

**Brooklyn Community Board 9**  
**890 Nostrand Avenue**  
**Brooklyn, New York 11225**

**ULURP/Land Use Committee Meeting Minutes**  
**February 10, 2026**

**Attendance (Board Members):** Suwen Cheong; Theresa Westerdahl; Binyomin Rosenberger; Joshua Thomas Serrano; Felice Robertson

**Attendance (Community Resident Members):** Nichola Cox; Cheryl Bernard; Hector Robertson; Janice Grannum

**Absent (Board Members):** Max Roland Davidson

**Absent (Committee Resident Members):** Esteban Giron

**Guests:** Adam Cusner; Jordan Fraade; Jonah Rogoff; Isatu Bah

**CB9 Staff:** Mia N. Hilton, Assistant District Manager

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1. Presentation by Adam Cusner, urban planning Intern from Fund for the City of New York
  - a. *“Has Brooklyn Community District 9 carried out a disproportionate share of housing production over the past 10+ years? To what extent has that housing aligned with community needs for affordability and equity?”*
  - b. Data from US census and NYC Open Data
  - c. **CB9 housing production from 2010-2025: about 5k units**
    - More than a 10% increase in the housing stock overall
    - 34% of new units @ < 80% AMI (22% Brooklyn average)
    - disproportionate share of unit increase was studios
    - Significant demolitions – 123 buildings, all 1-2 family houses.
  - d. CD9 land use patterns and demographics
    - **CD9 is a predominantly residential district with significant space devoted to public institutions (20%)** – about 1/3 of land is 1 & 2 Family homes, multifamily buildings without stores - 27%; mixed residential and commercial 10%. There is negligible space devoted to industrial and office uses. About 1.5% of land is parks (not including Prospect Park which is not technically part of CB9) , and 1% is vacant land. However the majority of CB9 housing units are rent stabilized, in multifamily buildings.
    - *Q: Homeowners v Renters %*
    - *Q: How many rent stabilized units are there/how many were destabilized? A: We don't have exact information from the state; DHCR either does not keep info or will not release info on individual apartments except to the tenant for*

privacy reasons. *Q: Can city agencies or state reps demand this info from the state? We don't need specific addresses but aggregate info on stabilized units.*

- **CD9 median income is \$73k a year** (close to citywide median) but this reflects **a lot of very low income households** – estimate as of 2023 was 25% earning < 30% AMI, and 40% < 50% AMI, but also **a growing number of high income households** 25% > 120% AMI.
- e. How does CD9 housing production relate to CD9 and citywide housing supply?
- **CD9 vacancy rate is 8-11%**, based on census housing occupancy and population estimates as of 2024. CD9 does not have an overall shortage of housing
  - **Housing production citywide and in Brooklyn have already surpassed previous city estimates for housing need, while population has not.**
    1. In 2013, NYC department of city planning estimated that the city's/Brooklyn's population would hit 8.55 mil/2.648 mil by 2020, increasing to 8.8 mil/2.754 mil by 2030 and 9.025 mil/2.84 mil by 2040
    2. DCP estimated housing need for NYC/Brooklyn as of 2030 was 3.614 mil units/1.08 mil and as of 2040 3.696 mil/1.114mil
    3. In 2022, DCP estimated population for NYC/Brooklyn in 2030 is 8.76 mil/2.72 mil and in 2040 it is 9.14 mil/2.85 mil. Census estimates 2024 population for NYC/Brooklyn at 8.48 mil/2.62 mil
    4. Total housing units for NYC/Brooklyn as of 2024 are already 3.72 mil/1.115 mil so already at totals estimated for 2040 although population is far behind.
    5. Brooklyn has outperformed other boroughs in housing production
    6. *Comment (DCP): We don't generally have population projections unless the US census has errors. We do give the school construction authority data on rezonings in the pipeline*
  - CD9 major development pipeline
    1. 73-99 Empire
    2. Vital Brooklyn Kingsboro Psych
  - Shelter beds in CD9 went down from 2022-2024
    1. *Q: How is this possible?*
    2. *Q: Why is comptrollers 2024 report on # of shelter beds higher?*
2. Presentation by Jordan Fraade, Dept of City Planning
- a. Fast Track for Publicly Financed Affordable Housing
- Publicly funded affordable housing projects no longer go to city planning commission, they go to the community board and the BSA
  - *We need to make sure BSA notifies community board of applications*
  - *Have BSA members been chosen by the Mayor yet?*

- Something like Vital Brooklyn or 245 Clarkson would be an example of a publicly financed affordable housing project – all units are income targeted. Must be sponsored by an HDFC, which is an entity set up for affordable housing.
  - Not sure if environmental review would be required. Rules TBD
  - Not sure what AMI bands will apply. Some HDFC's are homeownership which are usually at 80-130% AMI. Depends on financing. Rules TBD
  - Not expecting a large number of fast track cases – very few 100% affordable projects go through ULURP today.
  - Neighborhood character finding required, environmental review is a separate category. Rules TBD
- b. Fast Track for 12 neighborhoods which are lowest producers of affordable housing –
- Final review at the city planning commission – no council review because some council members very good at blocking affordable housing
  - CD9 not in the bottom 12 – most likely to be outer Queens, Brooklyn, Staten Island and possibly UWS and UES
  - *We're going through a lot of development now, but if we need time to digest that, 5 years from now will we be at the bottom of the pack because we don't have any new development?*
  - *Neighborhoods like the UES are already very dense. What about flood prone neighborhoods?*
  - *Will neighborhoods game the system by holding back affordable development until future years?*
  - *60 day community review still exists, but this limits community board influence because only council member has leverage and we have more influence over local council member than citywide bodies. Also CB review is combined with BP review so cannot influence BP opinion.*
- c. Fast Track for Modest Zoning Changes (ELURP) – ULURP is a very involved and expensive process so developers never seek an increase of 30% or less.
- No projects that require an EIS would go through this process.
    1. EIS is the highest level of environmental review.
    2. Most projects do not require a full EIS, they only go through an EAS. The largest projects (> 500 units) typically trigger EIS, but other situations like being in a flood zone could warrant an EIS
    3. 73-99 Empire – No EIS
    4. 962-972 Franklin Ave – Full EIS
    5. Vital Brooklyn – Full EIS, but did not change project
    6. *State level bill to limit SEQRA to projects above 500 units could remove the "exceptional" cases where there are serious environmental effects even for smaller projects like 962-972 Franklin/Botanic Gardens project.*

7. *Q: Would this be signing us up for a significant amount of development that doesn't show an environmental impact? A: The department will still do the environmental analysis before certification. Environmental review will not be waived*
  8. *Q: Why would a developer choose to provide affordable housing under a 30% City of Yes UAP bonus if they could get a market rate upzoning from the city planning commission? A: It's not clear whether the 30% upzoning would trigger MIH. It's still going to a lot of work for a private applicant to ask for a rezoning*
  9. *Q: will the city planning commission create any public guidelines for which lots can be upzoned? City of Yes TOD and Town Center limits increases to certain types of lots – size, location, street width. Can applicants now bypass these restrictions to upzone any lot? Where is the public transparency and how do we prevent illegal spot upzonings? A: An applicant will have to make their case to the community board and city planning commission. Upzonings are always discretionary and case by case and the city planning commission must give their reasons. These will not be ministerial actions. It won't be a spot upzoning if the increase is limited.*
    - Resiliency projects and HPD dispositions and acquisitions of public land for affordable housing would also go through the expedited process although sales of public land would need to be reviewed by the city council.
- d. Affordable Housing appeals board – 2/3 vote of board consisting of Mayor, Speaker of City Council and BP of the borough where project is located could override a city council veto of an affordable housing project (MIH levels of affordability – average of 40% to 80% of AMI) . The system of council member deference allows some council members to block affordable housing in their districts while a small number of districts build far more than their fair share.
- *Are there any criteria for why a developer can appeal? It seems like developers would appeal all city council decisions they don't like*
  - *There's no objectivity or standards and we don't elect the Speaker*
  - *These amendments originated with Mayor Adams BLAST commission, which consisted of developers and construction companies.*
  - *Is it wrong for a single councilmember to block housing in their district which affects all of us, or is it wrong to stop that council member from accurately reflecting the desires of their constituents?*
- e. Rule making for Fast Track will happen first, then ELURP. Who will be the point person for public comment?
- f. *Q: Will public comment make any difference? A: Yes – City of Yes changed because of public comment as did Green Fast Track. DCP staff will be involved in implementing these changes and are interested in making sure your voices are heard and the process works.*

- g. ELURP is likely to be used much more than the other three processes. A lot of applications that would previously not have been filed may now take advantage of this process. Expecting most applications to be in lower density areas, but this is a guess.
- h. *Even though we're making it easier to build in districts that built the least, we won't be exempting the districts that already built a lot. The only way to do that is to downzone.*
- i. *We are in a housing crisis, vacancy rates are very low, 1.4% rental vacancy.*
- j. *Q: How will ELURP affect modest voluntary zoning bonuses for FRESH/transit/Quality Housing? Will anyone ever use these bonuses again if they can ask city planning for a 30% market rate increase in exchange for nothing?*  
*A: It will still be easier to get these bonuses than an ELURP rezoning. FRESH is almost entirely a ministerial process with much less discretion. ELURP rezonings which are a zoning map change are by definition not ministerial.*
- k. *Q: How are we in a housing crisis if we have enough units that median occupancy is 2.5 people per unit. A: healthy vacancy rate is around 5%. In Raleigh, North Carolina you don't have to pay a brokers fee or wait on a long line for an apartment showing. You can go to a leasing office and they give you an apartment. NYC is a very large city and most large cities have housing shortages*
- l. *You could walk into a leasing office for a new development in our district and they would have hundreds of units, they're just not affordable. Affordable units are subject to a lottery.*