-22 FARAGUT RD.

I represent: NYCC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Bill Wilkins

Address: 80 Samaria Ave

I represent: LOC ENY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ENY 117 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Legal Service NYC - Luis Henriquez

Address: 105 Court St Bk NY 11201

I represent: Legal Service NYC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

Name: MELVIN FAULKNER (PLEASE PRINT)

Address: 935 SCHENCK AVE

I represent: ASSEMBLYMAN C. BARRON

Address: 669 VERMONT ST.

BROOKLYN, N.Y. 11207

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

Name: Maria Jave (PLEASE PRINT)

Address: 265 Warwick Street

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

Name: Aida Castillo (PLEASE PRINT)

Address: _____

I represent: Gyrene Hills LDC

Address: 2966 Fulton St. 11208

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: RICK RUSSO

Address: 335 ADAMS ST. BROOKLYN

I represent: BROOKLYN CHAMBER OF COMMERCE

Address: (SAME)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: DANIELA CORR

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: MAYFIELD GODDARD

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☒ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Shamona Kirkland

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☒ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Jahangir Kabir

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jingy Lu

Address: 570 575

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/15

Name: SURESH (PLEASE PRINT)
Shankar Krishnan

Address: 260 Broadway, Brooklyn NY 11211

I represent: Brooklyn Local Service Corp. A - Coalition for
Community Advancement

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/15

Name: SAMUEL CHICHA (PLEASE PRINT)

Address: 260 Broadway, Brooklyn NY 11211

I represent: BROOKLYN LOCAL SERVICE CORP. A, COALITION
FOR COMMUNITY ADVANCEMENT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

Name: Yvette Green (PLEASE PRINT)
Cumberbatch

Address: _____

I represent: SEIU 32BJ

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MICHAEL WADMAN

Address: 754 RUBY RD., BKLYN

I represent: PHIPPS HOUSES

Address: 902 BROADWAY, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Dutchess Date: 3/3/16

(PLEASE PRINT)

Name: Claire Hilger

Address: 191 Joralemon St.

I represent: Catholic Charities Brooklyn + Queens

Address: 191 Joralemon St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Dr Jahangir Kabir

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

for

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☐ in opposition

Date: _____

Name: Meredith Marshall (PLEASE PRINT)

Address: _____

I represent: B R P Development

Address: _____

for

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☒ in favor ☐ in opposition

Date: _____

Name: Martin Dunn (PLEASE PRINT)

Address: _____

I represent: Dunn Development

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☒ in opposition

Date: 03-07-2016

Name: MARIA Julia Eckart (PLEASE PRINT)

Address: 2966 Fulton ST. E. N.Y.

I represent: East NY. Coalition

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: MARCH 7, 2016

(PLEASE PRINT)

Name: DIANA REYNA

Address: BROOKLYN BOROUGHT ITLL

I represent: BROOKLYN BOROUGHT PRESIDENT ERIC ADAMS

Address: BROOKLYN BOROUGHT ITLL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Naved Husein

Address: 55 Hester St

I represent: CAAAV

Address: 55 Hester St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16.

(PLEASE PRINT)

Name: FRANCISCO REYES

Address: 35 Atkins ARLINGTON VILLAGE

I represent: EAST N.Y. COALITION

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Moises Cocello

Address: 3124 Atlantic Avenue, B.K., NY

I represent: Coalition for Community Advancement

Address: CM 14, 14th St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3.7.16

(PLEASE PRINT)

Name: ROBERT SANTIAGO HPCDC

Address: 3236 FULTON ST

I represent: HIGHLAND PARK COMMUNITY DEVELOPMENT CORP

Address: 3236 FULTON ST.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: James D. Malone

Address: 565 Vermont Street

I represent: The community of East NY

Address: 565 Vermont street, BK, 11209

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Catherine Gicen

Address: 851 Hegenen Street

I represent: Aids East NY

Address: 851 Hegenen Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

(PLEASE PRINT)

Name: DEBRA MELOH

Address: 96-11 40th Rd Corona NY

I represent: Business Outreach Center DC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/2016

(PLEASE PRINT)

Name: Nancy Carin

Address: 85 S. Oxford St. Brooklyn

I represent: BOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: Daisy Archuleta

Address: 115 E 106th St Apt 1

I represent: Community Voices Heard

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Annell Johnson-Dash

Address: 76 Rockaway Ave, 11233

I represent: My neighborhood + CHUDC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Richard P. Jones - Springer

Address: 1100 10th Avenue St

I represent: PEDEDC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: V. R. K. Kapur

Address: 134 E. 84th St

I represent: APB

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Carl Weisbrod

Address: 120 Broadway

I represent: DLP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Gregg Bishop

Address: _____

I represent: Small Business Service

Address: 110 William St 7th Floor NY NY 10038

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Vicki Bech

Address: 100 Gold St

I represent: HPD

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/7/16

(PLEASE PRINT)

Name: DAVID RYAN

Address: 3530 CEN Ave 2C

I represent: Brooklyn A

Address: 260 Broadway, Bklyn NY

Please complete this card and return to the Sergeant-at-Arms