

**Appendix H**  
**Written Comments Received on the DEIS**

## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)



### INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

### APPLICATION

INDUSTRY CITY – 160146 MMK, 190296 ZMK, 190297 ZSK, 190298 ZRK

An application submitted by 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the following land use actions:

- 1) A change to the City Map to demap 40<sup>th</sup> Street between First and Second avenues
- 2) A zoning map amendment to replace an M3-1 district and establish an M2-4 district:
  - a. Between Second and Third avenues, generally between 32<sup>nd</sup> and 37<sup>th</sup> streets
  - b. Generally between 500 feet west of First Avenue and Second Avenue, between 39<sup>th</sup> and 41<sup>st</sup> streets
  - c. A Special Industry City (IC) District within the boundaries of each area
- 3) A zoning text amendment to establish the IC within the New York City Zoning Resolution (ZR) as Section 129-21 establishing a special permit to enable modification of specific sections stipulating uses permitted as-of-right, specifying performance standards, and regulations governing floor area, height and setback, and yards
- 4) The grant of a special permit pursuant to ZR Section 129-21 for a proposed commercial development planned as a unit and comprising an area of at least 1.5 acres, on the properties to be rezoned

The total affected area would include 12 lots comprising part of Industry City, together with seven lots that might be acquired by the applicant, and three lots that are expected to remain in separate ownership. Such actions would facilitate the envisioned redevelopment of nearly 6,600,000 square feet (sq. ft.) of Industry City as a mixed-use project with commercial, community facility, and manufacturing uses and tenants. The project is envisioned to further facilitate ongoing expansion, renovation, and re-tenanting of existing properties, as well as the construction of new buildings. These applications might result in the realization of 3.75 million gross sq. ft. (gsf) of innovation economy uses, including approximately 1,874,000 gsf of manufacturing use, 937,000 gsf of artisanal and art/design studios, and approximately 937,000 gsf of office space. In addition, the applications provide for approximately 628,000 gsf of academic uses; 287,000 gsf of hotel floor area; 900,000 gsf of retail and restaurant uses, including a supermarket; a 75,000 gsf training facility for the Brooklyn Nets, as well as 43,000 gsf of event space. Finally, the proposal stipulates approximately 478,000 gsf of structured and surface accessory parking, as well as 420,000 gsf of vertical circulation, mechanical space, and shared lobbies, with a total project floor area of approximately 6,556,000 gsf.



**RECOMMENDATION**

160146 MMK

☒ APPROVE  
☐ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☐ DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

190296 ZMK, 190298 ZRK

☐ APPROVE  
☒ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☐ DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

190297 ZSK

☐ APPROVE  
☐ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☒ DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED



BROOKLYN BOROUGH PRESIDENT

March 4, 2020

DATE

**RECOMMENDATION FOR: INDUSTRY CITY – 160146 MMK, 190296 ZMK, 190297 ZSK, 190298 ZRK**

1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P. (BTO) submitted an application pursuant to Sections 197-c and 201 of the New York City Charter for the following land use actions:

- 1) A change to the City Map to demap 40<sup>th</sup> Street between First and Second avenues.
- 2) A zoning map amendment to replace an M3-1 district and establish an M2-4 district:
  - a. Between Second and Third avenues, generally between 32<sup>nd</sup> and 37<sup>th</sup> streets
  - b. Generally between 500 feet west of First Avenue and Second Avenue, between 39<sup>th</sup> and 41<sup>st</sup> streets
  - c. A Special Industry City (IC) District within the boundaries of each area
- 3) A zoning text amendment to establish the Special IC District within the New York City Zoning Resolution (ZR) as Section 129-21 establishing a special permit to enable modification of specific sections stipulating uses permitted as-of-right, specifying performance standards, and regulations governing floor area, height and setback, and yards
- 4) The grant of a special permit pursuant to ZR Section 129-21 for a proposed commercial development planned as a unit and comprising an area of at least 1.5 acres, on the properties to be rezoned

The total affected area would include 12 lots comprising part of Industry City, together with seven lots that might be acquired by the applicant, and three lots that are expected to remain in separate ownership. Such actions would facilitate the envisioned redevelopment of nearly 6,600,000 square feet (sq. ft.) of Industry City as a mixed-use project with commercial, community facility, and manufacturing uses and tenants. The project is envisioned to further facilitate ongoing expansion, renovation, and re-tenanting of existing properties, as well as the construction of new buildings. These applications might result in the realization of 3.75 million gross sq. ft. (gsf) of innovation economy uses, including approximately 1,874,000 gsf of manufacturing use, 937,000 gsf of artisanal and art/design studios, and approximately 937,000 gsf of office space. In addition, the applications provide for approximately 628,000 gsf of academic uses; 287,000 gsf of hotel floor area; 900,000 gsf of retail and restaurant uses, including a supermarket; a 75,000 gsf training facility for the Brooklyn Nets, as well as 43,000 gsf of event space. Finally, the proposal stipulates approximately 478,000 gsf of structured and surface accessory parking, as well as 420,000 gsf of vertical circulation, mechanical space, and shared lobbies, with a total project floor area of approximately 6,556,000 gsf.

On January 8, 2020, Brooklyn Borough President Eric Adams held a public hearing on the requested zoning map and text amendments. District 38 Council Member Carlos Menchaca joined Borough President Adams to hear testimony on the application.

Eighty five individuals signed up to speak, and 23 were able to do so before the hearing was closed due to safety concerns. Of those speakers, seven testified in support, and 16 in opposition. Of those who were not able to testify, 33 intended to speak in opposition, 24 intended to speak in support, and six did not indicate a position. Borough President Adams heard testimony from the Office of the New York City Public Advocate as well as representatives of 32BJ Service Employees International Union (SEIU), the Brooklyn Chamber of Commerce, the Democratic Socialists of America, Downtown Brooklyn Partnership, Friends of Sunset Park, Neighbors Helping Neighbors, the New York City District Council of Carpenters, Partnership for NYC, and the United Brotherhood of Carpenters and Joiners.

Speakers in opposition to the application voiced concerns regarding:

- Industry City's lack of consideration for community needs and the absence of community engagement
- The proposal's incompatibility with community desires and inconsistency with more than two dozen community-based plans

- The environmental impacts of the rezoning, its ability to exacerbate climate change, and the lack of climate mitigation provisions in the Draft Environmental Impact Statement (DEIS)
- The need for immediate solutions to climate change issues rather than long-term and insufficient mitigation measures
- Other cities' experiences with the development of such uses, which tend to result in higher rents
- The DEIS' missing analysis of indirect displacement of residents and businesses
- The potential to accelerate gentrification, particularly along Third Avenue, where rent-stabilized tenants are facing rent pressures
- The potential to exacerbate an ongoing affordability crisis, and displacement of immigrants and people of color, based on the observed tendency of rezonings to displace low-income residents, including the 26 families living in the area that might be acquired by Industry City
- The low employment rate of Sunset Park residents in Industry City
- The perception that Industry City establishments serve its employees, rather than the community
- The need to preserve the industrial sector via alternatives such as the UPROSE Green Resilient Industrial District (GRID) plan
- The lack of consideration given to maritime jobs, and the thousands of green jobs projected to result from the New York State Climate Leadership and Community Protection Act (CLCPA)
- The exclusion of GRID from the alternatives evaluated in the DEIS
- The need for 900,000 sq. ft. of retail, and its relationship to Innovation Economy jobs, which are not clearly defined

Speakers in support of the application voiced comments regarding:

- Greater economic opportunity, jobs, and investment for residents of Brooklyn and Sunset Park
- Growth of Brooklyn's economy, including start-up businesses
- Industry City's growth and transformation in the last 10 years, and its positive effects on the neighborhood
- Industry City's role in incubating growing and start-up businesses
- The success of Industry City's Innovation Lab
- Andrew Kimball's agreement to implement conditions requested by City Council Member Carlos Menchaca
- Industry City's commitment to pay prevailing wages for building service jobs

Prior/subsequent to the hearing, Borough President Adams received written testimony in opposition from the following entities and individuals, including from those who had intended to testify at the hearing:

- UPROSE, seeking to advance the GRID plan as part of this application
- Sunset Park Organized Neighbors
- Multiple groups who cited the application's inconsistency with CLCPA and other climate change adaptation plans, including 350.org, the Brooklyn Anti-Gentrification Network, Churches United for Fair Housing (CUFFH), the Democratic Socialists of America, Demos, Earthstrike NYC, and the New York City Environmental Justice Alliance (NYC-EJA). These organizations echoed views expressed at the hearing, and called further attention to:
  - The elevation of short-term profit above community benefit
  - The missed opportunity to create green industrial jobs and a climate-resilient waterfront
  - The urgent need for climate adaptation and mitigation across New York City
  - Sunset Park's high overcrowding rate and broader housing stability issues
  - Real estate speculation in Sunset Park leading to residential displacement and loss of manufacturing jobs
  - The high potential for displacement of Sunset Park's Latinx and Chinese residents and the DEIS' failure to account for such impacts
  - The replacement of industrial jobs by lower-paying retail/service jobs
  - Sunset Park residents' lack of access to well-paying jobs

- The City and developer's disregard for community opposition
  - The risk of siting a high school within a storm surge zone
- Several individuals/organizations affiliated with the Protect Our Working Waterfront Alliance (POWWA) who concurred with the above organizations and also drew connections between residential displacement and pervasive homelessness in Brooklyn.
- Two professors from the Pratt Institute Graduate Center for Planning and the Environment (GCPE), and a professor in the Urban Studies program at Queens College who emphasized:
  - The need to reassess the City's land use policies in the face of climate change
  - The reduction of manufacturing-zoned land in the last 20 years and its vulnerability to sea level rise
  - The resurgence of the City's industrial sector and growing demand for manufacturing space
  - That simply labeling uses as innovative does not result in an Innovation Economy
  - Industry City's need for tenants in high-tech, destination retail, and private institutions
- A warehousing business owner who was displaced from Bush Terminal
- An artist formerly based at Industry City who was displaced by a sharp rent increase
- 10 local residents who raised concerns about:
  - The displacement of businesses and families of color
  - The influx of white-collar workers in Sunset Park
  - The kinds of jobs that would result from the proposed rezoning
  - Manufacturing businesses' inability to compete with corporations and tech firms
  - The neighborhood's already strained water infrastructure

These individuals also noted that half of Sunset Park residents are rent-burdened and that well-paying jobs at Industry City likely won't be accessible to local residents.

Prior and subsequent to the hearing, Borough President Adams received written testimony, in support, from the following entities and individuals:

- Industry City CEO Andrew Kimball
- The Brooklyn Chamber of Commerce, which cited 20,000 future jobs and opportunities for local youth at Industry City, as well as the property owner's concessions to Council Member Menchaca
- St. Francis College, which has a program at Industry City that connects students to jobs and internships
- Several businesses based at Industry City, including AbelCine; Diaz Electric of New York, Inc.; Fodera Guitars; Mason Woodworks; M Factory, and SASKIA, which have been able to grow their operations with Industry City's support
- A representative of AECOM based at Industry City, which works with students at Sunset Park High School through a citywide mentorship program
- Two representatives of Terra CRG, a real estate brokerage firm active in Southwest Brooklyn, who noted the Innovation Lab's success, and quality-of-life improvements at Industry City
- The United Brotherhood of Carpenters and Joiners, which expressed support for responsible development and a Community Benefits Agreement (CBA)
- Local residents, including Industry City employees, who cited positive effects such as improved safety, services, and amenities in the area, the revitalization of the Industry City campus, and the creation of high-quality jobs. These individuals expressed that Industry City is an asset to the neighborhood and has been willing to engage with the community. Some also posited that hotel development would not displace housing units, and that gentrification and displacement will continue even if the rezoning is disapproved.

Between September 2019 and February 2020, Borough President Adams received 1,610 digital form letters titled "I Support Opportunity in the Neighborhood," collected by Industry City from individuals in favor of the application.

## **Consideration**

Brooklyn Community Board 7 (CB 7) voted on this application on January 16, 2020. Its votes on the four requested land use actions, and resolutions are as follows:

160146 MMK: The board disapproved with conditions the proposal to demap 40<sup>th</sup> Street between First and Second avenues.

190296 ZMK: The board did not affirm a position on the proposal to rezone portions of the M3-1 district to M2-4 and establish the IC within the rezoning boundary.

190298 ZRK: The board did not affirm a position on the proposal to establish the IC within the ZR as Section 129-21, and special permit to modify ZR use, performance standards, floor area, height and setback, and yard regulations.

190297 ZSK: The board disapproved with conditions the proposal to grant a special permit pursuant to ZR Section 129-21 for a large-scale commercial development.

The board voted to support the following Land Use Committee conditions:

- That Special Regulations applying in the Waterfront Area, Article VI, Chapter 2 of the ZR shall apply and the IC shall not be exempted
- That the IC zoning text must:
  - Stipulate a maximum Floor Area Ratio (FAR) of 4.5 to limit adverse environmental impacts
  - Provide for mandatory front building walls along First, Second, and Third avenues
  - Prohibit all self-storage facilities and other warehouses not ancillary to manufacturing industrial uses
  - Limit warehousing ancillary to wholesale trade to 10,000 sq. ft. per establishment, though such limit for specific establishments may be increased based on review and approval by the board
  - Prohibit trucking terminals and motor freight stations more than 10,000 sq. ft. to limit traffic impacts and reserve space for higher-value manufacturing uses
- Support the location of a grocery store meeting Food Retail Expansion to Support Health (FRESH) requirements as an approved special permit use, with the stipulation that it can only be located in the Build 11 ground floor
- That the proposed ZR section regarding the City Planning Commission (CPC) discussion of findings be amended to as follows:
  - For use modifications under (2)(i), revise to state "such proposed uses are compatible with manufacturing and industrial uses and are appropriate for the location."
  - For bulk modifications under (3)(iv), add to state "The proposed modifications do not unduly change the dimensions of, or access to, existing private streets" to ensure access to loading areas for manufacturing uses.

The board also voted to include the following Land Use Committee recommendations as conditions:

- That the applicant:
  - Provide public commitment to support Sunset Park's immigrant community and feature its location and neighborhood in its marketing and leasing materials to be provided in Sunset Park's primary languages (English, Spanish, Chinese and Arabic)
  - Partner with local community-based organizations to provide information on partnerships and services
  - Submit a biannual report detailing marketing and leasing activities to provide transparency about businesses at Industry City
  - Conduct outreach to local Sunset Park businesses for construction, maintenance, and leasing subcontracts in the project area

- Update EIS analysis to determine impact of rezoning on local businesses in trade areas extending from First to Eighth avenues, and from 15<sup>th</sup> Street to the Long Island Rail Road (LIRR) cut
  - Provide assistance, donations, and sponsorships as requested by local community organizations in CD 7 to enhance and support neighborhood cultural and social programs
  - Meet minority and women-owned enterprise (MWBE), living wage, and safety protection local laws during construction and fit-out of spaces
- That the New York City Landmarks Preservation Commission (LPC) review the Finger Buildings for landmarks designation and that the New York State Historic Preservation Office (SHPO) work to place the properties on the State and National Register of Historic Places (NR)
  - In addition, there were multiple requests for City agency commitments not linked directly to the applicant's proposal

The proposed actions would affect two clusters of Industry City, which together comprise the Project Area: the 39<sup>th</sup> Street buildings, extending from 39<sup>th</sup> Street to 41<sup>st</sup> Street, between Second Avenue and the waterfront, and the Finger Buildings, spanning 32<sup>nd</sup> Street to 37<sup>th</sup> Street between Second and Third avenues. Each cluster is a distinct rezoning area, though the requested M2-4 and IC districts would be mapped within both areas.

The 39<sup>th</sup> Street Buildings' rezoning area is approximately 508,500 sq. ft., including applicant-owned lots, lots that might be acquired, and City-owned property. The Finger Buildings' rezoning area totals approximately 822,060 sq. ft. including Industry City properties, non-applicant-owned lots, and lots that might be acquired. Three additional lots not owned by the applicant, considered outparcels, would be included in the IC and rezoning boundary, but omitted from the Special Permit.

The 39<sup>th</sup> Street Buildings consist of several eight-story structures, 115 feet in height; the 139-foot tall Building 19, which houses the Brooklyn Nets training facility, and the 30-foot tall Building 25. The block contains a waterfront apron at the western edge of 39<sup>th</sup> Street, located partly on Industry City property, and partly on City-owned property that is part of the Sustainable South Brooklyn Marine Terminal (SSBMT). The Finger Buildings is a complex of six-story buildings, 85 feet in height, bookended by the 12-story Building 10, rising to 170 feet, and a vacant powerhouse structure.

Combined, the 39<sup>th</sup> Street Buildings and the Finger Buildings contain approximately 5.3 million gsf of floor area, half of which is occupied by storage/warehousing uses, or vacant. The other half consists primarily of manufacturing uses, light manufacturing and creative uses, and office/tech space. Existing manufacturing tenants at Industry City include producers of food, garments, and specialty goods. Light manufacturing tenants include artists, home decor designers, and fashion workshops. Office and tech tenants include private firms and non-profits. Industry City is reportedly home to approximately 450 firms, with an aggregate 7,000 employees.

Both building clusters are located in M3-1 zones, though a small portion of the Finger Buildings' rezoning area falls within an M1-2 district. The ZR specifies performance standards for manufacturing districts, which are most stringent for M1 zones. Though the applicant is seeking to map an M2-4 district, the IC zoning text would require all uses to conform to M1 performance standards, with the exception of distilleries subject to a special permit.

M3-1 districts have a maximum FAR of 2.0. As Industry City buildings predate the 1961 Zoning Resolution, they are vastly overbuilt, but considered legal non-complying. The requested M2-4 district FAR of 5.0, in tandem with modified height and setback regulations facilitated by the special permit, would legalize

Industry City's as-built bulk of approximately 3.9 FAR. It is expected that with new construction, the IC would have a blended, fully compliant FAR of 4.96 if all properties were acquired.

The applicant believed that Industry City is underutilized because the existing underlying zoning does not support the development of academic or hotel uses, and restricts the range of permitted retail uses, which comprise less than half the Industry City portfolio. According to the DEIS, BTO's investments since 2013 have reduced Industry City's underutilization by 12 percent, which the applicant deems insufficient.

BTO's stated goal is to foster an "Innovation Economy District" for businesses engaged in the "making" process, from research and development to design and engineering, and product manufacturing. To attract Innovation Economy firms, Industry City would provide access to workforce training opportunities and high-quality amenities onsite. The applicant believes that in order to promote accelerated growth, it is necessary to broaden the permitted use and bulk at Industry City.

The proposed scenario for DEIS for the requested special permit application represented an increment of 1.33 million gsf of manufacturing and office uses, 7,700,000 gsf of retail, 387,000 gsf of new academic use, 287,000 gsf of new hotel use, and 33,000 gsf of event space, which are projected to generate more than 15,000 jobs at Industry City. Such aggregate floor area was represented as being generated through the construction of three new buildings: a 12-story, 182,400 gsf "Gateway Building" developed on four parcels, assumed to-be-acquired on Third Avenue between 36<sup>th</sup> and 37<sup>th</sup> streets, represented as containing 11 floors of hotel use above ground-floor retail; a 13-story, 495,160-gsf "Building 11" assumed to be developed on the site of the former powerhouse on 33<sup>rd</sup> Street between Second and Third avenues, represented as containing eight floors of academic uses above three levels of parking and two retail floors, and a 10-story, 781,370-gsf "Building 21," assumed to be developed on First Avenue between 39<sup>th</sup> and 41<sup>st</sup> streets, on land partially owned by the applicant and land assumed to be acquired. Building 21 was represented as containing large-format retail on the first and second floors, parking on floors three through five, and Innovation Economy and hotel uses on portions of the sixth through tenth floors.

In September 2019, Council Member Menchaca issued a letter to Andrew Kimball, requesting the following modifications to the IC: the removal of hotels, commitment to an irreducible amount of industrial space, and restrictions on the amount, location, and size of retail uses. The letter made clear the Council Member Menchaca's position that the application would not move forward in its original form.

In his response, Kimball agreed to these conditions and stated his commitment to establish a managed manufacturing hub at Industry City. He further expressed readiness to execute a binding CBA with a community-based organization. It should be noted, however, that the ULURP application was not modified to reflect such commitments, and still includes floor area for hotel uses.

The application was certified into ULURP, after a six-month deferral that allowed community groups to convene a series of meetings to strategize their response. However, CB 7 has spent more than two years studying Industry City's plan, since the initial DEIS public scoping meeting in October 2017.

In reviewing this application, Borough President Adams had the opportunity to consider multiple analyses, alternatives, and viewpoints, which informed his recommendations. Because of the complexity of the project, the requested land use actions were evaluated both individually and as part of a cohesive plan with wide-ranging impacts.

Regarding the request to remove 40<sup>th</sup> Street between First and Second avenues from the official City Map, Borough President Adams believes that this action would be appropriate. It cannot be ignored that a portion of 40<sup>th</sup> Street currently mapped to a depth of approximately 125 feet along the west side of

Second Avenue is occupied by a significant building extending from 39<sup>th</sup> to 41<sup>st</sup> streets, which has long been in place. Opening the street would require the demolition of a 60-foot section of this building, at an excessive cost by the City. Moreover, while the remainder of the mapped street is unimproved, the building and property are already owned by BTO, and opening the street would not provide improved waterfront public access, as the street would not extend beyond the west side of First Avenue, where an existing Industry City building occupies two blocks between 39<sup>th</sup> and 41<sup>st</sup> streets. There may be those who believe that leaving the street mapped would reduce the overall floor area permitted by zoning. However, as previously mentioned, the property is already held in BTO ownership. Map street status merely precludes construction of a new building on the eastern frontage of First Avenue for the width of 40<sup>th</sup> Street. Borough President Adams believes that, given the existing building spanning 39<sup>th</sup> to 41<sup>st</sup> streets on the west side of First Avenue, there is no public need for a 460-foot break in the building line. Moreover, given the high water table at First Avenue, allowing construction for the full length of 460 feet would help realize the development of one of two accessory parking facilities. Therefore, he recommends approval of the proposed change to the City Map to demap 40<sup>th</sup> Street between First and Second avenues, to both the City Planning Commission (CPC) and City Council.

Regarding the request for a zoning map amendment to replace the existing M3-1 district with an M2-4 district between Second and Third avenues, generally between 32<sup>nd</sup> and 37<sup>th</sup> streets, generally between 500 feet west of First Avenue and Second Avenue, and between 39<sup>th</sup> and 41<sup>st</sup> streets, establishing a Special IC District within the boundaries of each area, Borough President Adams believes that this land use action would be appropriate. He acknowledges that as part of the comprehensive rezoning of New York City, adopted in 1961, more than two million sq. ft. of Industry City floor area was made legal non-compliant — as allowable floor area was dropped to a ratio of two times the lot area. The change to M2-4 would not only bring such floor area back into compliance, and provide the opportunity to develop more than 1.3 million sq. ft. of floor area at a time when manufacturing land is more often rezoned to permit residential use. Adding this amount is equivalent to securing more than five additional blocks of land in the existing M3-1 district. Borough President Adams believes that such additional floor area is of significant benefit.

One quirk of manufacturing districts is that office and retail uses have been allowed to proliferate to such an extent that they are now primarily commercial in character. This phenomenon appears contrary to the expectations of the 1961 ZR. Because commercial uses tend to be higher-value than industrial ones, without regulation, the private market would not provide land or space for maker uses. Pairing the M2-4 zone with the proposed IC provides an opportunity to leverage more certainty for maker and other uses deemed beneficial to the community by adding restrictions to office and retail uses, while re-envisioning placement of newly established floor area. If effective regulations were incorporated into the proposed zoning text, there would be a real opportunity to achieve optimum development of BTO-controlled buildings over the next decades.

Therefore, Borough President Adams recommends approval of the proposed change to the Zoning Map including the IC, provided that his proposed modifications to the zoning text and the resulting special permit are incorporated by CPC and the City Council.

Borough President Adams acknowledges the wide-ranging comments put forth regarding the proposed zoning text as well as extensive efforts by UPROSE to advance an alternative vision for Sunset Park's entire industrial waterfront, including the Industry City complex, the industrial corridor south of Greenwood Cemetery, and the area along the Long Island Rail Road (LIRR) Bay Ridge Connecting Line. He also acknowledges the extensive consideration of the CB 7 Land Use Committee, which put forth multiple recommendations to modify the proposed zoning text that were generally supported by the full board as conditions, though were not adopted formally with regard to the requested zoning text amendment.



Borough President Adams believes that it is appropriate to establish regulations that would treat the Industry City complex as a large-scale development in recognition of its unique build-out in common ownership covering multiple blocks including the Finger Buildings section that has transformed from freight rail spurs into varied publicly accessible amenities. The proposed regulations would provide flexibility to distribute the permitted bulk, and allow the applicant to construct one-story additions to the existing buildings and/or to concentrate newly requested floor area at Buildings 11 and 21. It should be noted that the two new development sites lack dimensions, while the proposed zoning envelopes allow the complete filling in of the finger building courtyards.

While the proposed zoning would allow the applicant to attract destination retailers — including big box stores — the proposed extent of such retail and the specified amount of ZR-defined retail/service use group floor area, as a proportion of the overall development, is excessive. Borough President Adams believes that an appropriate blend of ZR retail/service use group uses would facilitate a diverse mix of technology, arts, media, and innovation (TAMI) tenants. Collectively, the revenues from such commercial office leases would enable the vast investment to upgrade century-old buildings to modern workplaces, and eventual construction of new buildings 11 and 21 with structured parking garages. However, without appropriate checks and balances, all of this can happen without the provision of community beneficial uses, such as dedicated floor area for maker uses (including those that are only permitted in manufacturing districts). There is also no guarantee that a beneficial use such as the Innovation Lab would remain beyond its current lease. In its resolution on the application, CB 7's Land Use Committee recommended that BTO maintain the Innovation Lab over the next 20 years and the proportion of local residents it serves. Borough President Adams believes that the allowance of ZR-defined schools, if restricted to high schools, provides an opportunity to connect students to the range of "innovation" careers BTO envisions at Industry City. However, allowing unlimited flexibility to locate a school negates consideration for proximity to residential areas and public transit, along with the risks of siting a facility in sections of the campus prone to storm surge.

In addition, as the proposed parking is tied to ZR retail use groups, key traffic-generating amusement uses would be exempt from parking requirements. Such amusement uses, which include arenas, auditoriums, stadiums, or trade expositions limited to 2,500 seated and/or rated capacity, billiard parlors or pool halls, bowling alleys or table tennis halls, skating rinks, and theaters are no different from destination retailers, and should not be permitted to waive required parking.

Considering all of these deficiencies, Borough President Adams believes that the zoning text as proposed is severely inadequate.

Therefore, Borough President Adams recommends approval of the proposed zoning text amendment to establish the IC within the ZR, including the establishment of a special permit to enable modification of specific sections stipulating uses permitted as-of-right, specifying performance standards, and regulations, though disapproval of the special permit itself, by the CPC and City Council provided that his proposed modifications to the zoning text and the resulting special permit are incorporated by CPC and the City Council.

#### **Providing for Innovation and Maker Jobs and Advancing Beneficial Uses**

While the 10-year snapshot in the DEIS studied a reasonable worst case scenario (RWCS) that projected 3.75 million sq. ft. of innovation economy uses, including 1.874 million sq. ft. of manufacturing use, 937,000 sq. ft. for artisanal and art/design studio use, and 628,000 sq. ft. of academic use (assuming college or university occupancy), the proposed zoning text amendment contains no mechanism to ensure provision of such uses, merely restricting ZR-defined community facility uses to the amount studied in the DEIS.

Therefore, beneficial community facility uses such as the Innovation Lab, as well as the desired additional adult training facilities, and potential Science, Technology, Engineering, Arts, and Math (STEAM) high school, require incentives beyond zoning to be maintained or established at Industry City. Ultimately, the mix of uses and tenants within the complex will be determined by the ability to pay rent, which means that the inclusion of the represented innovation and maker uses (including green industrial development), which may be less lucrative than ZR-defined office space, is not guaranteed.

Borough President Adams believes that this issue can be partially addressed through the ZR, if the proposed text were modified to exclude certain uses. Removing hotels as a permitted use group would enable some portion of the more than 127,000 sq. ft. if BTO does not acquire the Third Avenue fronting parcels between 36<sup>th</sup> and 37<sup>th</sup> streets, and up to 287,000 sq. ft., if those lots are acquired by BTO, to be reserved for innovation and maker jobs, as well as community beneficial uses. The provision of such space would have to be codified through specified limits in the special permit application drawings.

According to the special permit drawings, retail and service uses would be permitted up to 900,000 sq. ft. and 0.7 FAR in relationship to the lot area. As noted above, retail uses include destination retail, which shares certain characteristics with amusement uses. The proposed zoning text excludes amusement uses from those that would require parking and does not place an FAR limit on the provision of such uses. Given these incentives, it's likely that the inclusion of amusement uses would restrict available space for maker or other beneficial uses.

Therefore, Floor Area Permitted and FAR Permitted, for all zoning lots, with the exception of commercial use should be expanded to include amusement establishments in UGs 8A and 12A, and such uses should be included with retail and service establishments in a defined limit on amusement/retail/service floor area. Borough President Adams shares the CB 7 Land Use Committee's position that such floor area should exclude eating and drinking establishments with entertainment and capacity of more than 200 persons, or establishments with any capacity where dancing is a permitted use. He also concurs that the overall retail/service use group floor area should be reduced. However, given that Industry City is an economic engine with the potential to leverage maker and other beneficial uses, and generate enough activity to justify the construction of buildings 11 and 21, Borough President Adams believes that such floor area should be reduced 750,000 sq. ft. or 0.58 FAR (with the inclusion of amusement use groups as outlined above).

The amount of allowable amusement and retail/service use floor area should be defined by the ZR in proportion to the provision of beneficial community and maker uses to ensure the inclusion of such use types at Industry City, going forward. The CB 7 Land Use Committee recommended 1.5 million sq. ft. of managed manufacturing space, though its definition for such floor area (to be set aside permanently, with lease protections) includes existing businesses. While calling for promoting manufacturing uses, the Land Use Committee specified arts and arts production (except for commercial galleries from use group 6C) as well as job development, and recommended that floor area set aside for manufacturing be managed by a non-profit that would ensure both business incubator space for start-up businesses and workspace for artists.

Borough President Adams believes that such managed manufacturing space should reflect any combination of agricultural, automotive service, restricted to renewable energy sources, community facilities, heavy service, manufacturing establishments, as well as studios for art, dancing, motion picture production, music, photographic, radio/television, or theatrical, semi-industrial facilities, and trade schools for adults. It should also include service use categories from Use Group 9A such as blueprinting or photostatting establishments, dental or medical laboratories, musical instrument

repair shops, studios, and trade schools for adults, which he deems consistent with maker uses. Studios are also included in Use Group 10A.

It should be noted that some of the above-referenced uses do not directly provide innovation and maker jobs, though STEAM-emphasis schools, colleges, and universities with technical degrees, libraries, training centers such as the Innovation Lab, and adult trade schools provide essential services to qualify individuals for these jobs. Borough President Adams believes that these facilities can serve as community beneficial uses, and function as an integral component of Industry's City Innovation Economy.

Borough President Adams believes that certain uses, such as depositories and automobile showrooms, as well as truck terminals, warehouses and, wholesale establishments (as noted by the CB 7 Land Use Committee) in excess of 10,000 sq. ft. should be excepted from the range of otherwise considered community beneficial uses. In addition, warehouses in excess of 10,000 sq. ft. should be limited to Industry City complex properties south and west of 39<sup>th</sup> Street, should not exceed 250,000 sq. ft. per establishment, and should total no more than 750,000 sq. ft. of such use, the same amount that he believes is an appropriate cap for amusement and retail/service uses. The inclusion of larger facilities should be at the discretion of the CPC. He recognizes that there are some existing depository and warehousing establishments that, while not employee intensive, are likely occupying significant floor area at below market-rate lease terms, under agreements with BTO. For ZR purposes, such establishments should be reclassified as existing non-conforming uses for as long as such floor area is occupied by the most recent tenant or successor entity. However, as any new warehouse facility would not contribute to the envisioned employment opportunities directly, such resulting floor area should play a role towards achieving community beneficial and/or maker floor area requirement.

For floor area in the current Industry City complex, such required maker use/community beneficial should be in a 1.6 to 1.0 amusement/retail/service use space. For newly constructed floor area, whether an enlargement to the existing buildings, or the to-be-constructed Building 11 and/or 21, such required floor area should be provided at a rate of one sq. ft. per every five sq. ft. in recognition of the higher cost of building new floor area, through with a premium of an additional 1.6 to 1.0 amusement/retail/service use space. In addition, should new warehouse space be established, the ratio of required maker use/community beneficial space in relationship to amusement/retail/service use space should subsequently by an additional 150 percent from 1.6 to 1.0 to 4.0 to 1.0, until such additional increment of required maker use/community beneficial space, eventually equals one-half of the floor area of such warehouse space.

There has been a trend for certain uses listed within UGs 11A, 16, 17, and 18 — specifically alcoholic beverages or breweries — in which a small accessory section of floor area is set-aside for retail and/or eating and drinking establishments. For example, such a development might have an interior retail street where one can purchase freshly-baked goods from a small accessory retail section off the main baking production area. There are also breweries that contain accessory beer halls and/or restaurants. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. Lilac Chocolates is one prominent example at Industry City. However, other manufacturing uses, such as metal fabrication and woodworking, do not lend themselves to accessory retail. This puts such uses at a disadvantage because permitted uses that profit from accessory retail or eating and drinking components would likely be able to pay more rent. Furthermore, if such accessory retail and/or eating and drinking floor space were of excessive size, it would undermine the purpose of establishing dedicated floor area for desired uses at Industry City. The ZR is silent regarding restricting accessory operations.

As Borough President Adams noted in his 2016 recommendations for 25 Kent Avenue, and his recent recommendations for 12 Franklin Street and 103 North 13<sup>th</sup> Street, public benefit would be

diminished if the accessory retail and/or eating and drinking establishment uses consumed more than a nominal amount of floor area.

As has been Borough President Adams' recommendation for those prior ULURP applications, he seeks to clearly define the extent of the floor area that would be allotted for supporting accessory retail as well as eating and drinking operations at Industry City. He believes that it is appropriate to limit accessory retail operations, specifically for UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12 by permitting up to 100 sq. ft. without regard to the size of the industrial/maker establishment, though not more than 1,000 sq. ft. or not exceeding 10 percent of floor area per establishment.

Where a business plan supports an accessory use in excess of such size limitation, such floor area should be designated as Permitted Use floor area, incorporated in the development's Certificate of Occupancy (C of O), and be delineated as such on floor plans filed with New York City Department of Buildings (DOB).

Borough President Adams believes that in order to maintain the integrity of floor area for maker businesses, 100 sq. ft. without regard to the size of the establishment or not exceeding 10 percent of floor area per establishment, though not more than 1,000 sq. ft., would be an appropriate extent of classifying floor area as an accessory use.

Borough President Adams concurs with the CB 7 Land Use Committee's position that manufacturing uses should be provided with clear access 24 hours a day, seven days a week to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces. He believes this should be a requirement of meeting maker floor area as defined above by certain UG 9, 10, 11, 16, 17, and 18 uses.

In order to ensure that the required maker use/community beneficial floor area is provided in the desired proportion, it is necessary to establish compliance standards. ZR Section 74-962 provides a template for required compliance and recordation, including periodic notification by the owner, and annual reporting by a qualified third party. Under the rules of that Special Permit (established as part of the 25 Kent Avenue application), the property owner must file a Notice of Restrictions in order to receive a building permit from the DOB. ZR Section 74-962 also states that "no temporary certificate of occupancy for any portion of the building to be occupied by incentive uses shall be issued until a temporary certificate of occupancy for the core and shell is issued for all portions of the building required to be occupied by required industrial uses." Such regulation was designed to ensure that the Required Industrial Use area is provided before any Incentive Use area contingent on the provision of such manufacturing floor area is occupied.

Furthermore, each new lease executed for any part of the Required Industrial Use space requires public notification, via electronic resource, of certain information about each new tenant and use, including the total floor area of Required Industrial Uses in the development, a digital copy of all approved Special Permit drawings pursuant to ZR Section 74-962 (a)(1) through (a)(4), and the names of all establishments occupying floor area reserved for Required Industrial Uses. Additionally, for each establishment, public notification must specify the amount of Required Industrial Use floor area, the UG, the subgroup, and the specific use as listed in the ZR.

The property owner is also required to retain a qualified third party, approved by the New York City Department of Small Business Services (SBS) to produce an annual report and conduct an inspection to ensure that the Required Industrial Use area is compliant with the provisions of ZR Section 74-962. Such report must include a description of each establishment with the North American Industry Classification System (NAICS) code and number of employees, the total amount of vacant Required Industrial Use floor area, as applicable; the average annual rent for the combined total of the

portions of the building reserved for occupancy by Required Industrial Uses, and the number of new leases executed during the calendar year, categorized by lease duration, in five-year increments. Such report must be submitted to the New York City Department of City Planning (DCP), as well as the Brooklyn borough president, the local City Council member, and the community board. Such report must be prepared by an organization under contract with the City to provide inspection services, an SBS-certified firm that provides such inspection services, or an entity that the commissioner of SBS determines to be qualified to produce such report, provided that any qualified third party selected by the owner to prepare such a report shall have a professional engineer or a registered architect licensed under the laws of the State of New York to certify the report.

Borough President Adams believes that in order to ensure compliance and the desired ratio of uses, the standards established in ZR 74-962 should be incorporated into the proposed zoning text amendment. In addition, one of the area's non-profit industrial business solutions providers, such as the Southwest Brooklyn Industrial Development Corporation (SBIDC), would warrant consideration as a potential administering agent for the Industry City complex.

Borough President Adams believes that any floor area sublet and/or managed by a not-for-profit agency should remain part of the zoning lot and be required to comply with periodic notification and annual reporting requirements.

Borough President Adams concurs with the CB 7 Land Use Committee that CPC should consider, as part of its findings for approval of the requested Special Permit, the compatibility of the proposed uses with industrial and maker uses, as opposed to merely existing uses. In addition, given the loading needs of maker uses, he agrees that the findings should consider the intended state of the existing private streets.

#### **Appropriate Location of Schools**

While Borough President Adams concurs that schools should remain a permitted use, as proposed, he is receptive to concerns that placing even high school students in a flood zone warrants consideration. After review of the flood maps, and consideration of reasonable proximity to subway service, as well as potential conflicts with industrial uses having active curb cuts, Borough President Adams believes that the allowance to site a school within the Industry City complex should be restricted to within 200 feet of Third Avenue.

#### **Appropriate Restrictions on Amusement and Retail/Service Use**

As proposed, retail and service uses would be allowed anywhere in Industry City, at up to 40,000 sq. ft. per establishment on the ground floor, in specific areas on both the first and/or second floor, and in certain locations, without restrictions on size. Many have expressed this provides too much latitude for BTO to accommodate mid- to large-retail/service uses. The CB 7 Land Use Committee had taken the position that all establishments should be limited to 10,000 sq. ft., though a subsequent application to bring a large supermarket consistent with the ZR's FRESH regulations would be appropriate. While Borough President Adams agrees that additional controls are warranted, he believes that the CB 7 Land Use Committee's recommendations are excessive, given the proximity of existing destination retail, and the fact that retail might enable much of the air rights, which would result from the zoning map change.

As noted above, ZR-defined amusement uses (but for use group 12A eating and drinking establishments, which would not be permitted) should be included in the zoning floor area limit for retail and service uses, and that limit should be reduced from the proposed 900,000 sq. ft. to 750,000 sq. ft. However, no retail should be permitted west of beyond 100 feet of First Avenue for Buildings 22, 23, and 26, and at all for Building 24 (fronting 39<sup>th</sup> Street, west of First Avenue). As expressed by the CB 7 Land Use Committee, consideration for truck loading should be prioritized for 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup>, and 36<sup>th</sup> streets, and primary access individual establishments should not be permitted on these frontages. Rather,

one common access point should be permitted per listed street, with direct access limited to Second and Third avenues and interior courtyards.

Retail establishments in excess of 10,000 sq. ft., up to 50,000 sq. ft. per store, located on the first and/or second floor make sense opposite Costco. However, stores above 10,000 sq. ft. should not exceed 80,000 sq. ft., collectively, of the 37<sup>th</sup> Street Finger Building frontage. However, if the additional Third Avenue frontage were acquired, it should also be permitted to have retail establishments in excess of 10,000 sq. ft.

There are three locations where Borough President Adams would support a store in excess of 50,000 sq. ft., though not larger than 80,000 sq. ft.: the building located diagonally across from Costco, at 39<sup>th</sup> Street and Second Avenue, extending to 41<sup>st</sup> Street, the retail/service floor area should be capped at 120,000 sq. ft., the Building 11 site, across from the Liberty View parking lot along 32<sup>nd</sup> Street at Second Avenue, and the Building 21 site, fronting the east side of First Avenue between 39<sup>th</sup> and 41<sup>st</sup> streets. However, he believes it would be appropriate to limit establishments in excess of 10,000 sq. ft. for the site diagonally from Costco to 150,000 sq. ft. and to 160,000 sq. ft. if BTO assembles the full site, and 120,000 sq. ft. without additional property acquisition, in order to minimize the extent of destination retail.

In addition to locational and size requirements, as more of the larger establishments are being accommodated, travel patterns would be more fully informed. It should be noted that traffic studies developed as part of the required DEIS are more theoretical than exact. An EIS serves as predictive tools, and too often do not reflect actual conditions or account for development impacts on a community. Borough President Adams is concerned that assumptions made in the DEIS detailing traffic patterns based on a projection 10 years into the future, would not be replicated after the requested land use actions are approved. Such traffic assessment is merely based on assumptions, and any disclosed mitigation is intended to address a theoretical outcome. Moreover, there is no mechanism to require assessment of the actual conditions as proposed. Borough President Adams concurs with the CB 7 Land Use Committee that post-opening analysis would be helpful in identifying traffic-related mitigation needs.

However, Borough President Adams believes that the stated year interval is arbitrary, and that a post-opening traffic analysis to determine traffic impacts at various intersections and what, if any, additional mitigation should be implemented by the New York City Department of Transportation (DOT) based on an analysis of actual travel patterns, is the way to be sure. The requested zoning text amendment for a Large-Scale Plan Special Permit provides a means to secure an obligation for a post-opening traffic analysis. Zoning text could tie such future study requirement to the C of O that would be issued by the DOB for establishments in excess of 10,000 sq. ft. Borough President Adams believes that the appropriate time for a post-occupancy study would be when the cumulative total of retail establishments exceeds 150,000 sq. ft. Such analysis should be initiated no earlier than six months and no later than one year after meeting or exceeding such a threshold. In addition, for Buildings 11 and 21, such requirement should be triggered by establishments in excess of 80,000 sq. ft. He also believes that the ZR should require that the study to be prepared in consultation with DOT.

### **Appropriate Bulk**

The application drawings do not provide complete dimensions on the site plan with regard to defining coverage limits for Building 11. Borough President Adams believes that such building representation should be consistent with the area shaded as proposed new construction to provide certainty regarding what would be allowed. Though not represented as being changed in the DEIS images, the courtyard sections of the Finger Buildings are indicated as part of the zoning development envelope. Where these courtyards have been activated by BTO, they have been well-regarded as

publicly-assessable amenities. Borough President Adams notes that the CB 7 Land Use Committee wished to ensure that these courtyard areas remain, at minimum, as arcades. It set forth a height of 30 feet to be removed from the buildable zoning envelope, essentially disallowing the infilling of the courtyards below the third floor. While he generally concurs with the CB 7 Land Use Committee, Borough President Adams believes that regulations are needed to determine the limits of obstructions. The existing ZR regulations for accessory structures consistent with design standards for pedestrian circulation spaces, and for kiosks and open-air cafes, would provide suitable protection for the courtyards.

### **Appropriate Parking Requirements**

As previously noted, the proposed parking requirements were not intended to be applicable to ZR- defined amusement uses. Borough President Adams believes that such amusement uses should be included in the total floor area to determine when parking would be required.

The proposed land use actions seek an unprecedented waiver from the provision of accessory parking for 120,000 sq. ft. of retail and service establishments. For reference, the largest standard waiver is less than 40,000 sq. ft. Moreover, once a waiver is exceeded, the full requirement typically needs to be met. In this application, the waiver provides a deferment, so that only the increment cumulative retail/service establishments beyond 120,000 sq. ft. would generate parking requirements. Despite the significant waiver and reduced rate of otherwise required parking, the proposed zoning text did not provide for additional bicycle parking. In order to receive approval for such a waiver of automobile parking, the applicant should be required to demonstrate additional public benefit stemming from zoning parking deferment and overall reduction.

Such public benefits include access to alternative fueling capacity, increased bicycle parking, and allotment of space for car share vehicles. Therefore, bicycle parking should be provided at no less than 20 percent of the standard requirement. For commercial uses, in lieu of one space per 10,000 sq. ft., it should be increased to one space per 8,000 sq. ft., and for community facility uses, in lieu of one space per 5,000 sq. ft., it should be increased to one space per 4,000 sq. ft.

Initially, it is expected that required parking would be provided via interim surface parking lots. For such a short-term investment, it is reasonable for the applicant to reserve a percentage of spaces for use of one or more car-share companies. One additional space should be dedicated to car sharing at a rate of one per 50 parking spaces required. Such requirement should also be incorporated into the eventually constructed public parking garages.

When the required parking is provided within an enclosed garage, the public benefits should advance capacity for alternative fueling. Access to high-capacity alternative fueling such as electric, hydrogen, natural gas, or other alternative sources, should be installed in proximity to the facility entrance. Enclosed garages should also be required to provide access to electric for no less than 10 percent of all parking spaces.

### **Requiring Locally-Based Jobs**

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality for multiple Brooklyn neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 20 percent or greater. According to UPROSE's GRID report, Sunset Park had a 32 percent poverty rate in 2016. Prioritizing local hiring would assist in addressing this employment crisis.

It is Borough President Adams' policy that development should maximize employment opportunities for Brooklynites. Additionally, promoting Brooklyn-based businesses, including those that qualify as locally

based enterprises (LBEs) and MWBEs, is central to Borough President Adams' economic agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs who meet or exceed standards per Local Law 1 (no less than 20 percent participation).

Borough President Adams believes that the Special IC District should mandate a percentage of contracting participation by certified LBEs, consistent with Section 6-108.1 of the City's Administrative code and certified MWBEs in accordance with Local Law 1 standards. He believes this could be reflected in CPC's findings for the requested use modifications.

### **Advancing Sustainability and Resiliency**

The proposed development provides extensive opportunities to integrate resiliency and sustainability measures such as blue/green/white roof finishes, passive house construction principles, solar panels, and wind turbines. In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as existing roofs undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems, and expand the City's highly reflective (white) roof mandate. In addition, the CLCPA requires a statewide reduction of greenhouse gas emissions by 85 percent by 2050 and seeks to ensure that at least 35 percent of investments in clean energy and energy efficiency occur in disadvantaged communities such as Sunset Park.

The required Builders Pavement Plan for the proposed new developments would allow the developer to incorporate New York City Department of Environmental Protection (DEP) rain gardens along the frontages of Buildings 11 and 21, though the planting of street trees is not required in manufacturing zones. The implementation of rain gardens could help advance DEP green infrastructure strategies, and enhance the operation of the Owls Head Wastewater Treatment Plant during wet weather.

Borough President Adams believes that BTO should consult with DEP, DOT, and the New York City Department of Parks and Recreation (NYC Parks), as well as CB 7 and local elected officials regarding the integration of rain gardens with new street trees, as part of a Builders Pavement Plan.

With regard to building sustainability measures, BTO or its successors, should seek to minimize its production of Greenhouse Gas (GHG) emissions, and memorialize its commitment to pursuing resilient and sustainable energy sources, to the City Council. These include the incorporation of solar panels and/or wind turbines, passive house, blue and/or green roof, DEP rain gardens and/or geothermal generation cogeneration plant to serve entire campus' summer peak heating demand for process and domestic hot water production or use of Upper New York Bay water for heat exchange for heating/cooling for compressorized systems, and/or establish an interim urban agriculture to grow green roof sedums onsite for Industry City rooftops.

Additionally, BTO should develop strategies to provide targeted marketing and leasing preference to businesses that comply with CLCPA, with the aim of expanding clean energy employment and uses at Industry City.

### **Education**

In the CB 7 Land Use Committee's subject-specific recommendations, two motions of disapproval with conditions referenced community education needs. One called for the New York City Department of Education (DOE) to commit to funding the installation of fiber-optic broadband to fund STEM education in CD 7 schools. Borough President Adams supports such efforts, and believes such rollout should be done in consultation with CB 7 and local elected officials.



Though the CB 7 condition did not support locating a school at Industry City, Borough President Adams believes that one could be reasonably located in proximity to Third Avenue, as stated above. Such a school facility could serve a similar purpose to the STEAM Center at the Brooklyn Navy Yard (BNY). The Brooklyn STEAM Center is an innovative career and technical training hub for 11<sup>th</sup> and 12<sup>th</sup> grade students, situated within the ecosystem of Brooklyn Navy Yard — a 300-acre industrial park with over 400 businesses in cutting-edge industries that prepares a pipeline of young adults to enter the creative, manufacturing and technology fields. Students engage in quality professional work, develop robust industry networks, and explore tangible pathways to economic opportunity. At Industry City, such a STEAM Center could be integrated and with the Sunset Park working waterfront, given the anticipated activation of the SSBMT and geared toward GRID jobs.

As an alternative to the STEAM Center, DOE could establish a STEAM-focused high school. While there is no real need for additional high school capacity in Brooklyn, new school could actually help address unmet need for middle school seats in the district, through the conversion of an extremely underutilized high school to a middle school. This would enable the re-apportioned floor area to be shifted to the Industry City campus.

DOE, in consultation with the Citywide Council on High Schools, should identify an underutilized high school that might be repositioned as a middle school in a district projected to have unmet need for such seats. DOE should also commit to funding the installation of fiber-optic broadband to support STEAM education funding in CD 7 schools.

Additionally, DOE should commit to execute a legal instrument with BTO or its successors expressing intent to fund either a STEAM center or technical high school at Industry City of approximately 30,000 sq. ft., and proceed with the design for a STEAM center or STEAM-focused high school no more than three years after the effective date of the rezoning.

Finally, BTO or its successors should memorialize its commitment to the City Council to solicit DOE's interest in securing space for a publicly funded STEAM center or a STEAM-focused high school, and offer space to the agency prior to targeting retail users, providing DOE no fewer than 90 days for DOE to issue a response.

### **Advancing Green, Technology, and Maritime Jobs**

Borough President Adams agrees in principle with aspects of the GRID plan developed by UPROSE in conjunction with New York State's recently adopted CLCPA. He concurs that there is a need to transition the economy from an extractive one dependent on fossil fuels to a green industrial economy that trains local residents for renewable energy and climate jobs. According to GRID, these green jobs are found in traditional construction and manufacturing sectors, or in new, emerging green sectors. Borough President Adams seeks to secure such jobs in Sunset Park through innovative ideas, including those that utilize the waterfront. For example, a publicly-accessible urban agriculture barge could serve as a free or low-cost educational resource, and advance urban farming in the city. Additional barges could be added to promote workforce development for clean energy jobs or to support the working waterfront.

Other green jobs might be found in building and professional services occupations including boiler operators, commercial/industrial designers, construction managers, electric and mechanical technicians, engineers, insulation workers, plumbers, stationary engineers, as well as those in construction. New green jobs in the renewable energy and related sectors would be created over time. Borough President Adams agrees that workforce development efforts should focus on connecting local residents to the next generation of green jobs so that they can benefit from these opportunities.

While Borough President Adams believes that green jobs should be established at Industry City, he feels just as strongly that it should be a haven for TAMI firms. New York City's technology sector has grown

rapidly, with more than 191,000 direct jobs in tech companies and an additional 92,000 related jobs at non-tech firms. A November 2019 HR&A Advisors report commissioned by the City Administration entitled "NYC's Tech Opportunity Gap," found that from 2008 to 2018, high-tech employment in the city increased by 46,000 jobs in both tech and non-tech industries. It is likely the expansion of Industry City would result in a significant number of TAMI jobs and that a percentage of those would be classified as green jobs, according to GRID.

Borough President Adams believes that the green jobs agenda should be advanced through a concerted citywide effort. He concurs with UPROSE that such strategy should include preferential marketing for green industries in properties managed by the New York City Economic Development Corporation (EDC), such as Sunset Park's Brooklyn Army Terminal (BAT) – BAT Annex Building, which is home to a 55,000 sq. ft. food manufacturing hub (a green defined use), announced in 2016. Among other City-owned properties, the Brooklyn Wholesale Meat Market provides additional opportunities to support food distribution businesses. The Bush Terminal Industrial Site/Made in NY Campus would contain facilities for garment manufacturing, film and media production, and related industries. Other Sunset Park waterfront holdings, including the SSBMT, should be prioritized for green industrial economy uses. As existing leases approach expiration, EDC should encourage non-green entity uses in its Sunset Park facilities to relocate to Industry City in order to maximize leasing opportunities for green businesses.

In December 2019, the Center for an Urban Future (CUF) released "Expanding Tech Apprenticeships in New York City," a report that provides viable solutions to address the disconnect between underemployed Sunset Park residents and the demand for tech jobs. Borough President Adams believes that beyond hosting the Innovation Lab, BTO should play a major role in raising awareness about the value of tech apprenticeships, by convening the City's first Tech Apprenticeship Summit in line with CUF recommendations. BTO should look to reach out to appropriate TAMI tenants to formulate the annual summit as a daylong event bringing together leading local and global tech employers with educational institutions, intermediaries, and training organizations leading the charge for tech apprenticeships.

Another task that BTO should undertake is tenant outreach to promote utilization of the Empire State Apprenticeship Tax Credit (ESATC), which went into effect in 2018, and provides employers a tax credit starting at \$2,000 per individual for registered apprenticeships focused on in-demand occupations outside the building trades. In September 2019, Governor Andrew Cuomo announced a \$3 million investment in apprenticeship program development at the State University of New York (SUNY) targeted to emerging fields such as artificial intelligence, cloud infrastructure, and cybersecurity. However, according to CUF, very few tech occupations are currently eligible, and no tech companies have sponsored their own programs. BTO promotion might help stimulate participation among current and future tenants of Industry City.

CUF notes that as demand for tech talent grows, Black and Latinx New Yorkers and women remain significantly underrepresented in tech occupations. Tech apprenticeships are a proven model for launching underrepresented talent into successful careers in software development, network security administration, computer systems, IT, and data centers. According to CUF, tech apprenticeships present a significant, but largely untapped opportunity to expand pathways into well-paying technology careers, all while strengthening and diversifying the talent pipeline for the City's booming tech sector. Participants in tech apprenticeship programs often progress from minimum wage jobs to full-time salaries of \$40,000 or more while in training and \$70,000 to \$80,000 after receiving a job offer. In many cases, these opportunities are available to people without college degrees or with just a few college credits. In other cases, apprentices have completed a short course at a bootcamp but have no background in computer science or experience working in tech.

Borough President Adams concurs with CUF that apprenticeships can serve as a powerful tool for connecting youth to the workplace and bringing work-based learning experiences into the city's high schools. For many high school students, the opportunity to explore how skills and knowledge can lead to rewarding careers has a significant, motivating effect. His interest in seeing a STEAM center or STEAM-focused high school as part of the Industry City complex is consistent with this approach.

The City's ApprenticeNYC program was initiated in 2017 with the goal of creating 450 new apprentices in the health, industrial, and tech industries by 2020. However, according to CUF, the initiative's only active program to date is for computer numeric controlled (CNC) machinists in advanced manufacturing. BTO should help evolve ApprenticeshipNYC by launching tech apprenticeships as a part of Apprentices NYC, and devoting funds earmarked though a percentage of its amusement, retail, and service leases.

The City's Tech Talent Pipeline's associate engineering program is believed by CUF to be a promising model for connecting underrepresented talent with hands-on training and paid apprentice-like positions at growing tech companies. Borough President Adams acknowledges that expanding this program would take new resources to help support business development and employer cultivation, talent recruitment and vetting, and sustained support for associates and employers during the course of the program. As part of the Tech Talent Pipeline, the City University of New York (CUNY) has Tech Prep, a course created by the CUNY Institute for Software Design and Development with industry leaders for computer science majors in the CUNY senior college system. Prep provides students with an opportunity to learn applied skills at no cost through an intensive, full-stack web application sprint, followed by a semester of additional project-based coursework and connections to tech jobs post-graduation. In 2016, NYC Tech Talent Pipeline tripled its investment when it was increased to 1,700 participants. Borough President Adams concurs with CUF that the City should scale up its Tech Talent Pipeline's associate engineering program as it has proven to be successful in training and placing students in well-paying jobs with tech firms.

Borough President Adams also supports CUF's concept for Tech Apprenticeship Accelerator, modeled on a series of initiatives sponsored by the United States Department of Labor (DOL) in 2016. As envisioned by CUF, a Tech Apprenticeship Accelerator would facilitate intensive assistance for businesses to jumpstart the development of a customized tech apprenticeship program; bring together interested training partners, educational institutions, and sponsor organizations to connect with employers, and create a platform for ongoing employer engagement and program development. CUF envisions that by launching a Tech Apprenticeship Accelerator, the City would expand access to fast-growing, well-paying tech jobs while diversifying the tech sector. CUF believes that the City should set an ambitious, though achievable, goal of creating 1,000 new apprentice positions by 2025. By launching the Tech Apprenticeship Accelerator, New York City could become the leading hub for tech apprenticeships.

Recognizing the untapped potential and excess capacity of coastal waterways, the Port Authority of New York and New Jersey (PANYNJ) has made regional barge service one of its strategic initiatives. Along with EDC, PANYNJ continues to support the North Atlantic Marine Highway Alliance (NAMHA, initiated in 2018), which seeks to foster the use of barge services to offset reliance on trucks and supplement rail cargo to and from port facilities. The development of NAMHA complements Freight NYC, an EDC strategy to reduce dependence on trucking in and around New York City, by shifting freight distribution to rail and marine routes. As freight volumes increase and incoming vessels increase in size, barging presents one part of a sustainable solution.

In May 2018, the SSBMT was assigned to a joint partnership of Red Hook Container Terminal and Industry City Associates. SSBMT would allow goods to be transported by barge across the New York Harbor and carried elsewhere by rail, which would make it the only rail-connected port in Brooklyn, Queens, and Long Island capable of handling large, ocean-faring vessels. It might also become a component of the Marine Highway hub and spoke barging operation. Furthermore, a wind-turbine mobilization initiative to support nearby offshore wind production is expected to generate 500 green industrial jobs by 2023.

There is an ongoing need to address the City's over-reliance on trucking, particularly for cross-harbor and last-mile transport. PANYNJ plans to increase cross-harbor freight through multimodal transport initiatives such as the enhancement of its Cross Harbor Freight Program (CHFP) barge float and rail operation, which connects to the LIRR's Bay Ridge Connecting Line at 65<sup>th</sup> Street, with rail spurs at SSBMT and the Metropolitan Transit Authority (MTA) 38<sup>th</sup> Street Train Yard and Facility. The 65<sup>th</sup> Street float bridges make this section of Sunset Park an ideal multi-modal location for a transition away from trucked goods movement. Its full implementation is expected to replace 11,000 truck trips with barges and rail ships, which would significantly reduce truck traffic and pollution.

Brooklyn needs to be part of the solution by leveraging opportunities to advance rail and water-based goods movement. PANYNJ and its partners should continue to expand container operations along the

Brooklyn waterfront to provide additional capacity east of the Kill Van Kull. Sunset Park's waterfront has the conditions in place for a deepwater container port. It should be part of the growing east of Hudson River marine cargo operations, with the potential to be part of Marine Highway. Borough President Adams believes that this can be achieved by advancing EDC's vision to establish a second Sunset Park port facility by filling the off-shore section between the bulkhead and pierhead lines south of Bush Terminal Piers Park. Such port establishment would enable increased capacity and potentially link to envisioned Cross Harbor freight tunnel infrastructure.

This ideal location for Green Port development would be consistent with EDC's Freight NYC plan, as a critical portion of these plans focuses on the Sunset Park waterfront. It would also utilize rail power and would be expected to advance clean smart truck technology. Both Freight NYC and Green Ports have the potential to address resiliency and sustainability goals while reinvigorating industrial areas and creating new jobs. Such a port would be expected to advance PANYNJ's Port Master Plan 2050 with its objectives of ensuring resiliency and sustainability, promoting regional economic generation, establishing state-of-the-art facilities, providing a platform for partnership for local stakeholders, and shaping the region's future growth.

### **Preserving the Supply of Affordable Housing**

Borough President Adams has heard a great deal of concern regarding ongoing gentrification and displacement of longtime residents in Sunset Park. Without regard to whether future Industry City employees would drive up demand for market-rate housing, the influx of higher-income individuals to the area, together with increased land values, could result in the replacement of longtime, low-income tenants with new residents able to pay higher rents. For households in non-regulated housing stock there is little recourse beyond targeted downzoning, which may slow the pace of property turnover and redevelopment through the reduction of development rights. For rent-regulated housing, government has taken many steps to combat landlord harassment. However, additional measures can be taken to assist homeowners and landlords maintain properties, expand affordable housing lottery eligibility, reduce landlord opt-out based on expiring regulatory agreements, thwart legal demolition eviction, provide access to legal services, and increase capacity to for outreach and assistance.

### **Access to Legal Services for ZIP Codes 11220 and 11232**

Substantial testimony provided throughout the ULURP process for these land use actions focused on the risk of displacement, and lack of protections for vulnerable residents. Evictions, as a mechanism of direct displacement, are a major driver of housing instability and homelessness. Many low-income households are unable to secure the resources to avoid eviction. In the past, tenants facing eviction usually arrived to housing court without legal representation, at a major disadvantage to landlords who almost always have an attorney.

The New York City Human Resources Administration (HRA), through its Office of Civil Justice (OCJ), and pursuant to the Universal Access to Legal Services law, provides defense attorney representation for eviction cases in housing court, as well free legal assistance to buildings, tenants, and tenant associations seeking protection against landlord harassment. However, this initiative is limited to ZIP codes that do not contain Sunset Park. In Right to Counsel (RTC) ZIP codes, access to free legal representation is a right for any low-income tenant facing eviction. In non-RTC ZIP codes, access to legal services is contingent on household income and size. The agency website does not provide adequate direction for residents seeking such services outside the RTC ZIP codes.

Tenant representation in housing court has increased citywide. Statistics confirm a reduction in the number of evictions since the City implemented Right to Counsel for Housing Court in 2017. In Fiscal Year 2013 (FY13), only one percent of tenants had an attorney, while in the last quarter of

FY18, 30 percent of tenants did. OCJ analysis of RTC data shows even larger gains as during the last quarter of FY18, 56 percent of tenants facing an eviction in RTC ZIP codes had an attorney.

According to a letter submitted by the executive director of DCP to Council Member Menchaca, HRA has legal services available for CD 7 residents confronting eviction, harassment, and other displacement measures. Reportedly, in FY19, approximately 300 households benefited from free legal counsel based on 200 percent of the federal poverty level (approximately \$50,000 for household of four). This was more than double the number served in FY15, though the figures went beyond Sunset Park so it unclear to what extent non-RTC services benefited this community. The letter noted that full implementation is expected by June 30, 2022 (FY22), which means that Sunset Park residents could be left vulnerable for 34 months. Borough President Adams believes, for some households, a few months might mean the difference between keeping and losing their apartments.

Borough President Adams considers all strategies to help people remain in their homes as part of the Mayor's "Housing New York: A Five-Borough, Ten-Year Plan." Providing free legal assistance is more cost-effective than harboring evicted families in homeless shelters or providing new affordable housing units. To counteract the mounting housing pressures in Sunset Park, he urges the City to direct HRA, through OCJ, to immediately implement RTC services in ZIP codes 11220 and 11232.

#### Extending Regulatory Agreements

Privately owned, publicly subsidized rental stock is an important source of affordable housing in New York City for low- and moderate-income households. In exchange for a government subsidy, landlords agree to keep units affordable to such households for a limited term (typically 30 years). Once a regulatory agreement expires, however, owners can begin to rent their units at market rates.

The Sunset Park section of Brooklyn includes all such buildings in CD 7. In all, there might be 30 regulated buildings with regulatory agreements governing 333 units that were set to expire in 2019, according to the NYU Furman Center's CoreData. To the extent that these units remain rent-regulated, some tenants might be left without subsidies that allowed them to afford such rents without the benefit of regulatory agreements. Other tenants might still be subject to lawful demolition eviction, if regulatory agreements were not extended.

Borough President Adams acknowledges that the housing preservation resources of the Mayor's "Housing New York: A Five-Borough, Ten-Year Plan" provide a path to refinance such buildings as a way to extend their regulatory agreements. He acknowledges successes shared to date as indicated in the DCP letter, with HPD having preserved 448 CD 7 apartments, including 408 in 2017 at Sunset Park Apartments through the HUD Multifamily program. However, if the CoreData information is correct, all remaining preservation opportunities are in doubt as agreements may have already lapsed. Therefore, Borough

President Adams urges the City to commit resources for HPD to immediately engage the owners of the 30 properties to refinance the buildings, and extend their regulatory agreements.

#### Advancing Anti-Displacement Strategies

In 2018, the City implemented the Certification of No Harassment (CONH) Pilot Program, which requires landlords seeking construction permits for major alterations to meet certifications that ensure no harassment has taken place. The three-year pilot covers geographies as established in Local Law 1 2018, as well as areas considered vulnerable because of potential rezoning impacts. The City identified more than 1,000 buildings (containing more than 26,000 units) that had been subject to a full vacate order, active in the alternative enforcement program for more than four months (since February 1, 2016), or where there has been a finding of harassment by a court or New York State Homes & Community Renewal (HCR) in the last five years. Per Local Law 1 2018, any neighborhood subject to a City-sponsored districtwide rezoning after 2018 would be covered by the law.

Given the challenges faced by Sunset Park residents seeking to remain in their homes, Borough President Adams sees a need to maximize the number of buildings covered by the program. Extending the applicability of the CONH to all of CD 7 would ensure that buildings with high levels of physical distress or ownership changes would be properly vetted before landlords could obtain DOB permits for demolition work or changes in use/occupancy.

Sunset Park's housing stock has a significant number of small owner-occupied residential buildings. Some of these owners, while relatively property-rich in this housing market, have limited resources to maintain their homes. Where such homes have rental units, property sales often result in displacement. Borough President Adams believes that helping these homeowners retain their properties would also help combat tenant displacement. In late 2019, HPD, in partnership with the Center for NYC Neighborhoods (CNYCN), Restored Homes Housing Development Fund Corporation, AAFE Community Development Fund (CDF), Neighborhood Housing Services of New York City (NHSNYC), and the Parodneck Foundation launched the HomeFix program, which provides access to low- or no-interest loans (with potential forgiveness) for home repairs to eligible owners of one- to four-family homes in New York City. In addition, many small- to mid-size buildings are being squeezed by steadily rising energy and water costs and could benefit from weatherization and other efficiencies to reduce those expenses. HPD's Green Housing Preservation Program (GHPP) was created to help owners finance energy efficiency and water conservation upgrades, lead remediation, and moderate rehabilitation work, via low- and no-interest loans. Such improvements can lead to better building conditions and lower operating costs for owners of affordable apartment buildings. In this way, City initiatives can help ensure the long-term financial and physical health of small to mid-size properties, and preserve housing for low- and moderate-income New Yorkers. Borough President believes that HPD should take appropriate steps to promote these financial assistance programs to Sunset Park homeowners.

#### Assisting Landlords Seeking to Maintain Affordable Housing in CD 7

In addition to helping homeowners, Borough President Adams believes that sufficient resources should be allocated to landlords of small buildings, to maintain affordability and allowing such landlords to retain their investments. Without assistance, owners may fall victim to predatory lenders and be forced to sell their buildings to investors who have no interest in affordable housing.

HPD hosts monthly Property Owner Clinics at its 100 Gold Street headquarters to connect homeowners to resources they may need to stabilize their homes. The agency also hosts workshops in communities when requested by community boards and/or local elected officials. In addition, HPD's Landlord Ambassadors Program, a pilot created to help owners of small to medium multi-family buildings implement building management best practices and navigate the process of applying for HPD financing. With the support of HPD and Enterprise Community Partners, three community-based non-profits were chosen to provide technical assistance to owners in Eastern/Central Brooklyn, Northern Manhattan, and

South/Central Bronx. The pilot program, which proved successful, ended on June 28, 2019. HPD is reportedly continuing and expanding the program by partnering with the Mutual Housing Association of New York (MHANY) to provide technical assistance to property owners. The expansion of the program includes funding for repairs to vacant units to increase housing supply and improve housing quality, placement of formerly homeless households in these vacant units to reduce the homeless population, and funding for housing retention and stabilization services for formerly homeless households placed in those vacant units to smooth the transition into permanent housing, as well as training for building owners accepting these new tenants.

Borough President Adams believes that HPD should conduct outreach and engagement to promote its Property Owner Clinics to Sunset Park landlords. The agency should also take steps to bring the resources of its Landlord Ambassadors Program to CD 7.

Enhancing Coordination between HPD and Sunset Park's Legal Service Providers and Tenant Organizers  
With all of the aforementioned, awareness of preservation-based initiatives, even when already applicable to Sunset Park buildings, is critical. HPD's Partners in Preservation initiative has taken aggressive steps to improve coordination among government agencies, tenant organizers, and legal service providers, while strategically identifying the most at-risk buildings and developing targeted action plans for such properties. HPD launched the program, funded by the New York City Housing Development Corporation (HDC) and the Enterprise Foundation, in July 2019 for an 18-month pilot period. Recently, community-based organizations in East Harlem, the Jerome Avenue area, and Inwood/Washington Heights/Marble Hill jointly received approximately \$1.5 million through this pilot program to coordinate anti-displacement initiatives with HPD. This enabled the community partners to hire new tenant organizers and begin canvassing problem buildings.

Drawing from this model, increased funding to community partners would enable these organizations to implement high-impact initiatives to address the most at-risk buildings and tenants, while strengthening and expanding their strategic outreach efforts. With sufficient funding, such entities in CD 7 could establish and promote HPD programs such as Property Owner Clinics, HomeFix, and GHPP. They could also connect qualified homebuyers with HPD's Down Payment Assistance Program, which provides up to \$40,000 toward a down payment or closing costs on a one- to four-family home, a condominium, or a cooperative in one of the five boroughs, for potential purchasers earning up to 80 percent AMI. In addition, such funding could expand outreach regarding JustFix.nyc, an initiative that augments the support systems and resources that work to keep tenants in their homes and communities. Without reinventing the wheel, it leverages technology to break down the barriers of a bureaucratic and imbalanced housing system, and accelerate the goals of the tenant movement to end displacement and provide housing for all.

Borough President Adams also advocates for increased funding to locally-based homeowner and tenant advocacy/counseling/organizing organizations such as the BCA and NHN to broaden their capacity for outreach and engagement.

Accommodating Rent-Burdened Households in Lieu of Strict Area Median (AMI) Income Standards  
Data shows that more than 80 percent New York City households earning 50 percent of AMI or less are rent-burdened. The crisis is even worse among the lowest income citizens, those making 30 percent of AMI or less, currently \$23,310 for a family of three. Among this population, well over 50 percent pay more than half of their income toward rent. More than one-fifth of New York City households — over two million people — earn less than \$25,000 a year and almost one-third earn less than \$35,000. As the City's housing crisis grows worse, the burden falls most heavily on these low-income households, many of whom are senior citizens.

Within CD 7, a significant number of households residing in unregulated housing and regulated apartments pay too much of their household income toward rent. According to the Association for



Neighborhood Housing and Development (ANHD), 56 percent of households in CD 7 are rent-burdened. ANHD also found that, among the City's community districts, CD 7 has the second highest number of serious housing code violations. Taken together, these facts point to a dual housing affordability and quality crisis in Sunset Park, whereby too many households are paying too much of their income for substandard and dangerous accommodations. According to an analysis by the Institute for Children, Poverty & Homelessness (ICPH), 31 percent of households in CD 7 spend 50 percent or more of their income on rent, making them severely rent-burdened. Also, per a 2019 New York University (NYU) Wagner study, the extent of rent-burdened Sunset Park households is 60 percent, with 33 percent classified as extremely rent-burdened. There is thus a pressing need to increase the supply of safe, affordable housing in Sunset Park and CD 7. Moreover, the City should take steps to help rent-burdened households qualify for as many affordable housing lotteries as possible.

A strict rent-to-income requirement of not exceeding 30 percent ends up disqualifying many rent-burdened households from affordable housing lotteries. Too often, these households do not meet the housing lottery's minimum annual income because too often they are already paying the same rent or higher than the established rent for an affordable housing unit. The requirement to pay no more than 30 percent of household income hurts people already living in substandard housing, who fall under the definition of rent-burdened, or extremely rent-burdened.

As first noted in his East New York Community Plan ULURP response, Borough President Adams believes that it is time to stop disqualifying families that are already paying too much rent for substandard housing from the City's affordable housing lotteries. He seeks to qualify rent-burdened households for the housing lottery process. Such eligibility would ensure rent-burdened households receive the maximum opportunity to secure regulated affordable housing units, expanding the number of qualifying households for the City's affordable housing lotteries.

One way to address this issue is to adjust the Mandatory Inclusionary Housing (MIH) AMI qualifications to include households that would maintain or reduce their rent burden. For such lotteries resulting from MIH housing developments, DCP needs to amend the ZR to allow for exceptions to the 30 percent of income threshold so that households that are burdened, though paying the same or higher rent than the lottery unit rent, would be eligible to live in newly-produced, quality, affordable housing.

Borough President Adams believes that the CPC and/or the City Council should echo his call to seek the modification of the MIH section of the ZR to stipulate that MIH-designated areas be adopted with a requirement that permits households with rent-burdened status (by accepting households paying equal or higher rent than what is set by a lottery from the 30 percent of income threshold) to qualify for affordable housing units pursuant to MIH.

### **Developing an Additional Supply of Affordable Housing in Sunset Park**

Sunset Park has a dearth of City-owned properties, which could be utilized to expand its limited supply of affordable housing. Several years ago, in an effort to secure a larger, state-of-the-art public library, HPD worked with the Brooklyn Public Library (BPL) and the Fifth Avenue Committee (FAC) to realize 51 units of affordable housing at 5108 Fourth Avenue. The South Slope and Sunset Park rezonings, adopted by the City Council in 2005 and 2009, respectively, provided voluntary zoning incentives for development sites along Fourth and Seventh avenues. Over time, redevelopment of properties where the voluntary inclusionary housing floor area bonus exists could result in the provision of several hundred affordable housing units. A recently adopted MIH rezoning at 57 Caton Place was estimated to achieve 27 affordable housing units in the East Windsor Terrace section of CD 7. A rezoning proposal next door, at 312 Coney Island Avenue, expects to generate 70 affordable housing units.



Even if all such affordable housing units were realized, it would not come close to meeting current need. Borough President Adams continues to believe that bold steps must be taken to achieve the addition of thousands of affordable apartments to the district. In his 2014 report, "Housing Brooklyn: A Roadmap to Real Affordability," he joined those before him calling for the pursuit of rail infrastructure decking in this area, which includes the MTA's 38<sup>th</sup> Street Train Yard and Facility as well as the shared commuter/freight rail corridor running generally between 61<sup>st</sup> and 62<sup>nd</sup> streets. The MTA has issued at least one Request for Proposals (RFP) along this corridor, the 61<sup>st</sup> Street Overbuild RFP, for its site between Fort Hamilton Parkway and Eighth Avenue, at the end of 2017, with responses due in April 2018. There have been no known discussions regarding the train yard facility.

One of the biggest challenges to achieving the City's ambitious housing plan is the limited availability of undeveloped and underdeveloped land. While not historically supported in CB 7's Sunset Park 197-a plan, in response to this challenge, Borough President Adams continues to advocate an innovative approach to capitalizing on existing space, and in some instances, thinking about land use vertically, rather than horizontally. The parking lot at BAT, which is utilized only for vehicle parking, presents one such possibility. The location benefits from existing ferry service to Manhattan, nearby connections to buses and subways, and a significant job center. This lot could accommodate future development along its Second Avenue frontage between 58<sup>th</sup> and 63<sup>rd</sup> streets without affecting the integrity of existing business uses of the Terminal Building. It can be part of a multi-use development, potentially resulting in 700 or more units of 100 percent affordable housing, based on consideration of appropriate height. It would require decking over the section of the BAT lot in proximity to its Second Avenue boundary.

To implement such a plan, the Mayor would need to convene his Industrial Business Zone (IBZ) Boundary Commission to remove from the IBZ a specified depth west of Second Avenue at the level of the Second Avenue sidewalk, while leaving the parking lot within the IBZ. In addition, the property would have to be rezoned to a mixed manufacturing-residential (MX) district. Borough President Adams believes that EDC, in concert with HPD, and in consultation with CB 7 and local elected officials, should initiate a feasibility study for a near-term overbuild of the BAT parking lot along its Second Avenue frontage. He believes that 50 percent of the units should be geared toward the Area Median Incomes (AMIs) of Sunset Park residents, to ensure affordable rents.

As for the MTA 38<sup>th</sup> Street Train Yard and Facility, Borough President Adams believes that EDC, in consultation with CB 7 and local elected officials, should initiate a feasibility study for a long-term overbuild of the facility, and the development of a new, fully planned transit-oriented neighborhood extension of Sunset Park, with significant share of affordable housing that would allow rail operations to continue below. Such an initiative should be consistent with the March 3, 2020 media reporting of the impending master plan for the Sunnyside Yards overbuild, which envisioned half of the targeted 12,000 housing units being rented to households earning not more than 50 percent of AMI.

#### **Implementation of Post-Opening Actual Traffic Assessments**

As noted above, according to Borough President Adams' zoning text recommendations, it is expected that post-opening traffic studies would be triggered on at least three occasions in the course of realizing a 5.0 FAR buildout. He has called on DOT to assume a consulting role in the process. Accordingly, DOT should establish the area of analysis and the analysis protocol, and review suggested mitigation based on identified impacted locations.

#### **Improve Transportation Options for Bicycles, Buses, Ferries, Pedestrians, and Subways**

Borough President Adams is a supporter of Vision Zero policies, which include extending sidewalks into the roadway to shorten the path where pedestrians cross in front of traffic lanes. These sidewalk

extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, \$1 million was allocated to fund five dangerous intersections in Brooklyn. By installing more curb extensions, seniors will benefit because more of their commutes will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadways will benefit from safer streets.

Borough President Adams believes there is an opportunity to implement a curb extension, either as a raised extension of the sidewalk or as a protected area as defined by the installation of temporary perimeter bollards bordering a section of roadbed where gravel and/or paint is applied, per his CROSS Brooklyn initiative, upon the completion of Buildings 11 and 21. For Building 11, he envisions such improvement at the southeast corner of Second Avenue and 31<sup>st</sup> Street, and the east side of First Avenue at 39<sup>th</sup> and 41<sup>st</sup> streets. Any design of such a curb extension would need to be reviewed and signed off by the DOT as part of the Builders Pavement Plan. The developer's consultant would need to work with the agency to finalize a curb alignment waiver. DOT would be expected to alert DOB to this request before the commissioner would issue any signoff.

Borough President Adams recognizes that the costs associated with construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams urges DOT to explore the implementation of protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of the Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable BTO or its successors to undertake such improvements after consultation with CB 7, as well as local elected officials, as part of its Builders Pavement Plan. The implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. Where that is not feasible, Borough President Adams would expect BTO to commit to maintenance as an ongoing obligation. Borough President believes that such requirement should be set forth through the zoning text amendment to implement improvements subject to DOT.

Areas beyond the Industry City campus would also benefit from Vision Zero enhancements and merit consideration by DOT. Borough President Adams concurs with the CB 7 Land Use Committee's recommendation that DOT analyze Third Avenue for opportunities to implement traffic calming measures — particularly the streetscape on its western side, and specific east-west crossings. Taking into account the needs of pedestrians and other users, the width of Third Avenue southbound provides an opportunity to incorporate bulbouts/sidewalk extensions at multiple intersections through any combination of constructed and/or protected painted treated roadbed sidewalk extensions. The sidewalks of various block frontages could be widened through the installation of planters or designation of additional loading zones. Such roadway section also warrants consideration of protected bike lanes. DOT should also look to enhance Third Avenue pedestrian east-west crossings via high visibility, painted wide-width crosswalks, in combination with additional lighting under the Gowanus Expressway viaduct, and new street art at the following cross streets: 29<sup>th</sup>, 32<sup>nd</sup>, 34<sup>th</sup>, and 35<sup>th</sup> (D'Emic Playground); 36<sup>th</sup>, 37<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 43<sup>rd</sup>, 46<sup>th</sup>, and 47<sup>th</sup>; (Pena Herrera Park); 51<sup>st</sup>, 58<sup>th</sup>, and 59<sup>th</sup> (PS/IS 746K).

In addition to bike lanes, utilization should be supported via expanded access to bicycles as well as adequate bike parking facilities. DOT should establish more CitiBike docking stations in proximity to Industry City and throughout Sunset Park, and facilitate the provision of enclosed secure bicycle parking stations. In addition to the higher zoning requirement that Borough President Adams proposed in his recommendation regarding the requested zoning text change, he believes that BTO,

or its successors, should memorialize a commitment to the City Council to provide protected bike parking structure locations in coordination with DOT.

The MTA New York City Transit (NYCT) 2020-2024 Capital Program includes several upgrades to the 36<sup>th</sup> Street transit hub where riders can transfer to the Sixth Avenue Express D, Broadway Express N, and Queens Boulevard/Broadway/Fourth Avenue Local R train line services. The Industry City EIS projects 1,874 subway trips during the weekday AM peak hour, as well as 3,991 trips during the weekday PM hour at 36<sup>th</sup> Street station. The ongoing activation of the Industry City complex, and new residential construction throughout Sunset Park, as well as projected development from buildings with excess rights, are expected to increase ridership at CD 7 subway stations. Though NYCT recently installed an elevator at 59<sup>th</sup> Street as part of its ADA initiative, additional station access enhancements are needed to accommodate such projections.

Various stations in the district, where entrances have been closed for decades, have inadequate ingress and egress, which poses a crowding and safety concern. Riders tend to congregate on the platforms near the stairways, creating significant delays on subway lines as a result of uneven boarding access. During rush hour, Sunset Park stations experience bottlenecks and a "traffic jam" of people, leading to missed trains. In inclement weather, those who live closer to the shuttered staircases have to walk further, a potential issue for elderly riders. Finally, a single entrance combined with rush-hour crowding at a busy station is a significant fire hazard.

The CB 7 Land Use Committee raised this concern in its resolution, calling on the MTA to reopen all extant secondary entrances at all stations in CD 7. Borough President Adams shares this view, and seeks to reopen any inactive entrances/exits. In addition to stairwell reactivation, he believes that some stations would benefit from stairwell widening. Given the implantation of the Fourth Avenue bike lane road striping, there is room to consider extending staircases toward the street at multiple stations.

One station where secondary access is geometrically challenging is 36<sup>th</sup> Street. This is because of the lack of clearance at the station's northern end to establish a mezzanine level combined with the platforms being islands surrounded by tracks. In order to connect the platforms to the sidewalks, transit riders would first need to go down to a level beneath the tracks and cross via tunnel to either side of Fourth Avenue, though given the extended Fourth Avenue frontage of Greenwood Cemetery, street access might only be warranted on the west side. Such access though expensive, would be a boon to nearby residents and those with jobs on the waterfront north of 34<sup>th</sup> Street. The Industry City EIS found that the station's northern platform operates at an unacceptable Level of Service (LOS) during AM peak hours, and this analysis was conducted in 2016. Given the expected workforce of the two complete sections of Industry City, plus additional jobs that would be generated with the construction of Building 11, and depending on employee access points at SSBMT, an access point at the 36<sup>th</sup> Street station's northern platform may be needed to minimize rider congestion.

Borough President Adams believes that zoning density bonus provisions have served as a successful mechanism to activate subway infrastructure improvements. A recent project resulted in better access to the Jay Street-MetroTech and Queens Boulevard/Broadway/Fourth Avenue Local R service platform. Borough President Adams supports the CB 7 Land Use Committee's calls for enhanced access at CD 7 stations to mitigate congestion, and the flow of riders. He believes that DCP should undertake a study, in consultation with CB 7 and local elected officials, to establish a subway stairway bonus by upzoning the west side of Fourth Avenue between 33<sup>rd</sup> and 36<sup>th</sup> streets to fund transit improvements that widen stairwells and provide access to the northern side of 36<sup>th</sup> Street station's downtown and uptown platforms. Such a floor area increase in excess of R7A MIH should target the public benefit toward NYCT improvements.

In addition to station access initiatives, Borough President Adams concurs with United States Congress Member Max Rose, that Sunset Park would benefit from enhanced transportation options and transit connectivity. Bus Rapid Transit (BRT) stops could be integrated into roadbed upgrades for the southbound roadway (noted below). DOT's Bus Forward program now includes the Better Buses Action Plan to improve bus speeds by 25 percent and reverse the decline of bus ridership citywide. This program brings elements of Select Bus Service (SBS), New York City's version of BRT, to bus routes throughout the city. BRT is a cost-effective approach used by cities around the world to provide faster, more efficient bus service. In New York City, SBS incorporates BRT features such as dedicated bus lanes, off-board fare collection, and transit signal priority on high-ridership bus routes. As Sunset Park is no longer part of the planned Brooklyn-Queens Connector (BQX), Borough President Adams believes that DOT should initiate a feasibility study for a BRT route along Third Avenue.

Many waterfront neighborhoods are already part of the NYC Ferry, which offers service along various routes for the cost of a subway ride (\$2.75). Currently, the only NYC Ferry stop in Sunset Park is at Pier 4 (the 59<sup>th</sup> Street Pier). Borough President Adams believes that it is time to advance design, funding, and planning for a landing at 39<sup>th</sup> Street to better serve Sunset Park residents and improve transit options for waterfront employees. A ferry at this location has been supported by UPROSE and CD 7, and is referenced in the Sunset Park 197-a plan. Expanded ferry service would complement commercial and residential development in the area, and potentially catalyze additional investment while enabling waterborne evacuation in the event of an emergency.

Borough President Adams believes that EDC, in consultation with CB 7 and local elected officials, should advance the construction of a ferry berth at 39<sup>th</sup> Street and initiate regular service as part of NYC Ferry service. One disadvantage of NYC Ferry is the lack of fare integration with NYCT buses and subways. Without free transfers, either leg of a journey requires a separate fare for use of bus and/or subway service. Therefore, in order to minimize fare premiums, it is imperative that NYCT advance fare integration with NYC Ferry. For 39<sup>th</sup> Street service, this would enable free transfers to nearby buses that travel through Borough Park and along Eighth Avenue, which would make a bus-ferry route more cost effective for residents of those communities.

Borough President Adams has expressed his clear support for the creative thinking of the MTA to potentially redeploy the LIRR Bay Ridge Connecting Line, also known as the Triborough RX, for passenger service. The MTA should also consider bringing rapid transit to the waterfront via the 38<sup>th</sup> Street Train Yard and Facility. Unfortunately, the spur crosses too many active tracks to connect to the Sixth Avenue Express D line service at Ninth Avenue. Nevertheless, it might be possible to extend service within two blocks of the 36<sup>th</sup> Street Station at Fourth Avenue, which would require, at minimum, access from the street level, a short platform for shuttle service, and gated crossings Second and Third avenues. The service could be extended to First Avenue where the tracks merge with the rail spur to SSBMT. Such shuttle service could be provided via a free transfer to the 36<sup>th</sup> Street Station, which would involve walking the two blocks between the stations. It could also provide a subway connection to the recommended ferry at 39<sup>th</sup> Street. A rail spur could extend such service several hundred feet westward, adjacent to the ferry.

Given the influx of workers that would result from the ongoing development of Industry City and the extensive floor area adjacent to the intersection of 39<sup>th</sup> Street and First Avenue, Borough President Adams believes that BTO or its successors should enhance transit access to the Sunset Park waterfront. Borough President Adams believes that this process should begin with an investigation into the potential costs of constructing a street-level connection to a shuttle length platform, and that such action should be coordinated with the construction of Building 21. He believes that BTO should fund a feasibility study to establish a shuttle service station access location and station platform immediately west of Fourth Avenue at 38<sup>th</sup> Street. Such findings should be established through the proposed zoning text

amendment when new development is ready to proceed at the Building 21 site. Such funds should be placed in a City Comptroller Fiduciary Account and be drawn upon to pay for the study.

### **Invest in Community Parks**

The CB 7 Land Use Committee's recommendations identified Bush Terminal Park, D'Emic Playground, Gonzalo Plascencia Playground, Pena Herrera Park, and Sunset Park as open spaces that would benefit from funding to upgrade their facilities. Borough President Adams is in the process of allocating at least \$1 million of his Capital Budget to NYC Parks, which would be used to address a portion of needs to be identified. While additional City funding is likely required to achieve improvements envisioned by CB 7 for area residents, Borough President Adams calls on NYC Parks to initiate a visioning process in consultation with CB 7 and local elected officials. The agency should provide funding, in addition to Borough President Adams' allocation, to upgrade the following facilities: Bush Terminal Park, D'Emic Playground, Gonzalo Plascencia Playground, Pena Herrera Park, and Sunset Park.

### **Advance the Brooklyn Waterfront Greenway Initiative**

In order to address the City's vulnerability to flooding, which was made apparent by Hurricane Sandy in 2012, the New York Department of State (NYDOS) awarded the Brooklyn Greenway Initiative (BGI) funding in partnership with the Brooklyn Borough President and to produce schematic designs of the Brooklyn Waterfront Greenway as a flood barrier in Red Hook, and integrate it with flood resiliency measures in Sunset Park, as part of the Greenway's extension to Southwest Brooklyn. The BGI's 2017 feasibility study sought to reduce coastal storm surge effects through measures compatible with the Greenway's continued development, but also to identify how the Greenway could serve as a flood mitigation tool. The study considered various constructible components of the Greenway alignment as a flood protection measure. The size and availability of the corridor dictated the type of potential interventions that could be constructed, such as earthen berms, deployable flood systems, or floodwalls.

Three alternatives were developed for Sunset Park with various degrees of coastal storm surge protection ranging from an estimated \$40 million, \$90 million, or \$130 million alternatives.

Borough President Adams believes that the Mayor's Office of Resiliency (MOR) should advance the implementation of the Brooklyn Waterfront Greenway, a view also expressed in UPROSE's GRID plan, as a means to enhance bicycle safety along a section of Third Avenue, and achieve integrated storm surge protection in Sunset Park.

### **Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends the following:

That the City Planning Commission (CPC) and City Council approve the requested 160146 MMK change to the City Map to demap 40<sup>th</sup> Street between First and Second avenues.

That the CPC and City Council approve the requested 190296 ZMK zoning map amendment to replace an M3-1 district with an M2-4 district, generally between Second and Third avenues, 32<sup>nd</sup> and 37<sup>th</sup> streets, 500 feet west of First and Second avenues, and 39<sup>th</sup> and 41<sup>st</sup> streets, establishing a Special Industry City (IC) District within the boundaries of each area, on the condition that the CPC and City Council accept the zoning text modifications pursuant to 190298 ZRK (outlined below).

That the CPC and City Council approve the requested 190298 ZRK zoning text amendment to establish the IC within the New York City Zoning Resolution (ZR) as Section 129-21, creating a special permit to enable modification of specific sections stipulating uses permitted as-of-right, performance standards, and regulations governing floor area, height and setback, and yards, on the following conditions:

1. That ZR Section 129-21 Special Permit for Use and Bulk Modifications be modified to enable CPC to allow uses as per the following:

- a. **Restrict school locations:** ZR 129-21(a)(1)(i) ...from Use Group 3A: #schools# located to be within 200 feet of Third Avenue,...
- b. **Eliminate hotels:** ZR 129-21(a)(1)(ii) ~~#transient hotels#, as listed in Use Groups 5 and 7A~~
- c. **Regulate amusement uses:** ZR 129-21(a)(1)(iii) all #uses# listed in Use Groups 6A, 6C, 7B, 8A, 9A, 10A, 12A, except that eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments with any capacity and dancing would not be permitted, 12B...
- d. Regulate amusement, and retail/service establishment uses based on the proportion of the following required uses

- i. **Agricultural establishments, Automotive Service establishments restricted to renewable energy sources, Certain Community Facility Uses, Heavy Service establishments, Manufacturing establishment, Studios for art, music, dancing, motion picture production, photographic, radio/television, or theatrical, Semi-industrial uses, Trade Schools for Adults, existing non-conforming Depositories Warehousing establishment floor area:** ZR 129-21 (a)(1)(ii) Office, as listed in Use Group 6B, and Amusement, Retail and Service Use Groups listed in Use

Groups 6A, 6C, 7B, 8A, 9A, except for blue printing or photostating establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A, except for non-conforming depositories, and studios, 12A, 12B and 14A shall be permitted to the extent that the ratio of floor area for Required Industry City Use Groups 3A uses, as permitted according to ZR 129-21(a)(1)(i), 9A limited to blue printing or photostating establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A limited to non-conforming depositories, and studios, 11A, 16A except for automobile showrooms, 16B, 16D except for truck terminals, warehouses and, wholesale establishments, 17B, 17C limited to agriculture, and 18A, are provided

- ii. Provide that:

1. For existing floor area, such aggregate zoning lot floor area for Required Industry City Use floor area be provided at a rate of 1.6 square foot for every one square feet of amusement, retail and/or service use floor area
2. For newly constructed floor area, such aggregate zoning lot floor area for Required Industry City Use floor area be provided at a rate of one square foot for every five square feet of floor area and at a rate of 1.6 square foot for every one square feet of amusement, retail and/or service use floor area
3. For when warehouse floor area is provided in excess of 10,000 square feet, Required Industry City Use floor area shall be provided at a rate of 4.0 square foot for every subsequent one square feet of amusement,

retail, and/or service use floor area provided, until such increment of amusement, retail, and/or service use floor area in excess of 1.6 square feet results in not less than one half of warehouse floor area dedicated as Required Industry City Use floor area

4. Accessory retail floor area that would otherwise meet the definition of Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, not exceed the greater of 100 square feet or 10 percent of an establishment's floor area, (limited to 1,000 square feet), in order to be deemed accessory
5. That such manufacturing uses be provided with clear access to common service corridors, freight elevators, and loading docks on streets 24 hours a day, seven days a week to ensure active industrial spaces
6. That compliance and recordation shall be according to ZR 74-962(d)
7. That periodic notification by owner shall be according to ZR 74-962(e)
8. That annual reporting by a qualified third party shall be according to ZR 74-962(f)
9. That floor area sublet to and/or managed by a not-for-profit agency shall remain part of the zoning lot and be required to comply with annual reporting and periodic notification requirements

e. **Reduce floor area permitted for retail and service uses by 150,000 square feet (sq. ft.), restrict extent and location of establishments in excess of 10,000 sq. ft., and require post-opening traffic study.** ZR 129-21(a)(1)(iii)(a) all amusement, retail and service establishments #uses# shall be limited to an aggregate #floor area" of 900,000 750,000 square feet; Additionally:

- i. Uses shall be limited to 10,000 square feet, except that no such establishments are permitted on Zoning Lot 4 unless within 100 feet of First Avenue for Buildings 22, 23 and 26 and all of Building 24
- ii. Primary access to individual establishments shall not be permitted on 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup>, and 36<sup>th</sup> street frontages, though one common access point is permitted per listed street. Direct access shall be permitted from Second and Third avenues and interior courtyards
- iii. The Certificate of Occupancy (C of O) for uses in excess of 10,000 sq. ft. shall note a requirement for a post-occupancy traffic study when such establishments exceed 150,000 sq. ft. to be initiated no earlier than six months, and no later than one year after the threshold is met, and prepared in consultation with the New York City Department of Transportation (DOT).
- iv. Retail uses in excess of 10,000 square feet shall be subject to the following location restrictions:
  1. Uses permitted up to 50,000 sq. ft. per establishment shall be located on the first and/or second floors between 37<sup>th</sup> Street to within 100 feet of 37<sup>th</sup>

Street and Third Avenue to within 100 feet of Third Avenue, and limited to an aggregate 80,000 sq. ft. of establishments in excess of 10,000 sq. ft.;

2. Uses permitted up to 80,000 square feet per establishment shall be located within the first and or second floor of the existing building at 39<sup>th</sup> Street between Second Avenue and 325 feet from Second Avenue to within 150 feet of 39<sup>th</sup> Street and between Second Avenue and 125 feet from Second Avenue to 41<sup>st</sup> Street, with such uses shall be limited to an aggregate 150,000 sq. ft. of establishments in excess of 10,000 sq. ft. Building 11 and Building 21, and limited to an aggregate of 160,000 sq. ft. of establishments in excess of 10,000 sq. ft.

- f. **Additional stipulations tied to proposed Parking Requirements, to achieve alternative fueling facilities, additional bicycle parking, and spaces for car share vehicles:** ZR 129-21(a)(1)(iii)(b): Provided that required parking is located in an enclosed parking garage, there shall be access to high-capacity alternative fuels, such as electric, hydrogen, natural gas, or other alternative source in proximity to the facility's entrance; electric charging adapters shall be accessible to no less than 10 percent of all parking spaces; required parking shall dedicate additional space to car-share vehicles at a rate of one per 50 parking spaces while accessory bicycle parking shall be provided at a rate of one per 4,000 sq. ft. for community facility uses and one per 8,000 sq. ft. for Use Groups
- g. (UGs) 6A, 6C, 7B, 8A, 8B, 9A (except for depositories for storage of office records, microfilm or computer tapes, or data processing), 12B and 14A, the amount of aggregate.....
- h. **Restrict Automotive Service Stations, limited to renewable energy sources, and Restrict Trucking Terminals and Warehouses** ZR 129-21(a)(1)(vi) Use Group 16B Automotive Service Establishments shall be limited to renewable energy sources, Use Group 16D warehouses, not ancillary to manufacturing and industrial uses, such as wholesale trade, shall be limited to no more than 10,000 sq. ft. per establishment north of 37<sup>th</sup> Street and to 250,000 sq. ft. per establishment, and no more than 750,000 sq. ft. of such establishments, though this establishment limit may be increased upon application for the grant of a special permit by CPC. ZR 74-64 Trucking Terminals or Motor Freight Stations shall made applicable to warehouses in the IC, and UG 17C shall exclude Trucking Terminals and Motor Freight Stations with no limitation of lot area per establishment
- i. **Ensure Finger Building Courtyards as a publicly-accessible amenity, analyze and mitigate actual traffic conditions, enhance pedestrian safety, and explore transit connectivity:** ZR 129-21(a)(2) The Commission may permit modifications to all underlying #bulk# regulations other than permitted #floor area ratio# except for the following:
  - i. All courtyards between 33<sup>rd</sup> and 37<sup>th</sup> streets must be left clear of any permanent building section below a height of 30 feet above the courtyard elevation, except for accessory structures consistent with ZR 37-53 Design Standards for Pedestrian Circulation Spaces ZR 37-53 Kiosks and Open Air Cafés
  - ii. For new development Buildings 11 and 21: Before the New York City Department of Buildings (DOB) Commissioner approves plans for retail establishments in excess of 10,000 sq. ft. that taken together, exceed 80,000 square feet within Building 11 or 80,000 square feet within Building 21, such bulk modifications shall mandate that the issued C of O require a post-occupancy traffic study to be initiated no earlier than six months, and no later than one year after the threshold



is met or exceeded. Such study shall be prepared in consultation with DOT. Moreover, any mitigation costs identified shall be the direct responsibility of the property owner

- iii. For new development Buildings 11 and 21, prior to the approval of any Builders Pavement Plan, sidewalk extensions (construction and/or protected painted treated roadbed sidewalk extensions) for the intersections of First Avenue and 39<sup>th</sup> Street and Second Avenue and 32<sup>nd</sup> Street shall be incorporated into such plan subject to approval by the DOT Commissioner
- iv. For new development Building 21, before the DOB Commissioner approves the issuance of a building permit, the property owner shall contribute monies to a City Comptroller Fiduciary Account for a feasibility study of a station entrance and platform immediately west of Fourth Avenue at 38<sup>th</sup> Street to accommodate potential New York City Transit (NYCT) shuttle service to First Avenue and 39<sup>th</sup> Street
- j. **Ensure consideration for industrial and manufacturing uses, remove consideration for hotels, include private street accommodation of loading areas, and advance locally-based hiring in construction trades** CPC findings for use modifications should be amended as follows:
  - i. ZR 129-21(b)(2)(i) such proposed #uses# are compatible with existing industrial and manufacturing #uses# and are appropriate for the location
  - ii. ZR 1229-21(b)(2)(vi) ~~for #transient hotels# in Use Group 5 or 7A...~~
  - iii. ZR 129-21(b)(3)(iv) "such modifications do not unduly change the dimensions of, or access to, existing private streets" to ensure access to loading areas for manufacturing uses
  - iv. ZR 129-21(b)(3)(v) require adequate representation that new development would result in achievement of Locally-Based Enterprise (LBE) participation consistent with Section 6-108.1 of the City's Administrative code and Minority and/or Woman-Owned Business Enterprise (MWBE) participation in accordance with Local Law 1 standards.

That for the CPC and City Council disapprove, the requested 190297 ZSK special permit pursuant to ZR Section 129-21 for a proposed commercial development planned as a unit and comprising an area of at least 1.5 acres, on the properties to be rezoned, subject to the following condition:

- 1. That the set of drawings associated with the IC Uniform Land Use Review Procedure (ULURP) — Assemblage A Waiver Plan be modified as follows:
  - a. Drawing Z2.0A Zoning Analysis, dated February 19, 2020:
    - i. Zoning Lots 2 and 3 shall eliminate UG 5A and 7A transient hotels, but include UG 3A schools and UG 8A and 12A amusements as uses subject to locational restrictions
    - ii. Regarding Floor Area Permitted and Floor Area Ratio (FAR) Permitted, for all Zoning Lots, the commercial use exception shall be expanded to include amusement

establishments in UGs 8A and 12A; in addition to retail/service establishments amusement establishments in UGs 8A and 12A, shall be included; floor area and FAR shall be reduced from 900,000 to 750,000 square feet (sq. ft.) 0.7 FAR to 0.58 FAR and eliminate UG 5 and 7A hotels

- iii. Regarding Parking Proposed, in addition to retail/service establishments, amusement uses in UGs 8A and 12A shall be included in the total floor area to determine when parking would be required
  - iv. Regarding Bicycle Parking Required, in addition to commercial uses, in lieu of one space per 10,000 sq. ft., the parking requirement shall be increased to one space per 8,000 sq. ft., and for community facility uses, in lieu of one space per 5,000 sq. ft., it shall be increased to one space per 4,000 sq. ft.
- b. Drawing Site Plan Enlarged — Zoning Lots 1 and 2 Z3.0A, dated February 19, 2019, shall be modified to establish coverage limiting dimensions for Building 11 consistent with the area shaded as proposed new construction
  - c. Drawing Site Plan Enlarged — Zoning Lots 3 and 4 Z4.0A, dated February 19, 2019, shall be modified to establish coverage limiting dimensions for Building 21 consistent with the area shaded as proposed new construction
  - d. Drawing Use Waivers Plan — Zoning Lots 1 and 2 Z7.0A, dated March 1, 2019, shall be modified to change the legend and drawing as follows:
    - i. For the notation to indicate such restrictions as applicable to Amusement Establishments listed in UGs 8A and 12A
    - ii. For establishments permitted on the first floor only, to change the size limit from 40,000 sq. ft. to 10,000 sq. ft., and that enlarge such area of applicability for Zoning Lot 1 to include Zoning Envelope A but for Building 11 and all of Zoning Envelopes B, C, and D, and for Zoning Lot 2, the northern half of Zoning Envelope E
    - iii. For establishments permitted on the first and second floor and limited to 50,000 sq. ft. per establishment, reduce such area of applicability for Zoning Lot 2 to only include the southern (37<sup>th</sup> Street-fronting) half of Zoning Envelope E, and limit such establishments to 80,000 sq. ft.
    - iv. For establishments permitted on the first and second floor with no size limit per establishment, limit such applicability for Zoning Lot 1 to Zoning Envelope A Building 11 and limit establishments to 80,000 sq. ft.
  - e. Drawing Use Waivers Plan — Zoning Lots 3 and 4 Z8.04, dated March 1, 2019, shall be modified to change the legend and drawing as follows:
    - i. For the notation to indicate such restrictions as applicable to Amusement Establishments listed in UGs 8A and 12A
    - ii. For establishments permitted on the first floor only, to change the size limit from 40,000 sq. ft. to 10,000 sq. ft., and reduce such area of applicability for Zoning Lot 4 to within 100 feet of First Avenue for Buildings 22, 23 and 26 and all of Building 24

- iii. For establishments permitted on the first and second floor with no size limit per establishment, limit such applicability for Zoning Lot 3 to Building 19 and new Building 21, and limited each establishment to 80,000 sq. ft., with a total limit of 150,000 sq. ft. of such establishments in Building 19, and 80,000 sq. ft. in new Building 21, with a total limit of 120,000 sq. ft. in Building 21
  - f. Drawing Enlarged Sections — Zoning Lots 1 and 2 Z9.0A dated February 19, 2019, shall be modified to establish in Zoning Lot Section – Lots 1 and 2 Numbers 2 and 3, the removal of volume from the Zoning Envelopes of B, C, D and E, between the existing buildings from below a plane of elevation 30 feet above the courtyard level to the courtyard level
2. That the set of drawings affiliated with the IC ULURP application — Assemblages B, C, and D Waiver Plan be modified consistent with modifications for Assemblage, and for Assemblages B, C, and D, as follows:
- i. For establishments permitted on the first floor only, to have the size limit changed from 40,000 sq. ft. to 10,000 sq. ft., and that such area of applicability for Zoning Lot 1 be enlarged to include Zoning Envelope A but for Building 11 and all of Zoning Envelopes B, C, and D, and for Zoning Lot 2, the northern half of Zoning Envelope E except for within 100 feet of Third Avenue

For establishments permitted on the first and second floor and limited to 50,000 sq. ft. per establishment, that such area of applicability for Zoning Lot 2 shall be reduced to only include the southern (37<sup>th</sup> Street fronting) half of Zoning Envelope E and Third Avenue frontage to a depth of 100 feet and be limited to 100,000 sq. ft. of such establishments

- ii. For establishments permitted on the first and second floor with no size limit per establishment, that such applicability for Zoning Lot 3 shall be limited to Building 19 and new Building 21 and be limited to 80,000 sq. ft. per establishment in Building 19, and be limited to 150,000 sq. ft. of such establishments, and 80,000 sq. ft. in new Building 21, and be limited to 160,000 sq. ft. of such establishments

Be it further resolved that 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P (BTO) (or its successors) memorialize commitment to the City Council to the extent that it would:

- 1. Convene annual Tech Apprenticeship Summits of its appropriate Technology, Arts, Media, and Innovation (TAMI) tenants
- 2. Undertake tenant outreach to promote utilization of the Empire State Apprenticeship Tax Credit
- 3. Launch tech apprenticeships as part of Apprentices NYC, funded via BTO or its successors through a percentage of amusement and/or retail and service lease revenues, in order to expand access to such careers
- 4. Commit to sustainability measures such as solar panels and/or wind turbines, passive house, blue and/or green roofs, New York City Department of Environmental Protection (DEP) rain gardens, a geothermal cogeneration plant to serve Industry City's summer peak heating demand for process and domestic hot water, or use of Upper New York Bay water for heating/cooling for

compressorized systems, and/or an interim urban agriculture use to grow green roof sedums for Industry City

5. Develop strategies to provide targeted marketing and leasing preference to businesses that comply with the New York State Climate Leadership and Community Protection Act (CLCPA), with the aim of expanding clean energy employment and uses at Industry City
6. To solicit the New York City Department of Education (DOE)'s interest in securing space for a publicly funded Science, Technology, Engineering, Arts, and Math (STEAM) Center or a STEAM-focused high school, and offer space to the agency prior to targeting retail users, providing DOE no fewer than 90 days for DOE to issue a response
7. Provide protected bicycle parking stations, in coordination with DOT

That the DOE, in consultation with Brooklyn Community Board 7 (CB 7), and local elected officials should:

1. Commit to funding the installation of fiber-optic broadband to support Science, Technology, Engineering, Art, and Math (STEAM) education funding in Brooklyn Community District 7 (CD 7) schools

Commit to execute a legal instrument with BTO (or its successors) expressing intent to fund either a STEAM center of approximately 30,000 sq. ft., technical high school at Industry City, modeled on the STEAM Center at the Brooklyn Navy Yard (BNY), of no less than 30,000 sq. ft., or a STEAM-focused high school of sufficient floor area where the resulting seats are re-apportioned through the conversion of an extremely underutilized high school to a middle school in a district where there is a shortfall of such seats, and proceed with the design for a STEAM Center or STEAM-focused high school no more than three years after the effective date of the rezoning

That the DOE, in consultation with the Citywide Council on High Schools, shall identify underutilized high schools that might be re-positioned as a middle school in school districts projected to be in need of such seats

That the New York City Department of Small Business Services (SBS) should:

1. Scale up the NYC Tech Talent Pipeline's associate engineering program — a promising model for connecting underrepresented talent with hands-on training and paid apprentice-like positions at growing tech companies
2. Launch a Tech Apprenticeship Accelerator, per a Center for Urban Future (CUF) report, that would provide businesses intensive assistance to jump-start a customized apprenticeship program; bring together training partners, educational institutions, and sponsors to connect with employers, and create a platform for ongoing employer engagement and program development

That the New York City Economic Development Corporation (EDC), in consultation with Brooklyn Community Board 7 (CB 7), and local elected officials should:

1. Prioritize, in its leasing strategy for City-owned industrial properties, uses consistent with the UPROSE Green Resilient Industrial District (GRID), including Brooklyn Army Terminal

(BAT) Annex, Brooklyn Wholesale Meat Market, and Bush Terminal Industrial Site, as well as other holdings along the Sunset Park waterfront

2. Encourage non-green economy industrial businesses with expiring leases in Sunset Park to relocate to facilities such as Industry City, to create more leasing opportunities for green economy industrial tenants and uses
3. Advance the development of a second Sunset Park port facility by filling in the off-shore section between the bulkhead and pierhead lines south of Bush Terminal Piers Park
4. Advance the construction of a ferry berth at 39<sup>th</sup> Street and initiate regular service as part of the NYC Ferry network
5. Initiate a feasibility study for a long-term overbuild of the MTA New York Transit Authority (NYCT) 38<sup>th</sup> Street Train Yard and Facility to develop a new, planned, transit-oriented extension of Sunset Park, with a significant share of affordable housing, while allowing rail operations to continue below

That EDC, in consultation with the New York City Department of Housing Preservation and Development (HPD) should initiate a feasibility study for a near-term overbuild of the BAT parking lot along Second Avenue to realize a five-block, 100 percent affordable housing development with 50 percent of the units geared to Sunset Park Area Median Incomes (AMIs).

That the New York City Human Resources Administration (HRA), through its Office of Civil Justice, should immediately implement to ZIP codes 11220 and 11232, pursuant to the Universal Access to Legal Services law, with additional services from its Tenant Support Unit, including: Housing Court defense attorney representation for eviction case court representation, as well free eviction defense legal assistance, legal help to tenants, buildings and tenant associations to help preserve their housing and protect against harassment or misconduct, and provide representation and legal advice in a range of housing-related cases

That HPD should:

1. Set aside funding from the Mayor's "Housing New York: A Five-Borough, Ten-Year Plan" intended for preservation of affordable housing to refinance residential buildings with expiring regulatory agreements in CD 7, and conduct follow-up outreach and engagement to owners of such properties
2. Expand its Landlord Ambassadors Program to CD 7
3. Increase funding to locally-based homeowner and tenant advocacy/counseling/organizing entities, such as the Brooklyn-Chinese American Association (BCA) and Neighbors Helping Neighbors (NHN), to enhance capacity for the following efforts: identifying the most at-risk

buildings and developing a strategic action plan for preservation; providing legal assistance including tenants' rights and property owner clinics, and promoting the HomeFix Program (homeowner repair), Green Housing Preservation Program (GHPP) (small building retrofitting), and HomeFirst Down Payment Assistance Program to residents in CD 7

4. Extend the Certification of No Harassment requirement, established via a 2018 pilot program within geographies delineated in Local Law 1 of 2018, to all of CD 7, which would require

owners of buildings with significant physical distress or ownership changes to acquire permits from DOB for work involving demolition or change in use/occupancy.

That CPC and/or the City Council should call for the modification of the Mandatory Inclusionary Housing (MIH) section of the ZR to stipulate that MIH-designated areas be adopted with a requirement that permits households with rent-burdened status (by excepting households paying equal or higher rent than what is set by a lottery from the 30 percent of income threshold) to qualify for affordable housing units pursuant to MIH.

That DOT, in consultation with Brooklyn Community Board 7 (CB 7) and local elected officials, should:

1. Establish more CitiBike docking stations in proximity to Industry City and throughout Sunset Park and facilitate the provision of secure enclosed bicycle parking
2. Study the feasibility of implementing Bus Rapid Transit (BRT) along Third Avenue
3. Analyze Third Avenue southbound to implement traffic calming measures such as curb bulbouts/sidewalk extensions, the additional designated loading zones, sidewalk widening, protected bike lanes, and planters, as warranted
4. Enhance Third Avenue pedestrian crossings via high visibility, wide-width painted crosswalks, additional lighting under the Gowanus Expressway viaduct, and new street art at the following cross-streets: 29<sup>th</sup>, 32<sup>nd</sup>, 34<sup>th</sup>, and 35<sup>th</sup> (D'Emic Playground); 36<sup>th</sup>, 37<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 43<sup>rd</sup>, 46<sup>th</sup>, and 47<sup>th</sup> (Pena Herrera Park), and 51<sup>st</sup>, 58<sup>th</sup>, and 59<sup>th</sup> (PS/IS 746K)

That the New York City Department of City Planning (DCP) undertake a study, in consultation with CB 7 and local elected officials, to establish a subway stairway bonus by upzoning the west side of Fourth Avenue between 33<sup>rd</sup> and 36<sup>th</sup> streets to fund transit improvements that widen stairwells and provide access to the northern side of 36<sup>th</sup> Street station's downtown and uptown platforms.

That MTA NYCT should reopen existing secondary entrances at all subway stations in Brooklyn Community District 7 (CD 7), and advance fare integration with NYC Ferry.

That the New York City Department of Parks and Recreation (NYC Parks), in consultation with CB 7 and local elected officials, should provide funding to upgrade the following facilities: Bush Terminal Park, D'Emic Playground, Gonzalo Plascencia Playground, Pena Herrera Park, and Sunset Park.

That the Mayor's Office of Resiliency (MOR) should advance the implementation of the Brooklyn Waterfront Greenway as a means to enhance bicycle safety along Third Avenue, and achieve integrated storm surge protection.



Cesar Zuniga  
Chairperson

Jeremy Laufer  
District Manager

**THE CITY OF NEW YORK  
BOROUGH OF BROOKLYN  
COMMUNITY BOARD #7**

Eric Adams  
Borough President

**January 29, 2020**

**BROOKLYN COMMUNITY BOARD 7  
FINAL Response and Recommendations Statement (Amended)  
Industry City Rezoning Application**

To Whom it May Concern:

Brooklyn Community Board 7 (The Board, CB7) received a rezoning application for the project area known as Industry City on November 6, 2019. The Applicant (1-10 Bush Terminal Owner LP and 19-20 Bush Terminal Owner LP) is requesting the following discretionary actions to facilitate the project (collectively, the "Proposed Actions"):

Zoning Map Amendment – ULURP Number: APPLICATION #C-190296 ZMK  
Zoning Text Amendment – ULURP Number: APPLICATION #N-190298 ZRK  
Zoning Special Permit – ULURP Number: APPLICATION #C-190297 ZSK  
Related Change in City Map – ULURP Number: APPLICATION #C-160146 MMK

Pursuant to Section 4.060 of the City Charter, CB7 voted on this Response and Recommendations Statement during its Board Meeting of January 15, 2020, which took place in its Hearing Room with a valid quorum present. A Public Hearing on this matter was conducted on December 9, 2019 at Grand Prospect Hall and continued over at the CB7 Hearing Room on December 11, 2019.

CB7 recognized early on that the Industry City Rezoning was very complex and needed a comprehensive public review process. The Board organized an extensive outreach process prior to certification, with public hearings, committee meetings, speakouts, and multiple planning workshops scheduled over the past two years. From the outset, the Board had several concerns:

- Why is the zoning change needed and is the change limited in impact to the neighborhood?
- Why is an increase of floor area needed when the Industry City complex is already overbuilt?
- The huge and unprecedented scale of this development requires intensive community review of impacts.

In September 2019, Council Member Carlos Menchaca asked for several conditions to be revised in the Application, such as no hotels, reflecting a major concern of the Board. Industry City promised to do so (in writing) however, the application was not revised to reflect these conditions by the time the Application was submitted to the Board. The Board hopes this will change prior to Council review.

4201 Fourth Avenue, Brooklyn, NY 11232 (718) 854-0003 FAX (718) 436-1142

E-mail: [bk07@cb.nyc.gov](mailto:bk07@cb.nyc.gov)

Twitter: @BKCB7 Facebook Page: Board Seven Brooklyn

*Serving Sunset Park, Greenwood and Windsor Terrace*



During the public process, Industry City and its tenant businesses were vocal participants advocating for job creation. Community groups opposed to the rezoning were concerned about displacement, gentrification and the loss of essential neighborhood character. The Board listened carefully to this testimony, as well as the testimony of community residents, families, workers, stakeholders, visitors, and elected officials. Attached to this response is a Primer which contains summaries of the Town Halls, Public Speakouts, Committee Meetings, as well as community testimony.

As part of the Board's review, seven standing committees of the Board did their own analysis of the Application to provide context and background for the next levels of ULURP review. These Issue Sections are included in this Response to make clear why these issues are important to Sunset Park and how the rezoning application will affect the district.

Issue Section 7 lists the Board's votes on the land use actions that comprise the Application. The Land Use Committee's recommendations for approval with conditions of the Zoning Map Amendment and Zoning Text Amendment were not affirmed by the Board. However, the Board's vote of disapproval with conditions of the Zoning Special Permit included several text items that were approved by the Board and are as follows:

**Waterfront District Regulations should apply to site**

- C1 Special Regulations applying in the Waterfront Area, Article VI, Chapter 2 shall apply and the SICD shall not be exempted (A46a).

**Bulk modifications to ensure more predictable development:**

- C2 Zoning text of the special district must include a FAR limitation of 4.5 to limit adverse environmental impacts (A47a).
- C3 Zoning text of the special district must include mandatory front building walls along First, Second and Third Avenues (A47b).

**Use modifications to protect manufacturing space and to reduce conflicts:**

- C4 Zoning text of the special district must prohibit all self-service storage facilities and other warehousing not ancillary to manufacturing and industrial uses. Warehousing ancillary to wholesale trade is limited to no more than 10,000 sf per establishment except this limit for the specific establishment may be increased upon review and approval by the Board (A48a).
- C5 Zoning text of the special district shall prohibit trucking terminals and motor freight stations over 10,000 sf to limit traffic impacts and reserve space for higher value manufacturing uses (A48b).
- C6 The Board supports the location of a grocery store meeting FRESH requirements as an approved use pursuant to special permit, with the stipulation that it can only be located in Building 11 on the ground floor (A48c).

**Findings**

- C7 The Discussion of Findings must be amended to incorporate findings that were added by the zoning text amendments recommended by the Board, including the following (A68):
- C8 Under (2)(i) for use modifications, revise to "such proposed uses are compatible with manufacturing and industrial uses and are appropriate for the location." (A68a)
- C9 Add (3)(iv) for bulk modifications to read "The proposed modifications do not unduly change the dimensions of, or access to, existing private streets" to ensure access to loading areas for manufacturing uses. (A68b)

The Board voted to disapprove with conditions the Demapping of 40th Street.



In addition, the Board voted to include all recommendations listed in the Issue Sections as conditions to the actions. Type A recommendations are listed for the Applicant and Type B recommendations are listed for the City and other stakeholders.

Submitted to the Board:

A handwritten signature in black ink, appearing to read 'John Fontillas', followed by a long horizontal line.

John Fontillas

Brooklyn Community Board 7  
Land Use and Landmarks Committee Chair

## **INTRODUCTION TO SUNSET PARK**

Sunset Park is a Brooklyn community with a unique physical context and socio-cultural history. Residential uplands crown the ancient Terminal Moraine and occupy some of the highest points in the city. Overlooking a broad plain at the bay's edge, this waterfront drew factories, warehouses and businesses dependent on access to shipping, the port and railroads. Several large warehouses were constructed by the Bush Terminal Company between 1892 and 1925. These are the buildings that are subject to the rezoning application.

After the 4<sup>th</sup> Avenue subway was completed in 1910, the blocks from 3<sup>rd</sup> Avenue to 7<sup>th</sup> Avenue were fully developed within 10 years, with brownstone and rowhouses occupying the rocky land. The development of Sunset Park occurred during a time of great migration into the city. Irish, Italian and Scandinavian immigrants moved into newly built homes, finding work on the wharves and shipping warehouses like those in their homelands. By the 1930s, the neighborhood was a vital walk-to-work residential district. The two-family rowhouses with a separate rental apartment on the top floor gave working-class families entry into the middle class.

Construction of the Gowanus Expressway and white flight to suburbs in the 1950s and 1960s led to significant changes in the neighborhood. As the original immigrant groups moved to the suburbs, Puerto Rican and Dominican arrivals began to grow their own communities. By the 1970s, lack of public investment in schools and community services, socioeconomic problems and the rise of gangs led to disinvestment, abandoned homes and made life difficult for the families that remained.

In the 1980s, the return to the city movement encouraged restoration of the venerable rowhouses, as longtime residents and families displaced from other parts of Brooklyn came to Sunset Park seeking affordable homes. In the 1990s, Mexican and Central American immigration increased, drawn to the existing Spanish-speaking community. Chinese immigrants from the Fujian province began to purchase homes along the 8<sup>th</sup> Avenue business corridor with their population increasing steadily by the 2000s. Today, Sunset Park is a diverse community with no one ethnic group in the majority.

## **ISSUE 1 – IMMIGRATION/IDENTITY**

### **Our Community**

Sunset Park historically has been a “gateway neighborhood” for many new arrivals to America. It performs a role other immigrant communities have played during the city's history, helping to land new immigrants, acclimate them to the United States, and to provide a social and cultural haven in which to build their own American dream. This is a neighborhood where small immigrant businesses begin, families start to build working capital and an ethnic community develops in a nurturing environment. The community takes very seriously its role to welcome all immigrants, documented and undocumented, recognizing this process defines the essential character of Sunset Park, the city and the nation.

The Sunset Park community finds value in a neighborhood that is not homogenous and insists on equity and fairness in community affairs and the dignity that comes with that. However, like all communities, we often fall short of these goals. Immigrants face staggering barriers to housing protection, access to health care, and work discrimination. Many newcomers are extremely vulnerable because they do not know services are available to them, especially those who are not fluent in English or live in small owner-managed properties.

### **Public Commitment to Immigrant Residents and Businesses**

The Board insists Industry City (IC) should publicly promote the neighborhood's immigrant character and history if it is seeking approval of its rezoning request from the community. IC is part of Sunset Park and vice versa. It is not an island detached from the neighborhood. Its fortunes are directly tied to the quality of life in Sunset Park. This community connection should be publicized in the project's marketing and leasing materials and these materials should be published in the four primary languages spoken in Sunset Park: English, Spanish, Cantonese and Arabic. The community must see evidence that Industry City is invested in the goals of the entire neighborhood and fully embraces the aspirations of its residents.

### **Impact on Existing Community Jobs**

The Board is concerned about manufacturing job loss and the closures of small businesses on 5<sup>th</sup> and 8<sup>th</sup> Avenues which employ many community residents. Neighborhood businesses are typically small storefronts or small industrial concerns, owned by a diverse group of immigrant and local residents focused on neighborhood or borough-based

customers. Many of these businesses reinvest in the community and provide affordable shopping and living wages for the community. Retaining these neighborhood businesses and the community character they represent are vital to maintaining the social fabric of Sunset Park.

Building ownership in Sunset Park is not dominated by large corporations; many buildings are owned by local families or individual owners. This business ecology has developed a unique blend of "Mom and Pop" and national retail brands, with few vacancies over the past decade. However, the Board has received reports of increased landlord harassment and a permit crackdown by the city, with many business-owners believing they are being forced out. The prospect of a large retail development that would draw customers away from local business districts is increasing speculation and the fear of rising rents, especially those businesses located in the waterfront district.

To support the community, the Board wants a commitment from IC to hire locally, to provide a living wage to its employees and to work with its tenants to do the same. The Board would like IC to commit to strengthening participatory employment goals to foster Minority/Women-owned Business Enterprises (MWBE), Living Wage and Work Safety Protections in its construction, marketing and leasing activities.

#### **BE IT RESOLVED**

- A1 Applicant to provide public commitment of support of Sunset Park's immigrant community and to feature the community's location and neighborhood as part of its marketing and leasing materials. Materials to be provided in Sunset Park's primary languages (English, Spanish, Cantonese and Arabic).
- A2 Applicant to partner with local community-based organizations to provide information on partnerships and services.
- A3 Applicant to provide transparency as to which businesses they are leasing to by providing a report of marketing and leasing activities biannually to the Board.
- A4 Applicant to do outreach to local Sunset Park businesses for construction, maintenance and leasing subcontracts in the project area.
- A5 Update EIS analysis to determine impact of rezoning on local businesses in an expanded trade area extending from 1<sup>st</sup> to 8<sup>th</sup> Avenues and from 15<sup>th</sup> Street to the LIRR Cut.
- A6 Applicant to provide donations, sponsorships and assistance as requested by local community organizations in CD7 to help support and enhance neighborhood cultural and social programs.
- A7 Applicant to meet MWBE, Living Wage and Safety Protection Local Laws during construction/fitout of spaces.

#### **BE IT FURTHER RESOLVED**

- B1 Landmarks Preservation Commission to review the Finger Buildings (former Bush Terminal warehouses) for New York City Landmark designation and for the State to designate State and National Historic Register status.

### **ISSUE 2 – HOUSING AND DISPLACEMENT**

#### **Housing Affordability**

The most critical issue in the district is affordable housing and displacement of long-time residents due to explosive rent increases. The Board commissioned NYU Wagner to do an in-depth study of its housing crisis last year. The report found that Sunset Park has a high rate of renters and 60% of these residents are paying rents that are more than 30% of their income. This is significantly higher than the rest of the borough. Further, 33.5% of households are severely rent-burdened, or paying more than 50% of their income toward rent.

Due to Sunset Park's physically built out urban context, few new buildings can be constructed in the district. Of the nearly 30,000 housing units in the district, 66% were built prior to 1939. Since 2010, only 305 units have been constructed. As a result, overcrowding of existing rental units is a major issue. 9.1% of Sunset Park rental units are considered severely overcrowded, nearly double the rate of Brooklyn as a whole. With few locations to increase the supply of affordable housing, the Board recognizes that preservation of existing affordable units is the only way to stem this crisis.

The severe rent burden on residents is coupled with rising evictions, correlation of lower median incomes and higher levels of residential migration, leading to Sunset Park residents being extremely vulnerable to potential displacement. Much of the testimony provided by residents during the Board's public outreach described a palpable fear of being displaced, where longtime residents and families, who have lived much of their lives in the neighborhood, contributed to its well-being, and sustained it during times of limited city assistance, are facing the inability to stay in the neighborhood because of rising rents. The loss of family connections, the long distance to available housing affordable for a family, the interruption of children's lives at school, and the forced departure of long-time community members leads to significant destruction of the cultural characteristics of the community.

#### **Speculation and Rising Rent Prices**

How will the rezoning affect residential housing stability? There are no agreed upon methods on how to interpret displacement data and this data is often incomplete. But many residents clearly believe that a large influx of high-paying jobs brought about by IC will influence housing prices and the influx of new people with higher incomes will displace current residents.

Sunset Park is especially vulnerable to speculation because of its predominant housing type – owner-occupied rowhouses. Tenants in this type of housing stock have none of the protections gained from the swath of rent regulations and laws adopted by the city and state. Furthermore, many of these landlords are long term residents who may have provided lower than market rate rents to tenants based on years of cohabitating within the same home and the owners of such buildings viewing their renters more like neighbors than as tenants. Naturally, when these buildings are sold to new owners, these types of arrangements end and the new owners raise rents significantly. In the worst cases, the seller takes on the task of evicting current tenants before closing so the house can be delivered to the new owner free and clear of renters.

#### **Impact on Local Community**

The impact of speculation and rising rents on Sunset Park leads to gentrification of the neighborhood. There is increased risk of many current low-income units coming out of rent protection and families who have lived there for generations being replaced with wealthier families. Those vulnerable families are faced with stark choices of where to relocate to, often to neighborhoods at a distance that do not provide the same social and cultural support that Sunset Park does. Commutes to work become longer. Childcare expenses become a necessity because of the longer commute and family and trusted neighbors who could have helped out are now far away. Home stability is threatened when faced with the pressure to move into a smaller, often more expensive apartment.

Sunset Park's immigrant community has more vulnerabilities and fewer protections against being displaced. The barriers of language, culture, and knowledge of services works against those at risk of displacement. As many of these immigrant families also fall below the area median income, much of the affordable housing and preferential rents available are still priced beyond their reach. These conditions result in the disproportional displacement of working-class families in Sunset Park, further contributing to the segregation of the city along income and racial lines.

#### **Lack of Comprehensive Planning**

The Board is extremely concerned about the precedents shown by recent rezonings of Williamsburg and Long Island City. These former waterfront manufacturing districts were also remade and their neighboring communities lost long-time residents, diversity and community culture. The destructive change in neighborhood character was tangible and profound. In contrast, the changes described in the introduction to Sunset Park were organic changes resulting from waves of immigration and succession. The rezoning stokes community fears of loss and displacement. Many believe change will come at them directly and will attack those most vulnerable.

IC proclaims the solution to the community's needs is through a single perspective, that of jobs, regardless of the type of job it is. This limited focus on jobs is to be accomplished through rezoning for use, bulk and area. The Board soundly rejects this narrow vision of planning. Zoning is a blunt land use tool. It does not comprehensively address underlying social and economic issues and furthers a type of top-down planning at odds with a well-rounded community plan built through consensus.

#### **Flaws in Project Analysis**

The Application and DEIS do not analyze the project's impact on housing. In particular:

- No racial/ethnic impact study conducted examining impact of proposed rezoning on inequity, direct/indirect residential displacement, direct/indirect business displacement, etc. in CD7.
- No creation of a local restricted unit database to allow for research and data tracking of rent restricted units.

- No community specific study examining preservation of existing affordable housing units.
- No identification of possible, potential development sites for new affordable housing and or preservation purchases.
- No procurement of existing 2-5 family housing to be placed into affordable housing stock.
- No survey of community specific, commercial businesses that cater to the current population and how the loss of these businesses is going to impact the population. (Change in products sold to cater to the new, incoming population).
- No comprehensive analytical data or study results available examining increased harassment pressures (e.g. rent increases, lack of lease renewals or short-term renewals, unjust evictions, etc.) for residential and commercial businesses in CD7 pre/post Industry City ownership change in 2013 to present.
- No identification of accurate direct displacement, and no identification of mitigation efforts for directly displaced residential/commercial tenants in proposed site area along 3<sup>rd</sup> Avenue.
- No comprehensive study examining the impact/effects of other project developments currently in progress in CD7.
- No available studies examining home and property sale price changes for homeowners pre/post Industry City ownership change in 2013 to present.
- No comprehensive study examining the impact/effects of several other project developments currently in progress in CD7 as well as no study of neighboring current or potential rezonings (i.e. Gowanus rezoning) or past rezonings of Sunset Park and their impacts on direct/indirect displacement, housing affordability, etc.

To be able to consider and evaluate if the rezoning will fundamentally change the character, diversity and makeup of Sunset Park, there is a definite need for further information.

#### **BE IT RESOLVED**

- A8 Applicant to provide racial/ethnic impact study prior and post rezoning that includes a more diverse and comprehensive data set (school attendance, churches, etc.) for purposes of determining the true nature of primary and secondary displacement of residents and businesses. Study shall be modeled on Council legislation Intro 1572-2019.
- A9 Applicant shall provide significant contributions to a community led and controlled housing fund for preservation of existing affordable units and construction of new affordable units.
- A10 Applicant shall provide funding to support residential and business anti-harassment legal services, enforcement of tenant protections, legal services against unjust evictions.
- A11 Applicant shall provide funding for directly displaced residential tenants in future proposed site area along 3<sup>rd</sup> Avenue. Applicant shall further provide funding for storage of resident possessions, temporary housing at the same cost to tenants, and rent stabilized apartments at the same cost to the displaced tenants, or rental subsidies equal to the difference of the tenants current rent vs. market rate apartments which may be available at the time of displacement.
- A12 Applicant shall provide funding for directly displaced businesses in future site area along 3<sup>rd</sup> Avenue. This funding shall include costs of temporary storage for business materials, stipend for disruptions of business, space for rent at the same rent as the displaced business.
- A13 Applicant to provide report and analysis of Private Equity Fund/Opportunity Zone proposal to provide funding for preservation of affordable units in CD7.
- A14 Applicant to fund affordable housing analysis report if NYCHPD does not meet deadline – see B2 below.

#### **BE IT FURTHER RESOLVED**

- B2 NYCHPD shall fund analysis report prepared by a third-party community organization selected by the Board examining preservation of existing affordable housing units, home and property sale price changes for homeowners from 2013 to present, identification of possible potential development sites for new affordable housing and/or preservation purchases. If NYCHPD has not funded and completed study within 1-year post-rezoning, Applicant shall fund report.

- B3 Per NYC Department of City Planning Executive Director Anita Laremont's letter to Council Member Menchaca and CB7 Board Chair Cesar Zuniga, NYCHPD to provide a list of the 18 locations of Certificate of No Harassment program properties in CD7, and locations of 448 homes in CD7 where affordability has been preserved and to what extent.
- B4 NYCHPD to provide record of outreach in CD7 where information about relevant housing affordability and tenant protection programs or services have been provided to homeowners and renters (in English, Spanish and Cantonese and Arabic languages).
- B5 Per Anita Laremont's letter to Menchaca/Zuniga, NYCHRA Office of Civil Justice (OCJ) to provide a list of the 300 Council District 38 households served in FY2019, breaking down households by Community District. Provide a hard count of the number of evictions avoided among these households. OCJ to provide record of outreach in CD7 where information about these programs have been provided to homeowners and renters (in English, Spanish, Cantonese and Arabic languages).
- B6 City shall provide additional anti-harassment legal services, enforcement of tenant protections, legal services against unjust evictions and funding for such initiatives to affected residents in CD7.
- B7 City to develop a community-specific strategy to mitigate displacement pressures with input from the Board and to provide funding to implement the results of the study.
- B8 Expand city pilot program by NYCHPD to fund basement conversions into legal dwellings in CD7.
- B9 City to ensure stricter review and community notice of DOB applications as it applies to changes in FAR usage and/or deductions and variances.
- B10 Ensure Community Board notice and review of any City Planning Commission decisions relating to the neighborhood, including special permits, special districts, variances, etc.
- B11 NYCHPD and NYCHDC shall create a public-private partnership for purposes of affordable housing development and preservation, as well as procurement of existing 2-3 family houses to be placed into affordable housing stock in CD7 (HPD Pillars, NYC Acquisition Fund).
- B12 City to fund targeted outreach for NYCHPD homeowner repair and retrofitting programs and to make a concerted effort to make these programs known to residents in CD7.
- B13 State of New York Mortgage Authority (SONYMA) and NYCHPD to fund and provide outreach for their down-payment assistance programs for purchasing of co-operative and or condominium type units and rental assistance programs within CD7.
- B14 City shall modify CEQR standards to include review of direct/indirect housing and business displacement for all applications. EIS should expand review area to encompass the full neighborhood represented by CD7; expand study to include other developments currently in process and their effects on CD7.

### **ISSUE 3 - TRAFFIC/TRANSIT**

#### **Truck Congestion**

The Board is concerned about current truck congestion and increased congestion due to the rise of e-commerce/last-mile distribution warehousing. Three proposals for last-mile warehouse facilities have been publicized in the past year within or adjacent to the district. Many of these delivery trucks will add to the street network directly. The Board is actively seeking to deter these last-mile facilities due to the lack of street capacity necessary to accommodate them in the neighborhood.

Another contributor to truck congestion is the lack of ramps onto the Gowanus Expressway at 39<sup>th</sup> Street. Although this has been studied since the late 1980s, access improvements to this stretch of the expressway have not occurred since it was expanded in the late 1950s. With no onramps between 65<sup>th</sup> Street and Hicks Street, large numbers of trucks are stuck navigating the narrow streets of Sunset Park to get to the highway. This is another project that requires the involvement of city, state and federal agencies. These ramps are 50 years overdue and the streetscape of our neighborhood suffers greatly from the inability to get trucks out of the neighborhood.

Traffic impact analysis should include review of the South Brooklyn Marine Terminal (SBMT) and Made in NY Campus developments and how many additional trucks will serve these sites. Activation of SBMT as an intermodal



logistics yard will result in increased connections between the waterside port and ship traffic with landside truck and rail traffic. The confluence of these activities will have a huge effect on neighborhood streets such as 39<sup>th</sup> Street and 2<sup>nd</sup> Avenue. Pedestrian and retail activities will need to be designed carefully so they can coexist with manufacturing traffic across this 40-acre site.

#### **Pedestrian Safety**

The Board's most important concern is the impact of increased traffic resulting from this rezoning application on pedestrian safety. The Vision Zero program tracks the impacts of traffic on 3<sup>rd</sup> Avenue. Unfortunately, it has recorded five pedestrian deaths in past year, the 4<sup>th</sup> highest in districts measured. CB7 has already tested potential traffic mitigation changes in the district. Changes to 4<sup>th</sup> Avenue reduced traffic lanes but improved flow. Based on this experience, the Board wants to increase safety by reviewing and modifying 3<sup>rd</sup> Avenue's road design as well.

#### **Parking**

The Board believes parking demand is driven primarily by retail uses, therefore it seeks to limit the amount of retail generating uses and restrict other uses in order to reduce the number of cars stored near the site. The Board also believes that the amount of parking at IC should be limited as much as possible and the tenants at the complex should encourage their workers and patrons to use public transit. The Board is concerned about induced demand – more parking will encourage more trips by car to IC.

#### **Accessibility Concerns**

Access for people with disabilities is missing at key IC intersections, with a lack of safety measures, such as crosswalk ramps and bumpouts at street corners. NYCDOT was ordered to improve intersections, but we do not know what the schedule for improvements is in the project area.

One growing concern is the safety of children crossing 3<sup>rd</sup> Avenue to schools located near or west of the Avenue. As these facilities add students, the Board demands that the city and state review the conditions of 3<sup>rd</sup> Avenue and the Gowanus Expressway structure to create safe, secure and accessible paths to school.

The Brooklyn Waterfront Greenway transits across the waterfront. The Board would like IC to work closely with the Greenway and the city to create continuous access across the district and to the waterfront.

#### **Transit and Bicycles**

The Board understands that the MTA has announced an ADA station upgrade for the 36<sup>th</sup> St. Subway station. This capital program project is very important for users of this station. The Board would also like the MTA to review the size and capacity of station stairs up to street level. With only two narrow stairways from the station towards IC, these stairways cannot accommodate the potential future worker flow projected by IC.

MTA should also review bus service capacity and schedules to increase intermodal connections.

The Board would like NYCDOT to review the location of a Ferry Terminal adjacent to the project area to provide transit connections to the NYC Ferry network.

Market the IC Shuttle as free to the public.

Bike safety is a major concern because of a recent spate of injuries and deaths. There is also a lack of CitiBike facilities in district. The only two stations are located at IC which are often full, forcing riders to return their bikes to the nearest open stations in Gowanus to complete their rides.

Related to the Board's request for traffic calming, the Board would like the city to review a dedicated bike route along 3<sup>rd</sup> Avenue.

#### **Analysis Deficiencies**

DEIS must include new schools, potential bike lanes, ferry stops, and impacts related to recent 4<sup>th</sup> Avenue improvements. The Board would like to call attention to the DEIS's report of 14 un-mitigatable intersections made worse by the project. This will lead to significant impacts beyond the study area.

**BE IT RESOLVED**

- A15 Applicant to develop and implement pedestrian streetscape plan focused on improving pedestrian amenities, safety, accessibility, and security at private and public streets adjacent to IC sites.
- A16 Applicant to pay for traffic studies prior to and at 1-year, 3-year, 5-year, 10-year and 15-year time periods post-rezoning showing impacts to street network and traffic conditions, including further mitigation, including but not limited to adjustments to signal phasing and timing, traffic management strategies and parking regulation changes.
- A17 Applicant to plan and implement improvements to waterfront access along its waterfront perimeter and to partner with city agencies to improve and build public waterfront access.

**BE IT FURTHER RESOLVED**

- B15 NYCDOT to provide comprehensive truck route study of CD7.
- B16 NYCDOT to conduct future traffic studies including truck distribution hub traffic planned or under construction in CD7 and CD6, EDC-managed developments and properties such as Made in NY campus, Brooklyn Army Terminal and SBMT, commercial waste hauling, congestion pricing, and new schools opening along the 3<sup>rd</sup> Avenue corridor.
- B17 NYCDOT to complete a Safe Routes to School study for schools along the 3<sup>rd</sup> Avenue corridor.
- B18 MTA to review additional exits from the 36<sup>th</sup> Street subway station, as well as reopening existing secondary entrances at all stations in CD7. MTA to provide study of capacity improvements to existing bus lines serving the project area.
- B19 NYSDOT to provide study for additional vehicular ramp entrances onto southbound and northbound BQE at 39<sup>th</sup> Street.
- B20 NYCDOT to provide schedule of installation of pedestrian crossing improvements throughout CD7.
- B21 NYCDOT to provide study for pedestrian safety measures within waterfront IBZ area, including - curb bumpouts, traffic calming devices, painted curbs vs. steel, wider, higher visibility crosswalks, American with Disabilities Act (ADA) accessibility at all crosswalks in the area, accessible markers, sound and visibility aids, cane detection, widening sidewalks on key pedestrian routes, planters, and protected bike lanes.
- B22 NYCDOT/MTA to provide study for ferry transit hub (bus to ferry) at the foot of 39<sup>th</sup> Street or other locations on the Sunset Park waterfront.
- B23 NYCDOT to provide study for elimination of parking along right side of southbound 3<sup>rd</sup> Avenue and improved access to and circulation in the parking fields under the Gowanus Expressway.
- B24 NYCDOT to review transit entrance improvement FAR bonus for development sites along 4<sup>th</sup> Avenue from 37<sup>th</sup> Street to 32<sup>nd</sup> Street.
- B25 NYPD to step up enforcement of local traffic laws in project area – double parking, truck routes.
- B26 City to provide schedule of implementation of roadway improvements listed in CB7's Community Needs Assessment.

**ISSUE 4 - ENVIRONMENT/HEALTH**

**Air Pollution**

The quality of life of Sunset Park residents is fully tied to the quality of its environment. In the past few decades, residents have suffered from the effects of the 3<sup>rd</sup> Avenue and Gowanus Expressway corridors. A 2012 SUNY Downstate study showed elevated levels of asthma, emphysema, and advanced lung diseases in the Sunset Park population especially in children 0-5 years old.

Daily traffic counts along the Gowanus average 200,000 vehicles, with traffic often diverted to local streets below. High levels of truck and traffic emissions are leading to high levels of pollution in the district.



Deceptive environmental assessments have consistently underreported impacts on the community. Air quality analyses often focus on regional models rather than local health impacts. Environmental assessments show that lower-income neighborhoods experience larger exposure to emissions and higher health burdens.

#### **Socioeconomic Factors**

In addition to environmental concerns, socioeconomic factors also lead to negative health outcomes. Socioeconomic factors contributing to negative health outcomes in Sunset Park include the high number of residents living without health insurance or are underinsured and the variety of barriers to health services faced by immigrants due to language and communication barriers. Widespread overcrowding and housing instability are contributing to serious mental health issues throughout the neighborhood.

Of the City's 59 Community Districts, Community District 7 had the 2<sup>nd</sup> highest rate of housing code violations in 2018. Poor housing conditions have serious health consequences, particularly for children in Sunset Park. Negligent landlords in the neighborhood fail to maintain apartments, leading to a variety of health risks.

#### **Climate Change and Resiliency**

Industry City's project area was inundated by Superstorm Sandy in 2012. Floodwaters were contaminated by the legacy of brownfield wastes from adjacent sites. What is IC doing to prepare their building complex, and what is the City planning to do to protect the entire waterfront IBZ district? The Board would like IC to contribute to greater sustainability and resilience for the waterfront and the neighborhood generally.

The Board believes it is necessary to do a comprehensive study to remediate and develop mitigation strategies for brownfield sites within and adjacent to the project area.

#### **Energy, Infrastructure and Sustainability**

Sunset Park's waterfront should be at the forefront of climate change resiliency innovation and resource recovery and management. The Sunset Park IBZ is the last truly industrial waterfront in the City. Significant public properties in the area mean that public interest projects and investments can help build a significant hub for these activities, for manufacturing industries and workforce training as well.

The Bush Terminal buildings were constructed in the early part of the 20<sup>th</sup> century, with limited infrastructure systems. Fitout of this building area to meet contemporary space needs will increase energy use and flows to sewer and water infrastructure. To manage resource needs, the Board recommends all new construction at IC shall conform with Local Law 97's 2030 requirements for energy and emission performance immediately.

The impact of IC's development on the local power grid and its plan for significant new construction within the complex requires a comprehensive resource plan. To limit impact on constricted stormwater facilities, IC shall manage all stormwater on site. The Board would also like IC to explore use of a co-generation plant to provide campus energy needs. The Board would like IC to provide details of site-wide recycling and resource recovery programs.

#### **BE IT RESOLVED**

- A18 Applicant to review lease structure to attract triple bottom line businesses and encourage green leases to improve levels of corporate social responsibility.
- A19 Applicant to study and report on alternative and renewable energy sources to serve new and renovated spaces in the complex, in order to reduce reliance on existing energy infrastructure, such as construction of a co-generation plant to serve entire campus' summer peak heating demand for process and domestic hot water production or use of Upper New York Bay water for heat exchange for heating/cooling for compressorized systems.
- A20 Applicant to develop design guidelines for tenants to encourage sustainable building practice for energy efficiency in all new construction and interior renovations.
- A21 Applicant to develop and implement site-wide recycling plan, including sustainable waste and composting.
- A22 Applicant to fund third-party neighborhood-wide climate impact analysis and brownfield site remediation and mitigation strategies study for Board.
- A23 Applicant to comply with Energy Efficiency Local Laws, in particular Local Law 97 in its entirety adhering to the 2030 requirements starting in 2024, mandating biannual reporting of progress to Board.

- A24 Applicant to manage all site stormwater within project area utilizing storm tanks to keep roof area available for Local Law 92/94 compliance.
- A25 Applicant shall comply with Local Laws 92 and 94 whereas solar coverage shall be the predominant means of compliance.
- A26 Applicant to participate in and provide funding for a new waterfront IBZ BID to manage security and sanitation on adjacent public and private streets.
- A27 Applicant to provide funding to improve and maintain Sunset Park, Bush Terminal Park, D'Emic Playground, Gonzalo Plascencia Playground and Pena Herrera Park.

#### **BE IT FURTHER RESOLVED**

- B27 Per Anita Laremont's letter to Menchaca/Zuniga, DCP to provide a schedule of implementation and completion regarding environmental infrastructure as listed in CB7's Community Districts Needs.
- B28 City to assist in the organization of a Business Improvement District to provide safety and sanitation services within the waterfront IBZ district.
- B29 NYCDEP to provide a list of improvements to project area sewer system and combined sewer outflows at the waterfront and the schedule for their completion.
- B30 NYSDEC to conduct study proposed by Assemblymember Felix Ortiz to measure air pollution changes around CD7 school locations.
- B31 Con Ed, National Grid and NYCDEP to study existing electric, gas, water and sewer distribution systems inclusive of percentage maximum capacity throughout the district, develop recommendations for improvement, and provide report to CB7.
- B32 NYSEDA to provide technical assistance to companies in the waterfront IBZ to implement clean energy as part of their business plans and services.

#### **ISSUE 5 - JOBS/ECONOMIC DEVELOPMENT**

Sunset Park's 197-a plan advocated for the support and development of the industrial job base along its waterfront. It listed the following goals for the waterfront:

- Increase activation of vacant space without discouraging industrial uses
- Strengthen the Southwest Brooklyn Industrial Business Zone
- Preserve affordable manufacturing and industrial space
- Promote the retrofitting of privately owned multi-story industrial loft buildings to accommodate new manufacturing and industrial uses

The following specific uses were encouraged:

- Manufacturing and industrial uses
- Job intensive, high performance, state of the art maritime, industrial and related transportation uses

The following specific uses were discouraged:

- Discourage retail and office development between 3<sup>rd</sup> and 1<sup>st</sup> Avenues unless it directly supports or services industrial uses or reinforces waterfront access corridors.

The Board is concerned that the rezoning application will not prioritize or encourage the preservation or expansion of manufacturing uses as stated in our 197-a plan. This prioritization is also reflected in recent city public policy statements, including NYCEDC's Sunset Park Waterfront Vision Plan, the Mayor's Industrial Action Plan, Waterfront Revitalization Program, Vision 2020 Comprehensive Waterfront Plan, New York Works, NYCDEP's Green Infrastructure Plan, and the Southwest Brooklyn Industrial Business Zone.

#### **Business Displacement**

The rezoning's impact on industrial businesses within the waterfront area was not studied due to the analysis limits mandated by CEQR. IC has not provided aggregate data on local hiring placements, skill and training level requirements, wage rates and benefits for jobs within the project area. This information along with space buildout projections, potential business rents and their associated impact on neighborhood businesses is important

information for the Board to assess as part of its review. The Board is concerned the rezoning will cause substantial rent increases to existing local and small manufacturing businesses in the waterfront IBZ and will lead to their displacement out of the district.

#### **Innovative Economy Uses**

IC emphasizes they want to transition to new uses at the complex that are part of the Innovation Economy. Innovation Economy uses (under IC's definition) allow for significant formula retail, big box retail and technology offices in the use group mix. These uses are not preferred in our 197-a plan. IC has also increased office uses at the complex whose employers offer jobs that are inaccessible to residents because of education and training requirements. The Board prefers IC to maintain a significant commitment towards manufacturing uses at the complex to ensure there are available jobs for members of the local community.

#### **Manufacturing Jobs**

The Sunset Park Industrial Business Zone is one of the few remaining viable and robust manufacturing districts in NYC. Industrial zones are at risk throughout the city – physical infrastructure is failing, non-industrial uses are invading, there is no protection for industrial businesses from rising rents and displacement. A recent Southwest Brooklyn Industrial Business Corporation (SBIDC) study shows its industrial workforce is closely aligned with Sunset Park's population. SBIDC is also doing well economically when compared to the city-at-large.

NYC manufacturing zones unfortunately require no manufacturing floor area and allow unlimited office space as-of-right. The Board would like to ensure some amount of floor area for manufacturing uses and not see it completely replaced with office uses. The Board prefers manufacturing uses because they provide better benefits, career advancement, a living wage, and would like to see significant area set aside to be managed by a nonprofit like the Greenpoint Manufacturing Design Center in order to stabilize/subsidize rents.

It is essential to develop strategies to assist industry in the Sunset Park waterfront IBZ, such as providing funding to a non-profit with a mission to improve conditions in the IBZ (BID or LDC). Another important means to assist would be to fund STEAM education facilities in CD7 to ensure local employment by providing training programs, apprenticeship programs and continuing education for adults.

#### **Retail, Hotel and Warehousing**

As per the discussion in the Issue Sections, the Board believes several use groups IC is proposing in the project do not comply with neighborhood planning principles. Expanding retail jobs is not preferred because these jobs pay wages that are lower than manufacturing jobs with similar education requirements. In particular, the Board believes formula retail uses are not in keeping with neighborhood character. The Board will not accept hotel uses in district and the low wage jobs these uses attract. The Board has been on record against the expansion of hotel uses in industrial districts which lead to incompatible conflicts with manufacturing uses nearby. Lastly, the Board is strongly against e-commerce / last-mile warehousing at the site because of the increased truck traffic that results from its siting. Similarly, the Board would like to restrict retail self-storage warehousing in the project site due to the same traffic issues.

#### **Clean Energy Jobs Alternative**

Clean energy jobs are preferred compared to retail employment. Analysis shows jobs in these industries provide better pay for residents with lower educational levels. The Board wants a broad public commitment from IC to grow and expand these industries at the complex.

#### **Employment Support for Adults with Disabilities**

The Board would like to see a commitment from IC and its tenants to support work and training for persons with disabilities. This underserved population is a large and stable population and efforts to expand their participation would advance the community's goal of employment for all.

#### **BE IT RESOLVED**

- A28 Applicant to provide a non-profit managed manufacturing set aside of floor area in perpetuity, to be not less than 1.5M sf in total, to include lease protections for existing businesses and preferential rents, to promote manufacturing, arts and arts production (except for UG6C Commercial Galleries), job development, strengthen business development activities and address affordability and manufacturing business challenges.

- A29 As part of the non-profit managed manufacturing set aside, Applicant shall ensure business incubator space for start-up businesses and workspaces for artists will be provided.
- A30 Applicant to provide mandatory mediation procedure when IC renegotiates leases with existing businesses and tenants within the project area.
- A31 Applicant commits to creating a finance mechanism such as a property tax assessment that would enhance industrial business creation – an industrial BID – similar to efforts at West Shore Staten Island, Brownsville, and JFK Airport.
- A32 Applicant to market and provide leasing preference to businesses that comply with CLCPA (Climate Leadership and Community Protection Act). Applicant to provide public commitment to expand Clean Energy Job uses/employment on site.
- A33 Applicant's construction, maintenance, and purchasing activities to comply with City wage rules, MWBE preference, safety protections and collective bargaining rules.
- A34 Applicant to provide plan to maintain and increase local resident population served by the Innovation Lab over next 20 years.
- A35 Applicant to commit to partnership with non-profit organization to provide supportive employment services for underserved people, including older adults and adults with disabilities.

#### **BE IT FURTHER RESOLVED**

- B33 NYCSBS to target deployment of programs and incentives, such as the Commercial Lease Assistance Program, to local Sunset Park businesses, both within and beyond the project area. Provide record of outreach (in Sunset Park's four primary languages: English, Spanish, Cantonese and Arabic).
- B34 NYCEDC to provide information on use of HireNYC and NYCIDA benefits by IC or tenants in the complex.
- B35 City Council to pass Small Business Jobs Survival Act to protect and strengthen negotiation positions of small businesses in lease renewals and protect against displacement due to demolition and new construction – Council Intro 737-2018.

#### **ISSUE 6 - YOUTH/EDUCATION**

##### **Our Youth, Our Future**

The Industry City proposal offers an opportunity to address community needs regarding youth employment and education indicators. The skills gap for the community's young people needs to be closed in order for them to access careers in advancing manufacturing on the waterfront. The Board would like IC to favor local youth for training, although it understands the lack of current training in the population makes this goal difficult. However, for the sake of the community, it is important to try and provide resident youth with opportunities for advancement.

##### **Local Hiring**

Sunset Park is one of the city's largest walk to work communities and this relationship is the foundation of the community. It is essential that Sunset Park's young people find means to participate in local waterfront businesses. We must provide ways for young people to connect with mentors, make social and business connections, and develop marketable employment skills.

##### **Funding for Training and Educational Skills**

Existing educational opportunities are limited because of the lack of wealth in the community. Afterschool programs, technology in schools, and other supportive resources that are common in higher income neighborhoods are in short supply in Sunset Park. Parents do not have the time and monetary resources to contribute to these programs.

To prepare children for future jobs, assistance is needed from the city and business sector. The Board would like IC to commit funds to assisting local educational programs. The Innovation Lab is doing great work, but it needs to increase its capacity to support young people from across the neighborhood. The city must expand vocational training, certificate programs, internships and other skill enhancement programs. The city must expand afterschool programs and 18-24 age job training.

### **Lack of Support for Children and Adults with Disabilities**

Children and adults with disabilities are bussed out of the neighborhood to find opportunities in employment/education. There is a lack of services for children with disabilities, at schools and other programs. There is a lack of services for adults with disabilities, even though one third have college degrees and two thirds have high school degrees. The Board would like IC to partner with organizations that support children and adults with disabilities for long term success.

### **Educational Support**

Sunset Park's lack of school seats and facilities has led to a crisis in accommodating its increasing school age population. The Board would like IC and local agencies to help fund and support new educational and early childhood facilities in the district and to expand after-school programming at existing school sites.

Although the Board is not averse to educational facilities at IC, community facility uses should be defined and partners identified to the Board prior to lease. The Board prefers a local Community College to expand at IC to provide workforce program connections. A vocational/technical high school is desired in CD7 modeled on the STEAM program at Brooklyn Navy Yard, with programs for children and adults.

### **BE IT RESOLVED**

- A36 Applicant to commit to continuing collaborative partnerships with public schools within CD7.
- A37 Applicant to commit to and implement local and first source hiring policies focusing on local zip codes to target specific community needs and strengths and agree to penalties if these benchmarks are not met.
- A38 Applicant to provide public commitment and funding support for vocational training, adult education, ESL and literacy programs.
- A39 Applicant to provide tech training programs, with focus on encouraging women, persons of color, persons with disabilities and other underrepresented group participation.
- A40 Applicant to prioritize explicit living wage provisions for all businesses within and including landlord management and operations personnel.
- A41 Applicant to identify potential Community Facility partners and educational tenants to Board prior to lease signing. Applicant shall not lease to for-profit education providers.
- A42 Applicant to include Corporate Social Responsibility Pledge with leases. Companies leasing space shall commit to pro-diversity measures, corporate social responsibility measures and community engagement.
- A43 Applicant to lease classroom space in project area to CUNY and SUNY to provide programs in green jobs and specialized skills training.
- A44 Applicant to hire locally and provide a living wage and benefits, health care, paid time off, retirement savings, and professional career development for contracted and internal employees, and to work with its tenants to do the same. (Amendment)

### **BE IT FURTHER RESOLVED**

- B36 DOE to explore founding of a vocational/technical high school in CD7 modeled on STEAM program at Brooklyn Navy Yard, with programs for children and adults.
- B37 CUNY, SUNY and local community colleges to explore location of programs and services at IC.
- B38 City to provide fiber optic broadband STEM education funding in local schools.
- B39 City to fund new local public parks, additional playground and recreational space.

## **ISSUE 7 - LAND USE/PROCESS**

### **Mapping the Special District**

We understand the Applicant would like to map and define an area of the Sunset Park waterfront as a special district, and to change the zoning district from M3-1 to M2-4. The Board did not affirm a position on this action.

### **The Special District**

We understand the Applicant seeks to create a Zoning Text amendment to establish the Special Industry City District ("SICD"), and also modify sections of the Zoning Resolution. The Board did not affirm a position on this action.

### **The Special Permit**

The Board does not agree with the use regulations and locations and height, bulk and setback requirements listed in the Special Permit application. See proposed conditions listed below. Bulk and building envelopes shall be revised per all required dimensions and building heights as noted below.

The Board requests that the following uses are prioritized: manufacturing, small retail, educational training, clean energy businesses, office only as ancillary to manufacturing uses, showrooms, arts and culture, garment manufacturing and accessory retail, community facilities.

The Board requests that the following uses not be included in the special district: hotels, formula retail, chain and big box stores, e-commerce and last-mile distribution warehouse facilities, self-service storage facilities, warehousing other than ancillary to manufacturing, universities and education programs that are inaccessible to residents based on income or are for-profit entities and public schools for students younger than high school-aged youth.

### **Parking**

Parking capacity is driven by retail use. The Board prefers to reduce the overall area permitted to retail use to curtail the number of parking spaces. All zoning calculations shall show the number of spaces required and the calculation of square foot area for the number of spaces the area corresponds to. The Applicant shall provide the assumption of parking space area used in calculations.

Use groups that require parking should include those listed in the application: 6A, 6C, 7B, 8A, 8B, 9A, 12A, 12B, 14A.

## **BE IT RESOLVED**

### **Zoning Map Amendment – ULURP Number: 190296ZMK**

A45 THE BOARD DID NOT AFFIRM A POSITION ON THIS ACTION.

### **Zoning Text Amendment – ULURP Number: N190298ZRK**

A46 THE BOARD DID NOT AFFIRM A POSITION ON THIS ACTION.

### **Zoning Special Permit – ULURP Number: 190297ZSK**

A47 THE BOARD VOTED TO DISAPPROVE OF THE SPECIAL PERMIT, unless the conditions listed in Issue Sections 1-6 are met and the following changes are made (A63):

#### **Limit Retail Uses**

- C10 Prohibit additional retail uses on any floor in any of the 39<sup>th</sup> Street Buildings (Buildings 19, 20, 22-23, 24, 25, 26, and Building 21) (Amendment).
- C11 Retail uses shall be limited to 10,000 sf per establishment. Overall retail uses are limited to 300,000 sf total. Retail uses shall include Use Groups (UG) 6A, 6C, 7B, 8A, 8B, 9A, 12A, 12B and 14A (A50).
- C12 To prevent conflict with manufacturing uses and their loading requirements, primary access to retail use storefronts is not permitted on numbered street frontages in the Finger Building area (A51).
- C13 Retail storefronts shall be accessed from a common area, courtyard or corridor, which shall have a primary entrance on or within 100' from the streetline of 2<sup>nd</sup> or 3<sup>rd</sup> Avenues (A52).



- C14 The ground level of internal courtyards between Finger Buildings must be left unbuilt and open to the public within reasonable hours of operation. Overbuilt floor areas within and/or above courtyard areas must start at least 30' above the existing 1<sup>st</sup> Floor level and must be setback from 2<sup>nd</sup> Avenue by 30'.
- C15 Nightclubs uses with a capacity of over 200 persons (UG12D) shall not be permitted within the project area (A54).
- C16 Formula Retail Establishments are not permitted in the project area, as defined:  
"[a] retail sales establishment which, along with ten or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark."(A55)

#### **Parking**

- C17 Accessory parking shall be as provided in the application, except that it shall also include all newly permitted retail and service establishments, including retail, local service and eating and drinking establishments in UG 6A/6C and such parking shall be provided when such uses reach a 40,000 square feet threshold and beyond (A56).
- C18 30% of all parking spaces shall support electric car charging. Multiple contiguous parking spaces must each support charging even if they are all filled at once. Each charging adapter should be considered as supporting only one parking space (A57).

#### **Prioritizing Manufacturing and Industrial Uses**

- C19 Buildout and/or renovation of floor area must be governed in stages – for every square foot of office use (UG 6B) granted a new Temporary or Permanent Certificate of Occupancy (TCO), or an equivalent post-rezoning, there must be one square foot of studio, manufacturing or industrial use (UGs 11, 16, 17, 18) in operation per TCO (A58).
- C20 Manufacturing uses must have clear access 24 hours a day, 7 days a week to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces (A59).
- C21 Hotel uses (UG 5) shall not be permitted within the project area (A60).

#### **Transparency and Oversight**

- C22 Findings must authorize a Community Advisory Committee organized by the Community Board to receive biannual updates on Industry City's goals, commitments and progress regarding Local Laws and Special Permit findings (A61).
- C23 Applicant shall notify the Board three months prior to submitting a change in the Large Scale Development Plan for CPC certification, attend a monthly meeting of the Board to present the change, and provide an updated report on leasing, job development, and progress on fulfilling recommendations listed in this Response prior to certification (A62).

#### **Special Permit Drawings**

- C24 The Special Permit drawings shall be amended to note a minimum street wall height of 85 feet (A64).
- C25 In order to maintain view corridors from Sunset Park to Lower Manhattan, the Special Permit drawings shall be amended to include a maximum building height of 110' for Buildings 11, 21 and the Gateway Building (A65).
- C26 Applicant must provide an up-to-date Master Leasing Plan showing ground floor public spaces, primary and secondary public entrance locations, loading and service dock areas, street and service access doors, mechanical equipment areas and areas dedicated for lease by use. Plan shall show square footage for all areas indicated (A67).

#### **Demap 40<sup>th</sup> Street - ULURP Number: 160146MMK**

- A48 THE BOARD VOTED TO DISAPPROVE THE DEMAPPING OF 40TH STREET unless the conditions listed in Issue Sections 1-6 and the Special Permit are met. The Board reiterates that no hotel uses shall be located at this site.

Application #: **C 160146 MMK**

Project Name: **Industry City**

CEQR Number: **18DCP034K**

Borough(s): **Brooklyn**

Community District Number(s): **07**

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

IN THE MATTER OF an application submitted by 19-20 Bush Terminal Owner LP pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination, discontinuance and closing of 40th Street between First and Second Avenues;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 7, Borough of Brooklyn, in accordance with Map Nos. X-2750 and V-2751 dated November 26, 2018 and signed by the Borough President.

See attached for continuation and Response.

<b>Applicant(s):</b> 19-20 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232		<b>Applicant's Representative:</b> Jesse Masyr, Esq. Fox Rothschild, LLP 101 Park Avenue, 17th Floor New York, NY 10178
<b>Recommendation submitted by:</b> Brooklyn <input checked="" type="checkbox"/> Community Board 7 <input type="checkbox"/>		
<b>Date of public hearing:</b> December 9, 2019		<b>Location:</b> Grand Prospect Hall, 263 Prospect Ave, BK 11215
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
<b>Date of Vote:</b> January 15, 2020		<b>Location:</b> CB7 Hearing Room, 4201 4th Ave, Brooklyn 11232
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input checked="" type="checkbox"/> Disapprove With Modifications/Conditions		
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
<b>Voting</b> # In Favor: <u>31</u> # Against: <u>13</u> # Abstaining: <u>3</u> (1 for cause) Total members appointed to the board: <u>50</u>		
<b>Name of CB/BE officer completing this form</b> <u>Jeremy Lawler</u>	<b>Title</b> <u>District Manager</u>	<b>Date</b> <u>1/16/20</u>



Application #: **C 190297 ZSK**

Project Name: **Industry City**

CEQR Number: **18DCP034K**

Borough(s): **Brooklyn**

Community District Number(s): **07**

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

<b>Applicant(s):</b> 1-10 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232  19-20 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232		<b>Applicant's Representative:</b> Jesse Masyr, Esq. Fox Rothschild, LLP 101 Park Avenue, 17th Floor New York, NY 10178
<b>Recommendation submitted by:</b> Brooklyn <input type="checkbox"/> Community Board 7 <input checked="" type="checkbox"/>		
<b>Date of public hearing:</b> December 9, 2019		<b>Location:</b> Grand Prospect Hall, 263 Prospect Ave, BK 11215
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
<b>Date of Vote:</b> January 15, 2020		<b>Location:</b> CB7 Hearing Room, 4201 4th Ave, Brooklyn 11232
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input checked="" type="checkbox"/> Disapprove With Modifications/Conditions <b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
<b>Voting</b> # In Favor: <u>32</u> # Against: <u>12</u> # Abstaining: <u>2</u> (1 for cause) Total members appointed to the board: <u>50</u>		
<b>Name of CB/BB officer completing this form</b> <u>Jeremy Laufer</u>	<b>Title</b> <u>District Manager</u>	<b>Date</b> <u>1/16/20</u>

Application #: **C 190296 ZMK**

CEQR Number: **18DCP034K**

Project Name: **Industry City**

Borough(s): **Brooklyn**

Community District Number(s): **07**

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**


- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

IN THE MATTER OF an application submitted by 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16b:

(see attached Response)

<b>Applicant(s):</b> 1-10 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232  19-20 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232		<b>Applicant's Representative:</b> Jesse Masyr, Esq. Fox Rothschild, LLP 101 Park Avenue, 17th Floor New York, NY 10178
<b>Recommendation submitted by:</b> Brooklyn <input type="checkbox"/> Community Board 7 <input type="checkbox"/>		
<b>Date of public hearing:</b> December 9, 2019		<b>Location:</b> Grand Prospect Hall, 263 Prospect Ave, BK 11215
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
<b>Date of Vote:</b> January 15, 2020		<b>Location:</b> CB7 Hearing Room, 4201 4th Ave, Brooklyn 11232
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
<b>Voting</b> <i>board did not affirm a position on this action</i> # In Favor:      # Against:      # Abstaining:      Total members appointed to the board:		
<b>Name of CB/BB officer completing this form</b> <i>Jeremy Lawler</i>		<b>Title</b> <i>District Manager</i> <b>Date</b> <i>1/16/20</i>

 <b>Community/Borough Board Recommendation</b> Pursuant to the Uniform Land Use Review Procedure	
Application #: <b>N 190298 ZRK</b> CEQR Number: <b>18DCP034K</b>	Project Name: <b>Industry City</b> Borough(s): <b>Brooklyn</b> Community District Number(s): <b>07</b>
Please use the above application number on all correspondence concerning this application	

### SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (8-digit application number), e.g., "CB Recommendation #C10000028Q"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Please refer to attached Final Response and Recommendations (Amended) dated January 29, 2020 and Sunset Park Waterfront Primer dated January 15, 2020.

Applicant(s): 1-10 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232  18-20 Bush Terminal Owner L.P. 220 36th Street, 2nd Floor, Brooklyn, NY 11232		Applicant's Representative: Jesse Masyr, Esq. Fox Rothschild, LLP 101 Park Avenue, 17th Floor New York, NY 10178
Recommendation submitted by: Brooklyn <input type="checkbox"/> Community Board 7 <input checked="" type="checkbox"/>		
Date of public hearing: December 9, 2019		Location: Grand Prospect Hall, 263 Prospect Ave, BK 11215
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.
Date of Vote: January 15, 2020		Location: CB7 Hearing Room, 4201 4th Ave, Brooklyn 11232
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting <b>BOARD DID NOT AFFIRM A POSITION ON THIS ACTION</b> In Favor:      Opposed:      Abstaining:      Total Present: 0% (0 of 10)		
Name of CB/DB official completing this form <i>Jeremy Lauffer</i>	Title <i>District Manager</i>	Date <i>1/16/20</i>



## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 19, 2020 1:27 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** Bowles Testimony - industry cityhearing - 2.19.20.pdf

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Jonathan Bowles**  
Zip: **11375**

I represent:

- **A local community group or organization**

Details for "I Represent": **Center for an Urban Future**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

My comments are attached.



**The Brooklyn Anti-Gentrification Network (BAN)** stands in solidarity with our member organization **UPROSE** and opposes Industry City's proposal to rezone Sunset Park's industrial waterfront. Industry City's proposal will accelerate gentrification in Sunset Park and it does not represent the voices of the people who already call Sunset Park home. The proposal would allow Industry City to expand their campus by 1.5 million square feet and expand luxury commercial and retail uses. But the people who live and work in Sunset Park don't need more luxury retail and commercial uses on the waterfront; **we need to keep our**

**industrial sector industrial.**

We know from the fallout of waterfront rezonings in Williamsburg and Greenpoint that Industry City's proposal would further the rapid gentrification of Sunset Park. Industry City's proposal would cause rents to further increase, leading to more displacement. It will also mean that well-paying industrial jobs would be replaced by lower-paying retail and service sector jobs. An average manufacturing salary is over \$53,000, while an average retail salary is only \$36,000, and \$24,500 for food service. Neither of these negative impacts on the community have been addressed in the proposal's Draft Environmental Impact Statement (DEIS).

Instead of using the waterfront to cater exclusively to wealthy consumers, the industrial sector can be used as a hub for sustainable production, manufacturing, transportation, and communication. The New York's Climate Leadership and Community Protection Act is expected to create over 150,000 new green jobs and funding mandates for frontline communities like ours. Sunset Park's industrial areas provide the perfect infrastructure to grow businesses in renewable energy, sustainable manufacturing, retrofitting, and construction. Sunset Park has the opportunity to catalyze regional climate engagement and to create well-paying green jobs that will create sustainable economic benefits for the entire region. Industry City's business-as-usual model will threaten this opportunity.

There have been many community meetings and rallies where Sunset Park residents have made it abundantly clear that they want "No Rezoning ! No Conditions!" but Industry City, The Department of City Planning and Councilmember Carlos Menchaca have ignored this. The proposal under consideration today is no different from the application Industry City presented in 2017, despite vocal opposition from the community. We at BAN have seen how developers use community listening meetings to create the illusion of democracy. The meetings fulfill the mayor's requirement for neighborhood involvement by giving community members a space to voice their concerns, but those concerns are never addressed in the final rezoning proposals. We have seen this pattern again and again—in Crown Heights, in Bushwick, and now in Sunset Park. It is insulting to our community, and we demand better.

UPROSE's GRID Proposal is the community-led alternative for Sunset Park. The Green Resilient Industrial District plan or GRID was developed through years of community planning, organizing, and engagement. It positions Sunset Park's industrial sector as the economic engine we need to build for climate adaptability, and train local businesses and residents for a green economy. **The Brooklyn Anti-Gentrification Network opposes Industry City's short-sighted plan and instead endorses UPROSE's GRID Proposal for a sustainable future that will position Sunset Park as the economic engine to support a Just Transition into a green economy.**

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Wednesday, February 19, 2020 1:29:35 PM  
**Attachments:** [1651A7D6-6FF6-4498-95ED-7782C10B259C.jpeg](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Ruben Colon**  
Zip: **11214**

I represent:

- **Myself**
- **A local community group or organization**
- **Other**

Details for "I Represent": **The New York City & Vicinity District Council of Carpenters**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

CITY PLANNING COMMISSION February 19th, 2020 Calendar Information Office – 31st Floor 120 Broadway, New York, N.Y. 10271 Re: Application No.: C 190296 ZMK / Project: Industry City Members of The City Planning Commission: I am a Representative for the New York City & Vicinity District Council of Carpenters (NYCDCC) submitting testimony on behalf of 198 Union Carpenters living in the immediate vicinity of Industry City, hundreds of unaffiliated, voiceless, resident Carpenters in the area, and as a Son of the Sunset Park Community, myself. We wish to express our Support for the Industry City Project with no further limitations or restrictions with one voice. The NYCDCC is of the opinion that further

limitations or restrictions will hinder ongoing efforts by a “Coalition” of community based organizations, of which we are one, to negotiate the maximum benefit for our community in the short term. In the long term, the NYCDCC is concerned that further limits or restrictions may serve to stifle the community’s future potential for economic growth and opportunity with far reaching negative implications for the whole of Southwest Brooklyn. Thus far, Industry City personnel have shown, in our opinion, a willingness to work with the community in good faith for the betterment of all concerned parties. The NYCDCC, myself, and those I represent are adamant that the potential for opportunity, growth, and the creation of Middleclass Union Jobs within our community should not be squandered. We thank you in advance for allowing us to voice our opinion and concerns. Sincerely, Ruben Colon:  
NYCDCC Representative cc: File

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA  
NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

JOSEPH A. GEIGER  
Executive Secretary - Treasurer

MICHAEL P. CAVANAUGH  
Vice President



395 HUDSON STREET - 9<sup>TH</sup> FLOOR

NEW YORK, N.Y. 10014

PHONE: (212) 366-7500

FAX: (212) 675-3118

[www.nycdistrictcouncil.com](http://www.nycdistrictcouncil.com)

395 Hudson Street - 9th Floor ★ New York, New York 10014 ★ Phone: (212) 366-7500 ★ Fax: (212) 675-3118

**CITY PLANNING COMMISSION**  
**Calendar Information Office – 31st Floor**  
**120 Broadway, New York, N.Y. 10271**

**February 19th, 2020**

**Re: Application No.: C 190296 ZMK / Project: Industry City**

**Members of The City Planning Commission:**

I am a Representative for the **New York City & Vicinity District Council of Carpenters (NYCDCC)** submitting testimony on behalf of 198 Union Carpenters living in the immediate vicinity of Industry City, hundreds of unaffiliated, voiceless, resident Carpenters in the area, and as a Son of the Sunset Park Community, myself. We wish to express our **Support for the Industry City Project** with no further limitations or restrictions with one voice.

The **NYCDCC** is of the opinion that further limitations or restrictions will hinder ongoing efforts by a "Coalition" of community based organizations, of which we are one, to negotiate the maximum benefit for our community in the short term. In the long term, the **NYCDCC** is concerned that further limits or restrictions may serve to stifle the community's future potential for economic growth and opportunity with far reaching negative implications for the whole of Southwest Brooklyn.

Thus far, **Industry City** personnel have shown, in our opinion, a willingness to work with the community in good faith for the betterment of all concerned parties. The **NYCDCC**, myself, and those I represent are adamant that the potential for opportunity, growth, and the creation of Middleclass Union Jobs within our community should not be squandered.

We thank you in advance for allowing us to voice our opinion and concerns.

Sincerely,

**Ruben Colon:**  
**NYCDCC Representative**

cc: File



## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 19, 2020 9:07 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Lew Daly**  
Zip: **10031**

I represent:

- **A local community group or organization**

Details for "I Represent": **I am a Senior Policy Analyst at Demos, a public policy think tank working in support of economic, racial, and economic justice.**

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

Hello Commissioners: I have submitted a separate written testimony on the Industry City rezoning application, which I attached here. I oppose the application. However, I want to address a specific topic that Commissioner Ortiz asked me about directly in the 2/19 hearing. This is the question of whether hotel use in the Industry City proposal might not be a good type of redevelopment. I did not give a very clear response at the time, but, respectfully, I would suggest that this is not the right question. Whether or not Sunset Park could do with a nicer hotel is not really germane to the problem of this rezoning proposal. The problem is the REZONING itself, from manufacturing to commercial uses, whereby hotel, retail, and office uses foreclose new manufacturing use and the higher quality jobs that manufacturing will support. Rezoning the Sunset Park waterfront for a hotel and other commercial uses is not just about the hotel, in other words; it's about shrinking the best local acreage available for local manufacturing, and, effectively, taking away good jobs from

the community in the process. My recommendation is that you reject the rezoning application and take up the GRID proposal instead, which, in addition to creating better jobs, is much better aligned with city and state climate laws, sustainability policies, and investment priorities.



**Testimony to the City Planning Commission**  
Industry City Rezoning Application

By Lew Daly  
Senior Policy Analyst  
February 18, 2019

Thank you to the City Planning Commission for this opportunity to comment on the proposal currently before you, namely, Industry City's application to rezone the Sunset Park industrial waterfront for commercial development. My name is Lew Daly, and I am a Senior Policy Analyst at Demos, a public policy think tank based in New York City. Demos works nationally and statewide in support of policy development for an inclusive and equitable economy and democracy.

From a standpoint of equity, shared prosperity, and sustainability, the proposal to rezone millions of square feet of the Sunset Park industrial waterfront from heavy manufacturing to mixed-use commercial zoning is fundamentally misguided. It follows a mostly business-as-usual playbook of economic development--one that is designed for the benefit of developers and corporations while providing consistently bad results for communities and their residents, including low wages and few jobs for local residents, people literally being pushed out of their community by soaring rents and out-of-control landlords, and small and locally-owned businesses disappearing by the day. This is not to mention the added traffic congestion and pollution, especially cancer-causing diesel emissions.

Further, and no less urgent, the rezoning proposal is deeply misaligned with the state's new climate law, The Climate Leadership and Community Protection Act (CLCPA). The CLCPA codifies strong, economy-wide GHG emissions reductions and establishes equity standards in policy implementation, prioritizing protections and benefits for vulnerable communities like Sunset Park. The proposed commercial rezoning flies in the face of such goals and promises a significant setback for the kind of equitable and sustainable development envisioned by the CLCPA as well as by related local and citywide planning efforts that give voice and choice to community leaders and residents.

The investments necessary to achieve the state's new climate goals will support hundreds of thousands of new jobs. At approximately \$26 per hour, according to a 2019 Brookings Institution report on green jobs, average wages in the clean energy sector are roughly double those in the retail sector. If these are unionized jobs, as they should be, wages rates for clean energy jobs are likely to be more than double the wage rates of most of the jobs promised in the Industry City proposal. Who will get these higher quality jobs depends on community planning and leadership in support of the right kind of development for the pressing climate and equity needs of our city, region, and state.

Industry City's proposal asks policymakers to put luxury hotels and high-end retail before the needs of Sunset Park residents, and to ignore the community leadership and visioning of Sunset Park advocates and residents as expressed in the Green Resilient Industrial District proposal of UPROSE and Protect Our Working Waterfront Alliance. It also ignores the urgent need for aligning economic development with climate goals as ratified in the city's Climate

Mobilization Act and the statewide Climate Leadership and Community Protection Act.

Sunset Park's valuable, high-potential waterfront should not be sacrificed for yet more commercial development that keeps wages low and is killing small businesses in working-class and poor communities all over New York City. The proposed rezoning is more of the same. Instead, I urge you to listen to the voices of Sunset Park's own community leaders: there is a better way forward Sunset Park and for the working-class communities of Brooklyn and throughout New York City. Thank you for your consideration of my comments on this vital planning decision.



## EarthStrike NYC Testimony for Industry City Rezoning

Wednesday, February 18, 2020

*EarthStrike NYC is an autonomous local chapter of EarthStrike International, a global movement fighting the climate crisis through the leadership of workers and the grassroots.*

We are here to support Sunset Park in its fight for survival, and for a just habitable future. Within the national and global climate movement, UPROSE is a respected leader. The world looks to Sunset Park for UPROSE's democratic, grassroots, dynamic climate leadership. We are honored to have worked with UPROSE on September 27th to organize a Communities Climate Strike, where over 300 New Yorkers, workers, and frontline fighters came to recognize Sunset Park as an epicenter of the fight for climate justice in New York City, marching on Industry City to demand a community-led just transition.

We recognize that at the root of the climate crisis is a racist, extractive economic system which blocks all efforts to safeguard our Earth systems and protect the most vulnerable. We remind you that business as usual will result in a climate breakdown so extreme that it will leave our planet unrecognizable. Our existing economy is on track to kill and displace hundreds of millions, if not billions of people through unprecedented heating and extreme weather events. If the borough president takes the climate crisis seriously, he will recognize that the neighborhoods he serves must dedicate as much of their capacity as possible to climate mitigation, adaptation, and resiliency. And he will understand that every decision he makes must prioritize climate change mitigation through a just transition, instead of giving business as usual another opportunity to destroy and displace.

This month, the Brooklyn Borough President faces two options: either he will bow to the wishes of developers, or he will honor the people of Sunset Park and their needs. This is a choice between climate denial and climate action. According to a recent Oxfam report, the 10% wealthiest Americans emit *more than five times as much greenhouse gases* than the bottom 50%. Industry City was created to serve this carbon elite. To approve the Industry City rezoning is to endorse a consumerist, unhealthy carbon-intensive lifestyle which bears great responsibility for the climate crisis. This City does not need more hotels for business travelers or luxury retail for people who *already* have it all. We must attend to workers, immigrants, and Black and brown New Yorkers who face intersecting crises of gentrification, racist policing, cost of living, and traumatic, deadly climate disasters.

There is a hopeful future for the waterfront that is struggling to be born. UPROSE has a plan that takes the climate crisis seriously: the GRID (Green Resilient Industrial District) plan. It is designed to strengthen the livelihoods of longtime Sunset Park residents, respond to the neighborhood's many needs, and protect the climate resiliency of the entire city. Failing to implement the GRID will leave all of New York City more vulnerable in the event of a climate disaster. Industry City's plan not only threatens to displace an entire neighborhood—it stands in the way of a powerful, detailed climate action plan.

It is an unfortunate fact that, in the face of monumental threats, City officials regularly take the side of capital and leave working New Yorkers to lose their homes and die in climate disasters. If the Borough President and the Community Board plan on approving Industry City's application, they will find comfort in knowing that this is unremarkable, that this is business as usual. But may they always remember that business as usual is a dangerous path, it is a path of betrayal, and it is a racist path to suffering, displacement, and premature death for the most vulnerable.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 18, 2020 3:39 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** EarthStrike NYC Testimony for UPROSE.pdf

Re. Project: **C 190296 ZMK - Industry City**

### Submitted by:

Name: **Earth Strike**  
Zip: **11232**

I represent:

- **A local community group or organization**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

EarthStrike NYC is an autonomous local chapter of EarthStrike International, a global movement fighting the climate crisis through the leadership of workers and the grassroots. We are here to support Sunset Park in its fight for survival, and for a just habitable future. Within the national and global climate movement, UPROSE is a respected leader. The world looks to Sunset Park for UPROSE's democratic, grassroots, dynamic climate leadership. We are honored to have worked with UPROSE on September 27th to organize a Communities Climate Strike, where over 300 New Yorkers, workers, and frontline fighters came to recognize Sunset Park as an epicenter of the fight for climate justice in New York City, marching on Industry City to demand a community-led just transition. We recognize that at the root of the climate crisis is a racist, extractive economic system which blocks all efforts to safeguard our Earth systems and protect the most vulnerable. We remind you that business as usual will result in a climate breakdown so extreme that it will leave our planet unrecognizable. Our existing economy is on track to kill and displace hundreds of millions, if not billions of people through unprecedented heating and extreme weather events. If the borough president takes the climate crisis seriously, he will recognize that the neighborhoods he serves must dedicate as much of their capacity as possible to climate mitigation, adaptation, and resiliency. And he will understand that every decision he makes must prioritize climate change mitigation through a just transition, instead of giving business as usual another opportunity to destroy and displace. This month, the Brooklyn Borough President faces two options: either he will bow to the wishes of developers,



or he will honor the people of Sunset Park and their needs. This is a choice between climate denial and climate action. According to a recent Oxfam report, the 10% wealthiest Americans emit more than five times as much greenhouse gases than the bottom 50%. Industry City was created to serve this carbon elite. To approve the Industry City rezoning is to endorse a consumerist, unhealthy carbon-intensive lifestyle which bears great responsibility for the climate crisis. This City does not need more hotels for business travelers or luxury retail for people who already have it all. We must attend to workers, immigrants, and Black and brown New Yorkers who face intersecting crises of gentrification, racist policing, cost of living, and traumatic, deadly climate disasters. There is a hopeful future for the waterfront that is struggling to be born. UPROSE has a plan that takes the climate crisis seriously: the GRID (Green Resilient Industrial District) plan. It is designed to strengthen the livelihoods of longtime Sunset Park residents, respond to the neighborhood's many needs, and protect the climate resiliency of the entire city. Failing to implement the GRID will leave all of New York City more vulnerable in the event of a climate disaster. Industry City's plan not only threatens to displace an entire neighborhood—it stands in the way of a powerful, detailed climate action plan. It is an unfortunate fact that, in the face of monumental threats, City officials regularly take the side of capital and leave working New Yorkers to lose their homes and die in climate disasters. If the Borough President and the Community Board plan on approving Industry City's application, they will find comfort in knowing that this is unremarkable, that this is business as usual. But may they always remember that business as usual is a dangerous path, it is a path of betrayal, and it is a racist path to suffering, displacement, and premature death for the most vulnerable.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Friday, February 28, 2020 2:08 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** NYC-EJA IC Rezoning Testimony 021820.pdf

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Jalisa Gilmore**  
Zip: **11232**

I represent:

- **A local community group or organization**

Details for "I Represent": **New York City Environmental Justice Alliance**

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

Comments in attached pdf.



## New York City Environmental Justice Alliance

166A 22nd Street, Brooklyn, NY 11232 | [www.NYC-EJA.org](http://www.NYC-EJA.org)

On the ground – and at the table

### **New York City Environmental Justice Alliance testimony to NYC City Planning Commission on Proposed Industry City Rezoning**

My name is Jalisa Gilmore and on behalf of the New York City Environmental Justice Alliance I stand in solidarity with our member organization, UPROSE in opposing the proposed Industry City rezoning. Founded in 1991, NYC-EJA is a citywide network of grassroots organizations from low-income communities and communities of color in environmentally overburdened neighborhoods – including those serving industrial waterfront communities on the frontlines of coastal environmental hazards and climate change.

In 2010, NYC-EJA launched the Waterfront Justice Project, New York City's first citywide community resiliency campaign. The Waterfront Justice Project began as an advocacy campaign to reform waterfront zones designated as the Significant Maritime and Industrial Areas (SMIAs.) These were zones created by the NYC Waterfront Revitalization Program (WRP) to encourage the protection and siting of industrial and maritime uses along the waterfront. Additionally, the Waterfront Justice Project seeks to build climate resilience along the working waterfront, in communities like Sunset Park – which is home to the largest SMIA in NYC – while promoting local industrial business. The proposed Industry City rezoning goes against community concerns, but is in opposition to building a truly climate resilient waterfront.

New York City needs a diverse economy that supports working and middle class families. In Sunset Park, industrial sector jobs offer the best paid jobs, but currently less than 17% of Industry City is occupied by manufacturing uses, offering limited opportunities for families to access well-paid working class jobs. Promoting and preserving industrial jobs and manufacturing zoning in New York City is a key component of creating a resilient and thriving economy and Industry City threatens this by building luxury retail and commercial uses on the industrial waterfront.

The Climate Leadership and Community Protection Act (CLCPA), which legislates commitments to reduce greenhouse gas emissions by 85% in NYS by 2050 is expected to create over 150,000 new green jobs. These new climate jobs, including solar and wind manufacturing, green infrastructure, and coastal resilience, need industrial infrastructure to ensure local benefits and sustainable economic development. Sunset Park has the opportunity to lead a Just Transition as a frontline community that is already facing the impacts of a changing climate.

Furthermore, The Draft Environmental Impact Statement (DEIS) does not adequately evaluate concerns around historic chemical contamination and current chemical uses in the proposed site for rezoning. The review of regulatory environmental databases as part of the City Environmental Quality Review was performed with 2012 and 2017 data which is considered data outside of the 6-month requirement. The DEIS recognizes environmental contamination as part of the SMIA's history but lacks sufficient information around specific potential pathways for chemical exposure or information regarding the remediation of existing chemical contamination. Lastly, as documented by NYC-EJA's Waterfront Justice Project, the proposed area is vulnerable to chemical dislodgement from climate change and extreme weather; this should be considered in the final EIS, as is required by the City's Waterfront Revitalization Plan.

NYC-EJA endorses a balanced approach to waterfront policy that bolsters waterfront communities by promoting economic growth while protecting the environment and advancing equity. We must completely reimagine our urban coastlines as a critical resource in the fight for climate resiliency; not as areas for potential luxury development, but as sites for ecologically-sound climate solutions that protect our society's most vulnerable. The Green Resilient Industrial District or GRID developed by UPROSE and the Collective for Community, Culture, and the Environment does just that; while being rooted in social equity and climate justice, and is a superior alternative to the proposed Industry City rezoning.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Monday, March 2, 2020 11:54:35 PM

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Jeremy Kaplan**  
Zip: **11220**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent": **NAB 7, Protect Sunset Park**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I'm a award winning documentary filmmaker who has been collecting the opinions and perspectives of sunset park residents on the rezoning and can say that overwhelming the community is against the rezoning. Here's a list of reason I heard from hundreds of people we have talked to and I wanted to include the video testimony of some of the residents that I have filmed. 1) Sunset park residents along with the 197A plan want a working and industrial waterfront. The IC proposal will do everything to make rents so unaffordable that industrial manufacturing will be impossible on the sunset park waterfront. This is obvious from the plan that its emphasis is on hotels (few jobs/low paying), high end big box store retail. We have plenty of this type of development in NYC and are losing our industrial spaces. 2) Hotels are everywhere in Sunset park since the 2009 rezoning, there's 8 hotels within a 2/3 block radius

of IC. We are overly saturated with hotels and the fact that IC says there are no "good hotels" is blatantly classist. Residents talked about family members saying at hotels all the time, why are these hotels not good enough for IC clients but perfectly fine for SP residents? 3) If this rezoning is really about job creation then why Hotels and box store retail which carry so few jobs and mostly low paying. 4) We have a limited amount of time to build a true green economy to help prevent disastrous climate change impacts on our existence. The sunset park industrial waterfront is perfectly suited for green manufacturing especially with the maritime connections and train connections. NY state laws just passed like the Community Climate and Protection act should take priority and we should use the space for green manufacturing. Many residents that I have spoken with backed this idea and were enthusiastic about Uprose's GRID proposal. 5) IC has never justified why they financially need a extra 1.3 million square feet when they have over 1 million square feet empty and 1 million as storage. Seems to me that we should require IC to prove that with he million square feet empty that they will be good neighbors and work with the community to use that already existing 1 million square footage to look into green manufacturing and higher paying industrial jobs. 6) SP residents know that IC will have a ripple effect on the rents of the entire neighborhood and also on the developers int he rest of the community. this rezoning will signal to other developers for them to go to retail and office space when already there's a glut of that in so many other places in NYC.



350.org, 20 Jay Street Suite 732, Brooklyn NY 11201, USA

✉ donations@350.org ☎ +1 802 552 4067 📠 +1 888 503 0670

## 350.Org's Brooklyn Borough Uniform Land Use Review Procedure Testimony

### Position: Unfavorable

In Support of UPROSE & the Community Developed GRID Plan for the Industry City Development & Rejection of the M2-4 Mixed Use Rezoning Application by Jamestown Properties

### Introduction

Good Evening-- my name is Tamara Toles O'Laughlin and I am the North America Director of [350.org](https://350.org), a global grassroots organization dedicated to the fast and just transition to 100% renewable energy, ending all fossil fuel projects, and divesting from fossil fuel companies.

I am submitting testimony today in opposition to M2-4 Mixed Use Rezoning Application by Jamestown Properties. As the largest global climate organization with over 150 local groups within the United States we **support of our movement partner UPROSE** and its efforts to **prevent the rezoning of Industry City to M2-4 mixed use.**

The matter before the Council today concerns a private developer-led rezoning that threatens to exacerbate issues of gentrification, loss of social cohesion, and climate vulnerability.

The rezoning proposed does a disservice to the local community, the city, and region in its fundamental inconsistency with the: Sunset Park BOA, the Waterfront Revitalization Plan, Climate Mobilization Act, Climate Leadership and Community Protection Act; in addition to dozens of climate plans, reports, and goals that aim to transform our extractive & destructive economy to an environmentally sustainable Just Transition economy.



# Negative Environmental Impacts of the Industry City Development

Industry City's rezoning proposal is a 20th century plan which is not compatible to 21st century problems. From exacerbating rapid displacement and loss of well-paid working-class industrial jobs to ignoring the ever-intensifying impacts of climate change, the Industry City rezoning plan as proposed by Jamestown Properties is destructive because it rejects community needs and its climate resilience. The proposed rezoning is also inconsistent with existing community, city, and state plans that emphasize the immediate necessity to transition into a more climate resilient and sustainable future.

## **Sunset Park 197-A Plan Is Outdated and Lacks Climate Resilience Plans**

The 197-A plan was approved 10 years ago and **does not include lessons learned from Superstorm Sandy** and predates the City's focus on Adaptation & Mitigation strategies. The current plan is outdated and needs to incorporate the realized and anticipated risks of climate change.

350.org supports UPROSE and it's recommendation to create a CB7 interdisciplinary subcommittee to review the plan for consistency with new policies and make recommendations for its update.

## **Reject Plans for Technical High School and Adult Training Center**

We stand with UPROSE in rejecting a proposed technical high school at Industry City. The overall majority of Sunset Park's industrial waterfront is in storm surge zones, floodplains, and are designated brownfields. New York City must protect all of its citizens and must not destroy the health of our youngest and most vulnerable citizens by placing a school in Industry City. It is long past time that the environmental impacts on health of BIPOC communities and thoughtful and holistic considerations be given to the siting and planning of youth educational institutions.

## **Review and Assess the Waterfront Revitalization Plan for Climate Risks**

Before any rezoning proposal is approved, 350 joins UPROSE in requesting that all necessary plans that help determine appropriate developments be reviewed and adequately updated to reflect existing community issues and climate risks. These plans are the framework that guide and dictate the types and processes of development in Sunset Park that honors community and industry.

## **Holistic GRID Plan Integrates Climate Resilience & Just Transition**

### **Green Resilient Industrial District (GRID)**

Sunset Park has the opportunity to become New York City's first Green Resilient Industrial District (GRID) and be a national model for local grassroots planning and implementation of a Just Transition economy as called for by climate justice advocates and global environmental groups like 350.org

As a community-proposed alternative to Industry City's plan to rezone 1.5 million square feet of Sunset Park's M-3 zoned industrial waterfront into luxury big box retail, this GRID proposal is a bold, holistic and comprehensive vision that strategically plans for existing and anticipated climate impacts in Sunset Park, Brooklyn.

The plan is rooted in transforming the neighborhood and industrial waterfront to integrate climate adaptation, mitigation, and resilience. The GRID also addresses the need to transition the economy from a linear one dependent on fossil fuels to a green industrial economy that trains local residents for renewable energy and climate jobs. The most important aspect of the GRID is that it reflects comprehensive and diverse community needs that prepares Sunset Park for the long-term impacts of climate change.

Gentrification developments like Industry City primarily focus on low paying office, retail, entertainment, and to limited scope, high tech uses which price out green industrial development and jeopardize the opportunity for New York City to take advantage of the green jobs generated from these initiatives.

The Industry City Innovation District and rezoning proposal will only perpetuate gentrification, loss of social cohesion, disparity, and climate risk of Sunset Park. Industry City's development does not fit into the Just Transition model as its existing campus and proposed expansion is rooted in the extractive economy that only prioritizes short-term profits and compromises all consideration for community, climate, or health.

GRID emphasizes the vital and critical role existing Sunset Park residents and maritime, industrial and manufacturing business must play for New York City to become a leader in a Just Transition to a green economy with widespread, equitable benefits.

350.org supports GRID as it is a community proposed, just transition and climate resilience plan which takes a holistic view to the lives and well being of ALL Sunset Park residents.

## **M2-4 Rezoning Does Not Incorporate A Green Jobs Plan**

Brooklyn residents without Bachelors degrees can face bleak employment prospects in a high tech economy according to the [NYC Planning Department](#). Workers without a bachelor's degree represent half of NYC workers, but they face challenges where the greatest growth has been in high-skill professional and low-paying service jobs.

A large majority of workers in service sectors and occupations do not earn a living wage, particularly in personal care, healthcare support, food service, and retail. Almost half of the residents of Sunset Park lack a high school diploma-- which means they are likely to be stuck on the bottom rungs of economic mobility.

As currently proposed, the Industry City development includes plans for 2 hotels, and retail low-wage service jobs. The plan will lead to the loss of existing well-paid working-class industrial jobs, which would be difficult to recreate and replace for Sunset Park residents with minimal education and skills.

Borough President Adams has stated that “too many Brooklyn residents are currently unemployed or underemployed,” and that it is his policy to “create more economic development that creates more employment opportunities” (*Brooklyn Borough President Recommendations for 273 Avenue U Rezoning -- 180164 XMK, 1801165 ZRK, 5/17/19, pg. 6*).

Furthermore, NYS just signed into law the Climate Leadership and Community Protection Act which holds in part

“ It is in the interest of the state to ensure labor harmony and promote efficient performance of work on climate change related work sites by requiring workers to be well-trained and adequately compensated.” (*NYS Senate Bill S.6599 §9*)

It is not enough to have area residents work **on** buildings, they need permanent jobs with livable wages and benefits both **inside** and **outside** of those buildings, and those jobs should also comport with Borough President Adams' stated desires to advance climate resilience and related sustainable practices.

Unfortunately, the Industry City plan does not create the environmentally sustainable employment opportunities as contemplated by the new Climate Leadership law . This zoning proposal falls woefully short of Borough, City and State plans in creating Green Jobs for area residents and is another reason to reject the rezoning application.

## Conclusion

350.org is a global organization committed to preventing the destructive harms and existential threat represented by rapid climate change.

We can achieve some of the goals of adapting to the impacts of the climate crisis and mitigating the destructive forces unleashed by this phenomenon by committing ourselves to moving to a [Just Transition](#) economy anchored in environmentally sustainable labor, social, educational policies and plans.

350.org supports and advocates for the GRID plan developed by UPROSE and its community partners, which envisions a climate resilient community where its residents have good paying jobs in a green economy.

**Most critically, 350.org urges the New York City Planning Commission to vote "NO" for Industry City's rezoning application because:**

- A. Industry City's proposal threatens the character of the Sunset Park community, and will exacerbate displacement and climate issues; and
- B. Industry City's proposal does not reflect community needs and is a short-sighted plan for private developer profit; and
- C. Industry City's proposal is not "innovative," and will benefit private developers at the expense of the Sunset Park community; and
- D. We need to keep our industrial waterfront industrial and utilize it to build for climate adaptation, mitigation, and resilience.

I want to thank the committee and its members for hosting this hearing and allowing me to submit testimony on this critical matter.

Thank you for your consideration

Tamara Toles O'Laughlin  
North America Director, 350.org  
[tamara@350.org](mailto:tamara@350.org)

Testimony for City Planning Commission  
Industry City Rezoning  
Testimony given by Liliana Polo-McKenna, CEO  
Opportunities for a Better Tomorrow  
February 19, 2020

My name is Liliana Polo-McKenna and I am Chief Executive Officer of Opportunities for a Better Tomorrow (OBT), a youth and adult education and workforce organization, founded in and serving Sunset Park for 37 years. OBT is part of a group of stakeholders exploring a Community Benefits Agreement as a tool to address key and critical community concerns. OBT serves youth, ages 17-24, who are out of school and out of work and adults seeking education and employment services. We offer a career pathway from a high school equivalency diploma through advanced trainings in technology, health care, and construction. Our work over nearly four decades has focused on ensuring that individuals have the skills and training they need to enter the workforce. Our work with jobseekers to set goals and access training, and partnering with businesses to create pathways to quality jobs is central to our mission.

In 2016, along with other local nonprofits, OBT became a founding partner at the Innovation Lab, a workforce and entrepreneurship hub at Industry City. OBT houses our TechSTART program at the Innovation Lab, focused on Cloud Support Engineering. Other programming includes small business development, a variety of employer-informed training, job placement services, and referrals to a network of community-based partners. Every Tuesday, the Innovation Lab hosts a morning and afternoon/evening information sessions, where jobseekers can inquire about employment across Industry City and the Sunset Park waterfront, and can access training opportunities with partners across Sunset Park and beyond. Two blocks away, also at Industry City, OBT operates its high school equivalency and work readiness program, our signature model since the day we opened our doors. Based on my experience at OBT over the past few years, and in my career as an educator, what I can tell you is that while our approach is timeless – integrating academic skills with those necessary for the world of work – it is critical that OBT, and organizations like it, remain alert and responsive to the changing world of work. These changes include constantly evaluating the technical skills we are offering, so that our programming is relevant, competitive, and forward-looking. This requires proximity and engagement with employers across industries. It also requires ongoing advocacy to ensure access to higher-paying jobs and a clear pathway to getting those jobs.

It is why OBT is part of a group of local stakeholders who believe that a flat out “no” to the rezoning is truly a missed opportunity for the community to benefit from any potential development; and a community benefits agreement is an important tool in exerting community control over a project of this magnitude. As part of the Coalition seeking to craft a Community Benefits Agreement, OBT believes that a path forward includes ways of holding Industry City accountable to promises of quality jobs, preserving industrial uses, dedicated spaces *to* and outfitted *for* training in current and future growth sectors, entrepreneurship and growth opportunities for local residents and business owners, education and training for local residents of all ages and in multiple languages, and a quantifiable, long-term commitment to the local workforce. We also recognize the intersectionality among key issues: affordable housing, immigrant rights, etc., and their impact on the someone’s ability to access and sustain employment.

OBT views this as an opportunity to engage and expand what’s possible. The youth and adults we serve are depending on us to open more doors, at IC and beyond.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Thursday, February 27, 2020 3:31 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** OBT\_Testimony Industry City Rezoning.docx

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Liliana Polo-McKenna**  
Zip: **11232**

I represent:

- **A local community group or organization**

Details for "I Represent": **Opportunities for a Better Tomorrow**

### My Comments:

Vote: I am **other**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

See attached Word Document with our testimony

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Monday, March 2, 2020 11:58:37 PM  
**Attachments:** [Protect Sunset Park CPC Testimonial \(1\).pdf](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Protect Sunset Park**  
Zip: **11232**

I represent:

- **A local community group or organization**

Details for "I Represent": **Protect Sunset Park coalition**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Please see the statement attached for testimony submitted by the Protect Sunset Park coalition.  
Protect Sunset Park can be contacted at [ProSunsetPark@gmail.com](mailto:ProSunsetPark@gmail.com)



March 2nd, 2020

Dear City Planning Commission,

Protect Sunset Park is a coalition of individuals and organizations representing residents, workers, students and small businesses organizing in opposition of the Industry City rezoning and the widespread impacts it will have on the future of Sunset Park and the South Brooklyn industrial waterfront.

This application is unique in a few ways: it is the largest private rezonings in the history of New York City; The applicant has been in the neighborhood for nearly a decade pre-application, and therefore there is pre-existing data on the early impacts on the neighborhood if the applicant is allowed to expand, and their track record in the neighborhood; The community has developed **two comprehensive** plans for how to develop the waterfront which are reasonable alternatives to include in a comparative analysis framework before approving this private rezoning plan. Protect Sunset Park asks the Department of City Planning to reject this proposal considering the anticipated impacts of the following additional analyses:

- The cumulative, long-term impact this massive change to land laws will have beyond the limited purview of the Project and Study Area analyzed in the Environmental Impact Statement. Specifically, a neighborhood-wide analysis of:
  - Racial and economic displacement, as observable by changes to demographics of the community;
  - Displacement of minority and women-owned businesses;
  - Primary and secondary residential displacement (upon extending the parameters for secondary impacts);
  - Primary and secondary business displacement;
  - Speculative real estate activity;
  - Data on the numbers employed and placed in employment through Industry City, descriptive data on the type and compensation of these jobs, and demographics of those employed by and otherwise served by Industry City (e.g., Innovation Lab). Data to be fact-checked and replicated by third party.
- The cumulative impact of this rezoning alongside other land use moves and developments in the neighborhood. Specifically, Industry City representative Andrew Kimball invoked the creation of jobs created by the nearby same-day distribution center in his testimony on this application to DCP on February 19th. If the distribution center is part of Industry City's plan to "bring jobs" to Sunset Park, the environmental impacts of those developments need be considered before considering the potential economic benefits. Specifically, a transportation analysis on the cumulative impacts the IC rezoning and distribution center will have on the neighborhood in terms of travel demand, local street networks and highways, parkings, transit, pedestrian, and safety; an analysis of the impacts on air quality, greenhouse gases emissions and climate change, an analysis of the cumulative neighborhood impacts ICs distribution center will have on the neighborhood - together with Sunset Industrial Park (the largest proposed

distribution hub in the country) and the last mile distribution hubs set to be built in the close by neighborhood of Red Hook.

- Compare the impacts of the applicant's private rezoning proposal to alternatives developed by the community in this process, as required by task 19 of the Environmental Impact Analysis framework. Specifically, compare the cumulative impacts of Industry City to the Green Resilient Industrial District plan put forth by UPROSE, and to the 197a plan put forth by the community over a decade ago.
- Examine Industry City's track record employing, training, and leasing to Sunset Park native residents to contextualize the applicant's promises to bring jobs and prioritize manufacturing on this land. Examine Industry City's record with the Brooklyn Letter Carriers Branch 41 and A Team security unions, particularly grievances brought forth to the National Labor Relations Board, to contextualize the applicant's promises to work with unions to implement this proposal.

One of many community organizations opposed to this rezoning, Protect Sunset Park members have spent countless hours talking to our neighbors about this proposed rezoning and what it means to the future of our home. People fundamentally understand that their displacement is part of Industry City's business plan, and the applicant has refused to provide any evidence to disprove that despite numerous asks by the community board and residents. We have collected over 4,000 signatures of people saying *no* to this rezoning. Over 50 small businesses, organizations, and local leaders have signed on to a letter asking Councilmember Menchaca to reject this proposal and engage instead on a comprehensive plan for New York City's largest remaining industrial waterfront. We have held 5 teach-ins and community planning sessions where people shared their vision for Sunset Park and planned actions. Here are some vision statements for Sunset Park ten years from now, which the community developed in a planning forum last October:

- A culturally rich neighborhood where working class people from all over can afford to live and work.
- An environmentally resilient waterfront.
- A place where I can raise my children, where they can choose to stay here and still afford it.
- A place where there is an opportunity to live rich, successful, fulfilling lives.

The community has engaged consistently in town halls and hearings to share their concerns with this proposal since Industry City filed their application in 2017. Despite sharing these concerns with Industry City, and Industry City promising to address them in their application, the applicant submitted an application nearly identical to the scope of work they submitted two years earlier, triggering the ULURP clock right before a busy holiday season. Industry City has proved itself to be uncompromising and untrustworthy as a community development partner in this process. Their track record in the community affirms that their presence is not necessary to fulfill -- and their expansion will certainly prohibit -- the community's vision for our home.

The community has an alternative, comprehensive plan to sustainably develop the neighborhood without compromising its character and preparing the land for imminent climate

change. For this and the reasons above, Protect Sunset Park respectfully demands the Department of City Planning reject the Industry City proposed Special District Rezoning; Preserve and enforce existing industrial zoning and limit large retail and offices to accessory use; and Suspend rezoning of properties along the waterfront until the long-term climate adaptation needs of the waterfront are determined.

**#Protect  
Sunset  
Park**

ProSunsetPark@gmail.com

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 18, 2020 2:40 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** UPROSE Testimony\_CPC\_IC Rezoning Hearings\_Testimony\_Written\_UPROSE\_Feb 19th, 2020.pdf

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Summer Sandoval**  
Zip: **11232**

I represent:

- **A local community group or organization**

Details for "I Represent": **UPROSE**

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

Comments attached



462 36th Street, Suite 3A  
Brooklyn, NY 11232  
718-492-9307  
[info@uprose.org](mailto:info@uprose.org)

## **Testimony of UPROSE**

New York City Planning Commission - Industry City Rezoning Public Hearing

February 19th, 2020  
120 Broadway, 31st Floor  
New York, NY 10271

Thank you for the opportunity to submit testimony today on Industry City's rezoning proposal. I am Elizabeth Yeampierre, the Executive Director of UPROSE. We are here today to express our strong opposition to Industry City's existing rezoning application, which has not changed since 2017 despite extensive community concern and input. Founded in 1966, UPROSE is Brooklyn's oldest Latino community-based organization. UPROSE is an intergenerational, multi-racial, and nationally recognized women of color-led organization that promotes just sustainability and resilience in Sunset Park, Brooklyn. We are leaders in climate justice and all of our work is rooted in the Just Transition model. Industry City's proposal is problematic in many ways that threaten the working-class character, affordability, and social cohesion of the Sunset Park community. If Industry City wants to develop in Sunset Park, they must do so in context. They must amend their proposal to incorporate the recommendations of the Green Resilient Industrial District (GRID) that are based on existing community-based plans; years of community engagement, organizing, and community planning; and current State and City policies that address the urgency to transition to a renewable economy and centered in equity.

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



Industry City wants to create an “Innovation District”, but there is nothing “innovative” about predatory development and gentrification. What Industry City is doing to Sunset Park has been done all over New York City. The City’s invaluable industrial manufacturing spaces have become sacrifice zones for developer’s greedy agendas. Industry City’s proposal disregards that an industrial sector needs to be used to build for our climate future. It is time for communities to be able to responsibly -and with accurate information and resources- guide development in their communities so it responds to their needs. So, if Industry City wants to develop and make a profit in Sunset Park, they need to follow the community-led framework and vision. What Industry City is doing to Sunset Park has been done all over New York City in Williamsburg, DUMBO, Red Hook, Lower East Side, and Chelsea just to name a few. So if Industry City wants to have the privilege of developing in Sunset Park, they must follow a community-led framework and vision.

### **The Green Resilient Industrial District**

The Sunset Park community is being led to believe that Industry City’s rezoning is the only viable model of economic development on the industrial waterfront, which is not true and undermines the hard work, dedication, and frontline leadership of community-based organizations like UPROSE. UPROSE partnered with the Protect Our Working Waterfront Alliance (POWWA) to create the Green Resilient Industrial District (GRID)- a comprehensive alternative proposal. The creation of the GRID honors all the local planning processes, community priorities, and integrates principles of equity.

The GRID outlines the process of how to move from an extractive economy dependent on fossil fuels to a green industrial economy that trains local residents for renewable energy, green retrofit, and sustainable manufacturing and construction jobs. The GRID calls to 1. Preserve the industrial character of Sunset Park’s working waterfront, 2. Retain and create well-paid working-class jobs in a green industrial economy, 3. Support green industrial innovation, and 4. Promote climate resiliency and Just Transition through circular industrial economy practices.

Implementation of a GRID would also protect Sunset Park from existing and anticipated climate threats. The GRID identifies strategies of how to utilize the industrial sector as the economic engine that builds for climate adaptation, mitigation, and resilience. The GRID analyzes the

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)







relationships between urban systems of water, food, energy, and jobs. The GRID can be leveraged to prevent the realization of Industry City's existing rezoning proposal.

### **GRID Implementation**

The GRID can be leveraged in three main ways to influence Industry City's rezoning proposal to address community needs and the existing and anticipated threats of climate change:

1. Amend Industry City's proposal with necessary changes that establishes restrictions on use and bulk in accordance with Sub Area C of the GRID. The GRID has specific recommendations and zoning guidelines for each of the four sub areas. The zoning and land use restrictions recommended for sub area C, or Industry City's proposed rezoning area, would limit non-industrial uses such as retail and commercial spaces in order to enhance the manufacturing use of the M3 zone.
2. Use the GRID as a necessary amendment to the Sunset Park 197-A Plan that guides policy and community vision. The 197-A Plans must be updated every ten years, but the Sunset Park 197-A Plan has not been updated to incorporate the newest risks and lessons learned of climate impacts. Industry City claims its proposal is consistent with the Sunset Park 197-A Plan, but the plan is outdated.
3. Challenge Industry City's proposal as another 197-C Plan that implements a community-led vision. The GRID is a viable alternative rezoning proposal that integrates community input. Industry City's proposal does not consider or integrate aspects of community-based planning. Further detail on how to use the GRID to influence Industry City's proposal will be shared at the Community Board meeting on Thursday, December 12th at 6:30pm.

Industry City can exist in Sunset Park, just not on their own terms. The GRID is not only a comprehensive vision and plan, but rules and guidelines that dictate the type of development allowable in Sunset Park that will support the transition into an equitable climate resilient industrial community and green economy.

### **Policy Landscape**

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



UPROSE, as a grassroots Steering Committee member of NY Renews was part of the monumental passing of the Climate Leadership and Community Protection Act (CLCPA) earlier this year, that lays the groundwork for addressing climate change and climate justice issues. The law is poised to be the most ambitious climate legislation in the country, which allows New York to be a leader in climate change. Within the state, New York City must be a leader in the state and create a way for local CLCPA implementation and investment that honors community-based planning and process.

The GRID is not a futuristic vision. It is a proposal that operationalizes existing local, state, and federal policies such as the Climate Mobilization Act (CMA) , CLCPA, and the anticipated Green New Deal that offers funding sources for GRID implementation. Industrial spaces across the country are disappearing. New York City only has six Significant Maritime and Industrial Zones, and the largest one is in Sunset Park. Sunset Park has 14 million square feet of industrial manufacturing space to use to build for a true climate adaptive economy.

The mandates in the CLCPA will help shift our energy systems and economy in a just and equitable process from an extractive one to a regenerative one that is aligned with the Just Transition Model. The enactment of the CLCPA will reduce economy-wide greenhouse gas emissions 85% by 2050 with net zero economy-wide emissions. Similar to local and federal policies, the CLCPA offers opportunities for funding a green economy. The CLCPA mandates that 35% of benefits go to “disadvantaged” or frontline communities. The CLCPA lays the groundwork for equitable renewable energy development; it calls for a 250% increase in solar capacity by 2025 to achieve a 70% renewable energy portfolio by 2030. Industry City’s proposal is not only inconsistent with these policies, it threatens funding sources that will support a Just Transition.

### **Job Opportunities**

Preserving the industrial sector is a local struggle with regional impacts. Sunset Park has the opportunity to catalyze regional climate engagement from climate jobs, green ports, sustainable manufacturing, food security, and renewable energy. The CLCPA and CMA are projected to create over 150,000 climate jobs. Many of these climate jobs are in the retrofit,

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



renewable energy, and construction sectors. According to the International Labour Organization, “Green jobs are decent jobs that contribute to preserve or restore the environment, be they in traditional sectors such as manufacturing and construction, or in new, emerging green sectors such as renewable energy or energy efficiency.” In order to ensure the economic benefits from the CLCPA and the CMA, we must keep our industrial sectors such as Sunset Park, industrial, to host the existing and new industrial sector climate jobs.

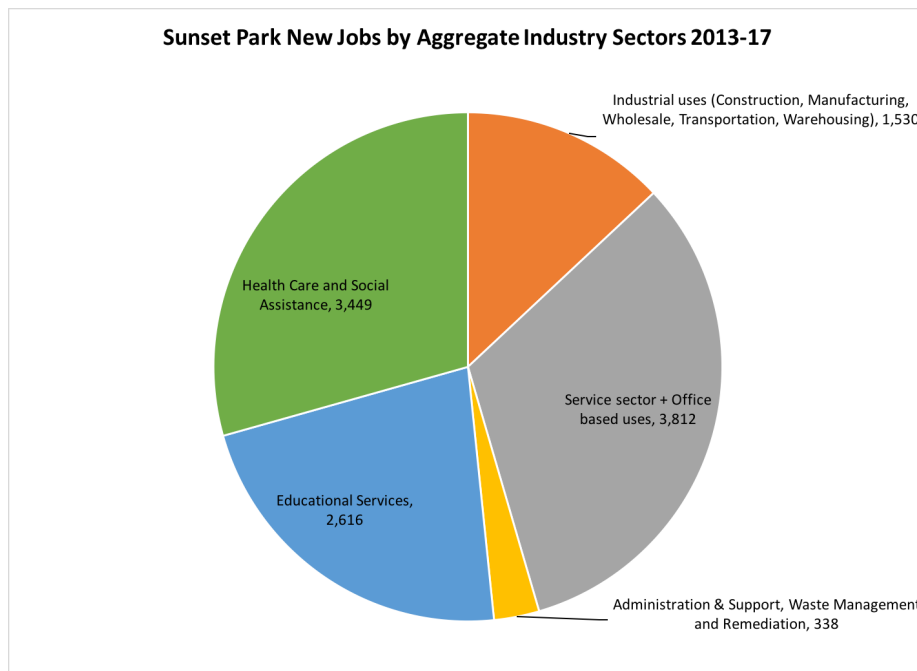


Figure 2: Sunset Park New Jobs by Aggregate Industry Sectors 2013-17

Since 2013, Industry City has caused a significant increase in service and retail jobs that replaced many longtime industrial manufacturing jobs. According to the Longitudinal Employer Household Dynamics (LEHD) Survey, since 2013, Sunset Park has seen a 32% increase in service and office sector jobs. The large proportion of service sector jobs is depicted in Figure 2 above. Industry City is trying to sell the community on the number of jobs their proposal will create, but these jobs are lower paid and the vast majority do not offer employee benefits or opportunities for career growth. According to the New York State Department of Labor, the

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



average annual wage for manufacturing work is over \$53,000 compared to \$36,000 for retail work and \$24,500 for employment in food service.

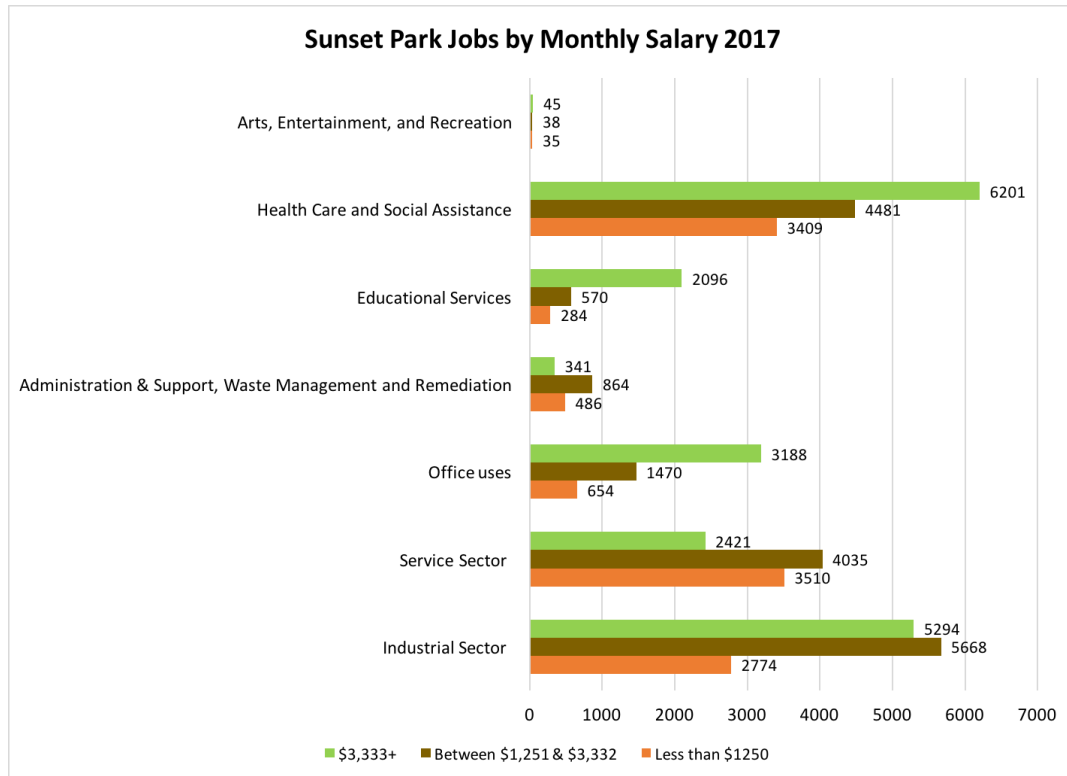


Figure 3: Sunset Park Jobs by Monthly Salary 2017

Industry City's jobs do not come without a price. Forty percent of Sunset Park residents do not have a high school diploma. Industrial jobs are a means for many Sunset Park residents to make a well-paid living and have access to professional growth opportunities. Industry City is creating service and retail jobs for the community while also gentrifying the neighborhood. Lower paid jobs and higher rental prices and cost of homes have already led to and will exacerbate loss of social cohesion.

### Industry City's Proposal

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



Contrary to the GRID, developers including Jamestown Properties have invaded Sunset Park's industrial waterfront with luxury commercial and retail uses in the form of Industry City. These types of developments are not only detrimental to the industrial character of our working waterfronts, but also puts the Sunset Park community in harm's way of climate impacts. As a City, we need to be able to face these challenges by building a resilient waterfront. It is important as a community, we have the agency and resources to determine what a climate resilient industrial waterfront looks like.

Industry City's rezoning proposal would change the industrial waterfront for retail and commercial use. Along with expanding retail, Industry City also proposes to develop hotels and a school at the waterfront. These pose direct risks to the community that will be using these facilities since it is located in floodplains and brownfields. Industry City's proposal is not only disrupting social cohesion and eliminating well-paid working-class jobs, but also prevents us from moving forward with utilizing the industrial waterfront to prepare for climate change.

But, there is nothing "innovative" putting frontline communities in harm's way by not using the industrial sector for resilient green industry. It is not responsible for developers to build schools, hotels, or luxury retail spaces along an industrial waterfront that is in the floodplain.

Much of Sunset Park's industrial waterfront is located in a floodplain, but Industry City's proposal does not integrate any climate adaptation or mitigation strategies to protect the community from the threats of climate change. Instead, Industry City is proposing to locate a high school on the industrial waterfront, which would young people of color in harm's way. The floodplain and sea level rise maps below emphasize the urgency and necessity to prioritize climate preparedness in all development especially on our industrial waterfront.

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



**These goals are NOT new!**  
They build on existing  
community, city, state & federal  
plans, programs & policies...

2019 | CCCE | UPROSE | POWWA

#### Community Plans

2009 Community Board 7 197a Plan  
2012 Sunset Park BOA  
2008 Sunset Park Greenway Plan

#### NY State & Federal Programs & Policies

1975 NYSERDA Programs, Services and Funding  
2007 NY State Pollution Prevention Institute  
2019 NY State Climate Leadership and Community  
Protection Act  
2019 Green New Deal Bill

#### NYC Plans, Programs & Policies

2006 Industrial Business Zones – Southwest Brooklyn IBZ -  
2014 80x50 (One City Built to Last)  
2009 EDC Sunset Park Vision Plan  
1992 NYC Comprehensive Waterfront Plan  
2011 Vision 2020-NYC Comprehensive Waterfront Plan  
2011 Waterfront Revitalization Program  
2007/2011 PlaNYC 2030  
2009 Greener, Greater Buildings Plan (GGBP)  
2009 NYC Green Infrastructure Plan  
2015 One New York: The Plan for a Strong and Just  
City (OneNYC)  
2019 One New York 2050  
2014 Engines of Opportunity Report  
2015 Industrial Action Plan  
2018 Freight NYC  
2019 Port NYC  
2018 NYC Carbon Challenge  
2018 NYC Retrofit Accelerator  
2018 Community Retrofit NYC  
2019 NYC Climate Mobilization Act

Figure 4: List of plans, programs, and policies that the GRID is consistent with.

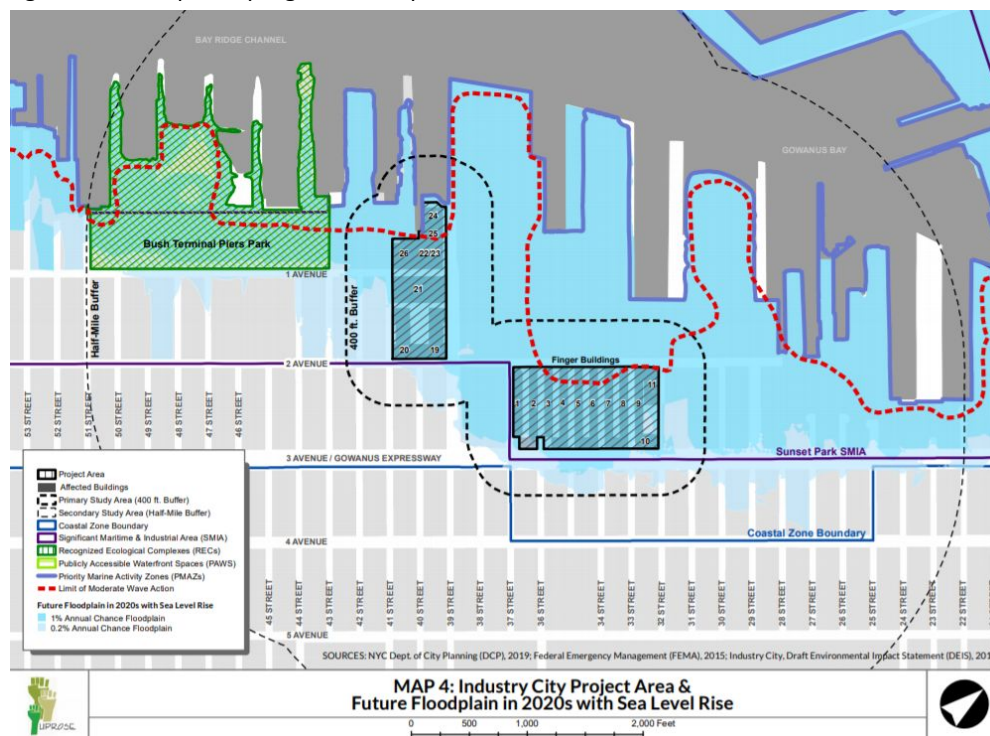


Figure 5: Industry City Project Area and Future Floodplain in 2020s with Sea Level Rise

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



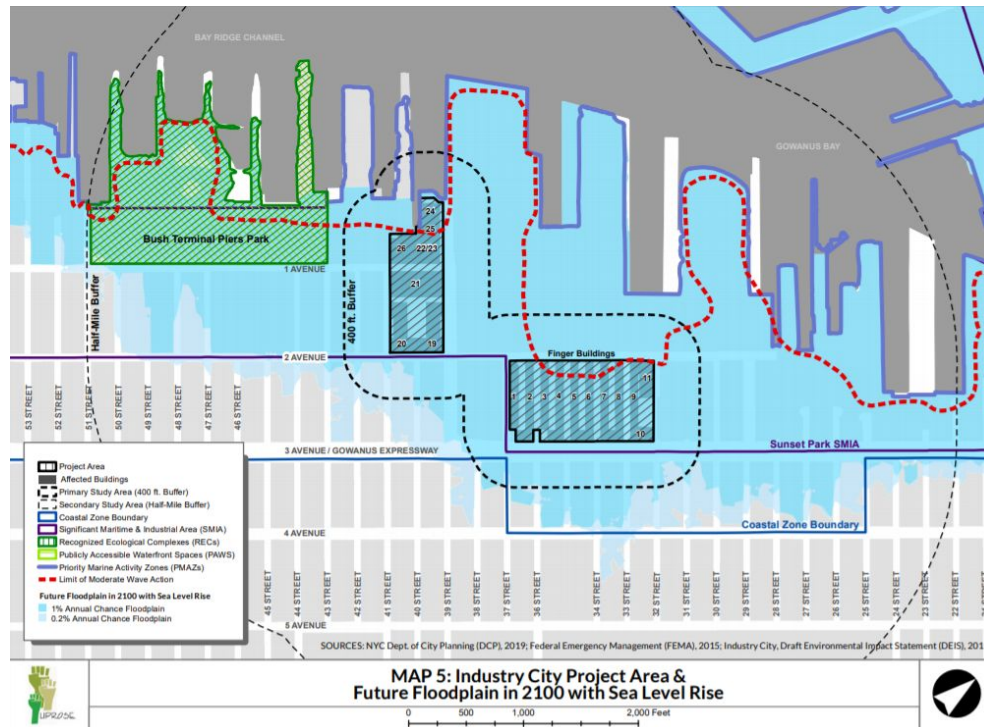


Figure 6: Industry City Project Area and Future Floodplain in 2100s with Sea Level Rise

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



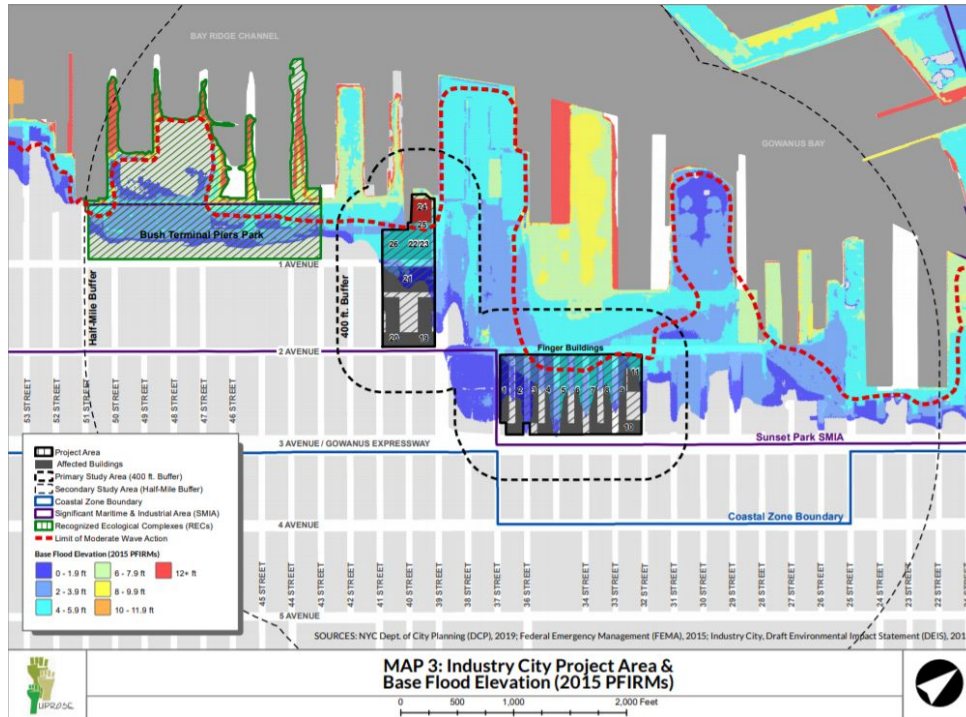


Figure 7: Industry City Project Area and Base Flood Elevation (2015 PFIRMs)

## Community Benefits Agreement

A Community Benefits Agreement (CBA) will not prevent the negative impacts of Industry City’s rezoning proposal. CBAs are designed as tools to buy the community’s favor, but fall short of enacting protections to mitigate the negative effects of rezonings. There are many examples throughout the city where CBAs are not realized because they are very difficult to enforce. Another issue with CBAs, is the timeline of receiving the said “community benefits”. If any benefits are realized, they often do not benefit the existing community due to the loss of social cohesion. A CBA is not a viable solution to ensure community input in Industry City’s rezoning process.

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)



### **Offshore Wind**

UPROSE's work and advocacy supports eco-industrial developments such as offshore wind. Developing offshore wind in Sunset Park is a more fitting use of the industrial waterfront than retail, hotels, or schools. It would make New York City a leader in building climate resiliency by creating clean energy in an area made for industrial use. Offshore wind turbines are not only a long-term viable answer for the future, but also for creating high-skilled work for local residents. According to Equinor, offshore wind turbines will bring 50-70 jobs to the community. The proposed 60-80 wind turbines will reduce 1.6 million tons of CO2 per year. New York City already has enough retail space, it is not a necessary development and will not help us prepare for future storms. Focus has to be directed in creating resilient shorelines which will better prepare us in the face of climate change.

### **Closing**

Industry City's current rezoning proposal is unacceptable. As it stands, it proposes to further dearticulate the existing and historical character of the industrial waterfront, while displacing existing businesses and the potential to build for the City and region's climate needs. We are asking the New York City Planning Commission to only approve Industry City's proposal if they modify it to include the recommendations outlined in the GRID proposal. If Industry City does not modify their rezoning application, we ask the CPC to do right by Sunset Park and vote "no" to the rezoning. The community has an alternative vision, and we're here to make it clear that at this point in time private-led development is no longer an option. We need and demand a Just Transition for Sunset Park.

For more information, visit our website at [uprose.org/the-grid](http://uprose.org/the-grid).

*Siempre en Lucha, y Siempre por Nuestra Gente.*

462 36th St, Suite 3A Brooklyn, NY 11232 | t. 718 492 9307 | f. 718 492 9030

[www.uprose.org](http://www.uprose.org)

Ron Shiffman is a community-based planner who has worked with low-income residents to improve their neighborhoods since 1964, when he co-founded the nation's oldest university-based public interest technical assistance center at Pratt [PICCED]. He worked with the people of Bedford Stuyvesant, Sen. Kennedy and, in 1968, helped launch the nation's first community development corporation. In the 90's he served as a NYC planning commissioner. [1960-1966]

He helped found and sit on boards dedicated to racial and social justice - Race Forward/Center for Social Inclusion, and Shared Interest, a South African loan guarantee fund. He has received awards from Architects, Designers and Planners for Social Responsibility, the AIA, AICP & the Municipal Art Society and from more than a score of community-based organizations. He has authored articles on low- and moderate- income housing, planning, sustainable development, environmental and social justice. He is the recipient of two prestigious lifetime achievement awards: Rockefeller Foundation's Jane Jacobs Lifetime Achievement Award and the American Planning Association's National Planning Pioneer Award.

In October 2018 he was honored by Bedford Stuyvesant Restoration Corporation's with their Franklin Thomas Award. He received the award as the 50<sup>th</sup> Anniversary Celebration year of Restoration Corporation came to an end.

He is now Professor Emeritus at Pratt Institute's School of Architecture where he continues to teach since retirement as director of PICCED [now known as the Pratt Center for Community Development] in 2003/4.

#### Housing Activities included

As Director of PICCED aka The Pratt Center for Community Development I was involved in a number of housing initiatives [partial listing]

- \*The design and financial packaging of self-help housing in:

- The South Bronx**, with community-based development groups such as Banana Kelly, the Peoples Development Corporation, MBD, Nos Quedamos [<https://nosquedamos.org>], and others

- Manhattan**, with the Renegades in East Harlem, Adopt a Building in the Lower East Side, Cooper Square development Committee, in the Lower East Side, Asian American for Equality in Chinatown, and others [<https://www.stnicksalliance.org>] in addition to Bedford Stuyvesant Restoration Corporation [<https://restorationplaza.org>], who we helped to launch as the first Community Development Corporation in the nation, with Northside Community Development Corporation and the People's Fire House, in the Williamsburg's northside; Los Sures in the Williamsburg's Southside and with the Saint Nicholas Alliance, who we helped organize and staff and others.

- \*worked with the Governor Mario Cuomo's office and the City of New York in the design, financial packaging and development of more than a score of special needs housing in all the boroughs of the city of New York.

- \*Served on the Governor Mario Cuomo's Commission On Housing

\*Worked with ACORN, and it's membership and East New York Squatters in the development of a 1-4 family low-income home ownership and housing program that launched the Mutual Association of New York [MHANY]. MHANY [<https://www.mutualhousingny.org>] continues to develop low income housing.

\*Assisted in the design of the cross-subsidy program to reserve land in the Lower East Side for affordable housing and aided in launching the Cooper Square Land Trust and Mutual Housing Association. Also assisted in the design of a land trust for Strykers Bay that did not materialize but led to the successful transition of ownership of the units occupied by squatters to those families residing in the units.

\* developed a low-income housing rehabilitation program with Diem savings bank that was adopted by NYC as a citywide program in the 80s,

\*served on the boards of the Urban Homestead Assistance Board, the National Low Income Housing Coalition and the Center for Community Change in the Late 70s and 80's until I was appointed to the NYC Planning Commission by Mayor Dinkins.

\*organized and staffed the New York City Housing and Community Development Coalition in the early 70's, which eventually morphed into the Housing Justice Campaign and influenced Mayor Koch to adopt a more aggressive housing rehabilitation agenda.

\*published the Magazine Street which operated until it merged with ANHD and UHAB to launch the independent magazine City Limits in 1976, [which the Pratt Center supported until 2004]. City Limits <https://citylimits.org/> is today celebrating it 43<sup>rd</sup> year of operation focusing on housing and community development issues.

\*sponsored scores of conferences, symposia, and training events focused on housing production, preservation and related community economic development and community development initiatives.

**Ronald Shiffman, FAICP, Hon. AIA**  
Professor Emeritus  
Pratt Graduate Center for Planning and the Environment  
Director Emeritus,  
Center for Community Development at Pratt Institute  
New York City Planning Commissioner  
[1990-1996-7]  
[rshiffma@pratt.edu](mailto:rshiffma@pratt.edu)  
917.705.8935

## **Testimony in Opposition to the Rezoning of Industry City, Sunset Park Brooklyn December 9, 2019**

Seventy-Eight years ago ,this week, the United States entered World War !! after we were attacked at Pearl Harbor. The United States was responding to the threat posed by Nazi Germany and their Japanese allies. In the years that followed that declaration, the Sunset Park community and its Industrial Waterfront was mobilized to address the threats posed by the Axis powers and became a center focused on the production and assemblage of goods and material. During the conflict, the adjacent [Brooklyn Army Terminal](#) (situated between 58th and 65th Streets) employed more than 10,000 civilians, handled 43,000,000 tons of material and 39,008,943.82 tons of cargo, and was the point of departure for 3.5 million soldiers.

This week, the World Meteorological Organization, a UN agency reported that by years end this past decade will have been the hottest on record. The report they released this week at the United Nations' climate conference, predicts that the human-driven increase in temperatures is bringing with it progressively more catastrophic impacts on human health and

“If we do not take urgent climate action now, then we are heading for a temperature increase of more than 3°C by the end of the century, with ever more harmful impacts [– increased heat and rising sea levels - ] on human wellbeing,”<sup>1</sup>

---

<sup>1</sup> Petteri Taalas, of the UN's World Meteorologist Organization said in [an announcement about this year's report](#).

Once again, the Sunset Park waterfront will need to be mobilized -- not to protect the US and its allies abroad-- but to protect our community, country and the planet from the existential threat of climate change. A threat that requires that we harden and adapt our shoreline , modify the way we produce and consume, retrofit our buildings and keep open the water borne options that assure that our supplies of food and water are not interrupted. We need new products and ways of production that are not dependent on over extended means of transport to help adapt to our new climactic conditions.

The GRID plan proposed by UPROSE puts forth such a viable response to the impending climate crisis. The plan promoted by Industry City proposes changes that could harm our city's and our region's ability to adopt the changes necessary to address these threat related to climate change and rising sea levels. I am not an alarmist, I am a community-based urban planner that sees the need to immediately initiate a plan to assess and implement what our land use policies should be to avoid a catastrophic future to our city, region and country. This response con not and should not be postponed. We need to make sure that the land needed to carry out these functions are not rezoned and their uses surrendered to today's perception of highest and best use- one of higher profit margins -- at the cost of being able to meet our future needs.

To quote Industry City's Environmental Impact Statement, Chapter 22, Irreversible and Irretrievable Commitments of Resources:

"The re-tenanting and redevelopment of Industry City through the Proposed Actions ...constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future."

This statement by Industry City recognizes that other land use options are ruled out by their plan, but it barely touches on this potentially significant negative impacts while ignoring some other critically important issues:

---

1. Industry City itself represents a significant percentage of the remaining industrial space in the city of New York. In the past 20 years, the City has, through rezoning, reduced the land area available to industry (not counting “transitional” mixed use areas) by a substantial amount.

2. Discernible current resurgence in industrial activity, plus a growing focus on development of the circular economy<sup>2</sup> and its locational dependence on dense urban concentrations, will create a demand for more space serving New York City. The continued conversion of a substantial portion of Industry City to non-industrial uses would remove a meaningful amount of industrial space that cannot be replicated.

- Loss of industrial space will be even greater in the future.
- The pace of conversion from industrial to commercial or housing uses is expected to increase
- Almost 350 million sq. ft. of industrially zoned land will be underwater by 2100. This translates to 25.9% of the overall manufacturing land in NYC. [See below.)

3. Industry City is NYC’s largest privately-owned industrial complex. The private and public sectors inherently respond differently to marketing, tenanting, background checks, etc. Industrial rents, absent government incentives, do not currently sustain new construction for manufacturing tenants.

4. Most importantly, as stated above, climate change poses an existential threat to the city and especially its shoreline. Waterfront industrial land is needed to protect, adapt, and mitigate the

---

<sup>2</sup> <sup>2</sup> A circular economy is a regenerative system in which resource input and waste, emission, and energy leakage are minimized by slowing, closing, and narrowing energy and material loops. This can be achieved through long-lasting design, maintenance, repair, reuse, remanufacturing, refurbishing and recycling. A circular economy can reduce greenhouse gas emissions by applying circular principles – notably re-use, re-manufacturing and re-cycling – to key sectors such as the built environment. Source: the UN Climate Change News, 22 January 2019 “Circular Economy Crucial for Climate Change Goals.



impact of rising sea levels and increased heat. The need for waterfront land dedicated to manufacturing and industrial uses includes;

- Land to produce/marshal/store materials for such functions as production of emergency housing, inflatable dams, floating docks, green roof systems, etc.
- Land to marshal materials and equipment for BQE reconstruction.
- NYC's percent of industrially zoned "land under water" (within the high-tide mark) will grow and, owing to waterfront location, be subject to and endure frequent flooding.

**Absent a strategic plan to address land use issues concerning climate change, the city will be inviting irreparable harm to the region. Industrial land and buildings must be saved—once lost they are gone forever.**

- A strategic climate adaptation plan based on further study is needed to discern the full impact of the proposed action.
- Mindful that Industry City is NYC's largest privately-owned industrial holding, and as such is a unique resource, and absent city policies to protect against climate change and to safeguard industry, this project should not proceed.

**Until a full plan for addressing the city's industrial land in the context of climate change, land use pressures, industrial location patterns, etc. a moratorium should be enacted for all development and use changes on waterfront industrial areas.**

Today, if given the chance, Sunset Park can once again respond to an existential threat facing our community, country and the planet- the threat of sea level rise and climate change. If we heed the voices of the people of Sunset Park and reject this rezoning and instead adopt the alternative plan before us --the GRID Plan, we can turn this threat into an opportunity – an opportunity that can enable Sunset Park to lead the way to “just transition” to a new sustainable economy. On behalf of our grandchildren, their friends and children from all corners of the planet., I urge you to act now to force the city to address these urgent issues.

Recently, the New York Times reported that “an estimated 600 million people live directly on the world’s coastlines” and that “according to scientific projections, the oceans stand to rise by one to four feet by the end of the century, with projections of more ferocious storms and higher tides that could upend the lives of entire communities.” New York City has in part responded by issuing a number of reports and plans to address Climate Change. However, there is disconnect between these reports and the day to day actions of the City Planning Department and the Commission. The item before you warrants a deeper look at the role that areas like Sunset Park can and play to adapt to that threat. A threat that requires that we harden our shoreline , modify the way we produce and consume, how we retrofit our buildings and keep open the water borne options to assure that our supplies of food and water are not interrupted. We need new products and ways of production that are not dependent on extended means of transport to help adapt to new and emerging climactic conditions. Approving this application absent a plan to deal with our coastline would be an abdication of the ‘planning’ role of the City Planning Department abetted by the Commission. **As a former member of the City Planning Commission, I urge you to table this application until a coastal plan/strategy to adapt to this existential threat is developed.**

The GRID plan proposed by UPROSE puts forth a viable response to the climate crisis. The plan promoted by Industry City proposes changes that could harm our city’s and our region’s ability to adopt the changes necessary to address the threats related to climate change and rising sea levels. Land at the water’s edge needed to carry out these functions should not be rezoned and their uses surrendered to today’s perception of highest and best use- one of higher profit margins -- at the cost of not being able to meet our future needs.

1. Industry City represents a significant percentage of the remaining industrial space in New York. In the past 20 years, the City has, through rezoning, significantly reduced the area available to industry.

2. The resurgence in industrial activity, plus a growing focus on development of the circular economy<sup>1</sup> and its locational dependence on dense urban concentrations, has created a demand for more M zoned space. The continued conversion of a substantial portion of Industry City to non-industrial uses would remove a meaningful amount of industrial space that cannot be replicated.

- The pace of conversion from industrial to retail/commercial or housing uses is expected to increase

- GIS Studies indicate 350 million sq. ft. of industrially zoned land will be underwater by 2100. This translates to 25.9% of manufacturing land in NYC.

3. The need for waterfront land dedicated to manufacturing/industrial uses includes;

- Land to produce/marshal/store materials for such functions as production of emergency housing, inflatable dams, floating docks, green roof systems, etc.

---

<sup>1</sup> A circular economy is a regenerative system in which resource input and waste, emission, and energy leakage are minimized by slowing, closing, and narrowing energy and material loops.

- Land to store/marshal/deploy materials and equipment for BQE reconstruction and other NYC infrastructure needs.

**Absent a strategic plan to address land use issues concerning climate change, the city will be inviting irreparable harm.**

- A strategic climate adaptation plan based on further study is needed to discern the full impact of the proposed action.

- **Industry City is NYC's largest privately-owned industrial holding, and as such is a unique resource, and absent city policies to protect against climate change and to safeguard industry, this project should not proceed.**

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Thursday, February 20, 2020 12:57:01 PM  
**Attachments:** [RON S December 9th Testimony.docx](#)  
[Ron Shiffman, FAICP Testimony.docx](#)  
[Ron Shiffman Short 11.18.19.doc](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **RONALD SHIFFMAN**  
Zip: **11215-1405**

I represent:

- **Myself**

Details for "I Represent": **I have volunteered at no cost to assist UPROSE in evaluating the impacts of the Industry City Proposal. As Former Member of the City Planning Commission I am alarmed at the disconnect between City Planning and the Need to address the existential threat of Climate Change.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Recently, the New York Times reported that "an estimated 600 million people live directly on the world's coastlines" and that "according to scientific projections, the oceans stand to rise by one to four feet by the end of the century, with projections of more ferocious storms and higher tides that could upend the lives of entire communities." New York City has in part responded by issuing a number of reports and plans to address Climate Change. However, there is disconnect between these reports and the day to day actions of the City Planning

Department and the Commission. The item before you warrants a deeper look at the role that areas like Sunset Park can and play to adapt to that threat. A threat that requires that we harden our shoreline, modify the way we produce and consume, how we retrofit our buildings and keep open the water borne options to assure that our supplies of food and water are not interrupted. We need new products and ways of production that are not dependent on extended means of transport to help adapt to new and emerging climactic conditions. Approving this application absent a plan to deal with our coastline would be an abdication of the ‘planning’ role of the City Planning Department abetted by the Commission. As a former member of the City Planning Commission, I urge you to table this application until a coastal plan/strategy to adapt to this existential threat is developed. The GRID plan proposed by UPROSE puts forth a viable response to the climate crisis. The plan promoted by Industry City proposes changes that could harm our city’s and our region’s ability to adopt the changes necessary to address the threats related to climate change and rising sea levels. Land at the water’s edge needed to carry out these functions should not be rezoned and their uses surrendered to today’s perception of highest and best use- one of higher profit margins -- at the cost of not being able to meet our future needs.

1. Industry City represents a significant percentage of the remaining industrial space in New York. In the past 20 years, the City has, through rezoning, significantly reduced the area available to industry.
2. The resurgence in industrial activity, plus a growing focus on development of the circular economy and its locational dependence on dense urban concentrations, has created a demand for more M zoned space. The continued conversion of a substantial portion of Industry City to non-industrial uses would remove a meaningful amount of industrial space that cannot be replicated.

- The pace of conversion from industrial to retail/commercial or housing uses is expected to increase
- GIS Studies indicate 350 million sq. ft. of industrially zoned land will be underwater by 2100. This translates to 25.9% of manufacturing land in NYC.
- 3. The need for waterfront land dedicated to manufacturing/industrial uses includes;
- Land to produce/marshal/store materials for such functions as production of emergency housing, inflatable dams, floating docks, green roof systems, etc.
- Land to store/marshal/deploy materials and equipment for BQE reconstruction and other NYC infrastructure needs. Absent a strategic plan to address land use issues concerning climate change, the city will be inviting irreparable harm.
- A strategic climate adaptation plan based on further study is needed to discern the full impact of the proposed action.
- Industry City is NYC’s largest privately-owned industrial holding, and as such is a unique resource, and absent city policies to protect against climate change and to safeguard industry, this project should not proceed.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 18, 2020 8:29 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** Kevin Barry CPC Testimony.pdf

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Kevin Barry**  
Zip: **11232**

I represent:

- **Myself**
- **A local business**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

February 19, 2020 To Whom It May Concern: My name is Kevin Barry and I am a Sunset Park resident. I am against Industry City's rezoning application. Sunset Park is a diverse, working class, immigrant neighborhood. There are residents and many mom and pop shops in Sunset Park that relies on affordable rent prices. The rezoning requested by Industry City is going to increase displacement for both commercial and residential rent by increasing rent prices. I fear that Industry City's plans are set on creating a playground for the rich while displacing neighbors, friends, residents, and business owners. The alternative proposal by UPROSE, called the GRID - proposes a green industrial district in New York City's largest SMIA. Our region needs climate jobs for Sunset Park residents, especially since we are situated at the waterfront. We need to be prepared for the next superstorm and sea level rise. Thank you for your time. Sincerely, Kevin

February 19, 2020

To Whom It May Concern:

My name is Kevin Barry and I am a Sunset Park resident. I am against Industry City's rezoning application. Sunset Park is a diverse, working class, immigrant neighborhood. There are residents and many mom and pop shops in Sunset Park that relies on affordable rent prices.

The rezoning requested by Industry City is going to increase displacement for both commercial and residential rent by increasing rent prices. I fear that Industry City's plans are set on creating a playground for the rich while displacing neighbors, friends, residents, and business owners.

The alternative proposal by UPROSE, called the GRID - proposes a green industrial district in New York City's largest SMIA. Our region needs climate jobs for Sunset Park residents, especially since we are situated at the waterfront. We need to be prepared for the next superstorm and sea level rise.

Thank you for your time.

Sincerely,  
Kevin Barry

## Industry City ULURP Hearing Testimony

Transcript

Speaker: Bob Bland, Manufacture New York

2/18/2020

Thank you so much commissioners for being here today. My name is Bob Bland and I am a mother, I am a local South Brooklyn resident, I am a fashion designer, I am a manufacturer and I'm the founder of a now closed project called Manufacture New York that was happening in Sunset Park between 2012 and 2016. You'll notice there's not a lot of manufacturers here today, and it's because hearings like this are happening at a time when they cannot afford to be off of work. So you're not hearing the important voices of Sunset Park's industrial and manufacturing community directly from them.

I heard Andrew Kimball talk about economic opportunity, but who? Economic opportunity for who? That's what I want to know. Andrew Kimball also made the claim that there is more manufacturing in Industry City than there has been in 40 years. But my experience was between 2012 and 2014 that I saw many of the manufacturers that were essential to my designers' businesses, like MCM Enterprises for instance, who had 20,000 square feet of manufacturing space in Industry City and had been very good tenants, who had always paid on time for 20 years.

When Jamestown took the property, they lost their spot, they had to leave. And while they were able, they were one of the lucky ones who found another spot several blocks down. It was not pretty and it was just so that we could move in the Brooklyn Nets. We fought and fought and fought and we were not able to save that space or any of their employees' jobs. And that is the sort of thing that I'm worried about here because 40% of the jobs in Sunset Park are manufacturing and industrial jobs. We need slower human scale development, neighborhood scale at the pace of the neighborhood scale development. We don't need more rapid development. Owning a business in the neighborhood is great, and there's a lot of folks who do. They might not be the type of businesses that Jamestown and Belvedere and Industry City prioritize, but those are the jobs that make good, not just working class, but middle-class wages.

The average manufacturing job makes \$56,000 a year and it includes benefits. I want to know with this last mile warehousing, that to me sounds like a recipe for low income, backbreaking jobs, that will not replace the businesses that have already been lost before this rezoning process even began. And I want to know, Andrew, would you take those jobs? Would you take a Amazon warehouse job? I want to know. This was something where even in my time from the time I first went to Industry City to look for space for my manufacturing facility to 2015, the offer for the rent was triple what it was when I first came.



DCP: Thank you. Would you be willing to hear any questions from the commission? What is the nature of your business?

Bob Bland: I don't have it anymore and it's because of this. It's because of everything that's going on. Manufacture New York was a project where we had between 20 and 30 small manufacturers and fashion designers that we were all collectively taking space together and creating an ecosystem where we could all be together.

And I got to say, at first the whole picture that's being painted here (by Industry City officials), I was enthralled. I really thought that this was a great vision for the neighborhood, but this is not what they're really going to do in the end.

Speaker 2:

Thank you. Other questions? Thank you for coming-oh, commissioner Cappelli?

Cappelli:

I'm sorry, what are they really going to do in the end?

Bob Bland:

Well, so if manufacturers in industrial spaces, if you look at the average rent that they're charging per square foot and it's higher than manufacturing and industrial people can pay and they're a private development. Because from you, the private finance part is actually what worries me. They're selling it as a bonus to the city, but the problem is ultimately their commitment is to their share holders and not to the community, and it's just going to be that way. They wouldn't be getting this transnational capital. They wouldn't have all these people investing in them if they didn't think that the prices were going to rise. And how are they going to generate revenue that's more than it is before, unless they raise the prices to an amount that manufacturers who-by the way, most of the manufacturers I know in Sunset Park, even within that facility, because there's a ripple effect that you might not be considering that anyone within a 20 square block radius of Industry City has been affected by the development, and ultimately most manufacturers that I know have been displaced.

DCP:

Would it be invasive of me to ask you what rent you were paying?

Bob Bland:

So I want to make a huge clarification. I did not ultimately take space at Industry City because, and I'll tell you why. There's this guy named Bruce Federman who is part of their operation and when I was going to my lease signing the day of my lease signing, because this isn't just racist to an immigrant community, it's also sexist because when I came up to actually sign my lease, this man tried to

renegotiate my lease and all of my different incentives on the table. He called me a little girl. He tried to joke about me in a way that made me feel completely ashamed and I walked out of there and I never went in again. And ultimately, we did a lease next door at Liberty View Industrial Plaza, and you need to be paying attention to that too because Marvin Schein from Liberty View is taking all of his cues from Industry City and he actually used Industry City as the example when he tried to renegotiate my lease after it had already been signed for several years.

DCP:

Actually, I had the same question- if you can-if you're comfortable answering, giving us a sense of what kinds of rents these smaller manufacturing businesses seek and what kinds they see when they look at space.

Bob Bland:

So again, my story as I tried to tell you is started in 2012 and ultimately my project ended in 2016 specifically because of this desire for there to be disproportionately higher rents than what we were able to pay, even though we already had, were fully in a funding agreement, but that's a story for another day. But during that time, so I can't speak for 2017, 18, 19, but what I can tell you is that you've been in 2016 was now three years ago. I was being quoted rents that were above \$30 a square foot for small spaces. And while that might seem like it's market rate, the entire point is that we need to preserve manufacturing and industrial space in New York City. Sunset park was one of the enclaves that you could get that space, and then after Jamestown acquired Industry City, that all went away.

[End testimony]

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Monday, March 2, 2020 6:40:09 PM  
**Attachments:** [Bob's IC Testimony- 2\\_18\\_2020.pdf](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Bob Bland**  
Zip: **11231**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent": **I am the founder of Manufacture New York, a fashion incubator and manufacturing ecosystem that existed in Sunset Park from 2012-2016 dedicated to preserving the Brooklyn waterfront as a hub of industrial manufacturing and small, locally-owned businesses. I worked with over 150 businesses locally during those years, including dozens who were housed in my space. I originally tried to locate at Industry City prior to signing a lease at Liberty View Industrial Plaza after several of my manufacturers were displaced from Industry City, and after the management unfairly tried to renegotiate my lease on the day of signing. When I later came back to try again years later, the rents were between \$24-36/sf- too high for any local fashion manufacturer.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I oppose Industry City's Rezoning Proposal because it will displace the heart of Sunset Park's waterfront industrial community, and have a ripple effect that will eventually displace the neighborhoods working class residents as well. Without the rezoning, many manufacturers and industrial businesses have already had to leave, and it will get far worse if this application is approved. 40% of the jobs in Sunset Park are manufacturing and industrial jobs. We need slower human scale development, neighborhood scale at the pace of the neighborhood scale development. We don't need more rapid development. Owning a business in the neighborhood is great, and there's a lot of folks who do. They might not be the type of businesses that Jamestown and Belvedere and their new transnational investors prioritize, but those are the jobs that make good, not just working class, but middle-class wages. The average manufacturing job makes \$56,000 a year, and it includes benefits and is more likely to be unionized. Last mile warehousing like Industry City wants to rent to Amazon is a recipe for low income, backbreaking jobs, that will not replace the businesses that have already been lost before this rezoning process even began. From the time I first went to Industry City to look for space for Manufacture New York in 2012 for my manufacturing facility, to just 3 years later in 2015, the offer for the rent was triple. I can't imagine what it is now, but I know its unaffordable for the type of businesses and entrepreneurs they claim to want to attract. Industry City's proposal is a recipe for gentrification and the hollowing out of a vibrant, robust immigrant-friendly community.

**PUBLIC COMMENT BY RODRIGO CAMARENA  
TO THE CITY PLANNING COMMISSION  
Public Hearing Date: February 19th, 2020  
Application Number: C 190296 ZMK  
Project: Industry City  
Borough: Brooklyn  
Community District: 7**

Good morning,

My name is Rodrigo Camarena. I am an immigrant advocate, former member of Brooklyn's Community Board 7 and the New York City Rent Guidelines Board, and have worked in the Sunset Park community for the last 15 years.

Today, I join the over 4,000 signatories of a petition gathered by the group Protect Sunset Park ([www.protectsunsetpark.org](http://www.protectsunsetpark.org)), to speak out against Industry City's proposed application.

My remarks today will primarily address the historic inadequacies of the City's Environmental Quality Review (CEQR) process and thus, on the Environmental Impact Study (EIS) conducted by the Department of City Planning in considering this application.

Between 2002 and 2014, the Bloomberg administration implemented dozens of neighborhood-scale rezonings across New York City. Having now, the benefit (or curse) of hindsight, analysis conducted by MIT, has demonstrated that, on aggregate, the rezonings pushed minority and low-income communities out and further from the central parts of New York City that they once called home.<sup>1</sup>

In the waterfront communities of Greenpoint, Williamsburg, Astoria, and Sunset Park, each of these rezoned areas lost over 3,000 Hispanic residents despite a 10% increase in the city's Hispanic population during that time.

When it comes to rent, rezoned neighborhoods experienced a net increase of over 18,000 severely rent burdened households - that is households with a rent to income ratio of over 50%.

When considering incomes, Hispanic incomes decreased across the board, and particularly, in upzoned neighborhoods.

According to the Department of City Planning's data, over 50% of the residents of Brooklyn Community District 7 are currently rent-burdened and nearly a third are below NYC's poverty

---

<sup>1</sup> <https://dspace.mit.edu/bitstream/handle/1721.1/98935/921891223-MIT.pdf?sequence=1&isAllowed=y>

threshold. I want to remind the committee that community most directly impacted by the Industry City application is 41% hispanic and 32.2% asian with 47% of residents identifying as immigrants (or foreign born).<sup>2</sup>

Much like during the Bloomberg era, the City's Environmental Quality Review process and Environmental Impact Study of the Industry City project has failed, by design, to examine how this rezoning would impact the demographics of this community, residential displacement, and women- and minority-owned businesses.

This hearing has also, by design, prevented the most impacted communities (working-class families, immigrants, and communities of color) from providing in-person testimony.

In fully evaluating the proposed rezoning application, I formally request that the Department of City planning conduct:

- An evaluation of the racial impact analysis of displacement of people from their homes that may result from this rezoning;
- An analysis of the impact of displacement on minority and women-owned businesses;
- An examination of the disparities between past predictions and real-world results in the City's predicted impact of prior rezonings, so that the City can know whether its fundamental predictions of growth and displacement, upon which the entire environmental impact review is premised, have a basis in reality,
- An analysis of the effects of traffic congestion on emergency vehicle response time, and the consequent impacts on life and health of Sunset Park's residents

Any vote by this committee that fails to consider the full demographic, social, and environmental effects of this rezoning is vulnerable to litigation as the recent NYS Supreme Court Decision in Northern Manhattan is Not For Sale vs The City of New York has shown.

This application should not only be rejected because it is being evaluated through a process that the courts have deemed problematic but because it's proposed job creation numbers, environmental, and economic benefits are also suspect.

Thank you for your time.

#ProtectSunsetPark

Thank you,  
Rodrigo Camarena

---

<sup>2</sup> <https://communityprofiles.planning.nyc.gov/brooklyn/7>

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:08 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Vin Campbell**  
Zip: **11232**

I represent:

- **Myself**
- **A local business**

Details for "I Represent": **I work for Sahadi's plus I believe in this cause. 20K jobs plus the proper use of the property for businesses that make everything better in the area**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I am a full supporter of the initiative to rezone Industry City. I believe in adding 20K+ jobs and new businesses, and I believe that in the long run, this will only make Brooklyn as a whole a better place to live and work.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:57 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **SOURAB CHOUDHURY**  
Zip: **11232**

I represent:

- **Myself**
- **A local business**

Details for "I Represent": **I have a medical practice located in Sunset park.**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

My practice The Dermatology Specialists is opening a new location in Sunset park supports the creation of new local jobs.



## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Sunday, March 1, 2020 3:07 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Elizabeth Davis**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent": **I am a Graduate student at Fordham University in the Urban Studies program who works in Industry City.**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

As a student of Urban Studies in New York City and a current employee in Industry City, I see the overwhelming benefit of allowing Industry City to expand its role in Sunset Park, Brooklyn. The industrial campus is revitalizing the community in ways that are bringing revenue and culture to the neighborhood. The 36th Street subway station puts Industry City a 30 minute ride from Manhattan, where I live and attend university. Industry City is both accessible and spacious. The campus is friendly to passenger and commercial vehicles. There is an IC shuttle and as a young white woman, I feel safe walking from my job in Building 6 to the subway station. The traffic lights along 3rd and 4th Avenues are timed, allowing both drivers and pedestrians to know what to expect when traveling around IC. I will say 2nd Avenue could use more pedestrian direction and driver surveillance, but unless the waterfront is opened there is not much reason to walk along this avenue. I support the growth and development of the area. I think it would be great to open up a dialogue between

Protect Sunset Park (a community coalition) and IC in order to incorporate the residents' hopes and concerns into the rezoning. I think the rezoning needs to happen, is going to happen, but needs to happen after hearing the voice of the people. Displacement is a serious concern and we need to ensure that the community that exists in Sunset Park is not run-out by the growth of IC. I think it is possible for Sunset Park and Industry City to come together and grow together. As it stands, Industry City is an enclave within Sunset Park; with the rezoning, Industry City will have a more distinguished footprint in the city and will gain both social and economic status.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:12 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Ronald Divito**  
Zip: **11209**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I am saying Yes to this because IndustryCity means community reinvestment, jobs, and opportunity, and I love what it has added to the community thus far!

March 2, 2020

**By Electronic Mail (18DCP034K DL@planning.nyc.gov)**

Olga Abinader  
Director, Environmental Assessment and Review Division  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

**Re: Comments on Draft Environmental  
Impact Statement: Industry City Land Use  
Actions and City Map Amendment, 18DCP034K**

Dear Ms. Abinader:

I am an architect and 30-year member of the Sunset Park community, also currently serving as Brooklyn Community Board 7's Land Use/Landmarks Committee chair. I am principal of H3 Hardy Collaboration Architecture and teach urban design at NYU Wagner. The following comments are my own and are not the formal position of CB7 or any other organizations I represent. This letter supplements my oral testimony to the City Planning Commission at the February 19, 2020 hearing on the Draft Environmental Impact Statement (DEIS) for the Industry City Land Use Actions and City Map Amendment, 18DCP034K.

I have reviewed the DEIS and have been informed by the comments of my friends and neighbors in the community. I believe that the DEIS is missing critical information necessary to disclose the impacts of this project on the Sunset Park community and the Borough of Brooklyn. The proposed action will have one of the largest impacts on the Brooklyn waterfront and has the potential to fundamentally change the character of the neighborhood. The lead agency must fully disclose the information requested below and perform indicated analyses so that it can fulfill its obligations to the public under the City and State environmental review laws to disclose to the public the impacts of the proposed action.

#### **Outdated Data & Analysis Year**

A supplemental DEIS needs to be prepared to address dated information and the analysis year. Due to the length of discussions with the applicant before ULURP began, along with the applicant's decision to complete the environmental review prior to the acceptance of the final scope of work, the certified environmental review was out-of-date before ULURP began. Current existing conditions are repeatedly defined with 2016 data, even for data sets that are kept relatively current, like traffic and air quality. Tables compare, for instance, "2016 Existing vs. 2027 No Action Traffic Levels of Service," to reflect the 10-year build period. But it is now 2020 and the Final Scope of Work was issued in October 2019, two years after the Draft Scope was issued.

The lead agency should release a Supplemental DEIS, updating the data used in the analyses. The SDEIS should also correct the build year to reflect the applicant's decision to prepare the DEIS so early in the process, prior to the acceptance of the Final Scope of Work. The 10-year build year is not 2027; it should be 2029 (reflecting the Scope of Work) or the lead agency may wish to have a 2030 build year to better reflect reality. This new SDEIS analysis should incorporate changes that occurred in the community that are currently omitted and any new expected development.

Finally, the applicant has agreed to major changes to their initial proposal, including the elimination of the Hotel use. The SDEIS should also reflect these changes so that their impacts are fully disclosed.

### **Applicant's failure to disclose project information**

The applicant did not disclose information necessary to evaluate environmental impacts based on the entirety of the proposed development. Necessary information not provided includes a finer breakdown of manufacturing and artisanal uses within the applicant-defined "Innovation Economy" category, the current number of jobs attached to different use areas, the wage and skill level of those jobs and employee benefits, aggregate data of current progress on local hiring placements, and details on the actual commitment Industry City is making to further local employment opportunities in terms of numerical stated hiring goals, as well as dedicated square footage to the Innovation Lab project.

In addition, the applicant made public statements indicating that there would be no hotel use in the project yet submitted the land use application that included a substantial hotel use. The applicant should have provided information about their leasing plan, mix of uses and identified potential partners, for example, educational organizations or nonprofits for community facility uses, museums, or libraries so that the program described in the DEIS will better reflect reality. Without this information, it is impossible to provide an accurate analysis of the impacts to the surrounding community.

### **Public Health Assessment**

The CEQR Technical Manual limits Public Health Assessments to CEQR subject areas: air quality, water quality, hazardous materials, and noise. The analysis is so narrow that it is of extremely limited utility and, frankly, should not be called an assessment of impacts on Public Health, as it is so narrow. For example, the only unmitigated impact disclosed in a public health subject area is construction noise, and the only public health impacts studied are related to this construction noise.

The NYC Community Health Profile for the Sunset Park neighborhood shows that 27% of people in our community do not have health insurance. Community concerns about health impacts to the degrading housing stock and home insecurity, and the potential for more accidents due to increasing traffic, the impacts of which are unmitigated, are all valid community concerns and have been left unstudied in the DEIS.

The impacts of a rezoning as large as the Industry City proposal should require a public health assessment that goes beyond the very limited topics studied in the CEQR Technical Manual, which should be prepared in consultation with public health professionals, who have an understanding of Sunset Park and its issues.

### **Socioeconomic Conditions - Indirect Displacement**

#### **Indirect Residential and Business Displacement**

There is an enormous flaw in the CEQR Technical Manual, as indirect residential displacement is limited only to new residential development. The manual does not require the study of indirect residential displacement due to non-residential development. Fundamental to so much analysis planners do involves the linkage of homes to places of work. Traffic models, for instance, build off of journey to work linking origins with destinations. In addition, our travel networks are in large part designed to move people from their homes to their workplace. We know that jobs tend to follow people and that people tend to follow jobs, because they find that suitable housing locations near a place of work is preferable to suitable housing locations far from a place of work.

Industry City is proposing a massive increase in commercial, retail, manufacturing, educational, and community facility space. The DEIS states that the number of employees will increase from approximately 7,000 workers in no action conditions to between 14,500 and 15,000 in with action conditions. More than doubling the amount of workers will increase local economic pressures on the local rental market and sales of traditionally two to three family housing stock and will result in indirect displacement. While the CEQR Technical Manual provides guidelines, it does not preclude the lead agency from investigating the impacts Industry City will have on indirect residential displacement. Considering the size of the development and its potential to transform Sunset Park, it should have done so.

To take the requisite “hard look” at the impacts of the Industry City rezoning on Sunset Park, an analysis of the surrounding residential community’s soft sites, how many units in a larger suggested study area are without legal protections for tenants, and residents that might be vulnerable to displacement are surely required here. Further, the analysis should include a hard look at indirect business displacement due to either increased commercial rents and/or retail market saturation.

Community Board 7’s recommendations identify these related missing items, all of which need to be studied to fully disclose the project’s impacts:

- Racial/ethnic impact study. (A2) Will indirect displacement lead to a change in the racial and ethnic makeup of Sunset Park?
- Analysis of the preservation of the community’s affordable housing stock and mitigation efforts to preserve additional units. (B2) Exactly how at risk are Sunset Park housing units? How many renters have rent stabilization or other rent protections?

- Home and property price sale change from 2013 to present. (B2) How have property values changed recently? How are they expected to change in the future with 7,500 to 8,000 new jobs? How will that impact the existing residential and local business community?
- Study on evictions and tenant harassment in the study area and the effectiveness of Certificate of No Harassment programs locally. (B3, B5) What is the baseline housing condition regarding evictions and harassment? How are those numbers expected to change with the large increase in employment? What can be done to mitigate any increase?
- Request for CEQR methodology changes to include the review of direct and indirect residential and business displacement in all cases where environmental review is required. (B14) Industry City is not unique. The lead agency should direct the study of indirect displacement here, but it should also change the manual to direct other similar projects to study indirect displacement.
- Expansion of the study area to reflect the massive nature of the development to include the entire community district, including more recent developments in the CEQR analysis. (B14) Indirect displacement occurs on a neighborhood level and the study area needs to be reflective of the larger area.

### **Transportation and traffic**

Community concerns over the existing traffic conditions without the impacts of the Industry City rezoning are high. With the proposed rezoning, the community is rightfully concerned that traffic impacts will become untenable. The environmental review shows that many existing intersections already have poor levels of service and that the proposed rezoning will lead to 14 intersections with unmitigated impacts, again using data from 2016, not current data. I believe that more current data would show that current traffic is worse than in 2016 and that there will likely be more intersections impacted.

The DEIS offers fairly standard boilerplate text on mitigation by signal phasing and timing modifications. As noted previously, the applicant should be required to disclose its master leasing plan to better identify expected changes in the traffic plan. The community is especially concerned about last-mile warehouse facilities and formula retail, which encourage an increase in commercial traffic, exacerbated by the lack of improvements to the Gowanus Expressway. The analysis provided by the lead agency simply is not sufficient to disclose the entirety of the impacts of Industry City on the traffic in the surrounding neighborhood. Community Board 7 identified several issues that will be necessary to start addressing this issue; these are:

- Comprehensive truck route study within the community district. (B15). Are existing truck routes appropriate? Will they be able to function as intended with an expanded Industry City?
- Safe Routes to School study. (B17) With increasing traffic and congestion will existing routes to school be safe? Are there additional mitigation measures beyond alleviating traffic that can be used to ensure that children are safe in their journey to school?

- Disclose schedule and status of ADA-compliant pedestrian ramps in the community district (B20) and roadway improvements. (B26) Will these changes be sufficient for the changes required by Industry City?
- Studies on truck distribution hubs planned for the community district (B16), additional exits for the 36<sup>th</sup> Street subway station and capacity improvements on bus and subway lines (B18), additional BQE exits (B19), pedestrian safety measures within the waterfront IBZ area (B21), and ferry transit hub. (B22) The DEIS provided a narrow look at transportation, traffic impacts and solutions to the impacts that are disclosed. With the introduction of thousands of new workers, Sunset Park needs a more holistic plan to deal with the transportation needs of Industry City and the surrounding community.

Without this key information, the DEIS does not provide the necessary “hard look” required by CEQR in order to disclose the impacts on the Sunset Park community.

### **Open Space**

Safe and accessible waterfront space has been a pressing community concern. The DEIS concluded that even with Industry City’s plan to double the amount of workers currently on site by over 8000 non-residents in the Density-Dependent Scenario, the passive open space ratio would be higher than the City average and therefore there would be no significant adverse impacts on the open space study area. Because the Industry City project does not include residential units, the open space analysis for residential users was not conducted. This limitation, justified by the suggested criteria in the CEQR Manual, is not helpful in evaluating the impacts of this project on open space, neither with the suggested study area used, the refusal to look at impacts on residential users, as well as the assumptions about residents and non-residents and the distances they are willing to walk to open space.

The method used is highly flawed. The lead agency must disclose impacts on residential users of open space in the Sunset Park community and provide a method that evaluates whether a percentage of the 8000 workers will become new residents, which will have an impact on open space resources in the community. Even without accurate impacts disclosed by the applicant and lead agency, the community clearly has recognized that the impacts on open space will likely not be localized to the use of the Industry City open space areas and will have significant long-lasting impacts on the use of open space in our community. We have called for the creation of greater waterfront access and for the City to fund new public parks and additional playground and recreational space in the Community District.

### **Land Use, Zoning and Public Policy**

CB7’s 197-a plan created a comprehensive planning document for the Sunset Park waterfront, which was adopted by City Council in 2009. The 197-a plan for this area should be the guiding policy document to which new development projects are aligned. Inconsistency with the 197-a plan should not be overlooked and subsumed by a desire for economic development. The DEIS does not adequately evaluate Industry City’s proposal against the aims for the district’s 197-a plan. The lead agency should reevaluate this section by looking at the goals, intent and



recommendations found in the 197-a plan and evaluate if the Industry City proposal is consistent with that plan. If it is not, then it should be changed for consistency, or the applicant should work with the CB to work at updating the adopted 197-a plan.

To review, the community's priorities outlined in the 197-a plan are:

- To promote industrial redevelopment and job creation in Sunset Park while retaining existing industrial jobs.
- To maximize waterfront access and open space opportunities in combination with industrial and waterfront redevelopment.
- To preserve existing industrial, commercial and residential uses and fabric in the area east of First Avenue.
- To encourage development that places a minimal environmental burden on adjacent residential communities.
- To preserve and celebrate Sunset Park's rich maritime and industrial heritage.

Industry City's "innovation economy" is not well-suited to meet any of these criteria. For instance, how does the move to light industry performance standards help to retain existing industrial jobs? How does substantial retail uses and parking garages preserve and celebrate Sunset Park's rich maritime and industrial heritage? How does the significant impacts disclosed place *minimal* environmental burden on adjacent residential communities? How does exempting Industry City from the requirements of waterfront zoning, including its public access requirements, maximize waterfront access and open space opportunities?

The 197-a plan discouraged new retail and office development between 3rd and 1st Avenues unless it directly supported or serviced industrial uses or reinforces waterfront access corridors. This is not the kind of retail and office development that is being proposed. The DEIS's discussion of consistency with the 197-a plan is wholly inadequate and divorced from the substance of our plan. The FEIS must include an accurate discussion of the project's consistency with the 197-a plan and/or the project must be modified so that it becomes more consistent with the 197-a plan. As currently presented in the DEIS, the finding of no impact on local land use and public policy requires to wholly ignore the community's landmark land use policy document.

### **Neighborhood Character**

The DEIS found that Industry City's proposal would not result in any significant adverse impacts on neighborhood character. This finding cannot be accurate given the deficiencies noted above in the methodology and analysis of other DEIS categories, such as land use, zoning and public policy, socioeconomic conditions, open space, and transportation. The community, in CB7's response to the Industry City proposal, has highlighted a myriad of adverse impacts to the neighborhood's character and provided substantial, thoughtful, and relevant recommendations to implement the community's plan for the area as envisioned in the district's 197-a plan. Even the Landmarks Preservation Commission provided recommendations on new building heights proposed by Industry City, understanding the enormity of impacts.

The result of the lead agency not providing the required hard look in many other study areas in the DEIS has led to an absurd finding in the category of neighborhood character. The lead agency should reevaluate the sections, as proposed above, to provide an accurate assessment of the change in neighborhood character and to suggest possible mitigation to preserve the aspects indicated in CB7's response and the 197-a plan.

### **Conclusion**

There are serious flaws in the analysis of the environmental impact categories mentioned above, which not only make it difficult for the public to assess the impact of the Industry City rezoning but call into question the accuracy of the DEIS as well as whether the agency took the requisite "hard look" and fulfilled its duties according to SEQR/CEQR. The lead agency should carefully consider these and other comments you receive and respond not only in an FEIS, but consider modifications to the proposal and the production of a Supplemental DEIS to address these changes and the deficiencies in the DEIS.

Please contact me should you have any questions.

Sincerely,



John Fontillas, AIA LEED AP

cc: Community Board 7, Brooklyn  
Council Member Carlos Menchaca  
Eric Adams, Brooklyn Borough President

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:57 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Thomas Freeland**  
Zip: **11201**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I support the vision of this project and the economic impact it will create for the surrounding neighborhoods. This will be nothing but positive for the surrounding neighborhoods and Brooklyn as a whole. The opposition from local council members are short sided and appear very self serving. NYC cannot afford the NIMBYism that is occurring, we need more projects like this that will support jobs and we need more affordable housing. Councilman, please propose something that will fund affordable housing development instead of opposing projects that will add thousands of jobs to NYC.

February 18, 2020

To Whom It May Concern:

My name is Brian Gonzalez and I was born and raised in Sunset Park, Brooklyn. I am particularly concerned about the changes going on in my neighborhood. Many families have been pushed out due to rising rental costs and lack of high paying jobs. People have raised their families here and have lived here for generations, it is extremely disheartening to see these people replaced with white-collar workers. Sunset Park is known for its diverse immigrant, working class population and it is unfair that they are being pushed out due to gentrification.

Displacement of businesses and people is already happening in an accelerated rate and approval of Industry City's rezoning application will make matters worse. I want people I have grown up with all my life to still have a home in Sunset Park. Industry City plans to build a school in the rezoning proposal. This is concerning due to the fact that we are situated so close to the water, it would be an environmental risk to students if another Superstorm were to occur.

Climate change is a reality and we are not prepared for the effects. It makes more sense to use our industrial district and build for climate adaptation. This would protect our waterfront and prepare us for future disasters, while becoming a national example of mitigating climate change. If rezoning is to occur, they need to integrate UPROSE's alternative, the GRID proposal since it is a comprehensive plan.

Under the GRID, there are employment opportunities for local Sunset Park residents while we transition from extractive fossil fuels to clean, renewable energy. This endeavor would truly be innovative since we do not see this example anywhere else in the region. High-end retail and office space is not innovative since we have enough of these in Manhattan. As a life-long resident of Sunset Park, I hope you will make the right decision. Thank you.

Sincerely,  
Brian Gonzalez

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 25, 2020 2:24 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Margaret Gregory**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I OPPOSE THE REZONING OF IC.. I WAS BORN RAISED AND STILL LIVE IN SUNSET PARK..

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Sunday, March 1, 2020 11:59 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** HumLetter-C 190296 ZMK.docx

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Tarry Hum**  
Zip: **11367**

I represent:

- **Myself**

Details for "I Represent": **Queens College and Graduate Center, CUNY**

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

My family moved to Sunset Park in 1974. Although I no longer live in Sunset Park, I consider myself a community stakeholder because my father continues to live in our family home on 55th Street. I am also an ally of two Sunset Park community-based organizations, UPROSE and Protect 8th Avenue Coalition. My family typifies the immigrant experience that has contributed to NYC's status as a global city. My mother worked as a sewing machine operator in NYC's garment industry for two decades, and my dad as a laborer in an industrial laundry in Greenpoint, Brooklyn and a restaurant on weekends. My three siblings and I attended NYC public schools. Based on their manufacturing jobs, my parents were able to scrimp and save to purchase a home in Sunset Park. As a result, my siblings and I were afforded housing stability. My family is fortunate because my dad owns his home but I know if we were new immigrants settling in Sunset Park today, my mom would not have a manufacturing job with health benefits and my family would only be able to afford a

an illegal subdivision. I oppose Industry City's rezoning and special district application because I love Sunset Park and want to protect this neighborhood as an affordable home for working-class, immigrant families like my own. As Mayor de Blasio once described, these neighborhoods make up the soul of New York. My research (which I submit separately) documents the gentrifying impact and mission of Industry City. Upon their acquisition of an ownership share, Jamestown Properties evicted their garment manufacturing tenants while announcing their \$1 billion investment to rebrand and re-tenant Industry City as a design, innovation, and makerspace campus. Industry City's proposal to expand experiential retail, hotels, and office space for tech firms and the innovation economy will contribute to the destabilization of Sunset Park's working class, immigrant families. As my research shows, Industry City catalyzed speculative real estate transactions and the displacement of small manufacturing businesses. Industry City's rezoning and special district application promotes commercial real estate development that caters to a global elite, and a vision of Sunset Park's future that excludes working-class, immigrant New York families.

Ms. Marisa Lago  
Director, Department of City Planning  
Chair, City Planning Commission

Application Number: **C 190296 ZMK**

March 1, 2020

Dear Ms. Lago,

I am opposed to the Industry City rezoning and special district application. The reasons for my opposition to this application are detailed in numerous research articles and Gotham Gazette opinion pieces. I list the articles and URLs below. I thank you for your consideration.

Sincerely,

Tarry Hum  
CUNY Professor

Hum, Tarry. 2019. Industry City and the Police Power of Zoning. Gotham Gazette Opinion. <http://www.gothamgazette.com/columnists/other/130-opinion/8438-industry-city-and-the-police-power-of-zoning>.

Hum, Tarry. 2018. Supercharging the Gentrification of Sunset Park. Gotham Gazette Opinion. <http://www.gothamgazette.com/opinion/8043-supercharging-the-gentrification-of-sunset-park>.

Hum, Tarry. 2017. "Get Ready Sunset Park, 'Brooklyn' is Coming': The Real Estate Imperatives of an Innovation Ecosystem." *Progressive City*. <https://www.progressivecity.net/single-post/2017/07/11/GET-READY-SUNSET-PARK-BROOKLYN-IS-COMING-THE-REAL-ESTATE-IMPERATIVES-OF-AN-INNOVATION-ECOSYSTEM>.

Hum, Tarry. 2016. "The Hollowing-Out of New York City's Industrial Zones." *Metropolitiques*, 16 February, <http://www.metropolitiques.eu/The-Hollowing-Out-of-New-York-City.html>

Hum, Tarry. 2015. There is Nothing Innovative about Displacement. Gotham Gazette Opinion. <http://www.gothamgazette.com/index.php/opinion/5942-there-is-nothing-innovative-about-displacement-industry-city>

Hum, Tarry. 2015. City Still Needs Industrial Manufacturing Policy. Gotham Gazette Opinion. <http://www.gothamgazette.com/index.php/opinion/5820-city-industrial-manufacturing-plan-still-needed-de-blasio-hum>



Hum, Tarry. 2015. Sunset Park Redevelopment Proposal Misses the Mark. Gotham Gazette Opinion. <http://gothamgazette.com/index.php/opinion/5666-sunset-park-redevelopment-proposal-misses-the-mark-tarry-hum>

## Columnist

### Industry City and the Police Power of Zoning (/columnists/other/130-opinion/8438-industry-city-and-the-police-power-of-zoning)

April 10, 2019 | by [Tarry Hum \(/component/contact/contact/1232-tarry-hum?Itemid=327\)](#)

Tweet Like 0 Share

Tweet

0

Like

Share

(<http://www.ipomarketer.com/ipomia-extensions/ipomsharebar>)



Council Member Menchaca and constituents (photo: John McCarten/City Council)

In the past week, the [New York Post](https://nypost.com/2019/04/04/rezoning-blackmail-101/) (<https://nypost.com/2019/04/04/rezoning-blackmail-101/>) and [New York Daily News](https://www.nydailynews.com/opinion/ny-edit-sunset-the-meddling-20190407-zncenmgau5en5jtfbb2j5gy4yq-story.html) (<https://www.nydailynews.com/opinion/ny-edit-sunset-the-meddling-20190407-zncenmgau5en5jtfbb2j5gy4yq-story.html>), published editorials criticizing New York City Council Member Carlos Menchaca's [March 6 request](https://therealdeal.com/2019/03/06/sunset-park-council-member-says-industry-city-rezoning-is-dead-on-arrival-if-landlord-doesnt-hit-pause/) (<https://therealdeal.com/2019/03/06/sunset-park-council-member-says-industry-city-rezoning-is-dead-on-arrival-if-landlord-doesnt-hit-pause/>), to delay the certification of a consortium of major real estate investors and developers' application for a special permit to build two hotels and rezone Industry City for retail, office, and academic uses. The accusatory language in both newspaper editorials exhibits a deep contempt for the necessary public review of private development proposals.

This [massive rezoning](https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/industry-city/draft-scope.pdf) (<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/industry-city/draft-scope.pdf>) would greatly increase the density of commercial uses and allow three new buildings with 1.27 million square feet of market-rate, destination retail, hotel, and academic office space, and more importantly, will fundamentally and irrevocably alter the industrial working waterfront.

Menchaca and Community Board 7 [requested](https://www.scribd.com/document/401250590/Letter-to-Industry-City-Re-Application-for-Rezoning-Final-3-6-2019) (<https://www.scribd.com/document/401250590/Letter-to-Industry-City-Re-Application-for-Rezoning-Final-3-6-2019>) more time for community review because "ULURP has historically failed to address the most urgent concerns voiced by the Sunset Park community." A spokesperson was quoted in the [RealDeal](https://therealdeal.com/2019/03/06/sunset-park-council-member-says-industry-city-rezoning-is-dead-on-arrival-if-landlord-doesnt) (<https://therealdeal.com/2019/03/06/sunset-park-council-member-says-industry-city-rezoning-is-dead-on-arrival-if-landlord-doesnt>

[hit-pause/](#)) that Industry City “intend(s) to make our case” through the ULURP process but ultimately agreed to a postponement after Congressional Representatives Nydia Velázquez and Jerry Nadler, and State Senator Zellnor Myrie intervened with a [letter to City Planning Director](#) (<https://nadler.house.gov/news/documentsingle.aspx?DocumentID=392832>) and Chair Marisa Lago.

The Post described Menchaca’s request as “holding Industry City hostage” in order to “blackmail” the developers for a “payoff to the activists.” The Daily News demanded that City Council members cease their “corrupting power on land-use matters” by pointing to Amazon’s February announcement of the withdrawal of a plan to build a massive campus in Queens. In concert with the Post, the Daily News similarly admonished Menchaca’s “meddling” and “extortion,” and demanded that he “must relent” and “the Council must end this craziness.”

I teach an introductory urban planning class and we spend weeks on the complicated topic of zoning. One of the first things we learn is that the [legitimacy of zoning](#) (<https://realestate.findlaw.com/land-use-laws/land-use-and-zoning-practices.html>), is based on the legal concept of municipal police power which refers to the right of the community to regulate the activities of private parties to protect the interests of the public. Menchaca requested a postponement in the certification of Industry City’s rezoning application in order to provide more time for a full vetting of public interests and concerns. This is not an unreasonable request especially as Menchaca’s letter notes displacement and gentrification concerns, and specifically requests Industry City to explain “how its rezoning proposal will mitigate displacement, gentrification, rising rents, congestion, and the effects of climate change.”

Despite indisputable evidence of Sunset Park gentrification including a [NYU Furman Center study](#) (<http://furmancenter.org/thestoop/entry/new-report-analyzes-new-york-citys-gentrifying-neighborhoods-and-finds-dram>), the [Post editorial](#) (<https://nypost.com/2019/04/04/rezoning-blackmail-101/>), repeated Industry City’s delusional claim that since its rezoning does not involve residential development, “it’s irrelevant to gentrification.” Industry City CEO Andrew Kimball’s letter stated that in order to have “modern manufacturing and making at Industry City,” the Special Sunset Park Innovation District rezoning must include “a mixture of uses that allow for a higher return.” And as page 6 of the [Draft Scope of Work](#) (<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/industry-city/draft-scope.pdf>) makes clear, Industry City needs the rezoning for “upscale” hotels, expanded destination retail, and new academic uses because without these city actions, it will not be able to raise \$638 million in capital investment. Although Kimball argues that Industry City provides an antidote to gentrification through job creation, he has yet to specify the numbers, types, and wages of “high-quality” innovation district jobs that would be available to Sunset Park’s working age adults ([of whom nearly one in two lack a high school diploma](#)). (<https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-bk7.pdf>).

Industry City’s rezoning is essential to “generating the economic returns necessary to finance additional capital investment in the portfolio” in order to enhance and maximize property value and rent revenues (i.e., high-rent tenants).

As currently proposed, this rezoning will diminish one of New York City’s last remaining industrial waterfront neighborhoods, and as UPROSE Executive Director [Elizabeth Yeampierre](#) (<https://indypendent.org/2019/04/industry-city-a-green-new-deal-vs-gentrification-in-sunset-park/>) notes, it also represents a lost opportunity for a frontline community to advance innovation, inclusion, and resilience in the face of climate change. For these reasons and the right of Sunset Park’s Latinx-Asian working class to remain in the neighborhood, we must end the craziness of zoning in the service of the private market and enrichment of real estate developers rather than its intended purpose to protect the health, safety, and welfare of the public.

\*\*\*

Tarry Hum is a professor at The City University of New York (CUNY) and author of [Making a Global Immigrant Neighborhood](#) (<http://tupress.temple.edu/book/1228>). On Twitter [@TarryHum](#) (<https://twitter.com/TarryHum>).

\*\*\*

Have an op-ed idea or submission for Gotham Gazette? Email [opinion@gothamgazette.com](mailto:opinion@gothamgazette.com) (<mailto:opinion@gothamgazette.com>).

**TAGS: CARLOS MENCHACA ((COMPONENT/TAGS/TAG/CARLOS-MENCHACA) • CITY PLANNING ((COMPONENT/TAGS/TAG/CITY-PLANNING) • SUNSET PARK ((COMPONENT/TAGS/TAG/SUNSET-PARK) • INDUSTRY CITY ((COMPONENT/TAGS/TAG/INDUSTRY-CITY)**

[Donate \(https://www.citizensunionfoundation.org/secure/donate/ggorderform.php\)](https://www.citizensunionfoundation.org/secure/donate/ggorderform.php)

## Opinion

### Supercharging the Gentrification of Sunset Park (/opinion/130-opinion/8043-supercharging-the-gentrification-of-sunset-park)

November 03, 2018 | by [Tarry Hum \(/component/contact/contact/1232-tarry-hum?Itemid=327\)](#)

[Tweet](#) [Like 0](#) [Share](#)

[Tweet](#)

<http://www.joomarketer.com/joomla-extensions/joomsharebar>



Industry City (via Industry City)

In anticipation of the Department of City Planning’s certification of Industry City’s [rezoning proposal \(https://ny.curbed.com/2017/10/23/16524818/industry-city-sunset-park-rezoning\)](#), Community Board 7 has been hosting a series of town halls to inform and engage the public in discussions about Sunset Park’s waterfront. Four town halls have already taken place and on Monday, CEO Andrew Kimball will present Industry City’s rezoning proposal.

Undoubtedly, we will hear how Industry City’s proposed [Special Sunset Park Innovation District \(https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/industry-city/draft-scope.pdf\)](#), which entails the development of two hotels, academic space, and expanded retail, will create opportunity for neighborhood residents and small business owners. We will [hear \(https://commercialobserver.com/2018/07/video-industry-giant-part-2-qa-with-industry-citys-andrew-kimball/\)](#) that Industry City tenants have already created thousands of jobs and that the Innovation Lab is connecting hundreds of Sunset Park residents to these jobs. Despite a community advocate and blogger’s [repeated requests \(https://sunsetparkreports.wordpress.com/tag/innovation-lab/\)](#) for evidence to substantiate these claims, Industry City has not yet shared any supporting data.

Kimball will likely elaborate how Industry City’s rezoning advances Community Board 7’s 197-a plan, “[New Connections, New Opportunities \(https://www1.nyc.gov/assets/planning/download/pdf/community/197a-plans/bk7\\_sunset\\_park\\_197a.pdf\)](#),” adopted by the New York City Council in 2011. He will most likely bring out Industry City tenants, perhaps the same ones who attended my presentation at the October 1 town hall, to testify about Industry City’s positive community impact in cleaning up the waterfront and assisting local small business owners.

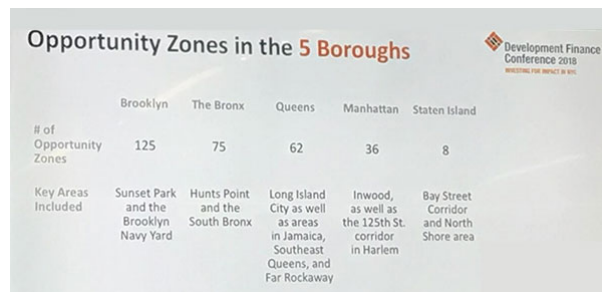
He may also discuss Industry City's recent tri-lingual mailer publicizing [its website \(http://www.sunsetparkopportunity.com\)](http://www.sunsetparkopportunity.com). The mailer ([https://www.scribd.com/document/391347308/10-22-18-IC-Canvass-Petition-and-Mailer?campaign=SkimbitLtd&ad\\_group=725X175X151e4ab4d792603fd1c2be78e2edbe89&keyword=660149026&source=hp\\_affiliate&medium=affiliate](https://www.scribd.com/document/391347308/10-22-18-IC-Canvass-Petition-and-Mailer?campaign=SkimbitLtd&ad_group=725X175X151e4ab4d792603fd1c2be78e2edbe89&keyword=660149026&source=hp_affiliate&medium=affiliate)) includes a pre-paid, addressed form [to Atlas Direct Mail] for recipients to simply check boxes and return stating their support for Industry City's proposed plan. Since the mailer lacks any detail on the rezoning proposal, its emphasis on opportunity feels like a cheap gimmick to win the support of a community in need of meaningful employment with livable wages.

While substantive, long-term benefits to Sunset Park's working class and working poor communities are questionable, the scale of real estate speculation and private investment unleashed by Industry City's reactivation and related public relations hype is not. Kimball notes the rezoning will facilitate [a \\$1 billion investment \(https://rew-online.com/partners-unveil-1b-plan-for-innovation-park/\)](https://rew-online.com/partners-unveil-1b-plan-for-innovation-park/) and add 1.3 million square feet of new development to Industry City by 2026.

In a July 2017 [Progressive City \(https://www.progressivecity.net/single-post/2017/07/11/%E2%80%9CGET-READY-SUNSET-PARK-%E2%80%98BROOKLYN%E2%80%99-IS-COMING%E2%80%9D-THE-REAL-ESTATE-IMPERATIVES-OF-AN-INNOVATION-ECOSYSTEM\)](https://www.progressivecity.net/single-post/2017/07/11/%E2%80%9CGET-READY-SUNSET-PARK-%E2%80%98BROOKLYN%E2%80%99-IS-COMING%E2%80%9D-THE-REAL-ESTATE-IMPERATIVES-OF-AN-INNOVATION-ECOSYSTEM) article, I documented Kimball's affinity for transnational capital in his public and private roles as a steward of Brooklyn's industrial properties. I detailed Industry City's recapitalization of its mortgage with [a massive loan \(https://commercialobserver.com/2017/12/industry-city-ups-its-tab-to-647m/\)](https://commercialobserver.com/2017/12/industry-city-ups-its-tab-to-647m/) from the Bank of China [one of China's "Big Four" (<https://asia.nikkei.com/Economy/China-s-big-four-banks-cash-in-among-world-s-top-earners>)] state-owned banks] with [more capital \(https://commercialobserver.com/2015/10/industry-city-in-brooklyn-to-get-320m-from-bank-of-china-and-sl-green/\)](https://commercialobserver.com/2015/10/industry-city-in-brooklyn-to-get-320m-from-bank-of-china-and-sl-green/) to be distributed over time as Industry City is renovated and leasing goals are met.

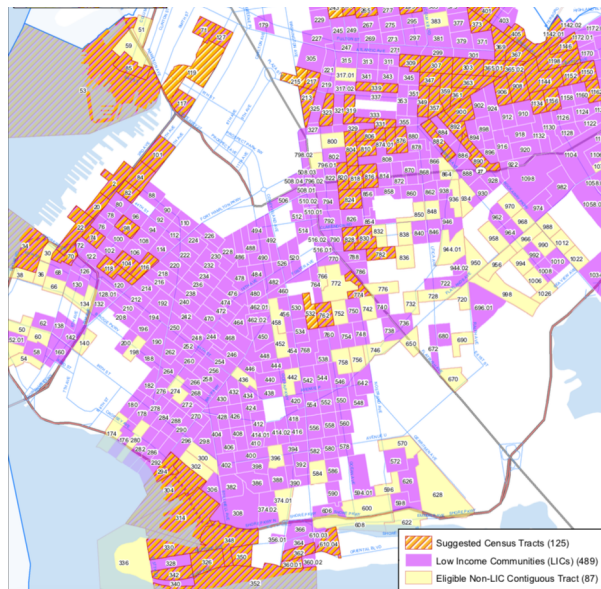
At a September NYC EDC (<https://www.nycedc.com/df18>) development finance conference, I learned Sunset Park is targeted for more infusion of private capital. A panel titled, "Beyond Bonds: New Investment Tools Catalyzing Growth," introduced [Opportunity Zones \(https://esd.ny.gov/opportunity-zones\)](https://esd.ny.gov/opportunity-zones) – a federal census tract designation created by Trump's 2017 Tax Cuts and Jobs Act. Trump's tax cut act provides a [historic reduction \(https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-achieved-biggest-tax-cuts-reforms-american-history/\)](https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-achieved-biggest-tax-cuts-reforms-american-history/) in the corporate tax rate as well as lowered taxes for high net worth individuals. Through Opportunity Zones, the wealthy can defer capital gains taxes by investing in businesses or property development in "[economically distressed \(https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions\)](https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions)," communities defined as census tracts with a 20 percent or higher poverty rate and a median family income no greater than 80 percent of the area median.

Sixty percent of New York State's 514 designated Opportunity Zone census tracts are located in New York City. The highest concentration of the city's Opportunity Zones is in Brooklyn [with 125 designated census tracts] and many are clustered in the "key areas" of Sunset Park and the Brooklyn Navy Yard.



	Brooklyn	The Bronx	Queens	Manhattan	Staten Island
# of Opportunity Zones	125	75	62	36	8
Key Areas Included	Sunset Park and the Brooklyn Navy Yard	Hunts Point and the South Bronx	Long Island City as well as areas in Jamaica, Southeast Queens, and Far Rockaway	Inwood, as well as the 125th St. corridor in Harlem	Bay Street Corridor and North Shore area

Eleven Sunset Park census tracts are designated Opportunity Zones. While the bulk of Industry City's massive 16-building complex is located in census tract 18 which is not an Opportunity Zone, surrounding waterfront census tracts that include two Industry City block lots - Block 695, Lots 20 and 43 – are designated Opportunity Zones.



Source: [NYC Empire State Development \(https://esd.ny.gov/opportunity-zones\)](https://esd.ny.gov/opportunity-zones), Brooklyn Federal Opportunity Zones

Most notably, census tract 2 is an Opportunity Zone and includes Block 695, Lots 20 and 43, as well as six properties that Industry City intends to acquire and demolish (<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/industry-city/draft-scope.pdf>) for its proposed 12-story Gateway Building with ground floor retail and 11 stories of hotel space. These six properties – 950, 952, 954, 956, 958 and 960 Third Avenue – are located between 36th and 37th Streets and, according to the city’s building classifications, they are primarily two-family buildings with ground-level retail.

Census tract 2 exemplifies the defining criteria of an Opportunity Zone with a poverty rate of 31% and a median family income of \$46,964. Moreover, the census tract’s 1,600 residents are majority Latino (90%), renters (82%), and lack a high school diploma (59%). Opportunity Zone designation, however, will mean opportunity for private investors to benefit from tax breaks by underwriting Industry City’s hotel and retail Gateway development. Sunset Park’s Opportunity Zones will supercharge the gentrification ([http://gothamist.com/2017/10/25/industry\\_city\\_rezoning\\_hearing.php](http://gothamist.com/2017/10/25/industry_city_rezoning_hearing.php)) already taking hold in and around Industry City.

In addition to the waterfront, Sunset Park’s census tract 118 includes two proposed mega-developments on 8th Avenue and is also a designated Opportunity Zone. One of the proposed projects is the Eighth Avenue Center adjacent to the N subway station. Community Board 10 (<https://brooklynreporter.com/2018/09/cb-10-comes-out-in-opposition-to-mega-development-on-eighth-avenue/>), and Sunset Park stakeholders (<http://www.bettyyu.net/displacedresources/>) have already expressed opposition to this “ginormous” (<https://ny.curbed.com/2014/10/2/10040486/ginormous-mixed-use-development-coming-to-sunset-park/>) development. Directly across 8th Avenue is another huge development site that involves the sale of MTA air rights (<https://brooklynbuzz.com/mta-looking-to-develop-air-rights-above-the-lirr-in-bay-ridge/>). Developers will surely benefit from the Opportunity Zone designations and the potential infusion of financing for their luxury housing, hotels, and commercial real estate projects.

Industry City and Eighth Avenue Center’s rezonings will undoubtedly catalyze transformative neighborhood change. Augmented by Opportunity Zones, Sunset Park is facing a potential financial superstorm that will supercharge gentrification and displace the multi-racial, multi-ethnic working class populations and small businesses including industrial businesses that have long defined this neighborhood.

\*\*\*

Tarry Hum is a professor at The City University of New York (CUNY) and author of Making a Global Immigrant Neighborhood ([http://www.temple.edu/tempress/titles/2299\\_reg.html](http://www.temple.edu/tempress/titles/2299_reg.html)). On Twitter @TarryHum (<https://twitter.com/TarryHum>).

\*\*\*

Have an op-ed idea or submission for Gotham Gazette? Email [opinion@gothamgazette.com](mailto:opinion@gothamgazette.com) (<mailto:opinion@gothamgazette.com>)

**TAGS: GENTRIFICATION ((COMPONENT/TAGS/TAG/GENTRIFICATION)) • SUNSET PARK ((COMPONENT/TAGS/TAG/SUNSET-PARK)) • INDUSTRY CITY ((COMPONENT/TAGS/TAG/INDUSTRY-CITY))**





(<https://www.citizensunionfoundation.org/secure/donate/ggorderform.php>)

Share your message with our audience  
Sponsor Gotham Gazette

To inquire:  
[william@gothamgazette.com](mailto:william@gothamgazette.com)

### Subscribe To Our Mailing List Receive The Eye-Opener Every Weekday Morning

\* required

Email Address

First Name

Last Name

Zip Code

**Gotham Gazette Newsletters**

☐ The Eye-Opener \*

By checking this box, I am consenting to the transfer of my information to MailChimp \*

☒

**Subscribe**

We use MailChimp as our marketing automation platform. By clicking "Subscribe," above, you acknowledge that the information you provide will be transferred to MailChimp for processing in accordance with their [Privacy Policy](https://mailchimp.com/legal/privacy/), (<https://mailchimp.com/legal/privacy/>) and [Terms](https://mailchimp.com/legal/terms/), (<https://mailchimp.com/legal/terms/>)

## Editor's Choice



(<https://www.gothamgazette.com/city/9015-major-challenges-decisions-for-de-blasio-in-2020?edchoice=side>)

**Many Major Challenges, Decisions for De Blasio in 2020**  
(<https://www.gothamgazette.com/city/9015-major-challenges-decisions-for-de-blasio-in-2020?edchoice=side>)



**As Cuomo Proposes Expansive Equal Rights**



# "GET READY SUNSET PARK, 'BROOKLYN' IS COMING": THE REAL ESTATE IMPERATIVES OF AN INNOVATION ECOSYSTEM

July 11, 2017 | Tarry Hum

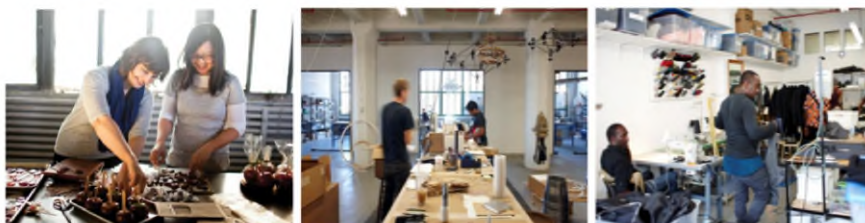
## INTRODUCTION

Brooklyn is the symbolic capital of New York City's [maker movement](#) comprised of artisans and artists, designers, craftsmen, builders, innovators, and inventors. The adaptive reuse of the borough's extensive industrial waterfront is integral to an innovation economy that derives social and economic value from place-based global branding. A 2015 "[Make it in Brooklyn Innovation Summit](#)" gathered commercial real estate giants such as Bruce Ratner and Jed Walentas for a day-long conference, which included a discussion of the borough's next frontier neighborhood. This prompted a Politico reporter to title her article, "[Get Ready, Sunset Park, 'Brooklyn' is Coming](#)".

The urban entrepreneurialism embodied by the maker movement extends to commercial real estate. As noted by the [Commercial Observer](#) (an online news journal serving the industry's "[most powerful players](#)"): This marriage of underutilized Brooklyn warehouses and technology companies is particularly well-suited. Many of these cavernous spaces are raw, making them easily adaptable to accommodate exponential growth. The space is authentically (and fashionably) industrial and the stock sits on waterways or rail lines once used to transport the goods manufactured within their walls, making them easily accessible.

Along the waterfront of Brooklyn's [Sunset Park](#) neighborhood, a massive privately-owned complex known as [Industry City](#) – comprised of 16 factory loft buildings of 6-12 stories with 6.5 million square feet of floor space – is being positioned as one of the nation's largest [innovation hubs](#). The Brookings Institution has produced [numerous studies](#) on the types of industry sectors that make up an innovation economy and its spatial geography, which favors the clustering of advanced manufacturing, research and development, and engineering and design firms in an urban, mixed-use office and retail campus-like environment. The investors behind Industry City's vision for its innovation economy ecosystem are centered on art and design, film and TV, retail, fashion, technology, and specialty food sectors.

The Innovation Economy represents a broad range of functions and sectors...



## ABOUT PROGRESSIVE CITY

We feature stories on inclusive urban planning practices, grassroots organizing, and civic action. Our contributors and readers are activists, reporters, practitioners, academics, and community members.

## UPCOMING EVENTS

## FOLLOW PROGRESSIVE CITY



Donate



## RECENT POSTS

USING THE NIMBY LABEL TO DISCREDIT THE HOUSING JUSTICE MOVEMENT

February 25, 2020

PODCAST: DECONSTRUCTING #METOO: YASMIN NAIR ON "SHE SAID"

February 24, 2020

TRANSFORMATIVE PLANNING PANEL

February 7, 2020

The Fallacy of "Industry City, Our Way"

January 14, 2020

Norman Krumholz (1927-1919): Working for Equity Inside Government

January 2, 2020

McHARG'S LEGACY AND THE CLIMATE CRISIS: A REVIEW OF DESIGN WITH NATURE NOW

December 18, 2019

'RESISTING DISPLACEMENT AND DISPOSSESSION' - TWO TALKS FROM PLANNERS NETWORK'S 2019 MULTI-CITY CONFERENCE PLENARY

November 25, 2019

HOW I MADE A PROGRESSIVE



Source: [2016 Connecticut Brownfields Conference](#). Industry City CEO Andrew Kimball's Keynote PowerPoint

This essay describes the financialization of Industry City and the surrounding industrial waterfront, with a focus on Industry City CEO Andrew Kimball's rationale for a rezoning to permit non-manufacturing uses such as hotels, academic facilities, and expanded retail. While Kimball claims a rezoning is necessary to advance the development of an [innovation ecosystem](#), the development strategy to repurpose and reposition industrial properties is driven by the real estate imperatives of creating and maximizing income-producing assets rather than protecting and promoting small manufacturing businesses and their workers.

SUNSET PARK'S WORKING WATERFRONT

While Industry City is privately-owned, the city owns and operates a comparable [6 plus million square feet](#) of industrial space in Sunset Park's South Brooklyn Marine Terminal, Bush Terminal, Brooklyn Army Terminal, and Brooklyn Wholesale Meat Market. These [NYC Economic Development Corporation \(EDC\)](#)-managed sites have hosted several of Mayor de Blasio's announcements of key initiatives to address economic inequality and promote the creation of high-paying jobs. Most recently, the Mayor [announced](#) a \$136 million investment to upgrade two existing Bush Terminal buildings and establish a [Made in NY campus](#) for garment manufacturing and film production. This investment is part of the Mayor's ambitious [New York Works](#) plan to create 100,000 jobs including 20,000 industrial jobs.



Source: ["Brooklyn's Sunset Park is Hefty Bet for Developers," Wall Street Journal, July 27, 2014](#)

As one of the city's few remaining industrial, working waterfront neighborhoods, Sunset Park's diverse working class, immigrant populations and extensive manufacturing infrastructure provide a potent backdrop for policy proposals promoting inclusive economic development. However, the redevelopment and rebranding of privately-owned Industry City and neighboring [Liberty View Industrial Plaza](#) have catalyzed a stunning and unprecedented increase in the volume and value of commercial real estate sales such as the [Brooklyn Whale Building](#), which sold in 2015 for \$82.5 million.

Major property owners and investors (including the city of New York) propose to modernize Sunset Park's industrial buildings in order to secure a

future for urban manufacturing based on an ecosystem of technology, advertising, media, and information (TAMI) tenants, designers, and prototype "makers". However, heightened concerns about industrial gentrification and displacement prompted long-time Bush Terminal tenants to post a sign reading "Please Keep Small Manufacturing at Bush Terminal", imploring the Mayor to protect Sunset Park's small garment and furniture manufacturers.

PLANNING PODCAST  
October 30, 2019

BODY MAP STORYTELLING:  
VISCERAL DATA FOR CITY PLANNING  
September 30, 2019

SHOWCASE: LEFT HAND ROTATION  
September 16, 2019

SEARCH BY TAGS

- 48217 zip code 596 acres 9/11
- ADPSR Akai Gurley
- Alex Visotsky
- Allison Lirish Dean
- Alon Cohen-Yifshitz Angotti
- Ann Forsyth Anna Jönsson
- Annette Koh Architects
- Aseem Inam Barbara Rahder
- Bedouin Body map Boulder
- Brazil Bruce Katz
- CUNY-Graduate Center
- California
- California Environmental Justice Alliance
- California Environmental Quality Act
- Carlos Garcia Pleyan
- Charles Olson
- Charly "Africa" Leundeun Keunang
- Chawla Chevron Chicago
- CicLAvia Clavel Clyde Woods
- Colonialism Cooperatives
- Cuba
- Cyrus R. Vance Center for International Justice
- Daniel Pantaleo
- Dave Archambault
- David Robertson
- Decolonization Denis Coderre
- Derr Deshonay Dozier
- Detention Watch Network
- Detroit Dick Platkin
- Doug Henwood ENLACE
- Eamon Tewell
- Ear to the Pavement
- Earthjustice East Jerusalem
- Environmental Policy
- Equity Planning Eric Garner
- Exclusion
- Fathers & Families of San Joaquin
- Ferguson
- Fideicomiso de la Tierra Film
- Gayle McLaughlin
- Gentrification Good City Form
- Green New Deal HUD Havana
- Havana 2050 Hawaii
- Heal the Bay
- Heather Ann Thompson



Photo by Bush Terminal tenant Glaucio Silva of 13 42nd Street.

In advance of the Mayor's May 2017 visit to Bush Terminal to announce his Made in NY initiative, NYC EDC requested the tenants remove the sign. In return, NYC EDC promised to relocate Bush Terminal tenants after renovations are completed. While the sign remains down, tenants are still concerned they will not be able to afford future rents at Bush Terminal.

## THE RISE AND FALL OF INDUSTRY CITY

In 1964, hotelier Harry B. Helmsley purchased 35 acres of the original 200-acre Bush Terminal, the country's largest inter-modal, industrial park, which was completed in the early 1920s and, at its height, employed [more than 25,000 workers](#) in manufacturing and maritime related sectors. Twenty-two years later, Helmsley sold his multi-building industrial complex to Industry City Associates – an investment group comprised of real estate giants including Rubin Schron ([Cammeby's International](#)) and Abraham Fruchtdander (FBE Limited), who are also co-owners of the iconic Woolworth Building. In addition to accumulating an extensive residential and commercial real estate portfolio, Cammeby's International has ventured into ground-up development and is currently completing a controversial, [mixed-use luxury retail and residential project](#) that replaces the Trump Village Shopping Center in Brooklyn's Coney Island.

In 1986, when Industry City Associates purchased the massive complex located between 32nd and 41st Streets adjacent to the Upper New York Bay, 70% of Industry City was leased and occupied by manufacturers. Industry City represented the [largest concentration of apparel production](#) outside of Manhattan with a third of the total industrial space – [approximately two million square feet](#) – occupied by garment firms. Over time, manufacturers left Industry City – as they did across the U.S. – due to global competition, trade policies, and offshore production. As tenants went out of business or relocated in search of even lower rents, Cammeby's International and FBE Limited neglected to maintain their industrial buildings. This [disinvestment](#) was evidenced by uncollected trash, broken windows, malfunctioning elevators, and leaky roofs that flooded hallways.

Henri Lefebvre  
 Henry Louis Taylor, Sr. Housing  
 Immigrant Workers Centre  
 Indigenous Environmental  
 Network  
 Indigenous Planning  
 Industry City  
 Isabel Dietz Hartmann  
 Jacob A. Wagner Javier Arbona  
 Jeffrey Lowe John Friedmann  
 John Halle Josmar Trujillo  
 Kanishka Goonewardena  
 Karachi Katharine Rankin  
 Kelly Anderson Kenton Card  
 Kevin Lynch Krumholz  
 Kuni Kamizaki LA Walks  
 LaGuardia Community College  
 Landscape Architecture  
 Lant Pritchett Laura Bachmann  
 Leonie Sandercock  
 Libby Porter Lisa Berglund  
 Lisbon London Los Angeles  
 Madeline Taylor  
 Madhuri Shukla  
 Manal Massalha  
 Marie Kennedy  
 Marilyn J. Gittell Activist Scholar  
 Award  
 Marqueece Harris-Dawson  
 Martin Lipsitz  
 Martín Peña Canal  
 Matthew Brett Mayor Garcetti  
 McHarg Memphis  
 Mexicans United for  
 Regularization  
 Mexico Michael Brown  
 Mintzer Molly Taylor Montreal  
 Mostafa Henaway  
 Municipalism My Brooklyn  
 NIMBY Natalie Bump Vena  
 Nate Mickelson Nathan Serafin  
 Naturalization Service  
 Neoliberal Urbanism  
 New York City New Zealand  
 Norma Rantisi Norristown  
 OUR Walmart Octavia Butler  
 Oksana Mironova  
 Orangi Pilot Project  
 Oren Yiftachel Pakistan  
 Palestine Paul Davidoff  
 Paul Koretz Pedro Pietri  
 Peter Marcuse  
 Photojournalism Pierre Clavel  
 PlaceWorks Planners Network  
 Planners Network Conference  
 Planning Portugal  
 Power Past Coal  
 Prospect Corridor Puebla  
 Quebec RCUV Rafael Sperry

The fate of Brooklyn's neglected and disinvested industrial waterfront was forever changed by former Mayor Bloomberg's [property-led redevelopment strategy](#) to make New York City more livable (for the affluent) by capitalizing on long neglected properties with “priceless” waterfront views. The [2005 rezoning of Greenpoint/Williamsburg](#) has become a textbook example of city actions that facilitated transformative gentrification and the near total displacement of the neighborhood's Latino residents. Without any capital investment, neighboring Brooklyn waterfront property values rose and in 2007, [Industry City's appraisal at \\$570 million](#) enabled Cammeby's International and FBE Limited to borrow loans amounting to \$300 million. These loans were then converted into commercial mortgage backed securities (CMBS) that were securitized by Goldman Sachs and Citigroup; in other words, the Industry City-backed loans were repackaged as bonds and sold to investors.

In short order, the 2008 subprime mortgage crisis catalyzed a deep global recession. Bruce Federman, former director of real estate at Industry City, said Cammeby's International and FBE Limited had to [make loan payments out-of-pocket](#) because major tenants declared bankruptcy as a result of the financial crisis. From January to June 2010, the debt service on the loan was about \$9.6 million, while the property's net operating income was \$5.8 million. By January 2011, Cammeby's International and FBE Limited [defaulted on the \\$300 million loan](#). The loan was then transferred to LNR Partners, LLC, self-described as “[the world's largest commercial mortgage special servicer](#).” By 2012, Industry City's appraised value had fallen to \$136 million.

Even though Cammeby's International and FBE Limited were overleveraged, they managed to hold on to Industry City and [restructured the \\$300 million debt](#) into two loans – a \$190 million A note and a \$110 million B note – with a reduced interest rate from 6.28% to 4.68% through April 2013. Part of the loan restructuring terms required Cammeby's International and FBE Limited to invest \$30 million in deferred maintenance, such as repaving the streets, upgrading the buildings, modernizing elevators and other infrastructure. Months later, Superstorm Sandy devastated New York City's waterfront communities and the damage to several of Industry City's buildings was [estimated at \\$50 million](#). As the Commercial Observer noted, “[Hurricane Sandy almost literally put the property underwater](#).” This setback led to Cammeby's International and FBE Limited's search for new financial partners.

## REPOSITIONING SUNSET PARK’S INDUSTRIAL INFRASTRUCTURE FOR AN INNOVATION ECONOMY

In August 2013, Jamestown Properties and their real estate investor partners, Belvedere Capital and Angelo, Gordon & Co., entered a joint venture agreement with the owners of Industry City and assumed the \$300 million debt for their [49.9% ownership share](#). Jamestown Properties hired Andrew Kimball from the [Brooklyn Navy Yard](#) – a city-owned industrial park a few miles north – to serve as Industry City's CEO and lead the repositioning of this underperforming asset.

Jamestown Properties specializes in repurposing industrial buildings for innovation economy tenants. Their extensive international portfolio includes Chelsea Market and the Milk Studios Building in Manhattan, the Falchi Building in Long Island City, Queens and the Innovation and Design Building in Boston's Seaport Innovation District. An article titled “[Gentrification Inc.](#)” describes how Jamestown Properties has perfected the blueprint for gentrifying historic industrial neighborhoods, as exemplified by Chelsea Market and the Falchi Building. Industry City's new consortium of investor-owners made a \$100 million investment in deferred maintenance, such as elevators and replacement windows, which led to the [leasing of 850,000 square feet of space](#) to [tenants](#) including [Li Lac Chocolates](#), [Shyp](#) (an on demand shipping service), event producer [David Stark Design](#), and architecture firm [Studio ai](#).

In addition to Kimball's leadership, Jamestown hired numerous lobbyists, including MirRam Group LLC, Yoswein NY, and the Marino Organization, to help rebrand Industry City. One strategy was placing puff pieces promoting the maker movement as modern manufacturing, including one titled, “[Industry City: An Industrial Revolution For The 21st Century In Brooklyn](#).” Kimball is a frequent real estate conference panelist touting how creative producers, makers, techies and niche retailers are driving the borough's renaissance. Most recently, he advised commercial real estate developers at the [May 2017 Brownstoner Real Estate Conference](#) to take advantage of the borough's extensive industrial properties to develop “cool spaces” preferred by Brooklyn office tenants.

Rahm Emanuel  
Raine Robichaud  
Raphael Sperry Refinery Town  
Regional Council of Unrecognized Villages  
Rekia Boyd Renata Silberblatt  
Reprint Review Rezoning  
Richard Florida Richmond  
Riley O'Brien Rio de Janeiro  
Rio state RioOnWatch  
Robert Fitch Roxana Aslan  
Samuel Stein San Francisco  
Sean Robin Seattle  
Sheryl Ann Simpson  
Sheryl-Ann Simpson  
Sigmund Shipp Silky Shah  
Simone Tulumello Society  
Solidarity for Sale South Africa  
Spain Storytelling Sunset Park  
Sustainability Sylvester Owino  
Sylvia Morse Tara Houska  
Tarry Hum  
Texas Southern University  
The Assassination of New York  
The Fiscal Crisis of American Cities  
The Planning for Healthy Communities Act  
The Rockefeller Foundation  
Theresa Williamson  
Thomas Abbot Tiombe Carlos  
Tlaxcala Tom Goldtooth  
Toronto  
Transformative Planning  
Trayvon Martin Trumpism  
U.S. Citizenship and Immigration Service  
U.S. Environmental Protection Agency  
UCLA UFCW USA Um al-Hiran  
University of California  
Urban Affairs Association  
Urban Growth Machine  
Urban Revolution Vinita Goyal  
WIMBY William Carlos Williams  
William H. Whyte  
William W. Goldsmith  
Women Plan Toronto YIMBY  
Yeela Raanan  
York County Prison  
Zoning the City aaj  
abolitionist planning activism  
ada ramps  
adrienne maree brown  
advocacy planning  
affordable housing  
allison dean allport apa art  
austerity austerity urbanism  
beardstown illinois

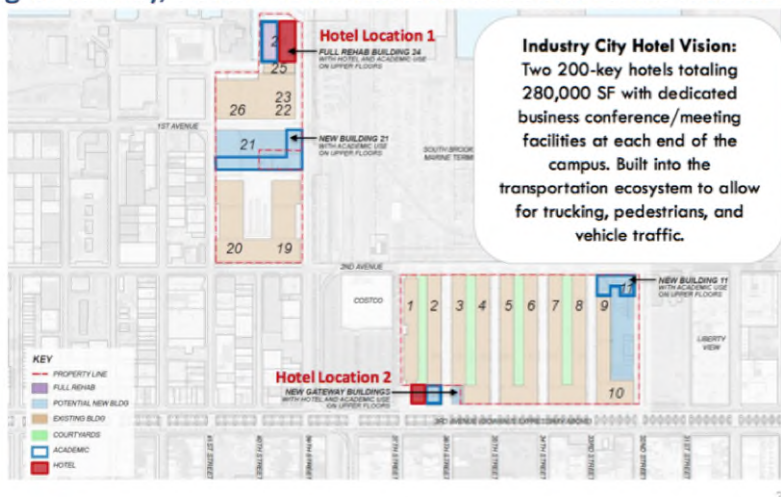




Andrew Kimball speaks at Brownstoner conference, ["Brooklyn Boom Nowhere Close to Ending, Experts at Brownstoner Real Estate Conference Predicts,"](#) May 4, 2017.

In March 2015, Jamestown Properties and their joint venture partners announced an ["eye popping"](#) \$1 billion dollar investment to transform Industry City into an innovation ecosystem. The investment is contingent on a city rezoning to permit non-manufacturing uses such as a hospitality center with two hotels and meeting space, university-based academic facilities, and expanded retail. Kimball noted that since 2013, when Jamestown Properties and investor partners acquired an ownership share, their efforts to attract new tenants [had only reduced Industry City's underutilized space by 9%](#) so that 56% (2.9 million sq. ft.) remained either vacant (27%) or used for warehousing and storage (28%). Without regulatory land use changes, Kimball argued it would take 25 or more years to ["fully invest in the portfolio"](#), i.e., securing the highest rent returns. Without a rezoning, the primary use at Industry City would remain warehousing and storage while innovation economy tenants would be a secondary use for decades. Subsequently, Kimball argued only 7,000 (5,900 direct on-site) jobs would be created in contrast to [20,000 \(13,300 direct on-site\) jobs](#) if a rezoning is granted. To expedite the "highest and best use" at Industry City, Kimball proposed a "special innovation district" that would expand retail and permit the new construction of two academic buildings and two hotels in order to ["create an economically self-sustaining innovation ecosystem portfolio."](#)

## Business conference/hospitality facilities will assist in growing Sunset Park's innovation district with protections against long-term stay, future social service and residential facilities



Source: [2016 Connecticut Brownfields Conference](#). Industry City CEO Andrew Kimball's Keynote PowerPoint

## TRANSNATIONAL CAPITAL TO THE RESCUE

behind the news berlin  
 bernie sanders big oil  
 bike-sharing bill de Blasio  
 black lives matter brazil  
 broken windows policy  
 brooklyn brooklyn waterfront  
 bushwick canada capitalism  
 catalytic communities ceqa  
 chicago chinatown  
 christopher street city hall  
 city limits city poems  
 city politics class classism  
 climate action plan  
 climate change climate march  
 climate mobilization initiative  
 clts coda colorblind  
 commercial rents community  
 community design  
 community development  
 community knowledge  
 community land trusts  
 community media  
 community organizing  
 cooper union crime labs  
 criminal justice culturalism  
 dapl democracy design lab  
 detention developers  
 devolution diane greene lent  
 disaster capitalism  
 displacement donald trump  
 doug henwood drug war  
 east new york  
 economic equality  
 empowerment  
 environmental justice  
 environmental racism  
 eric garner eviction  
 family leave favela favelas  
 ffsj fight for 15 flatbush  
 from boom to bubble  
 gayborhoods gentrification  
 global heartland  
 greenwich village  
 guanabara bay hate crimes  
 hillary clinton homelessness  
 homes for all hong kong  
 honor the earth housing  
 housing bubble housing justice  
 human rights  
 humanitarian crisis  
 hunter college hurricane maria  
 immigration immigrants rights  
 immigration  
 inclusionary housing  
 indigenous  
 industrial infrastructure  
 industry city inequality  
 injustice innovation economy

In the meantime, Jamestown Properties needed a fast infusion of capital to keep Industry City afloat. Under Andrew Kimball's leadership at the city-owned Brooklyn Navy Yard, the complex was able to leverage \$250 million in public funds for \$750 million in private investment that included transnational capital. The Brooklyn Navy Yard was [New York City's first project](#) to receive EB-5 investments, one of five employment-based categories established by the 1990 Immigration Act to offer permanent residency to professionals, investors, and priority workers.

EB-5, also known as the Immigrant Investor Program, seeks to stimulate economic development and job creation through foreign investments in exchange for visas. Loans of \$1 million or \$500,000 in a targeted employment area (defined by high unemployment) for projects that create at least 10 jobs will secure US permanent residency and eventual citizenship for the investor and their immediate family members. This controversial program was largely underutilized until the 2008 financial crisis when commercial real estate developers began to heavily tap EB-5 as a source of cheap financing. In fact, one developer described the EB-5 program as "[legalized crack cocaine](#)" for the real estate industry.

After flying to China to personally promote his Brooklyn Navy Yards project, Kimball secured \$60 million dollars through the EB-5 program, which he described as a "[gift from the gods](#)," Chinese transnational capital (this time in the form of a bank loan) similarly provided a lifeline for Industry City. A few months after announcing their \$1 billion investment, Jamestown Properties [recapitalized their outstanding debt](#) with a massive \$403 million loan from the Bank of China (as the senior lender) and SL Green Realty, a major Real Estate Investment Trust, financing a mezzanine loan. At the December 2015 closing, Jamestown received \$220 million with the remaining \$183 million to be distributed over time as Industry City is renovated and leasing goals are met.

### SUNSET PARK MANUFACTURING

In his [2017 State of the City](#) speech, Mayor de Blasio shared his personal connection to New York City's quintessential manufacturing niche – apparel production. De Blasio described how his grandmother's shop did not represent the fashion industry of "glamour and runways" but one of hard work. This would also be an apt description of Sunset Park's garment industry.

As late as the year 2000, apparel manufacturing was still a relatively large employer in the neighborhood. Nine thousand plus workers representing more than a quarter of the local workforce were employed in manufacturing sectors with a majority (52%) in apparel production. Sunset Park's garment industry is now much diminished, with only a hundred or so firms employing about 1,100 workers. Sunset Park's manufacturing businesses were able to hang on, in large part, because of the low rents in the neighborhood's industrial zones at the waterfront and near the N subway 8th Avenue station.

Last summer, I led a group of CUNY faculty on a tour of Sunset Park's garment industry near the neighborhood's dense 8th Avenue commercial corridor. We saw numerous Chinese-owned garment factories, including the one in the photograph below with an advertisement to hire a tailor and four sewing machine operators including two operators of double needle machines that set collars and cuffs. Operating this type of machine requires a higher level of skill. Despite a clustering of garment factories still abuzz with workers, these firms and their immigrant workforce have largely been left out of the city's manufacturing policy discussions.

*Photo by Cathy Chu of a Sunset Park garment factory, August 2016*

At last year's well-attended [Brooklyn Waterfront Research Center](#) conference on "The Past, Present and Possible Future of Manufacturing Along the Brooklyn Waterfront," expert panelists repeatedly stated that affordable space is essential for industrial manufacturers, underscoring that these businesses simply cannot pay the same rents as commercial tenants.

Firms like Jamestown Properties' ability to raise capital from financial markets, however, is contingent on securing the highest rent tenants such as office, hotels, and luxury retail. Rents at Industry City are steadily increasing. In 2012, the asking rent for industrial space was \$8 per square foot. By 2015, rents more than doubled and ranged from the [mid-teens to the mid-\\$20s per square foot](#), which may be affordable compared to DUMBO and Manhattan rents for TAMI tenants but is certainly unrealistic for small manufacturing firms. Under these conditions, industrial manufacturing is highly unlikely to be the primary use for places like Industry City.

### MADE IN NEW YORK? THE FUTURE OF FASHION IN SUNSET PARK

Even with extensive public support, countering the real estate imperatives of an innovation economy may be a losing proposition for urban manufacturers. Located one block north of Industry City, Federal Building #2 was sold by NYC EDC to Salmar Properties in May 2011 for a mere [\\$9.1 million dollars](#), which works out to \$8.27 per square foot. Built in 1916 as a warehouse for the Department of the Navy and vacant since 2000,

intersectionality intolerance  
israel-palestine jane jacobs  
jim crow justice architecture  
kansas city kpfa land use  
lauren dean  
left business observer lgbtq  
local government localism  
locally owned london  
los angeles  
los angeles county bicycle  
coalition  
manufacturing  
market urbanists  
mass incarceration  
mass movements may day  
mayor paes  
michael bloomberg midwood  
migrant justice militarization  
muslim my brooklyn naacp  
nancy romer ncavp  
negro removal  
neoliberal planning  
neoliberalism neoliberalization  
new york city  
no one is illegal-toronto nypd  
obergefell vs. hodes  
olympic games oscar grant  
our revolution  
participatory mapping  
participatory planning  
pedestrian safety peter kwong  
place placemaking  
planners network planning  
planning education  
planning magazine  
plansplaining podcast policing  
political economy portland  
poverty precarious work  
president obama  
president trump prison system  
prisons privatization  
progressive agenda  
progressive planning  
public participation  
public space puerto rico  
pulse nightclub race  
rachel weber racial zoning  
racism radical planning  
real estate real estate industry  
refugees resilience  
resilient communities  
resistance review rezonings  
right to the city rio  
rio olympics rio on watch  
rioonwatch rpa samuel stein  
san juan sanctuary city  
small businesses social justice  
social media socialism





Federal Building #2 offers 1.1 million square feet in an 8-story building. The below-market sales price came with a 30 year deed restriction that limited 85% of the building to light industrial manufacturing. Moreover, the New York City Industrial Development Agency provided \$37 million dollars in sales and real estate tax exemptions to help facilitate the development of a "[state of the art industrial center](#)." Salmar Properties renamed the building Liberty View Industrial Plaza, and in media accounts of the purchase, co-owner Marvin Schein [enthusiastically endorsed the return of industrial manufacturing](#) to Sunset Park.

Fashion designer and founder of [Manufacture New York](#) Bob Bland had a plan to reinvent the city's garment manufacturing sector by promoting a high value added and socially conscious fashion industry that is based on local sourcing, local labor, and local consumption. In 2014, Deputy Mayor [Alicia Glen announced](#) that Manufacture New York was selected to operate and manage a 160,000 square feet incubator that would accommodate 20-30 businesses creating 300 jobs. The NYC EDC committed \$3.5 million dollars to modernize space at the Liberty View Industrial Plaza for a [Manufacturing Innovation Hub for Apparel, Textiles, + Wearable Tech](#). Manufacture New York envisioned an on-site fashion ecosystem with designated space for garment production, an incubator to support new designers, and a research and development lab. Last summer, Senator Kristen [Gillibrand visited Manufacture New York](#) to announce her bipartisan [Made in America Manufacturing Communities Act](#) to designate localities such as Sunset Park "manufacturing communities" eligible for \$1.3 billion in federal economic development funding to support manufacturing businesses.



Brooklyn Reporter, "[Pushing the Made in America Manufacturing Act in Sunset](#)", August 11, 2016

Despite three years of working with NYC EDC and Salmar Properties, Manufacture New York can no longer afford to rent at Liberty View Industrial Plaza, and left in October 2016. The imperatives of real estate finance and development, and the city's lack of transparency and oversight, doomed Bob Bland's vision for a garment manufacturing innovation hub. The simplest explanation for the demise of this initiative is the lack of public and private sector commitment to provide affordable space for manufacturing. Bland shared that a hard lesson from her experience is that dedicated affordable manufacturing space is only feasible as a non-profit endeavor due to the "sociopathic" expectations of private landlords and NYC EDC in terms of economic returns.

Even with Liberty View Industrial Plaza's deed restriction, Salmar Properties' asking rents ranged from the [high \\$20s to low \\$30s per square foot](#). With the exception of a few manufacturers (such as Koppers Specialty Chocolates), their tenants were major corporate retailers including Amazon, Saks Fifth Avenue, and Bed Bath and Beyond. According to Bland's original lease, her rent was set at \$12 dollars per square foot but Salmar Properties wanted \$25. NYC EDC's lack of oversight and enforcement of the deed restriction allowed Salmar Properties to broadly define light manufacturing to include a private law firm and a tech firm because they were "making" software. Throughout her tenancy at Liberty View Industrial Plaza, NYC EDC told Bland that she couldn't say anything and had to continue working with Salmar Properties who eventually forced Manufacture New York out of their space. Reflecting upon her ordeal, Bland stated that NYC EDC used Manufacture New York for marketing the concept of an inclusive and sustainable fashion industry, but ultimately the city was not committed to making affordable manufacturing space possible.

## CONCLUSION

Andrew Kimball has often noted that during his tenure as the Brooklyn Navy Yard CEO, "[the government wrote me a \\$250 million dollar check to deal with the deferred maintenance](#)" but "(T)hat isn't happening here" in Industry City. But in fact, the city and state provides millions of dollars to support commercial real estate through below-market sales prices (as in the case of Liberty View Industrial Plaza), infrastructure investments such as a fiber optic broadband network for high speed internet access and ferry service, and numerous subsidy and property tax exemption programs including the [Industrial and Commercial Abatement Program](#) and [Relocation and Employment Assistance Program](#). Deputy Mayor Alicia Glen noted, "[if we were not doing all this other stuff, \[Industry City\] wouldn't be as successful as they're going to be.](#)"

solidarity  
solidarity across borders  
south bronx standing rock  
state-based planning  
steve early stewardio tenants  
stonewall inn strike strip malls  
suburbia sunset park  
tax abatements  
tenant movements  
the democratic party  
the new school  
the republican party  
the world cup  
theobald engelhardt  
thirdspace tom angotti  
toronto tourism  
transformative planning  
transit coalition transparency  
uc davis ucla unions  
university of illinois  
urban design  
urban development  
urban entrepreneurialism  
urban forest urban planners  
urban planning urban policy  
urban renewal  
urban resistance  
urban transformation  
vision zero war on drugs  
washington dc  
westchester county  
williamsburg workers rights  
youth zoning

Another example of the city's complicity in advancing the real estate imperatives of an innovation economy is Mayor de Blasio's endorsement of a developer-initiated proposal for a streetcar dubbed the [Brooklyn-Queens Connector](#) (BQX) that will travel a 16-mile "scenic" route along the East River linking Sunset Park, Brooklyn to Astoria, Queens. The financing scheme for this \$2.5 billion project is premised on "[capturing](#)" the increased property taxes of the real estate along the BQX route. In other words, the [city is counting on the gentrification](#) of waterfront neighborhoods to pay for a transportation project that clearly serves the interests of innovation economy developers including Jed Walentas and Andrew Kimball.

With 6.5 million square feet spread over 150 acres, the city's industrial and manufacturing base has been reduced to a few hundred small-scale industrial and commercial buildings, mostly in the form of small-scale industrial and commercial buildings. The city is a behemoth driving the wholesale obliteration and remaking of Sunset Park's working class community of color. The imperative of an innovation economy, as advanced by commercial real estate financiers and developers, is to appropriate and repurpose industrial buildings to accommodate commercial tenants who can pay premium rents. The ripple effect on Sunset Park's industrial real estate—including the city's extensive portfolio—does not bode well for local manufacturing businesses. Despite his numerous visits to announce public investment in industrial infrastructure and job creation, the city's policies may be doing more to perpetuate the occupational and residential segregation of Sunset Park's working class Chinese and Latino residents.

0 Comments

[http://www.progressivecity.net](#)

[Disqus Privacy Policy](#)


[Log in](#)

[Recommend](#)

[Tweet](#)

[Share](#)

[Sort by Best](#)



Start the discussion...

A global immigrant neighborhood, Brooklyn's Sunset Park, "received an honorable mention for the Association of Collegiate Schools of Planning's Paul Davidoff Book Award in 2015. She is currently working on a second book, "The Asian Century": Chinese Transnational Capital and City Building in Immigrant New York," and a forthcoming Temple University Press edited volume, Immigrant City.

Be the first to comment.

[Subscribe](#)

[Add Disqus to your site](#)

[Add Disqus](#)

[Do Not Sell My Data](#)



Home page > From the Field > The Hollowing-Out of New York City's Industrial Zones

# The Hollowing-Out of New York City's Industrial Zones

by Tarry Hum, on 16 February 2016

Tags: [gentrification](#) | [displacement](#) | [de Blasio administration](#) | [maker economy](#) | [industrial policy](#) | [commercial gentrification](#) | [New York](#) | [Brooklyn](#)



At a November 2015 press conference, New York Mayor **Bill de Blasio** vowed to take action to ensure that firms in the city's core manufacturing areas are shielded from speculative pressures as incompatible land uses like hotels, self-storage facilities, and office buildings continue to encroach on key industrial zones. The **preservation of affordable space—for industry, artists, and low-income residents**—is one of the administration's main priorities. But an analysis of commercial real-estate transactions in the newly hot Sunset Park neighborhood suggests that, unless the promised policy measures arrive quickly, high-rent commercial spaces, while touted as essential to creativity and innovation, will soon erase many of New York City's remaining concentrations of working-class industrial employment.

The future of manufacturing in New York City will be determined by neighborhoods like Sunset Park in Brooklyn. Its 2½-mile waterfront was once the site of an extensive intermodal industrial infrastructure comprising numerous working piers, factories, and warehouses that employed more than 20,000 workers. While deindustrialization and containerization have hollowed out much of the working waterfront, numerous small industrial businesses, including home construction suppliers and contractors, metal fabricators, garment and food manufacturers, and auto repair shops, now anchor Sunset Park's waterfront. It remains one of the city's densest industrial clusters. Sunset Park also stands out as a racially diverse, [majority immigrant Latino-Asian working-poor neighborhood](#) (Hum 2014).



The Industry City Food Hall in Sunset Park, Brooklyn, New York © Tarry Hum

Since the 2013 acquisition of a 49.9% ownership share in Industry City—a massive 16-building complex on the Sunset Park waterfront—by Jamestown Properties and their real-estate equity partners, media accounts regularly describe the commercial real-estate deals that are facilitating the neighborhood's transition to a workspace and “playground” for “makers” and “innovators.” Late last year, Mayor de Blasio announced a citywide industrial preservation plan: in November, the Mayor, flanked by the city council Speaker, numerous council members, and industry advocates, [described how his 10-point action plan](#) addresses “new imperatives” to protect industrial land uses and businesses that continue to be a critical employment source for immigrants, workers of color, and job seekers without college degrees. But with all the controversy generated by his mandatory inclusionary housing and zoning proposals currently undergoing public review, there has been virtually no discussion or follow-up.

Figure 1. Industry City's “Creative Workshops”

## SUBSCRIBE TO THE NEWSLETTER

## SEARCH

## MOST POPULAR ARTICLES

From Transit to Settlement. A Mexican Border Town's Transition from a Transit Space to a Waiting Territory

3 March, by Isabel Gil-Everaert



How Anti-Trans Bathroom Bills Hurt Girls and Women

16 May 2017, by C. Ray Borck



A Construction Boom in an Urban Floodplain: Long Island City, Queens, NYC

11 February, by Christopher Ryan



The Evolution of New York City's Black Neighborhoods

9 May 2017, by John Mollenkopf



Culture and the Nighttime Economy: A Conversation with London's Night Czar and Culture-at-Risk Officer

12 November 2019, by Amin Ghaziani



## FEATURED

Arts Districts Without Artists

23 March 2015, by Meghan Ashlin Rich



Interrupting Inequality: Crisis and Opportunity in Low-Income Housing Policy





26 January 2015, by Susan Saegert

Kanal İstanbul: a “crazy project”  
serving political ambitions

7 December 2011, by Yoann Morvan

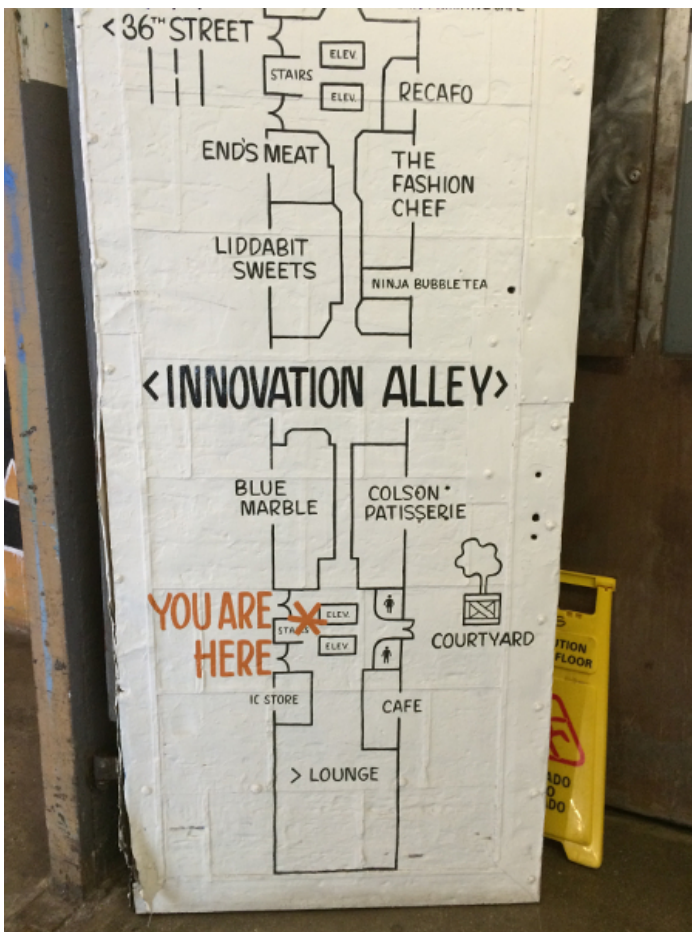
&amp; translated by Oliver Waine



© Tarry Hum

The New York City Council's 2014 report *Engines of Opportunity: Reinvigorating New York City's Manufacturing Zones for the 21st Century* provided ample evidence that former Mayor Bloomberg's designation of the city's concentrated manufacturing clusters as Industrial Business Zones (IBZs) "does not appear to offer adequate protection from conversion to commercial uses" (p. 16). Speakers at the Mayor's press conference affirmed "rampant speculation" as industrial land continues to fall "prey to hot real-estate markets." In fact, the NYC Council report (2014, p. 16) found that commercial land uses in the Southwest Brooklyn IBZ (largely comprising Sunset Park's waterfront) had more than doubled since 2005 with the "as-of-right" conversion of over 2.3 million square feet of industrial space. As the Mayor noted, "there's only so much land to go around" and he intended the press event to send a clear message that IBZs will be strengthened and non-conforming uses such as hotels and self-storage facilities will no longer be "as of right." As one of the city's few remaining industrial waterfronts, Sunset Park constitutes a test of whether the Mayor's plan has enough teeth to protect industrial businesses, especially since the "as-of-right" uses that threaten IBZs include industrial-to-commercial real-estate conversions.

**Figure 2. Innovation Alley at Industry City**



© Tarry Hum

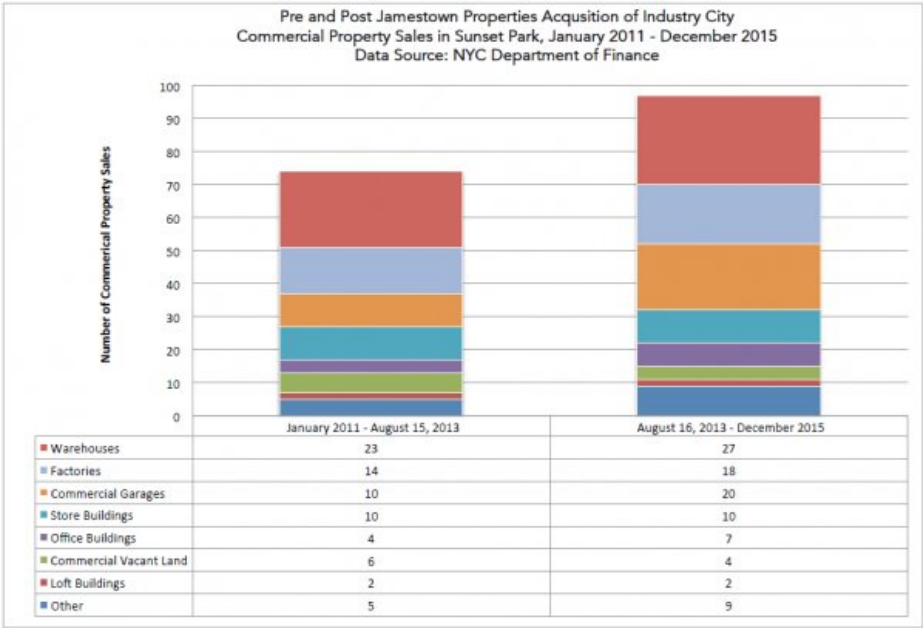
Commercial conversion is the land-use strategy of choice for real-estate entrepreneurs who see opportunity in the city's growing innovation economy. Under the stewardship of Jamestown Properties' Andrew Kimball, Industry City is being rebranded and remade from an industrial into a commercial hub that attracts all types of "makers" ranging from the Brooklyn Nets (who will soon have a new training facility with a rooftop terrace) to artisanal manufacturers paying an average \$20 per square foot in rent (as opposed to \$15 per square foot in other industrial zones). [1] Fox Rothschild, a national law firm, is preparing Industry City's special permit application to develop a hotel (possibly two), a university facility, and expanded retail. Sunset Park stakeholders will probably learn the details and scope of Industry City's plans when Fox Rothschild's application is certified by the Department of City Planning (DCP), initiating the formal public land-use review process. But, as seasoned planners and community stakeholders know, once a proposal is certified by DCP, the plan is frequently a *fait accompli* (Angotti 2010). [2] Meanwhile, the hype fueled by numerous Brooklyn-centric commercial real-estate summits has fed a frenzied and speculative market in Sunset Park.

**Figure 3. The Food Hall at Industry City**



© Tarry Hum

In an effort to gauge the impact of Jamestown Properties on Sunset Park’s local real-estate market, I conducted an analysis of commercial real-estate transactions based on NYC Department of Finance sales data for five years from 2011 to 2015 inclusive. I divided this data into two comparable periods – 2½ years before and 2½ years after the mid-August 2013 Jamestown Properties acquisition of Industry City. The two periods are January 2011 to August 15, 2013 and August 16, 2013 to December 2015. [3]



Sunset Park Commercial Property Sales Volume and Prices, 2011-2015  
Pre and Post Jamestown Properties Acquisition of Industry City

YEAR	Total Sales Volume	Total Sales Value (2015 dollars)	Avg. Sales Price (2015 dollars)
2011	19	\$64,310,833	\$3,384,781
2012	36	\$64,534,364	\$1,792,621
January-August 15, 2013	19	\$75,838,776	\$3,991,515
<b>Pre Jamestown Properties</b>	<b>74</b>	<b>\$204,683,973</b>	<b>\$2,766,000</b>
August 16 - December 2013	22	\$148,438,789	\$6,747,218
2014	35	\$147,980,137	\$4,228,004
2015	40	\$234,716,187	\$5,867,905
<b>Post Jamestown Properties</b>	<b>97</b>	<b>\$531,135,113</b>	<b>\$5,475,620</b>
<b>Post Jamestown Properties*</b>	<b>95</b>	<b>\$355,415,146</b>	<b>\$3,741,212</b>

\*Sales of Brooklyn Whale Building and Sunset Industrial Park Excluded

Data Source: New York City Department of Finance Sales Data

A clear pattern emerges in the commercial real-estate transactions of the past few years. Sunset Park's industrial infrastructure, composed of warehouses, factories, and garages, is being sold and refashioned into high-end commercial office space. Not surprisingly, the number of commercial real-estate sales increased by 30% in the post-Jamestown Properties period. It is noteworthy that the two “*behemoth*” sales—both involving 601W Companies, a leading private commercial real-estate investment and development corporation—occurred after Jamestown Properties acquired Industry City in August 2013. Even if these two sales are excluded from calculating an average sales price, commercial real-estate prices (adjusted for inflation) steadily increased and, on average, were 36% higher in the post-Jamestown Properties period. If the two sales are included, the average price for Sunset Park's commercial real-estate nearly doubles to \$5.5 million. Increasing sales and escalating prices have been augmented by speculative property flips. Notable examples include the landmarked and dilapidated former police station located at 4302 4th Avenue that was sold in January 2015 for \$2.6 million and resold six months later for \$6 million. Similarly, a warehouse at 347 37th Street sold for \$6.35 million in October 2014—41% more than its sales price approximately a year earlier.

The most important trend that is reshaping Sunset Park's commercial real-estate market is the dominance of transnational equity and finance corporations, including Chinese state-owned banks. Just months ago, Industry City's massive \$300 million debt was [recapitalized by a \\$403 million loan](#) from the Bank of China and SL Green. The 14-acre Sunset Industrial Park, owned and managed by the Figliolia family for 30 years, was sold in August 2013 to a partnership of The Savoy Group and 601W Companies for \$91.5 million. The Savoy Group is a global investment firm that manages private equity and real-estate funds. The second sale involving 601W Companies was the [Brooklyn Whale building](#), purchased in 2011 for \$25.4 million. After [spending \\$5 million](#) to renovate, 601W Companies sold the complex for \$82.5 million to Madison Realty Capital in August 2015. [4]

By matching the Department of Finance data on recent sales of industrial buildings to the National Establishment Time Series data on small businesses, I identified numerous industrial businesses that are no longer in operation, such as Gilmour Supply Co. (a heating and plumbing company), Durable Kitchen, and Orion Mechanical and Heating. For industrial business owners who also own their buildings, the huge rent gaps created by current market conditions present irresistible windfall opportunities. In early January 2016, I contacted ABR Plumbing Inc. located in a Sunset Park commercial building that had recently sold. The owner shared:

“While listing half the space for rent we were given an offer to purchase the property which we couldn't refuse. We bought the building six years prior and were able to obtain 90% financing and so only laid out \$130,000. We sold the building for a profit of approximately \$1.5 million. We now rent an office and keep the trucks in parking lots at a considerable saving per month on our operating costs. We have reinvested the profits into a multifamily property netting more than a 5% return.”

Property owners who opt not to sell their buildings seek to correct the “under-market rents” by attracting higher-paying tenants. For example, the [Damast family's](#) Commodore Manufacturing Corporation had specialized in the production of Christmas decorations and other seasonal products at their building on 4312 Second Avenue. In 2013, they outsourced a large part of their operations to China and now hope to “woo film-industry companies, advertising agencies, and high-tech manufacturers” to Sunset Park.

The industrial real-estate “*land grab*” extends to the neighborhood's extensive rent-stabilized housing stock. TerraCRG is a commercial brokerage firm founded in 2008 with a sole focus on Brooklyn. The firm has an office on 44th Street in Sunset Park. Their portfolio includes



rent-stabilized, multifamily buildings such as [4103 Seventh Avenue](#) and 4121 Seventh Avenue. The [sales pitches](#) for these properties reference proximity to Industry City in order “to capitalize on the large influx of tenants that will want housing on the Park to be close to jobs created by Jamestown Properties’ conversion of Bush Terminal into a high-tech office and retail business hub”.

Sunset Park’s expansive waterfront with a “[180-degree to-die-for view](#)” makes it unique among [gentrifying Brooklyn neighborhoods](#). But the process of industrial gentrification and displacement is fairly standard. New property owners seek to extract profits by reducing operating costs and maximizing revenues in rent increases. Industrial tenants are especially vulnerable because many are unable to pay higher rents. Property owners who anticipate even greater profits through a “higher and better” use will seek a rezoning to change the “as-of-right” land uses and development parameters. The Savoy/601W Companies’ Sunset Industrial Park proposal clearly lays out the actions that will, ultimately, facilitate gentrification: (1) reduce “wasteful operating costs” by cutting payroll and security costs; (2) increase rents of existing tenants; (3) increase cash flow by capitalizing on “as-of-right” development; and (4) rezone for future development. Sunset Park’s industrial infrastructure is being repositioned as an extension of [Brooklyn’s Tech Triangle](#). Mayor de Blasio’s endorsement of a [streetcar line](#) servicing Brooklyn and Queens waterfront neighborhoods from Sunset Park to Astoria exemplifies a private real-estate-driven vision to connect former industrial-maritime spaces in a series of “live-work-play” enclaves complete with “to-die-for” views.

The [2014 NYC Council report](#) recognized that the decline in urban manufacturing is not just an outcome of global structural changes but of “catalytic factors” related to [real-estate speculation and financialization](#). Sunset Park exemplifies the transformative changes wrought by transnational real-estate investments. A recent [Nation article](#) cited a housing expert who critiqued the Mayor for failing to use all the tools at his disposal to change the paradigm between developers and the city in terms of affordable housing production. Similarly, the experience of Sunset Park raises the question of whether all the city’s tools are, in the words of the Council report (2014, p. 16), being deployed to stem “the rise in commercial land use within the supposed industrial safe havens of the IBZs.”

## Bibliography

- Angotti, Tom. 2010. [Land Use and the New York City Charter](#), report submitted to the New York City Charter Commission.
- Clarke, Katherine. 2014. “[Another investor makes land grab in Sunset Park](#)”, *The Real Deal*, 11 April.
- Hum, Tarry. 2014. *Making a Global Immigrant Neighborhood: Brooklyn’s Sunset Park*, Philadelphia: Temple University Press.
- Maurer, Mark. “[Damast family looking to fill 200,000 sf at Sunset Park property](#)”, *The Real Deal*, 11 November.
- Murphy, Jarrett. 2016. “[Bill de Blasio is New York’s Most Progressive Mayor in Decades—Is that Enough?](#)”, *The Nation*, 6 January.
- New York City Council. 2014. *Engines of Opportunity: Reinvigorating New York City’s Manufacturing Zones for the 21st Century*, November.
- The Savoy Group/601W Companies. 2013. *Sunset Industrial Park*.

## Footnotes

[1] I calculated the average per-square-foot rents based on current industrial real-estate listings for Sunset Park and Crown Heights in Brooklyn, and Hunts Point in the Bronx. The listings were retrieved from LoopNet.com, a comprehensive online commercial real-estate website.

[2] The New York City Council, composed of 51 members, is the final decision-maker on land-use matters subject to the Uniform Land-Use Review Procedure, including changes to the zoning map and text. Typically, city council members follow the lead of their colleague in whose district the land-use matter is sited in their vote to approve (with or without modification) or disapprove.

[3] I defined Sunset Park by two zip codes—11220 and 11232—and excluded property transfers for nominal amounts (\$0 to \$100).

[4] Cf. <http://therealdeal.com/blog/2015/08/11/zegen-captures-brooklyn-whale-building-in-82-5m-deal> and <http://therealdeal.com/blog/2015/02/12/from-a-to-zegen>.

## Discuss this article

— Forum registration required —

Donate (<https://www.citizensunionfoundation.org/secure/donate/ggorderform.php>)

## Opinion

### There is Nothing Innovative About Displacement (/opinion/130-opinion/5942-there-is-nothing-innovative-about-displacement-industry-city)

October 21, 2015 | by [Tarry Hum \(/component/contact/contact/1232-tarry-hum?Itemid=327\)](#)

Tweet Like 0 Share

Tweet

(<http://www.joomarketer.com/joomla-extensions/joomsharebar>)



Industry City courtyard development (photo (<https://instagram.com/p/4ZzqBFIOIY/>): Industry City on Instagram)

Sunset Park is at a crossroads. With one of the city's few remaining industrial waterfronts in a heavily, working-class Latino-Asian neighborhood, its development looms large in shaping the future of New York City and, dare I say, the city's soul.

Since the [March announcement \(http://www.crainsnewyork.com/article/20150309/BLOGS04/150309863/developers-unveil-1b-brooklyn-hipster-mega-project\)](http://www.crainsnewyork.com/article/20150309/BLOGS04/150309863/developers-unveil-1b-brooklyn-hipster-mega-project), of a \$1 billion investment by Industry City's owners – a consortium of commercial real estate titans - the most dramatic changes along the waterfront have not been the building upgrades, bicycle racks, summer dance parties, or high-end artisanal purveyors. Rather, it is the stupefying number of speculative sales of industrial real estate.

Jamestown Properties is working hard to rebrand Industry City as a site for cutting edge, modern manufacturers in technology, media, design, and high-value added fashion and food production. The developer is working to placate community concerns that the Williamsburg experience of massive displacement and gentrification will not be repeated.

To this end, Jamestown Properties announced the establishment of an "Innovation Lab" (<http://industrycity.com/news/community-jobs-training-entrepreneurship-center-open-industry-city/>) in collaboration with CUNY; Southwest Brooklyn Industrial Development Corporation, which manages Sunset Park's Industrial Business Zone; and several community non-profit social service and workforce organizations. Largely funded by public dollars, the Innovation Lab seeks to connect the neighborhood's immigrant, non-English speaking labor force with low levels of formal education to the innovation economy.

While Andrew Kimball's success at the Brooklyn Navy Yard should reassure us that his expertise is preserving and promoting industrial jobs and small businesses, Mr. Kimball's employer is no longer a non-profit organization that manages city-owned properties.

The redevelopment of Industry City is not about modern manufacturing. Industry City is a commercial real estate venture and its rezoning proposal will make that crystal clear. Most of Industry City's 16-building complex is in a heavy manufacturing M3-1 zone which prohibits retailers and hotels (unlike light manufacturing M1-1 zones). Industry City's "unprecedented" (<http://www.crainsnewyork.com/article/20150309/BLOGS04/150309863/developers-unveil-1b-brooklyn-hipster-mega-project>), development proposal entails designating a "special innovation zoning district" to permit a hotel, university facility (some say dormitory), conference center, and retailers.

Industry City's consortium of owners has hired Fox Rothschild LLP (<http://www.foxrothschild.com/zoning-land-use/recent-matters/>), to prepare its rezoning proposal. A website search of Fox Rothschild LLP's recent projects lists one for New York City – Ian Schrager's ultra-luxury, condo-hotel at 215 Chrystie Street on the Lower East Side.

Referencing the area's industrial past, Schrager describes his 28-story, Public Hotel project as "refined gritty" and "tough luxe." While one journalist (<http://www.boweryboogie.com/2014/12/hotelier-ian-schrager-discusses-refined-grittiness-behind-28-story-public-hotel-215-chrystie-street/>), described this branding as "enough to make you lunge for the barf bag," the transparent and cavalier manner in which the lives, experiences, and neighborhood spaces of an everyday public, made up of working-class people and communities of color, are erased and then commodified for a new "public" elite is astounding.

Fox Rothschild LLP secured the necessary permits (<http://www.boweryboogie.com/2014/04/permits-approved-ian-schragers-public-hotel-215-chrystie-street/>), and zoning changes for its client's "refined gritty" condo-hotel project on a former urban renewal site.

Mr. Kimball's participation in numerous real estate conferences, including the Commercial Observer's recent "Brooklyn's Renaissance" (<http://commercialobserver.com/2015/10/scenes-from-cos-brooklyn-renaissance-breakfast-at-industry-city/>), event held at Industry City, has helped fan real estate speculation and small business displacement in industrial Sunset Park.

A late September Crain's New York Business article ([http://www.crainsnewyork.com/article/20150929/REAL\\_ESTATE/150929844/pair-of-sunset-park-warehouses-hit-the-market-for-50-million](http://www.crainsnewyork.com/article/20150929/REAL_ESTATE/150929844/pair-of-sunset-park-warehouses-hit-the-market-for-50-million)) announced the sale of two Sunset Park warehouses by New Jersey-based Hampshire Companies. Approximately two years ago, Hampshire Companies purchased the pair of buildings from Brooklyn Commercial Realty Corporation and Commercial Associates LLC for \$18.5 million dollars.

At the time of the sale in June 2013, based on my research of the New York State Department of Labor's database (<https://labor.ny.gov/workerprotection/laborstandards/workprot/garment.asp>) of registered apparel contractors and manufacturers, there were 35 garment shops located at 341 39 Street employing hundreds of workers. These small businesses included Sew Wonderful US Inc., NYC Fashionwear Inc., and MM Pleating & Sewing Inc. Today, Hampshire Companies is selling the "warehouses" for \$50 million dollars having made no physical improvements or changes except for the displacement of numerous small business tenants and their employees.

The Hampshire Companies is marketing the pair of industrial buildings, which are located a few blocks away from Industry City, "as conversions to hip, creative office space or residential units." In addition to Industry City, there are now several new property owners in Sunset Park's industrial waterfront anticipating a rezoning to commercial and possibly, residential uses. Sunset Park's working waterfront is being eviscerated by real estate speculators who see great profits in branding the industrial infrastructure as part of an innovation economy district.

In this hyped real estate context, Mr. Kimball will go to extremes to portray Industry City as a site of modern manufacturing. For example, the Brooklyn Flea and Smorgasburg are great additions to Industry City because, according to Mr. Kimball, they have long-served as "a platform for Brooklyn's makers." (<http://industry.city.com/news/brooklyn-flea-smorgasburg-coming-sunset-parks-industry-city/>).

Sunset Park is at a crossroads and its future depends on Mayor Bill de Blasio and Deputy Mayor Alicia Glen recognizing that protecting industrial and maritime-related jobs and land uses are as critical as affordable housing in sustaining the vibrant, diverse neighborhoods that have always made New York City a place of possibilities for working-class families.

While "Brooklyn players" (<http://commercialobserver.com/2015/10/scenes-from-cos-brooklyn-renaissance-breakfast-at-industry-city/>), (were) mingling and gnoshing on a lucrative breakfast spread" at the Brooklyn Renaissance event at Industry City, UPROSE and Protect the Working Waterfront Alliance were organizing to save Sunset Park because there is nothing innovative about displacement.

\*\*\*

Tarry Hum is a professor at the City University of New York and author of *Making a Global Immigrant Neighborhood: Brooklyn's Sunset Park*.

\*\*\*

Have an op-ed idea or submission for Gotham Gazette? E-mail editor Ben Max: [bmax@gothamgazette.com](mailto:bmax@gothamgazette.com) (<mailto:bmax@gothamgazette.com>).

Donate (<https://www.citizensunionfoundation.org/secure/donate/ggorderform.php>)

## Opinion

### City Industrial Manufacturing Plan Still Needed (/opinion/130-opinion/5820-city-industrial-manufacturing-plan-still-needed-de-blasio-hum)

July 23, 2015 | by [Tarry Hum \(/component/contact/contact/1232-tarry-hum?Itemid=327\)](/component/contact/contact/1232-tarry-hum?Itemid=327)

Tweet Like 0 Share



Tweet

0

Like

Share

(<http://www.ipomarketer.com/ipomia-extensions/ipomsharebar>)

Rally outside City Hall before a land use committee hearing

Since the recent announcement by Jamestown Properties and partners of a \$1 billion investment to rebrand and renovate a massive 16-building complex - which will require a rezoning to permit a hotel and academic facility as well as a public investment of \$100 million to improve the surrounding streetscape and infrastructure - there has been a steady stream of media accounts of new tech and commercial tenants drawn to Industry City.

While the successful marketing of an "innovation district" has generated much interest and activity, the city has yet to state its policy on industrial land uses contributing to the real estate uncertainty that is threatening Sunset Park's industrial small businesses including those in the Industrial Business Zone. Heightening real estate speculation is exemplified by the impending acquisition of the 14-acre, M3-1 zoned Sunset Industrial Park by a real estate investment joint venture, which "immediately after closing on the Property, Savoy/601W will begin the design and approval process to rezone this site and to redevelop it into a large-scale residential community" thereby increasing the site's value by more than four or five times the acquisition price of \$130 million.

A month ago, Mayor Bill de Blasio and Sunset Park's elected officials including City Council Member Carlos Menchaca, Congress Member Nydia Velazquez, State Assembly Member Felix Ortiz, and long-time maritime advocate Congress Member Jerrod Nadler joined federal officials on the Sunset Park waterfront to [announce the reactivation](http://www.nycedc.com/press-release/mayor-bill-de-blasio-joins-state-federal-and-local-officials-announce-major-milestones) (<http://www.nycedc.com/press-release/mayor-bill-de-blasio-joins-state-federal-and-local-officials-announce-major-milestones>), of the 72-acre South Brooklyn Marine Terminal (SBMT) and its designation as part of America's Marine Highway System. All speakers lauded reactivating Brooklyn's working waterfront, the environmental and public health benefits of truck traffic reduction, and the creation of unionized jobs.



When the Mayor was asked to comment on neighboring Industry City's prior request to use five acres of SBMT (<http://www.streetsblog.org/2015/03/11/industry-city-developer-thinks-sunset-park-waterfront-needs-more-parking/>) for 750 parking spaces to accommodate new tenants and shoppers, he affirmed SBMT would only be used for industrial purposes. While the parking issue appears to have been resolved for the immediate future, a substantive public discussion about the co-existence of an innovation economy district and a traditional maritime-manufacturing hub remain outstanding.

Jamestown Properties specializes in the adaptive reuse of industrial buildings. Its Innovation and Design Building (<http://www.idbldg.com/about>) in Boston's Innovation District is similar to its plans for Industry City. Boston Globe columnist Paul McMorrow in "Old vs. new Seaport needs public debate" (<https://www.bostonglobe.com/opinion/2013/12/24/mcmorrow/2k6mCA54VEoZG2epX1KVIL/story.html>) argued that for traditional and modern manufacturing sectors to work together, "it will only be after serious coordination, and hard conversations about what industry means in the 21st century." Although the New York City Council released a comprehensive study of industrial land uses (<http://council.nyc.gov/html/pr/111914eo.shtml>) in November 2014, which was followed by a Land Use Committee public hearing in April 2015, Mayor de Blasio and Deputy Mayor Alicia Glen have yet to weigh in on a substantive public conversation about industrial manufacturing and its importance to New York City's economy.

The City Council report found that the decades-long decline of industrial manufacturing sectors has ended and, in fact, industrial employment grew modestly from 2010 to 2014. Sunset Park is a prime example of this trend. Based on the New York State Department of Labor Quarterly Census of Employment and Wages, Sunset Park's industrial firms increased slightly from 1,138 in 2010 to 1,193 in 2014. The number of employees also grew during this period from 10,651 to 11,614 workers.

Although maligned for creating few jobs, warehouses are an important part of an industrial ecosystem and in Sunset Park warehouses employed 103 workers at an average annual wage of \$31,236. Representing a third (33%) of the local employment base, this data underscores how traditional industrial manufacturing sectors continue to anchor Sunset Park's neighborhood economy. These are jobs that have historically and continue to provide opportunity for working class immigrants and workers of color.

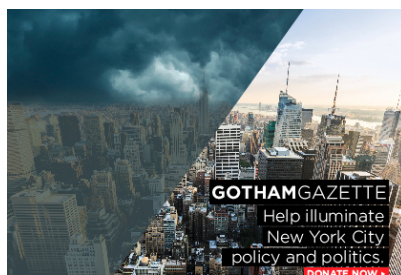
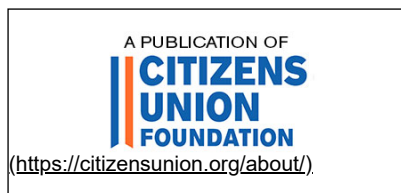
In response to a question (<https://www.youtube.com/watch?v=InMgik0u870>) posed by a Protect Our Working Waterfront Alliance (POWWA) member, Industry City CEO Andrew Kimball discounted community concerns about gentrification and displacement because contrary to "pushing people out," he claimed the innovation economy is about "bringing people in." But the real issue may be who is being brought in.

UCLA geographer Allen Scott argues that innovation districts are enclaves that represent a "privileged foci of production, work, and social life." A mundane illustration is the branding of Industry City's Food Hall, which is not called a food court because the term conjures up a shopping mall – the quintessential symbol of mass consumption. Affluent consumers desire a unique experience in "great gathering places," according to developer/architect Young Woo (<http://therealdeal.com/blog/2013/12/11/behind-young-woos-superpier-2/>), who is "curating" a mix of retail tenants in refurbished shipping containers on Manhattan's Pier 57. Clearly, an innovation economy is not just a reference to a mode of production but connotes a cultural milieu and aesthetic deemed creative, hip, and artisanal.

On the day of the City Council Land Use Committee hearing, POWWA – a citywide alliance which includes UPROSE, Neighbors Helping Neighbors, Teamsters Local 812, Trinity Lutheran Church, and the New York City Environmental Justice Alliance – held a rally at City Hall where elected officials and advocates addressed the importance of preserving and protecting industrial jobs for working class New Yorkers. A Crain's article in March (<http://www.crainnewyork.com/article/20150305/BLOGS04/150309915/de-blasio-says-vision-on-ny-manufacturing-is-coming>) indicated that Mayor de Blasio was soon to announce his industrial manufacturing policy but that has yet to happen. In the meantime, the lack of an engaged public conversation about 21st century industry is contributing to speculative real estate activity and rising rents threatening Sunset Park's viable industrial manufacturing ecosystem.

\*\*\*

Tarry Hum is a professor at the City University of New York and author of *Making a Global Immigrant Neighborhood: Brooklyn's Sunset Park*.



Home (/)

Newest Stories (/newest-stories)

Opinion (/opinion)

Subscribe (/eye-opener)

Podcasts

Election Coverage

Reporters

Connect with us

Columnists

Contact Us (/contact-us)

Donate (<https://www.citizensunionfoundation.org/secure/donate/ggorderform.php>)

## Opinion

### Sunset Park Redevelopment Proposal Misses the Mark (/opinion/130-opinion/5666-sunset-park-redevelopment-proposal-misses-the-mark-tarry-hum)

April 01, 2015 | by [Tarry Hum](#) (/component/contact/contact/1232-tarry-hum?Itemid=327)

Tweet

Like 0

Share

photo

On a recent Sunday afternoon, an impressive array of leaders from Sunset Park's tenant advocacy, environmental justice, small business, and community-based institutions, and their citywide allies gathered to announce their participation in a coalition to monitor and raise concerns about Jamestown Properties' \$1 billion dollar redevelopment and rezoning proposal for Industry City.

Tweet

Of key concern is the incongruity of the Industry City proposal for a hotel, university facility, and retail in one of the city's few remaining industrial, working waterfront neighborhoods. In addition to an extensive industrial building stock, Sunset Park has an inter-modal infrastructure and is anchored by two massive city-owned facilities - South Brooklyn Marine Terminal and Brooklyn Army Terminal. As one of the speakers noted, the last time a New York City waterfront neighborhood faced a similar scaled development proposal was in 2005, when Greenpoint-Williamsburg was rezoned with devastating consequences for the area's Latino community.

Sunset Park is a vibrant, working class, immigrant Latino-Asian neighborhood with a much-lauded walk to work population. Recent media accounts, however, describe a derelict, moribund, and gritty industrial waterfront. This skewed representation is similar to the New York Times coverage of Queens's pan-Latino, immigrant Roosevelt Avenue as a "corridor of vice" in order to rationalize a controversial proposal for an expanded Business Improvement District. These characterizations help prime a neighborhood for transformative private sector interventions such as that proposed by Jamestown Properties and their partners.

There is no question that deindustrialization and private and public disinvestment have taken a heavy toll on Sunset Park, but some businesses – not just storage and warehousing – have long co-existed in a manufacturing-maritime ecosystem. These include garment cutters, sewing subcontractors, furniture makers, auto repair shops, construction material suppliers, moving companies, and food manufacturers, wholesalers, and distributors. They may not be part of Jamestown Properties' vision of an artisanal and hip innovation-maker economy but these small businesses are an important part of Sunset Park's local economy and immigrant employment base.

In 2010, I met with two Chinese garment contractors who relocated their factories from Manhattan Chinatown to 39th Street in Sunset Park due to rising rents and real estate instability. One produced evening gowns for a Midtown Garment Center manufacturer and he was optimistic about the future since he had secured an affordable space for his business. A short three years later, the building 353 Fashion Inc. occupied was sold to a real estate investment company that has recently obtained a Department of Buildings permit to demolish the 7 story building. According to my review of the NYS Department of Labor Apparel Industry Taskforce data, the number of garment contractors at Industry City was halved from 39 to 20 in the year, following Jamestown Properties' acquisition of a 49.9% ownership share.

This past August, I met with a few Bush Terminal tenants including the owner of a furniture and cabinet manufacturer, Dean & Silva, who were concerned about their tenancy amid a growing buzz about transformative waterfront redevelopment. Given the spectacular views of the Upper New York Bay and the drumbeat that NYC's manufacturing future is premised on an innovation economy, these businesses may not be deemed the "highest and best" uses for Sunset Park's waterfront.

The Industry City proposal claims to generate 20,000 jobs but there is little detail to substantiate this projection. So far, the proposal and design renderings focus on the proposed hotel, retail streetscape, and bicycle path. What we do know about job creation in the innovation economy is based on a 2013 Pratt study of the Brooklyn Navy Yard which found that 60% of Navy Yard tenants employ fewer than five employees. Given the realities of modern manufacturing that innovators typically require small spaces and hire few employees, this leads one to wonder whether most of the projected jobs for Sunset Park residents will be generated by the planned hotel and expanded retail.

On a recent tour of the Brooklyn Army Terminal, the guide lamented the threat posed by "residential creep" in industrial districts but the immediate concern for Sunset Park's waterfront may be more appropriately described as "retail creep." Several years ago, then Federal Building #2 designated developer, Times Equities Inc., was unabashed in naming their proposed project: Sunset Marketplace. While the 2008 financial crisis doomed this project, the current owner of Federal Building #2 (renamed Liberty View Industrial Plaza) just announced that a Bed Bath and Beyond will lease more than 100,000 square feet for four of its retail outlets.

The threat of displacement due to rising property values is real not only for industrial businesses but also for the sizable residential population in Sunset Park's manufacturing zoned area. Grandfathered by the 1961 Zoning Resolution, Sunset Park's waterfront bounded by 65th and 15th Streets, 3rd Avenue, and the Upper New York Bay represents four census tracts which according to the most recent 2013 American Community Survey includes about 10,000 residents. Living adjacent to the Gowanus Expressway and the industrial waterfront, this population has been on the frontline of neighborhood environmental justice struggles. Now, they face another type of threat. Among this population, 66% are Latino and a third have incomes below the poverty line. The educational attainment level for an overwhelming majority (63%) of the adults is completion of high school at most. These are families at imminent risk of displacement.

Community stakeholders are right to raise concerns about Williamsburg in part because the city largely dismissed the Greenpoint-Williamsburg 197a plan in its 2005 rezoning of the industrial waterfront. After a 13-year planning process, Sunset Park's 197a, which focuses on protecting the manufacturing and maritime waterfront, was adopted by the New York City Council in 2009. That same year, NYC EDC designated Sunset Park a "sustainable urban industrial district" in its Sunset Park Waterfront Vision Plan.

UPROSE also recently completed a NYS Brownfield Opportunity Areas planning process which engaged community residents, small business owners, and local non-profit organizations in developing a plan for the remediation and redevelopment of waterfront sites. All three plans emphasize shared goals to protect and grow industrial employment, promote green manufacturing and climate resiliency, and increase the efficient movement of goods.

Along with UPROSE, organizations represented at the recent press event include Neighbors Helping Neighbors, Trinity Lutheran Church, So.Biz, Working Families, Association of Neighborhood and Housing Developers, New York City Environmental Justice Alliance, SEIU 32BJ, Teamsters Local 812, Pratt Center for Community Development, and ALIGN. It is a broad coalition with important demands.

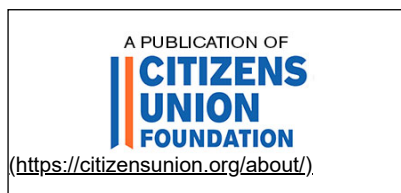
Recent news that Mayor de Blasio is considering a ban on hotels as an "as of right" development in light manufacturing zones is a small but positive step towards protecting Sunset Park's industrial waterfront. We need all our elected officials to affirm Sunset Park as a working waterfront, to honor the years of hard work and good faith in community planning, and to advance developments that truly support a sustainable industrial district that is job intensive for local residents.

\*\*\*

Tarry Hum is a professor at The City University of New York (CUNY) and author of [Making a Global Immigrant Neighborhood](http://www.temple.edu/tempress/titles/2299_reg.html) ([http://www.temple.edu/tempress/titles/2299\\_reg.html](http://www.temple.edu/tempress/titles/2299_reg.html)). On Twitter [@TarryHum](https://twitter.com/TarryHum) (<https://twitter.com/TarryHum>).

\*\*\*

Have an op-ed idea or submission for Gotham Gazette? E-mail editor Ben Max: [bmax@gothamgazette.com](mailto:bmax@gothamgazette.com) (<mailto:bmax@gothamgazette.com>).



(<https://www.citizensunionfoundation.org/secure/donate/ggorderform.php>)

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 4:04 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **JULIO IBARRA-BORROTO**  
Zip: **11209-5602**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

There are huge improvements that need to be down to our borough, and that change is not quick enough. Crime is high and goes unreported. The cause of these crimes in our Brooklyn is due to the lack of work.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 2:17 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **chun kwok au**  
Zip: **11232**

I represent:

- **A local business**

Details for "I Represent": **sharp image printing inc. blue rainbow traind inc.**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

1. nothing wrong to create job in this area 2. housing issue is nothing about business to respond, it's government job only. 3. people follow rule to apply, no way give them difficultiy

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 12:12 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Robert Lanfranchi**  
Zip: **11228**

I represent:

- **Myself**

Details for "I Represent": **The interests of the community in the surrounding area**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I'm in favor of this project

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 25, 2020 3:22 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Alison Lyons**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I have been a resident of Sunset Park since 2013. It is an amazing neighborhood with incredible diversity and a welcoming community. The waterfront is one of very few remaining industrial areas that provide good paying jobs for working and middle class families. The IC rezoning will be detrimental to our community and replace manufacturing jobs with low-paying retail jobs and displace residents with rising rents. Please, the waterfront is not a place for a luxury mall with low-paying retail jobs.

February 19, 2020

To Whom It May Concern:

My name is Violeta Maya and I have been living in Sunset Park since 1949. I am on the Board of Trustees at the Family Health Center in Sunset Park and have been advocating for the community since 1966. As a long term resident of Sunset Park, I am concerned about Industry City's rezoning application.

Our community does not need more high-end luxury retail since this can already be found in Manhattan. There is no need for hotels in a working class neighborhood where we are fighting to keep rental costs down. We do not need schools in a flood zone and brown field, they need to be further inland to ensure the safety of minors. It does not make any ethical sense for minors under 18 to be obligated to attend a school in a brownfield/flood zone.

If this rezoning application is allowed, it would exacerbate the effects of gentrification. Sunset Park already faces widespread displacement for businesses and residents alike. Affordability for housing is crucial for an immigrant, working class community. Industry City pitches the idea of creating more jobs, but what kinds of jobs would they be creating exactly? Minimum wage, retail jobs are not the jobs people need to survive given the increase of living costs.

I am not opposed to development but as a working waterfront community, we need to develop for climate adaptation. Sunset Park is one of the few remaining SMIA's we have in New York - to convert this area for purposes other than climate adaptation would be foolish. Building for green energy will create local, climate jobs and utilize the area for green industry.

I support UPROSE's alternative proposal which is the GRID (Green Resilient Industrial District) because this ensures that working class people can live in Sunset Park and have meaningful wages. Majority (40%) of Sunset Park residents do not have a high school diploma. Under these circumstances, we know that manufacturing work pays more than retail and it would allow workers without higher education to receive higher paying jobs. According to the NY State Department of Labor, manufacturing work pays over \$53,000, compared to only \$36,000 for retail work, and \$24,500 in food service.

Please look into UPROSE's GRID proposal to envision what a comprehensive plan for the waterfront could look like, with climate adaptation, green energy, and green jobs. This is what we need for the future and it will help Sunset Park's local economy with climate ready job opportunities for residents.

Thank you for your time and I hope you will make the right decision.

Sincerely,  
Violeta Maya



## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 18, 2020 5:31 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** CPC Violeta Maya Testimony (1).docx

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Violeta Maya**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

(See attached document) My name is Violeta Maya and I have been living in Sunset Park since 1949. I am on the Board of Trustees at the Family Health Center in Sunset Park and have been advocating for the community since 1966. As a long term resident of Sunset Park, I am concerned about Industry City's rezoning application. Our community does not need more high-end luxury retail since this can already be found in Manhattan. There is no need for hotels in a working class neighborhood where we are fighting to keep rental costs down. We do not need schools in a flood zone and brown field, they need to be further inland to ensure the safety of minors. It does not make any ethical sense for minors under 18 to be obligated to attend a school in a brownfield/flood zone. If this rezoning application is allowed, it would exacerbate the effects of gentrification. Sunset Park already faces widespread displacement for businesses and residents alike. Affordability for housing is crucial for an immigrant, working class community. Industry City pitches the idea of

creating more jobs, but what kinds of jobs would they be creating exactly? Minimum wage, retail jobs are not the jobs people need to survive given the increase of living costs. I am not opposed to development but as a working waterfront community, we need to develop for climate adaptation. Sunset Park is one of the few remaining SMIA's we have in New York - to convert this area for purposes other than climate adaptation would be foolish. Building for green energy will create local, climate jobs and utilize the area for green industry. I support UPROSE's alternative proposal which is the GRID (Green Resilient Industrial District) because this ensures that working class people can live in Sunset Park and have meaningful wages. Majority (40%) of Sunset Park residents do not have a high school diploma. Under these circumstances, we know that manufacturing work pays more than retail and it would allow workers without higher education to receive higher paying jobs. According to the NY State Department of Labor, manufacturing work pays over \$53,000, compared to only \$36,000 for retail work, and \$24,500 in food service. Please look into UPROSE's GRID proposal to envision what a comprehensive plan for the waterfront could look like, with climate adaptation, green energy, and green jobs. This is what we need for the future and it will help Sunset Park's local economy with climate ready job opportunities for residents. Thank you for your time and I hope you will make the right decision. Sincerely, Violete Maya

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:06 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Raquel Miranda**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I am for progress in Sunset Park.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Thursday, February 20, 2020 12:28:35 PM  
**Attachments:** [SunsetParkRezoningCPC.pdf](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Joshua Mullenite**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

As a resident of Sunset Park and a professor of anthropology and human geography who researches community displacement in waterfront communities, I am deeply concerned both by Industry City's rezoning proposal and the misleading way it has been represented by representatives of Industry City, their surrogates, and elected officials. Considerable research in urban anthropology, geography, and urban planning have highlighted the ways in which rezoning processes of this scale threaten the continued existence of nearby communities and that these have occurred disproportionately in low-income communities of color and this is certainly the case here. The seven census tracts with their geographic centers within ½ mile of the two areas to be rezoned (hereafter Affected Area) are, on average, over 80% non-White with nearly 44% having limited English-language proficiency according to the latest data

available from the American Community Survey. This area likewise has a median household income of \$54,265, 5% lower than the median income of Brooklyn as a whole and 6% lower than NYC. These numbers are important because, over the past decade, rezoned neighborhoods have seen a significant increase in the number of rent burdened tenants including an increase of 18,000 severely rent burdened households. Within the Affected Area, more than 50% are already rent burdened and, of the 5079 renter-occupied households, 1454 (28.7%) are severely rent burdened, with their rental costs taking up more than 50% of their annual household income. To approve this rezoning without a detailed study of the sociological, economic, and environmental impacts on the surrounding area is a mistake and will, in my expert opinion, do material harm to the surrounding communities. Currently, impact assessments provided as part of the rezoning application are lacking in both detail and socio-economic depth. Even with this being the case, they highlight the some potential threats to the community which are explained away through promises made either by the developers themselves or, publicly, through the promise of a Community Benefits Agreement (CBA) from the representative council member. However, an analysis of the potential impacts cannot rely on what does not yet exist and which may never come to fruition (as was the case with the Atlantic Yards CBA) but should instead be based on a detailed critical analysis of specific conditions in which the rezoning is being proposed and through a careful comparative case with the impacts of similar projects after 5 years. Doing so would show that recent rezonings of a similar scale and in similar and adjacent neighborhoods have resulted in large-scale displacement of non-White communities and a simultaneous rapid increase in the number of White residents. In nearby Park Slope, there was an overall decrease of about 5000 Black and Latinx residents despite an overall population growth of 6000 during the same 10-year period. This demographic change corresponded with a loss of nearly 1000 rent stabilized apartments, which are already scarce in the Affected Area. As it stands, the Industry City ULURP application offers nothing but a threat to Sunset Park and its residents.

# WAGNER COLLEGE

---

## DEPARTMENT OF CULTURE AND ECONOMICS

Thursday, February 20, 2020

CITY PLANNING COMMISSION  
Calendar Information Office – 31st Floor  
120 Broadway, New York, N.Y. 10271

Dear members of the City Planning Commission,

I am writing in opposition to the proposed Industry City Rezoning in Brooklyn. As a resident of Sunset Park and a professor of anthropology and human geography who researches community displacement in waterfront communities, I am deeply concerned both by Industry City's rezoning proposal and the misleading way it has been represented by representatives of Industry City, their surrogates, and elected officials. Considerable research in urban anthropology, geography, and urban planning have highlighted the ways in which rezoning processes of this scale threaten the continued existence of nearby communities and that these have occurred disproportionately in low-income communities of color and this is certainly the case here.

The seven census tracts with their geographic centers within ½ mile of the two areas to be rezoned (hereafter Affected Area) are, on average, over 80% non-White with nearly 44% having limited English-language proficiency according to the latest data available from the American Community Survey. This area likewise has a median household income of \$54,265, 5% lower than the median income of Brooklyn as a whole and 6% lower than NYC. These numbers are important because, over the past decade, rezoned neighborhoods have seen a significant increase in the number of rent burdened tenants including an increase of 18,000 severely rent burdened households. Within the Affected Area, more than 50% are already rent burdened and, of the 5079 renter-occupied households, 1454 (28.7%) are severely rent burdened, with their rental costs taking up more than 50% of their annual household income.

To approve this rezoning without a detailed study of the sociological, economic, and environmental impacts on the surrounding area is a mistake and will, in my expert opinion, do material harm to the surrounding communities. Currently, impact assessments provided as part of the rezoning application are lacking in both detail and socio-economic depth. Even with this being the case, they highlight the some potential threats to the community which are explained away through promises made either by the developers themselves or, publicly, through the promise of a Community Benefits Agreement (CBA) from the representative council member. However, an analysis of the potential impacts cannot rely on what does not yet exist and which may never come to fruition (as was the case with the Atlantic Yards CBA) but should instead be

based on a detailed critical analysis of specific conditions in which the rezoning is being proposed and through a careful comparative case with the impacts of similar projects after 5 years. Doing so would show that recent rezonings of a similar scale and in similar and adjacent neighborhoods have resulted in large-scale displacement of non-White communities and a simultaneous rapid increase in the number of White residents. In nearby Park Slope, there was an overall decrease of about 5000 Black and Latinx residents despite an overall population growth of 6000 during the same 10-year period. This demographic change corresponded with a loss of nearly 1000 rent stabilized apartments, which are already scarce in the Affected Area.

As it stands, the Industry City ULURP application offers nothing but a threat to Sunset Park and its residents.

Sincerely,

A handwritten signature in black ink, appearing to be 'JM' or 'J. Mullenite', written in a cursive style.

Joshua Mullenite  
Department of Culture and Economy  
Wagner College  
Staten Island, NY

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, February 25, 2020 9:27 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Nick Murray**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I have made a home for my family in the sunset park community over the past 11 years. I do not want to see a plan put in place that serves wealthy investors over the working class families who have lived in sunset for generations. If past I believe the rezone will further accelerate gentrification and displacement of our vibrant community. Any development must bring good paying, stable, green jobs to the community. Big box retail and hotels do not.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Tuesday, February 18, 2020 6:09:21 PM  
**Attachments:** [IC Rezoning Testimony Saul Nieves.docx](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Saul Nieves**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

My name is Saúl Nieves and I've been a resident of Sunset Park for 27 years. I'm also a member of the Protect Our Working Waterfront Alliance (POWWA), convened by UPROSE; Brooklyn's oldest Latino community based organization. I was a union member for 18 years at SEIU-Local, and 32BJ spearheading member engagement in the union affairs. I strongly believe that now more than ever, unions need to connect with their members in our struggle for our only planet. Climate disruption is a reality. We are moving to climate catastrophe within our generation and it's our responsibility to fight back. I'm here today providing testimony because I'm concerned --not only about the fact that the Industry City rezoning proposal will disrupt the character of the Sunset Park working waterfront-- but that it will continue to displace existing blue collar jobs and kill the opportunity to grow good green jobs

that are the future of industrial manufacturing. As New York City's Largest SMIA (Significant and Maritime Industrial Area), Sunset Park has the potential to host the industries and jobs needed to transition to a renewable economy. Earlier this year, New York passed the CLCPA (Climate Leadership and Community Protection Act), which is the most ambitious climate legislation in the country. Among other things, the CLCPA is expected to create over 150,000 new green jobs. The thing is, these jobs need industrial infrastructure to ensure benefits are enjoyed locally through sustainable economic development. I urge Community Board 7, as representatives of the community voice, vote and best interest to reject the Industry City rezoning proposal as it stands. Our community doesn't need more service jobs catering to middle and high income folks. We don't need more luxury retail or hotels. What we need is development that addresses existing Environmental Justice concerns, and helps us address climate change while creating well paying jobs for existing community members. New York can't continue to displace working-class people in favor of deep pockets. The people who live in Sunset Park today, need a better quality of life and development that meets their needs. UPROSE and the Protect Our Waterfront Alliance put together an amazing alternative proposal that does this. It's the first time a community based organization has done this and It's called the Green Resilient Industrial District (GRID). The GRID supports the 197-A plan and an updated vision of a Just Transition for Sunset Park. All the while taking advantage of the new climate legislation that puts us on the path to a renewable economy. CB7 should vote no on Industry City's rezoning proposal, or vote yes with the condition that Industry City modify its proposal to incorporate all of the GRID's recommendations for the area where their property is located.

My name is Saúl Nieves and I've been a resident of Sunset Park for 27 years. I'm also a member of the Protect Our Working Waterfront Alliance (POWWA), convened by UPROSE; Brooklyn's oldest Latino community based organization. I was a union member for 18 years at SEIU-Local, and 32BJ spearheading member engagement in the union affairs. I strongly believe that now more than ever, unions need to connect with their members in our struggle for our only planet. Climate disruption is a reality. We are moving to climate catastrophe within our generation and it's our responsibility to fight back. I'm here today providing testimony because I'm concerned --not only about the fact that the Industry City rezoning proposal will disrupt the character of the Sunset Park working waterfront-- but that it will continue to displace existing blue collar jobs and kill the opportunity to grow good green jobs that are the future of industrial manufacturing.

As New York City's Largest SMIA (Significant and Maritime Industrial Area), Sunset Park has the potential to host the industries and jobs needed to transition to a renewable economy. Earlier this year, New York passed the CLCPA (Climate Leadership and Community Protection Act), which is the most ambitious climate legislation in the country. Among other things, the CLCPA is expected to create over 150,000 new green jobs. The thing

is, these jobs need industrial infrastructure to ensure benefits are enjoyed locally through sustainable economic development.

I urge Community Board 7, as representatives of the community voice, vote and best interest to reject the Industry City rezoning proposal as it stands. Our community doesn't need more service jobs catering to middle and high income folks. We don't need more luxury retail or hotels. What we need is development that addresses existing Environmental Justice concerns, and helps us address climate change while creating well paying jobs for existing community members. New York can't continue to displace working-class people in favor of deep pockets. The people who live in Sunset Park today, need a better quality of life and development that meets their needs.

UPROSE and the Protect Our Waterfront Alliance put together an amazing alternative proposal that does this. It's the first time a community based organization has done this and It's called the Green Resilient Industrial District (GRID). The GRID supports the 197-A plan and an updated vision of a Just Transition for Sunset Park. All the while taking advantage of the new climate legislation that puts us on the path to a renewable economy. CB7 should vote no on Industry City's rezoning proposal, or vote yes with the condition that Industry City modify its proposal to incorporate all of the GRID's recommendations for the area where their property is located.

## Rupsha Ghosh (DCP)

---

**From:** Juan Camilo Osorio <josorio@pratt.edu>  
**Sent:** Monday, March 2, 2020 7:08 PM  
**To:** 18DCP034K\_DL  
**Subject:** 18DCP034K - Comments on DEIS  
**Attachments:** IC\_CPHearing\_JuanCamiloOsorioTestimony\_030220.pdf

Hello,

Please find attached my written testimony on the Industry City rezoning DEIS.

Best,  
Juan Camilo

---

**Juan Camilo Osorio** | Assistant Professor

**PRATT INSTITUTE**

Graduate Center for Planning and the Environment (GCPE)  
200 Willoughby Avenue | Higgins Hall North 206 | Brooklyn, NY 11205  
Phone: (718) 6875408 | [josorio@pratt.edu](mailto:josorio@pratt.edu)

Office hours: Mondays, 9am-12pm (by appointment)

## TESTIMONY ON THE INDUSTRY CITY REZONING PROPOSAL IN SUNSET PARK, BROOKLYN

February 19, 2020

Hello, my name is Juan Camilo Osorio. I am an architect and urban planner, and an Assistant Professor in urban planning at Pratt Institute – but I am testifying as myself.


Sunset Park is the largest Significant Maritime and Industrial Area in New York, home to industrial workers who have historically walked to work in this community. As UPROSE documented in its plan for a Green Resilient Industrial District (GRID), the proposed Industry City rezoning is inconsistent with three decades of waterfront planning to grow maritime, industrial and sustainable business in Sunset Park. In particular, the proposed rezoning is inconsistent with City policies established in “Vision 2020” (the City’s Comprehensive Waterfront Plan) and the Waterfront Revitalization Program (WRP) – *see Review of Industry City’s WRP Assessment Form in Attachment 01*). Moreover, the type of speculation that will result from the proposed changes will have irreversible negative implications that will displace the existing community. As demonstrated by peer reviewed research, the Philadelphia waterfront has experienced accelerated gentrification processes due to the implementation of unequitable infrastructure improvements (*see Shokry, Connolly, & Anguelovski, 2020 in Attachment 02*) – which are similar interventions to those proposed by the applicant for Industry City, having Philadelphia being referenced by the applicant as a model during the CPC hearing. In addition, the changes proposed will limit Sunset Park’s capacity to thrive as a sustainable and resilient working waterfront – which should not focus exclusively on the needs of the proposed creative industries, but to produce the goods and services required for climate change adaptation in the region. Once manufacturing land uses are zoned-out, they are gone forever.

**1. Maritime & industrial development:** The proposal does not include water-dependent industrial uses. However, the applicant claims full consistency with WRP, which requires explicit support to maritime and industrial development in the SMIA. This also makes the proposal inconsistent with “Vision 2020,” which requires concrete actions to actively market marine transport as an option for local distribution companies and manufacturing businesses to reduce overall truck vehicle miles travelled in this section of the waterfront. In order to comply, the project should demonstrate how it would promote water-dependent and industrial uses, including in/around Bush Terminal Piers Park – a WRP-designated “Priority Maritime Activity Zone” located within the half-mile buffer of the project.

**2. Public access to the waterfront:** The rezoning proposal fails to provide sufficient documentation to demonstrate required actions to protect and expand public access to the waterfront. Given the adjacency to the Bush Terminal Piers Park (also designated by WRP as a “Publicly Accessible Waterfront Site”, the proposal should guarantee pedestrian public access to all waterfront amenities. In order to comply with WRP regulations, the proposal should implement clear urban design provisions to function as a “waterfront block”. These interventions should be formally articulated in the form of a “Waterfront Access Plan” to integrate Industry City with the surrounding City-owned property, and formally connect to the “Sunset Park Greenway” -- a community-based plan to improve public access through the creation of upland connections.

**3. Climate change & hazardous materials:** The WRP requires concrete actions to minimize the impacts of current and future flooding, including sea level rise. However, the proposal fails to provide sufficient documentation on the methodology used to assess the risk for coastal inundation, nor a clear use of the latest projections published by the NYC Panel on Climate Change in 2019 – which is another requirement of the WRP. An overlay of FEMA’s 2016 Preliminary Flood Insurance Maps illustrates that considerable portions of all “Finger Buildings” and portions of buildings at the 39th street complex are vulnerable to flooding and wave action. In order to be consistent with the WRP, the applicant should fully document the vulnerability of these buildings, with specific flooding mitigation strategies – including potential contamination from hazardous substances dislodged during excavation (fully documented by the NYC Environmental Justice Alliance through its Waterfront Justice Project), which are acknowledged by the applicant but without any provisions to protect the health and safety of the population that lives and works in/around Industry City.

For these reasons, I urge the CPC to disapprove the rezoning with a hard no because this proposal does not reflect community priorities – and compromises the future of New York City’s working waterfront. Thank you very much for the opportunity to testify.



**Juan Camilo Osorio** | Assistant Professor  
PRATT INSTITUTE  
Graduate Center for Planning and the Environment (GCPE)  
200 Willoughby Avenue | Higgins Hall North 206 | Brooklyn, NY 11205  
Phone: (718) 6875408 | [josorio@pratt.edu](mailto:josorio@pratt.edu)

## ATTACHMENT 01

### Review of Industry City's Waterfront Revitalization Program Consistency Assessment Form

#### Policy One: Residential and Commercial Redevelopment

- The DEIS does not recognize the Sunset Park Brownfield Opportunity Area (BOA) which is a critical planning framework guiding industrial and commercial development in the Sunset Park SMIA. Prepared by WXY architecture + urban design for UPROSE, this NYS State Department of State designation establishes overarching principles for brownfield redevelopment in the SMIA, which encompasses the entire project area.
- The DEIS should particularly provide sufficient documentation to demonstrate consistency with Policy 1.1a: "Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products"<sup>1</sup>

#### Policy Two: Maritime and Industrial Development) & Policy Three (Use of the Waterways)

- Even though the project is not a water-dependent use, the WRP consistency assessment form states full consistency with WRP policies 2 and 3. However, the proposed project is adjacent to the Bush Terminal Piers Park (located outside of the project area but within the half-mile buffer), designated by the WRP as a "Priority Maritime Activity Zone" (PMAZ) (see Map 2), and the DEIS doesn't provide sufficient documentation to illustrate how it plans to comply with this policy.
- In particular, it does not provide sufficient information to demonstrate consistency with Policy 2.1 in order to "promote water-dependent and industrial uses in Significant Maritime and Industrial Areas", or Policy 2.4 "provide infrastructure improvements necessary to support working waterfront uses".<sup>2</sup>
- The DEIS is also inconsistent with "Vision2030: NYC Comprehensive Waterfront Plan" that establishes to "Actively market marine transport as an option for local distribution and manufacturing businesses to reduce overall truck vehicle miles travelled (create a "Freight Village" around green transportation)"<sup>3</sup> in this section of the SMIA.

#### Policy Four: Ecological Resources

- The WRP Consistency Assessment Form indicates that consistency to policy 4 is not applicable<sup>4</sup>. However, the DEIS fails to recognize the adjacency to Bush Terminal Piers Park (located outside of the project area but within the half-mile buffer) as a Recognized Ecological Complex (REC) by the WRP. In particular, the DEIS fails to comply with Policy 4.4 that requires to "identify, remediate and restore ecological functions within "Recognized Ecological Complexes".<sup>5</sup>
- Policy 4.4a requires that "Projects located within a Recognized Ecological Complex should consider the following:

---

<sup>1</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>2</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program.

<sup>3</sup> NYC Department of City Planning. (2011). Vision 2020: New York City Comprehensive Waterfront Plan. neighborhood strategies: Reach 14S, Brooklyn Upper Bay South.

<sup>4</sup> Industry City. (2019c). Industry City DEIS: APPENDIX A-1 Waterfront Revitalization Program. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

<sup>5</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>



- Further identification of natural resources through consulting relevant science-based plans and studies listed in the introduction to Policy 4.
- The use of design features to incorporate restoration objectives, as identified in the relevant science-based plans and studies listed in the introduction to Policy 4.
- Remediation, protection, and restoration of ecological complexes so as to ensure their continued existence as natural, self-regulating systems.”<sup>6</sup>

### **Policy Five: Water Quality**

- The DEIS states that consistency with policy 5 is not applicable: “Protect and improve water quality in the New York City coastal area”<sup>7</sup>.
- However, the DEIS does not include an adequate detailed plan to assess and manage the additional storm water runoff that will be created by the proposed space.
- The DEIS does not recognize the community plan for a “Green Resilient Industrial District” (GRID) created by the Collaborative for Community, Culture and Environment for UPROSE, which includes ample opportunities to mitigate storm water runoff.
- The DEIS states that consistency with Policy 5: “Protect and improve water quality in the New York City coastal area”<sup>8</sup>. However, the half-mile buffer includes a “Recognized Ecological Complex” designated by the WRP at Bush Terminal Piers Park that requires special attention to mitigate negative impacts of additional storm water runoff on this sensitive ecological resource.

### **Policy Six: Flooding and Erosion**

- The DEIS states in the WRP consistency assessment form that no project area is within the FEMA 0.2%.<sup>9</sup>. However, an overlay of FEMA’s 2015 Preliminary Flood Insurance Maps illustrates that considerable portions of all “Finger Buildings”, and portions of buildings 19, 20 and 21 at the 39<sup>th</sup> street complex are partially located within the FEMA 0.2% Annual Chance Floodplain (see Map 2).
- The DEIS fails to present sufficient information to fully document the vulnerability of buildings with base flood elevations according to up to 6 feet and up to 12 feet+ according to FEMA’s 2016 Preliminary Flood Insurance Rate Maps (FIRMs) (see Maps 3) – including the specific mitigation strategies considered for each of these structures.
- The DEIS fails to recognize the vulnerability of buildings 3, 4, 5, 6, 7 and 8 to flooding, given their location within the FEMA’s Limit of Moderate Wave Action (LiMWA) -- including the specific mitigation strategies considered for each of these structures. According to the NYS Department of City Planning, the LiMWA identifies areas that can experience waves of 1.5 foot wave height or higher in the coastal A zone. Even though FEMA does not require special floodplain management standards based on LiMWA delineations, it indicates that properties within these areas can experience substantial damage from wave action during a 1%-annual-chance flood event (see Maps 4 and 3).
- The DEIS states that the lifespan of the proposed buildings will not exceed 80 years, limiting the vulnerability of the buildings to sea-level-rise projections. However, it does not provide any documentation regarding the methodology used to determine building lifespans (see Maps 4 - 6).

---

<sup>6</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>7</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>8</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>9</sup> Industry City. (2019c). Industry City DEIS: APPENDIX A-1 Waterfront Revitalization Program. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

- The DEIS states consistency with Policy 6 by saying that “the Proposed Project would minimize the impacts of current and future flooding with sea level rise on the proposed development”<sup>10</sup> but it doesn’t provide sufficient documentation discussing the methodology used to assess this, or the specific strategies used to mitigate this risk.

### **Policy Seven: Hazardous Materials**

- The WRP Consistency assessment form indicates that consistency with policy 7 is not applicable<sup>11</sup>. However, the DEIS has already established the need for hazardous materials analysis -- therefore, the DEIS fails consistency with policy 7, altogether.
- The DEIS should demonstrate consistency with Policy 7. In particular, it should include sufficient documentation to demonstrate consistency with the following sub-policies<sup>12</sup>:
  - Policy 7.1.b: “Remediate inactive hazardous waste disposal sites and brownfields to ensure that the public health and the waters, wetlands, and habitats are protected”
  - Policy 7.1.d: “Use accepted best design and management practices, including industrial pollution prevention, for the siting of hazardous materials, toxic pollutants, and other materials that may pose risks to the environment and public health and safety. Use best site design practices to prevent the runoff of pollutants and potentially contaminated sediment into waterways. The NYS Dept. of Environmental Conservation’s New York State Stormwater Management Design Manual should be used as a reference.”
  - Policy 7.1.e: “Provide adequate wastewater collection facilities to the extent practicable to prevent direct discharge of treated sewage by vessels into the waterways.”
  - Policy 7.1.f: “Pursuant to WRP Policy 6.2, incorporate consideration of climate change and sea level rise into the planning and design of projects which involve the siting of materials storage which may pose risks to public health and the environment. Projects should consider potential risks to features specific to each project, including but not limited to temporary and long-term waste storage areas, fuel storage tanks, and hazardous material storage”
  - Policy 7.2a: “Minimize negative impacts from potential oil spills by the appropriate siting of petroleum off-loading facilities and use of best practices” (DCP, 2016)
  - Policy 7.2b: “Clean up and remove any petroleum discharge in accordance with the guidelines contained in the New York State Water Quality Accident Contingency Plan and Handbook”
  - Policy 7.2c: “Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products.”
  - Policy 7.3c: “Give priority to waterborne transport of waste materials and substances when siting solid and hazardous waste facilities within the coastal area where practical and economically feasible.”

### **Policy Eight: Public Access**

- The WRP consistency assessment form indicates consistency with Policy 8. However, it does not provide sufficient documentation to demonstrate consistency with policy 8.3: “Incorporate public access into new public and private development where compatible with proposed land use and coastal location”.<sup>13</sup>

---

<sup>10</sup> Industry City. (2019c). Industry City DEIS: APPENDIX A-1 Waterfront Revitalization Program. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

<sup>11</sup> Industry City. (2019c). Industry City DEIS: APPENDIX A-1 Waterfront Revitalization Program. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

<sup>12</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>13</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

- The form indicates that consistency with policy 8.2 is not applicable. However, given the adjacency to the Bush Terminal Piers Park (a DCP designated Publicly Accessible Waterfront Site located outside of the project area but within the half-mile buffer – see Map 2), the DEIS should provide specific information to demonstrate how will it demonstrate consistency -- particularly, given the proposed de-mapping of 40th street documented in the DEIS<sup>14</sup>.
- The DEIS also fails to recognize the Sunset Park Greenway, and demonstrate how will it help “explore opportunities for enhanced upland connections, as stated in Vision2030 for any redevelopment in this section of the SMIA<sup>15</sup>.

### **Policy Nine: Scenic Resources**

- The WRP consistency assessment form establishes consistency with Policy 9, however it fails to demonstrate consistency with Policy 9.1: “Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront”<sup>16</sup>.
- The consistency assessment form indicates that consistency with policy 9.2 is not applicable: “Protect and enhance scenic values associated with natural resources”. However, given the adjacency to Bush Terminal Piers Park (a WRP Recognized Ecological Complex, located outside of the project area but within the half-mile buffer) the project should demonstrate consistency with this sub-policy.

### **Policy Ten: Historic and Cultural Resources**

- The DEIS claims consistency with Policy 10: “Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area”<sup>17</sup>. However, there is no clear strategy or documentation on how the proposed project preserves the maritime and industrial legacy of the Sunset Park SMIA.
- In particular, the DEIS lacks sufficient documentation to demonstrate consistency with Policy 10.1: “Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City”<sup>18</sup>. This is particularly important as this relates to the historic legacy of maritime dependent uses and land use dynamics of this industrial waterfront community.

---

<sup>14</sup> Industry City. (2019b). Industry City DEIS: Chapter - Project Description. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

<sup>15</sup> NYC Department of City Planning. (2011). Vision 2020: New York City Comprehensive Waterfront Plan. neighborhood strategies: Reach 14S, Brooklyn Upper Bay South.

<sup>16</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

<sup>17</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

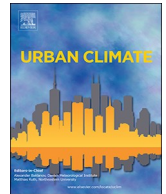
<sup>18</sup> NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program. Retrieved from <http://www.nyc.gov/html/dcp/html/wrp/index.shtml>

## **ATTACHMENT 02**

### **Peer Reviewed Research on Philadelphia's Gentrification due to Unequitable "Green Resilient Improvements"**

Shokry, G., Connolly, J. J., & Anguelovski, I. (2020). Understanding climate gentrification and shifting landscapes of protection and vulnerability in green resilient Philadelphia. *Urban Climate*, 31(March 2019), 100539. <https://doi.org/10.1016/j.uclim.2019.100539>

*SEE NEXT PAGE*



# Understanding climate gentrification and shifting landscapes of protection and vulnerability in green resilient Philadelphia

Galia Shokry<sup>b,c,\*</sup>, James JT Connolly<sup>b,c</sup>, Isabelle Anguelovski<sup>a,b,c</sup>

<sup>a</sup> Institució Catalana de Recerca i Estudis Avançats (ICREA), Passeig Lluís Companys 23, 08010 Barcelona, Spain

<sup>b</sup> Institute for Environmental Science and Technology (ICTA), Universitat Autònoma de Barcelona (UAB), Carrer de les Columnes s/n, 08193, Cerdanyola del Vallès, Barcelona, Spain

<sup>c</sup> Barcelona Lab for Urban Environmental Justice and Sustainability (BCNUEJ), Institut Hospital del Mar d'Investigacions Mèdiques (IMIM), Carrer del Dr. Aiguader, 88, 08003 Barcelona, Spain

## ABSTRACT

As resilience strategies become a prominent orthodoxy in city planning, green infrastructure is increasingly deployed to enhance protection from climate risks and impacts. Yet, little is known about the social and racial impacts of such interventions citywide. In response, our study uses a quantitative and spatial analytical approach to assess whether interventions we call “green resilient infrastructure” (GRI) protect social groups traditionally most at risk and/or least able to adapt to climate impacts – or conversely, if the aggregate effect is maladaptive and inequitable outcomes (i.e. shifting vulnerability or climate gentrification). First, we performed a pre-post test of GRI siting distribution relative to socio-ecological vulnerability in Philadelphia neighborhoods. Second, we examined gentrification trends in relation to GRI siting and whether these interventions contribute to increasing the socio-ecological vulnerability of historically marginalized populations. Our findings point to a strong negative association between GRI siting and increased minority population, and a strong positive association between GRI siting, gentrification, and reduced minority population. The paper contributes to a better understanding of siting inequities and urban climate injustice dynamics and offers a new conceptual frame for critical urban adaptation research and practice of the pathways that shape uneven and unjust outcomes.

## 1. Introduction

As strategies to “build resilience” gain urgency and prominence in city planning, green infrastructure – rain gardens, green roofs, bioswales and climate-proof parks – are much heralded as a win-win solution for enhanced urban climate protection and security. These green climate adaptations are often highlighted for their economic and neighborhood attractiveness co-benefits in order to boost political salience and financial feasibility. Yet, as social-ecological resilience is frequently framed in the context of reducing vulnerability to “natural” disasters and extreme events, it is thus decoupled from the political-economic landscape of cities' historic and ongoing patterns of uneven and unsustainable growth. In this sense, urban adaptation may be repackaging “business as usual” land use planning practices that deprioritize the protection and security of vulnerable and minority residents, and reproducing uneven landscapes of social-ecological vulnerability.

In this paper we bring the critical adaptation planning and social-ecological resilience literature together with recent scholarship on urban green inequities and climate gentrification in order to analyze the extent to which green and resilient interventions protect vulnerable groups, or, on the contrary, result in new inequities and insecurities. Using data from Philadelphia, we examine how neighborhoods' social, racial, and real estate characteristics change over time in relation to the siting of green and resilient infrastructure, with a focus on processes of gentrification and increased vulnerability. Here, we seek to test whether social-ecological

\* Corresponding author.

E-mail addresses: [Galia.Shokry@uab.cat](mailto:Galia.Shokry@uab.cat) (G. Shokry), [JamesJohnTimothy.Connolly@uab.cat](mailto:JamesJohnTimothy.Connolly@uab.cat) (J.J. Connolly), [Isabelle.Anguelovski@uab.cat](mailto:Isabelle.Anguelovski@uab.cat) (I. Anguelovski).

<https://doi.org/10.1016/j.uclim.2019.100539>

Received 4 March 2019; Received in revised form 23 September 2019; Accepted 25 September 2019  
2212-0955/ © 2019 Elsevier B.V. All rights reserved.

vulnerability is addressed by green and resilient infrastructure siting or if uneven conditions are reproduced, paradoxically rendering historically marginalized populations more vulnerable and less secure, while benefiting more privileged new residents. This paper contributes new understandings on urban climate justice and injustice dynamics.

## 2. Theoretical foundations

### 2.1. From climate adaptation to urban resilience

With cities increasingly dedicating planning and funding efforts to climate adaptation (Aylett, 2015; Carmin et al., 2012; Hughes, 2015; Woodruff and Stults, 2016), their attention on reducing vulnerability to and preparing for ongoing (e.g., global warming) and sudden (e.g., flash flooding) environmental risks and impacts (Dodman, 2009; Hughes, 2015; Huq et al., 2007) has grown more nuanced. In some cases, these efforts are also geared toward addressing differential climate impacts vis-à-vis social vulnerabilities, unequal rights and entitlements (Bulkeley et al., 2014; Eriksen et al., 2015; Hughes, 2015; Ziervogel et al., 2017). As such, climate adaptation is being folded into a larger umbrella of resilience planning and broad-scale governance of urban capacities to cope with an array of social, economic and environmental risks (Woodruff et al., 2018).

“Resilience thinking” for governance and planning has come to be seen as a comprehensive and multi-scalar way of reducing vulnerability and improving the capacity of systems to cope with multiple and diverse shocks and chronic disturbances (Coaffee and Clarke, 2015; Friend and Moench, 2013; Wilkinson, 2012). This is accomplished through risk-diffusing self-organization and decentralization combined with redundancy and flexibility, and through multi-functional and diverse interventions that might prevent entire system failures resulting from one component or single point failure (Folke, 2006, 2016). Thus, some scholars and practitioners view resilience as a necessary critical step along the way to a deeper, more structural and systemic transformation of social-ecological relations (Pelling, 2011).

### 2.2. The shift from grey to green to green resilience

Many adaptation programs start out as or are even conceived as non-adaptation programs and then reframed and remarketed to gain buy in and support (Bassett and Shandas, 2010; Carmin et al., 2012). Today, as part of urban climate adaptation planning, cities in the global North are increasingly deploying green infrastructure (Meerow and Newell, 2017), especially existing green stormwater management tools (Liu and Jensen, 2018) toward a new goal of building climate resilience. These more flexible and socially-oriented means of addressing climate change impacts and urban environmental risks are increasingly preferred (Ahern, 2013) to repairing traditional grey infrastructure (e.g., underground sewer systems, seawalls or levies), in particular for their lower-cost.

Widely defined as an “interconnected network of green space that conserves natural ecosystem values and functions and provides associated benefits to human populations” (Benedict and McMahon, 2001, p. 5), green infrastructure (GI), such as parks, gardens, greenways or green roofs, is meant to achieve strong ecological *multifunctionality* while making cities more livable (Kabisch et al., 2016; Pauleit et al., 2011; Young et al., 2014). Among the manifold *co-benefits* of exposure to green spaces are those to health and wellbeing (Douglas et al., 2017; Triguero-Mas et al., 2015; Tzoulas et al., 2007) and to greater inclusiveness and social cohesion, especially through participatory and community-based greening (Connolly et al., 2013; Haase et al., 2017). Meanwhile, urban investment in green adaptive measures is touted as good economic sense based on demonstrated rises in real estate values (Heckert and Mennis, 2012; Immergluck, 2009) around greened spaces and to green job creation. In other words, urban green infrastructure is perceived as a *cost-effective* (Ahern, 2007), *pragmatic* approach for resilience planning (Lennon and Scott, 2014; Palmer et al., 2015) making it more politically feasible to implement.

Despite claims that green infrastructure provides city decision-makers with a “no-regrets solution” to climate adaptation (Mees and Driessen, 2011), a “win-win” with the lowest tradeoffs, the jury is still out as to who benefits (Angelovski et al., 2016; Gould and Lewis, 2018; Haase et al., 2017). Indeed, there is growing evidence that the benefits of adaptation flow primarily to entrenched political and economic interests (Sovacool et al., 2015) and that “competitive resilience” strategies may generate concentrated protection zones (Teicher, 2018). Even though mapping and modeling tools help identify hotspots for GI investment (Kremer et al., 2016; Meerow and Newell, 2017), GI siting-decisions may lead to perverse outcomes for vulnerable residents despite efforts to ensure equal distributions (Heckert and Rosan, 2018; Mabon and Shih, 2018). Displacement and gentrification are especially virulent social impacts that undermine calls for socially and ecologically transformative aims (Chu et al., 2017).

### 2.3. From critical climate adaptation to climate and resilience gentrification

Research on green and environmental gentrification has shown that new green amenities and environmentally revitalized brownfields can create conditions favorable to the exclusion and displacement of the most vulnerable residents (Dooling, 2009; Essoka, 2010; Pearsall, 2010). This work draws away the neutralizing veneer of technocratic and economic valuation approaches to infrastructural siting decisions (Finewood et al., 2019) and exposes how urban sustainability planning can contribute to gentrification and displacement via re-development strategies that revalorize stigmatized neighborhoods (Checker, 2011; Gould and Lewis, 2017). Green beautification tactics may even be perceived by socially vulnerable groups as “green locally unwanted land uses (green LULUs)” (Angelovski, 2016).

While scholarly research on climate adaptation and climate justice has engaged with questions of equity and vulnerability of low-income populations (Carmin et al., 2012; De Sherbinin et al., 2007; Huq et al., 2007), most of this attention has been focused at the global or national scale (Bulkeley et al., 2014), with the idea of a double inequity or double injustice: the poorest groups or nations, least responsible for climate change are those made most vulnerable to its impacts (Füssel, 2010; Gough, 2011). The poor are also

often faced with a third injustice in which they are the least likely to benefit from climate adaptation and mitigation efforts while paying disproportionately for them (Anguelovski et al., 2016; Roberts and Parks, 2007).

At the city-scale, the uneven terrain of urban adaptive and protective infrastructure remains relatively under-examined (Shi et al., 2016). There is an under-problematized and depoliticized promotion of green and resilient solutions as inherently good and beneficial for all (Anguelovski et al., 2018a; Brown, 2014; Fainstein, 2015; Ziervogel et al., 2017), often overlooking historic and ongoing racial inequalities (Hardy et al., 2017). However, GI, such as trees, may even face the resistance of low-income and minority residents when histories of urban development and disinvestment give rise to the perception that they will be burdened with its maintenance (Carmichael and McDonough, 2019; Lyytimäki et al., 2008). Emerging studies on GI adoption by residents, even less costly ones, find that income is a significant barrier to uptake and implementation (Baptiste et al., 2015; Newburn and Alberini, 2016) contributing to uneven results. Indeed, GI siting may simultaneously have adaptive and maladaptive effects – protection in one urban area can generate more risk in another and disproportionately burden the most vulnerable residents (Barnett and O'Neill, 2010; Juhola et al., 2016). Recently, critical scholars are pointing out how these asymmetric outcomes compound deeply rooted environmental inequalities (Garrison, 2017) and generate green landscapes of pleasure and privilege for a few and new risks for others (Anguelovski et al., 2018a; Connolly, 2018).

New empirical studies also link a high risk of sea-level rise with “climate gentrification” in elevated urban areas, and suggest that resilience investments may drive gentrification in more socially vulnerable neighborhoods (Keenan et al., 2018). Resilience gentrification might therefore represent a “dual process of urban greening and structural mitigation of climate change threats, [with] resilience [being] equated with wealth, and the sustainability class emerg[ing] as the new urban elite” (Gould and Lewis, 2018, p. 13). Gould and Lewis' argument suggests extending the existing research focus on increased property values to the actual displacement of (historically) marginalized peoples (Anguelovski et al., 2018a), and to the analysis of how the greening of cities paired with climate resilience actions may ignore and even undermine the long-term security and livelihoods of the most vulnerable residents (Ranganathan and Bratman, 2019; Zografos et al., 2014).

While recent scholarship on urban greening and climate adaptation problematizes security in terms of differential climate impacts or unequal protections or adaptive capacities, new studies have yet to (a) operationalize the impacts of climate protective land-use measures on human security at the city level in the context of green resilience gentrification, and to (b) investigate the specific forms and patterns of urban change that emerge. This paper is focused on addressing these gaps. In the next section, before delving into our research design, we present Philadelphia's green resilience efforts, as a critical case to examine green resilience planning, and possible resulting inequities and gentrification.

### 3. Philadelphia's green resilience turn

By the late 1990s, Philadelphia began considering new green landscaping measures to tackle chronic watershed issues in response to dramatic changes to U.S. Federal environmental regulations including cuts to grey infrastructure grants and fines for the breaching of stormwater limits (Environmental Protection Agency, 1994; Pollock, 1991; Tibbetts, 2005). Despite once having an avant-garde XIXth century combined sewer overflow system (CSS) (US Environmental Protection Agency, 2004), currently, during major storms experienced at least annually, the CSS allows pollution from storm-water runoff and wastewater overflow into the same streams from which drinking water is sourced. Coupled with the presence of vast non-porous surfaces, Philadelphia has also experienced frequent and costly flooding and expects a mid-century sea level rise of between one and three feet and an end-of-century sea level rise of between one and six feet (Phil. Office of Sustainability & ICF, 2015). Along with chronic subsidence due to sewer line breaks and the swelling of buried streams, Philadelphia's CSS has given rise to health and safety concerns for nearly the whole XXth century.

The Philadelphia Water Department (PWD), renamed Philadelphia Water (PW), has since the early 2000s embarked on a mission to tackle flooding, stormwater runoff, drinking water pollution, and wastewater overflow with green interventions that by the early 2010s became a major milestone in watershed planning in the United States (Liu and Jensen, 2018). The city's program created a broad scope of data collection methods, green stormwater practices, and citywide public-private partnerships to dramatically reduce 85% of the contamination in combined sewer areas (PWD, 2009), as well as to mitigate urban heat island effects and air pollution. In 2006, a major flood episode prompted a citywide sense of urgency to better control overflows (Madden, 2010). Their cost-effectiveness and multi-functionality in the context of reductions to federal grey infrastructure funding made GI especially appealing to the cash-strapped city.

Indeed, following decades of deindustrialization, suburbanization, population decline, and widespread land pollution and abandonment (Adams, 1991; Cooke, 2003), there was an effort in the early 2000s to promote green stormwater interventions for both beautification and better water management. When in, 2009, Philadelphia's mayor released the *Greenworks* sustainability plan, he declared that Philadelphia would become the greenest city in America and outlined a broad array of urban greening projects with particular emphasis on economic benefits to boost the city's revival. Two years later in 2011, Philadelphia adopted the signature *Green City, Clear Waters* (GCCW) plan (PWD, 2009),<sup>1</sup> setting in motion a 25-year citywide landscape-based approach to stormwater management, also claiming a host of economic advantages, at a lower cost to the city. Back then, Philadelphia was still a city in recovery, with 40,000 vacant lots, an ailing economy (Heckert and Mennis, 2012) and in some areas violent crime was rapidly rising (Brownlow, 2006); meanwhile, other areas that were faring better had started to gentrify (Hwang, 2016).

In this vein, the PW program claimed to provide co-benefits by: addressing a lack of attractive green spaces in schoolyards, improving residential and commercial streetscapes, revitalizing parks, and contributing to cleaning up its vacant lands which have

<sup>1</sup> Also the Combined Sewer Overflow Long-Term Control Plan Update



been associated with crime and property value decreases (Heckert and Mennis, 2012). It also emphasized the benefits of reducing climate risks and impacts such as warmer and wetter weather and diminished air quality. Now, green infrastructure (GI) in Philadelphia has been associated with health and safety co-benefits, including lower rates of narcotics possession (Kondo et al., 2015), and increases to property values in moderately-distressed neighborhoods (Heckert and Mennis, 2012). Nevertheless, with real estate prices soaring in many central neighborhoods, advantages may not be experienced evenly or equitably by Philadelphia residents.

### 3.1. Philadelphia's green infrastructure programs for stormwater management

Many PW interventions prioritize high visibility projects and, wherever possible, complement ongoing greening programs, but are also selected based on individual leadership or community petitioning (Dalrymple, 2018; Heckert and Rosan, 2018; Madden, 2010). Specific green stormwater management practices include green roofs, rain gardens, bioswales, and tree trenches in combination with other non-vegetated “green” measures including pervious pavements and sub-surface infiltration tanks.<sup>2</sup> With this suite of tools, engineers may overcome most localized environmental and technical constraints (Christman et al., 2018; Philadelphia Water, 2015), in contrast to single GI intervention programs such as MillionTreesNYC and MillionTreesLA (Garrison, 2018), and facilitate their installation throughout the Combined Sewer System on both public and private lands.

The showcase Big Green Block project<sup>3</sup> completed in 2013 in West Kensington and Fishtown – 20 acres (approximately 8 ha.) of vacant land converted to include a LEED Platinum certified high school facility, dog park, athletic field, and new paths to local public transit – is one recent example of maximizing partnerships and visibility while capturing 95% of stormwater runoff from the area. It is also an example of the PW's partnership with groups like the Pennsylvania Horticultural Society to identify vacant lands<sup>4</sup> for new or improved green spaces. Similarly, the Green Parks<sup>5</sup> and Green Schools<sup>6</sup> programs partner with Philadelphia Parks & Recreation, local schools and others to utilize public green spaces, playgrounds, recreation centers and schoolyards to reduce overflows and climate risks.

Furthermore, as part of the Philadelphia Rain Check program,<sup>7</sup> small-scale products are offered to homeowners for purchase, such as rain garden kits and downspout planters, engaging private individuals in improving neighborhood aesthetics and property values while cost-sharing in reducing urban environmental risks. Lastly, stormwater management regulations for new development and major retrofits, as well as parcel-based stormwater fees and grants incentivize both residential and nonresidential properties to install green stormwater infrastructure (Mandarano and Meenar, 2017) and reduce impervious surface areas. In these ways, the GCCW program leverages private investment, which also raises the issues of income, land rights and capital as key constraints in the uptake of green resilience-building interventions (Baptiste et al., 2015; Newburn and Alberini, 2016), ones that will be reproduced as these programs continue unfolding.

### 3.2. A new climate adaptation plan with the same green tools

*Growing Stronger: Toward a Climate Ready Philadelphia* – released in 2015, became the first report on the city's climate change adaptation planning process which began in 2012 (Philadelphia Office of Sustainability, ICF International, 2015). The Mayor's Office of Sustainability (MOS) in partnership with the city's Climate Adaptation Working Group (CAWG), other city departments and external consultants created the report to identify climate risks and impacts and existing climate resilient strategies. The plan deploys many of the same green stormwater interventions in existence since the early 2000s as low-barrier adaptation options intended to reduce vulnerabilities and protect vulnerable populations.

In sum, Philadelphia has gained nationwide status as a model for wide-scale urban green stormwater infrastructure (Liu and Jensen, 2018) and seems to be successfully layering a new green and resilient identity over one of the most racially and economically segregated cities in the US. What has received little or no focus, however, is how the distribution of the nearly 1200 green stormwater interventions relates to shifts in Philadelphia's uneven landscape and who benefits from these ecological protections and amenities in the long run. We therefore argue that because identical green stormwater management tools were incorporated into Philadelphia's later adopted Growing Stronger climate adaptation program, a study like ours can provide key missing insights into how climate resilience programs using the same long-standing GI tools may encounter uneven and inequitable outcomes.

<sup>2</sup> For comprehensive descriptions of the city's various GI tools, see: Philadelphia Water, “Green Stormwater Infrastructure Design Requirements and Guidelines Packet,” Philly Watersheds. Philadelphia Water Department, May, 15, 2015, [http://phillywatersheds.org/doc/GSI/GSI\\_Design\\_Requirements\\_&\\_Guidelines\\_Packet\\_5-15-2015.pdf](http://phillywatersheds.org/doc/GSI/GSI_Design_Requirements_&_Guidelines_Packet_5-15-2015.pdf). (accessed on July 26, 2019)

<sup>3</sup> For information about this particular Big Green Block, see: New Kensington Community Development Corporation, “About us: Big Green Block,” <http://www.sustainable19125and19134.org/about-us/big-green-block>. (accessed on July 30, 2019)

<sup>4</sup> See: Philly Watersheds (PW), *Green Vacant Land*, <http://www.phillywatersheds.org/green-vacant-land>. (accessed on July 30, 2019).

<sup>5</sup> See: Philly Watersheds (PW), *Green Infrastructure Programs: Green Parks*, [http://www.phillywatersheds.org/what\\_were\\_doing/green\\_infrastructure/programs/green-parks](http://www.phillywatersheds.org/what_were_doing/green_infrastructure/programs/green-parks). (accessed on July 30, 2019).

<sup>6</sup> See also: Philly Watersheds (PW), *Green Infrastructure Programs: Green Schools*, [http://www.phillywatersheds.org/what\\_were\\_doing/green\\_infrastructure/programs/greenschools](http://www.phillywatersheds.org/what_were_doing/green_infrastructure/programs/greenschools). (accessed on July 30, 2019).

<sup>7</sup> For more about the Rain Check program, see: Philadelphia Water Department, *What is Rain Check?*, <https://www.pwdraincheck.org/en/what-is-rain-check/#whatisraincheck> (accessed on July 30, 2019).



#### 4. Research design

We designed this study as a spatial quantitative analysis of the effects of GRI on populations vulnerable to climate exposure and gentrification. We conducted, on the one hand, a cross-sectional analysis that studied social-ecological conditions before and after green resilient interventions to evaluate the equity of siting decisions; and, on the other hand, a longitudinal analysis that tracked socio-economic changes over time in relation to GRI siting to examine gentrification trends. Our goal was to understand the extent to which green and resilient interventions protect vulnerable groups, or result in new inequities and insecurities.

##### 4.1. Green resilient infrastructure

Our principal explanatory variable is what we call “green resilient infrastructure” (GRI). Drawing on PW’s preferred stormwater management practices, we defined GRI as all *surface-level, vegetated* interventions, installed to mitigate environmental risk or impact, and improve adaptive capacity in the context of climate change, while enhancing neighborhood attractiveness. In Philadelphia these included green roofs, rain gardens, wetlands, and tree trenches, among others<sup>8</sup> We, therefore, excluded sub-surface, or non-vegetated (grey) projects – those which are generally not visible and not green – such as permeable pavements, sub-surface infiltration trenches and rain barrels. Because our study is focused on the combination and intersection of green and resilient – where the goal was improved protection – we have not included all forms of existing green space. However, utilizing this definition, it became clear that GRI were sometimes implemented in *vacant lands, parks, and schoolyards*. To deal with this circumstance, we identified vacant lands, parks, or schoolyards where isolated GRI installations constituted upwards of 10% of the surface area. In such cases, we considered the entire green space to have been ostensibly transformed into GRI. Given the generally small size of GRI installations, this was a fairly conservative threshold. Out of 1172 GRI data points included in the study, only a few green spaces – 6 parks, 1 schoolyard and 72 vacant lots – met the 10% requirement. Overall, 26% of the total surface area of GRI is under public ownership; the remainder is privately-owned—although private GRI is largely implemented due to public mandate or assistance programs.

Our green spatial data collection extended between 2000 and 2016 – that is the period during which the PWD recorded new installations of green stormwater infrastructure. We selected polygon features meeting our “green” criteria from PWD Stormwater Management Practice (SMP) and *Rain Check* points to create a combined shapefile of all active stormwater GRI (up to 2016). These databases provided a detailed geographic inventory of every intervention, its subtype, installation date, ownership typology, and lifecycle status. Where only point data without surface area was available, – such as for planters and rain gardens of the Rain Check program – we used either exact dimensions to create a polygon or estimated areas of the GRI, both based on city data and descriptions of the infrastructure. This allowed us to preserve the count and the surface area per tract of ‘greened acres’. Next, we joined the city’s vacant lands shapefile with the combined SMP and *Rain Check* file to identify and incorporate lots which received green stormwater features. Lastly, we selected parks from among the Philadelphia Parks & Recreation assets data, which included schoolyards, and followed a similar procedure.

##### 4.2. Identifying sites of omission (SO) and sites of commission (SC)

To investigate how issues of equity and security pan out across green and resilient urban landscapes, we constructed two dependent variables: Sites of Omission (SO) and Sites of Commission (SC) – building upon and refining Anguelovski et al.’s (2016) classification of *acts of omission* that result in uneven and inequitable climate protection because the urban poor are “omitted” from interventions, and *acts of commission* that may worsen baseline social vulnerabilities over time, much of it because of gentrification or displacement of the urban poor.

Through our analysis, we identify tracts as SO when (a) tracts are highly vulnerable and do not receive GRI or/and when (b) tracts with wealthier, privileged populations (or where other economically valorized areas of cities, such as waterfronts, central business and historic districts exist) receive GRI without necessarily being most vulnerable to climate threats. In other words, Sites of Omission identify where higher social and ecological vulnerability neighborhoods have been neglected or deprioritized in relation to economically valorized areas. On the other hand, Sites of Commission include socially-underprivileged areas that received protection and subsequently gentrified or where GRI seemed to have contributed to a certain extent to the displacement of low-income and minority groups. Hence, SC may also refer to areas that gained low-income and minority groups over time but received little or no GRI while other areas received GRI and gentrified. They indicate new insecurities in the long-time place of residence, livelihoods, social ties and climate resilience of socially vulnerable populations. Therefore, the SO and SC variables are socio-ecological and politico-economic indicators of who benefits from or is disadvantaged by GRI – are they the socially and ecologically more, or less, vulnerable populations and areas?

##### 4.2.1. Data selection for SO and SC

All census variables required for SO/SC analysis for 2000, and 2010 5-year estimates, were downloaded at the census tract level from the Geolytics database, and 2016 5-year estimates, from the American Community Survey (ACS). All data was normalized to

<sup>8</sup> For comprehensive descriptions of the city’s various GI tools, see: Philadelphia Water, “Green Stormwater Infrastructure Design Requirements and Guidelines Packet,” Philly Watersheds. Philadelphia Water Department, May, 15, 2015, [http://phillywatersheds.org/doc/GSI/GSI\\_Design\\_Requirements\\_&Guidelines\\_Packet\\_5-15-2015.pdf](http://phillywatersheds.org/doc/GSI/GSI_Design_Requirements_&Guidelines_Packet_5-15-2015.pdf). (accessed on July 26, 2019).

2010 census tract boundaries<sup>9</sup> to enable demographic comparison across three time periods (2000, 2010, and 2016) at the finest spatial resolution possible (Maantay, 2002). We decided to exclude 13 tracts out of 384 for having zero or low population and/or housing, and population loss due to unique factors such as Navy yard closure and airport expansion.

Our first outcome variable, Sites of Omission, requires identifying areas with high *social-ecological vulnerability* (SEV), which we define as the interlinked socioeconomic and biophysical factors (Bennett et al., 2016) relating to a local capacity to respond to stress or change. Vulnerability studies have recently paid much attention to the multiplicity, relationality and diversity of exposures and sensitivities in a more integrative and dynamic way (Adger, 2006; Bennett et al., 2016; Cinner et al., 2011; O'Brien et al., 2007; Pearsall, 2010; Taylor, 2015; Turner et al., 2003; Turner, 2016). Following this trend, we conceptualize SEV by considering the disparities in exposure to climate hazards across the urban landscape in relation to disparities in the susceptibility of Philadelphia residents to those shocks and stresses.

We selected census variables for Sites of Omission guided by empirical research on social vulnerability to environmental hazards, including the Social Vulnerability Index (SoVI) (Cutter et al., 2003), Climate Resilience Screening Index (CRSI) (Summers et al., 2017), and Social Vulnerability Index (SVI) (Flanagan et al., 2011) of the US Centers for Disease Control (CDC). We calculated population percentages at the tract-level for each of the following categories of demographic indicators: residents living in poverty, unemployed, non-Bachelor's degree holders, aged over 65, single-parents, of minority background (Black and Hispanic), and with limited English language proficiency. We call this combined variable "social vulnerability" (SV).

Next, using Philadelphia's open data portal,<sup>10</sup> we collected spatial data and calculated percent surface area per census tract on several bio-physical environmental variables –Combined Sewer System (CSS) area, FEMA 100-year floodplain and impervious surfaces data updated in 2004. While location in CSS area was the main criteria in municipal GRI siting decisions, this, together with flood plain and impervious surface data,<sup>11</sup> captures urban biophysical/bioenvironmental aspects that were important to GRI siting and therefore to identifying and locating "ecological vulnerability" (EV) throughout Philadelphia.

Our second outcome variable, Sites of Commission pertains to pathways of *green resilience gentrification* which we define as a change in population such that an area gains in wealthy and/or less vulnerable populations (while losing more vulnerable populations), and in which private rental real estate values rise in conjunction with actions taken to mitigate climate and environmental risks. The definition and operationalization of gentrification varies across studies and landscapes (Freeman and Braconi, 2004; Newman and Wily, 2006; Owens, 2012; Phillips and Smith, 2018). In Philadelphia, income (PEW Charitable Trusts, 2016), and education and property value-based (Ding et al., 2016) variables have been applied to identify gentrification.

For this study, we operationalized gentrification in Philadelphia tracts as combined tract increases<sup>12</sup> in median gross rent, residents earning above the citywide median income, White residents, and residents with a college degree (or higher) and a parallel decrease in Black and Hispanic residents. This meant that our analysis captured more change than other local gentrification studies and therefore more neighborhoods were found to be gentrifying. Because of the historical significance of "race" and racism behind practices of segregation, redlining and suburbanization underlying Philadelphia's uneven development patterns (Beauregard, 1990; Brownlow, 2006), the racial dimension of gentrification is particularly important to understanding in a novel and more fine-grained manner the distribution and impact of new development patterns of green and protective infrastructure.

#### 4.3. Analytical strategy

Overall, we aimed at spatially analyzing the impacts of reducing climate risks through urban GRI on social-ecological vulnerabilities (SEV) and in relation to gentrification trends at different periods of time. To achieve this aim, we examine, first, the distribution of new green and resilient infrastructure at different points in time relative to social and ecological vulnerabilities; and second, the relationship between this distribution and the processes that render historically marginalized populations more vulnerable and less secure, while benefiting more privileged populations.

While the precise causal role of GRI relative to other potential drivers of gentrification is an important consideration, it is not an explicit or direct part of this analysis. Rather, we highlight the extent to which GRI, despite intentions otherwise, become enmeshed in deeper processes of urban change and the creation of environmental insecurity through uneven resilience. In doing so, we illuminate the interplay between social and ecological riskscape in a way that challenges technocratic site selection and spatial planning approaches to account for a more complex set of considerations. It is, we argue, less a question of causality, and more one of how, when, and where urban greening becomes inexorably linked with social change such that interventions like GRI are both cause and consequence.

##### 4.3.1. GRI and sites of omission

First, we used a quantitative spatial approach to identify *sites of omission* (SO) in GRI plans and interventions. Here, we address the first sub-study question: Which areas receive GRI by 2010 and 2016, relative to social-ecological vulnerabilities? Because GRI data is tracked annually, whereas census data provides a snapshot in time at larger intervals, we performed a pre-post study to describe tracts

<sup>9</sup> In cases where the normalization process appeared to have created large discrepancies across years in a tract's population, we reapportioned the tracts to allocate population counts more evenly.

<sup>10</sup> The open data portal can be found at: OpenDataPhilly, <https://www.opendataphilly.org/> (accessed on July 30, 2019).

<sup>11</sup> Areas that have higher impermeability have less green and are more likely to be ecologically vulnerable.

<sup>12</sup> For demographic variables, percent change is given as the increase or decrease in percentage points for a specific variable during a given period

**Table 1**

Social-Ecological Vulnerability (SEV) matrix according to SEV score.

		Ecological Vulnerability (EV) score		
		< 3	3 - 4	> 4
Social Vulnerability (SV) score	< 3	<b>LL</b>		<b>LH</b>
	3 - 4		<b>M<sup>a</sup></b>	
	> 4	<b>HL</b>		<b>HH</b>

L = Low; H = High; M = Moderate; SV precedes EV (i.e. LH = Low SV, High EV).

<sup>a</sup> In this case only one of either SV or EV needed to equal 3 or 4. The other variable could have been equally moderate or of low or high value.

before and after GRI went in. We assessed SEV in 2000 and 2010, as pre-GRI starting points, and in 2010 and 2016, as post-GRI endpoints. We then looked for associations between spatial accumulation/clustering of GRI and changes in SEV over time.

To do so, we built 5 social-ecological type indicators representing varying combinations of high (scores >4) and/or low (scores <3) social and ecological vulnerabilities in census tracts. For example, if a tract scored <3 for social vulnerability, but >4 for ecological vulnerability, it was classified as a Low SV-High EV tract, abbreviated as LH. Table 1 explains how the scores were calculated for each SEV type and their abbreviations (LL, LH, HL and HH) which are later referenced in our maps. We included a fifth indicator for tracts with moderate levels of social or ecological vulnerability (M): if either score, but not necessarily both, was in the middle range (3–4), then the tract was classified as moderate. Two types of tracts were classified as Sites of Omission: tracts that received little or no GRI but had high SEV (HH) and tracts with low levels of social and ecological vulnerability (LL) that gained in GRI.

#### 4.3.2. GRI and sites of commission

In order to analyze the extent to which the implementation of GRI is associated with green resilience gentrification, we identified tract level changes over time in socioeconomic indicators of gentrification and compared them with concentrations of GRI in the same tracts.

First, we identified which tracts could be gentrified, or were “gentrifiable” tracts at the start of each study period (2000 and 2010). Gentrifiable tracts had to have a median household income below the citywide median in 2000 and 2010. In a second step, gentrifiable tracts were examined for gentrification trends during the following time periods: 2000–2010, 2010–2016 and the overall 2000–2016 period. We chose the overall city-level rate of gentrification to provide a comparison point from which to interpret degree of gentrification at the tract-level. Indicators that changed according to our criteria received one point and were subsequently added together to obtain a composite score, with a maximum of six demographic or real estate changes possible (Anguelovski et al., 2018b). For example, if median rent grew faster than the citywide median change, a gentrifiable tract received one point toward its composite gentrification score.

Five tract typologies emerged from this analysis: non-gentrifiable, gentrifiable-non-gentrifying and three sub-types for gentrifiable-gentrifying tracts. These were highly gentrifying (scoring 5 or 6), moderately gentrifying (scoring 3 or 4) and low gentrifying (scoring 1 or 2). We then summarized the average GRI counts and average GRI percent area for each typology to examine which tracts had the highest concentrations and numbers of GRI.

## 5. Results

### 5.1. Sites of omission: who received GRI and who did not?

#### 5.1.1. SEV in 2000 and GRI investment from 2000 to 2010

First, our analysis from 2000 to 2010 reveals that areas that tended to receive the highest average number (0.95 per tract – note that the average is below one because many years in this time period tended to have zero GRI) and average percent area (0.029%) of GRI in the same period were those that were simultaneously the least socially and ecologically vulnerable (LL) at the beginning of the time period (see Fig. 1 and Table 2a). The second highest average number of GRI (0.48 per tract) (with a similar average surface area of 0.029%) was located in areas with the highest social and ecological vulnerability (HH), but these sites tended to cluster exclusively

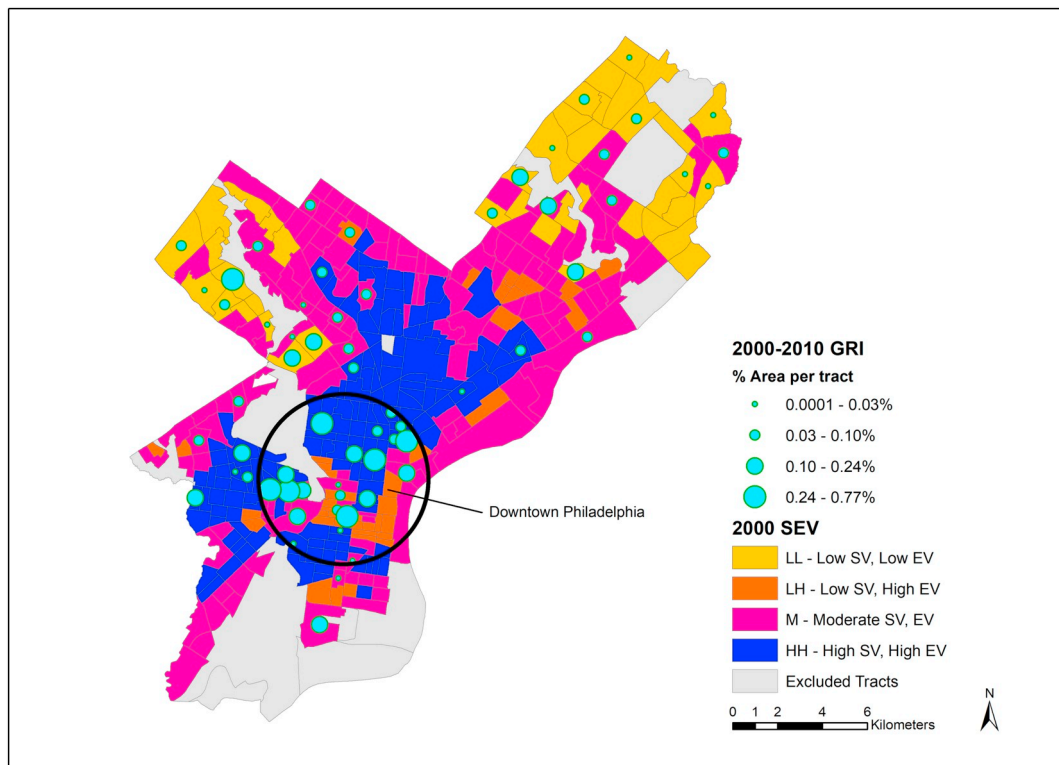


Fig. 1. Sites of Omission, SEV in 2000 and GRI from 2000 to 2010, in the City of Philadelphia.

Table 2

Summary results of GRI accumulation according to SEV type at different start and endpoint years of the study (highest average values are bolded).

	SEV Type	Average # GRI <sup>a</sup>	Average % GRI <sup>a</sup>	% tracts with no GRI
2a.	SEV 2000	GRI 2000–2010		
	LL	<b>0.95</b>	<b>0.029%</b>	58.5%
	LH	0.24	0.014%	90.2%
	M	0.40	0.013%	84.4%
	HH	0.48	0.022%	85.7%
2b.	SEV 2010	GRI 2011–2016		
	LL	1.15	0.076%	55.9%
	LH	2.73	<b>0.113%</b>	27.5%
	M	<b>2.91</b>	0.074%	46.1%
	HH	1.86	0.070%	49.6%
2c.	SEV 2000	GRI 2000–2016		
	LL	1.93	0.075%	43.9%
	LH	2.76	<b>0.112%</b>	41.5%
	M	<b>3.22</b>	0.088%	45.4%
	HH	2.67	0.103%	37.4%
2d.	SEV 2016	GRI 2000–2016		
	LL	2.46	0.116%	38.5%
	LH	<b>4.30</b>	<b>0.160%</b>	27.3%
	M	3.08	0.080%	40.8%
	HH	2.17	0.084%	47.9%

<sup>a</sup> GRI averages by SEV type include tracts with 0 values for GRI.

around the city center (downtown) in the neighborhoods of Center City, Rittenhouse, University City, Powelton, West Kensington and Fishtown. Generally, less vulnerable populations received the most GRI and more vulnerable populations received GRI only if they were close to the business district and downtown.

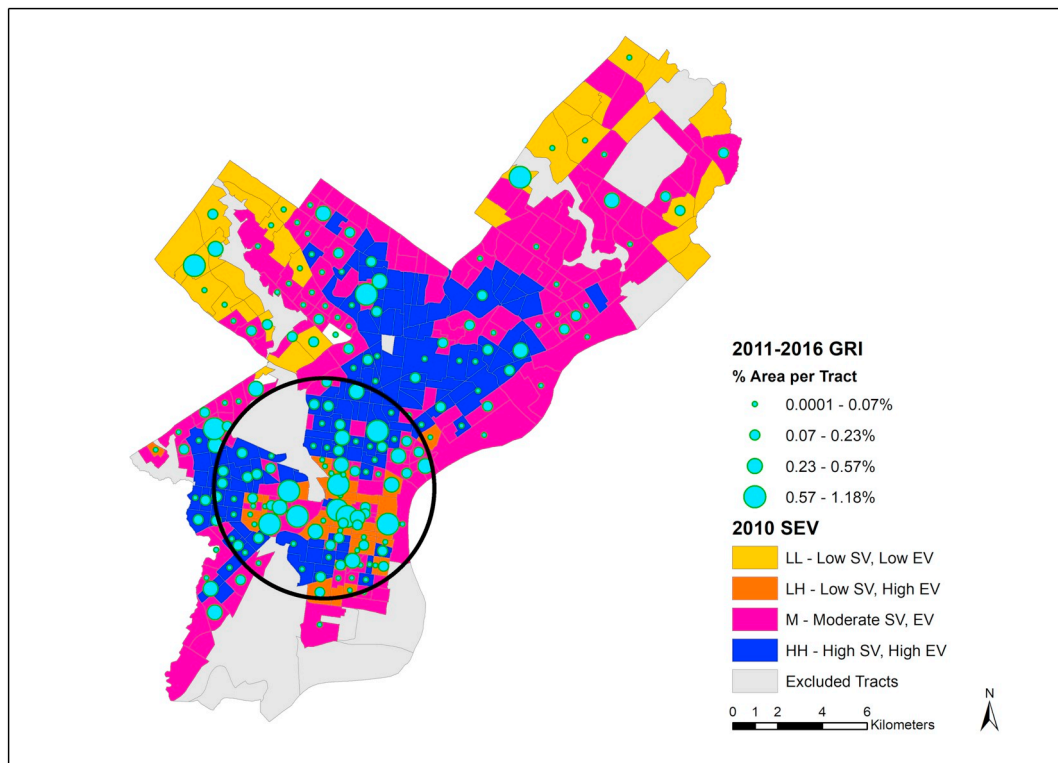


Fig. 2. Sites of Omission, SEV in 2010 and GRI from 2011 to 2016, in the City of Philadelphia.

#### 5.1.2. SEV in 2010 and GRI investment from 2011 to 2016

Second, from 2011 to 2016, areas that tended to receive the greatest average number of GRI (2.91 per tract) were those that had moderate (M) social and ecological vulnerability at the beginning of the time period (see Fig. 2, Table 2b). This may be explained by the downspout planters, offered by the Rain Check program which began in 2012. They are small in area (estimated at roughly  $0.5\text{ m}^2$ ) but could quickly impact the total count of interventions in a tract. However, in terms of percent area of GRI, tracts with a combined low social vulnerability and high ecological vulnerability (LH) tended to receive the most protection (0.113% area on average). Conversely, the highest overall vulnerability tracts – high social and high ecological vulnerability (HH) – had the lowest percent area of GRI (0.070%), fewer numbers of interventions (1.86) and overall less protection. Ecological vulnerability gained increasing focus for GRI in later years, but social vulnerability remained a low priority.

#### 5.1.3. SEV in 2000 and 2016 and GRI investment from 2000 to 2016

Lastly, for the overall period (2000–2016), we observe (Fig. 3, Table 2c) that the tracts that would accumulate the greatest percent area of GRI (0.112%) were those which started with a low social and high ecological vulnerability (LH) in 2000, while tracts with moderate SEV (M) in 2000, would receive the highest number of GRI (3.22). Tracts with high SEV (HH) in 2000 were close behind. By the end-point of the time period (2016) (Fig. 4, Table 2d), areas which had accumulated the most GRI in count and percent area (4.3 and 0.160%) were those which had become low social and high ecological vulnerability (LH) tracts, surpassing high SEV tracts (HH) with twice the number and percent area of GRI (2.17 and 0.084%),  $p < .05$ . The discrepancy in GRI siting between HH areas and LH areas grew from 2000 to 2016. Therefore, in the overall period, high ecological vulnerability was a better predictor of GRI, but so was low social vulnerability. By 2016, 48% of the highest socially and ecologically vulnerable tracts (HH) were left behind with no GRI while among the least socially and ecologically vulnerable tracts (LL) only 38.5% had zero.

### 5.2. Sites of commission: how did areas receiving GRI (or not) change over time?

#### 5.2.1. Gentrification trends in Philadelphia

Among the 371 tracts studied from 2000 to 2016, 188 were eligible to gentrify at the start of the study period, with median incomes below the 2000 citywide median. A total of 47 tracts received a composite gentrification score of 5 or 6 and met all or nearly all the criteria to be considered highly gentrifying. We further stratified the tracts as “moderately gentrifying” for those which scored 3 or 4 (94 tracts), “low gentrifying” for those which scored 1 or 2 (54 tracts) and “non-gentrifying” for those which scored 0 (186 tracts). The large number of tracts (141) experiencing moderate or high gentrification from 2000 to 2016 and their relative spatial



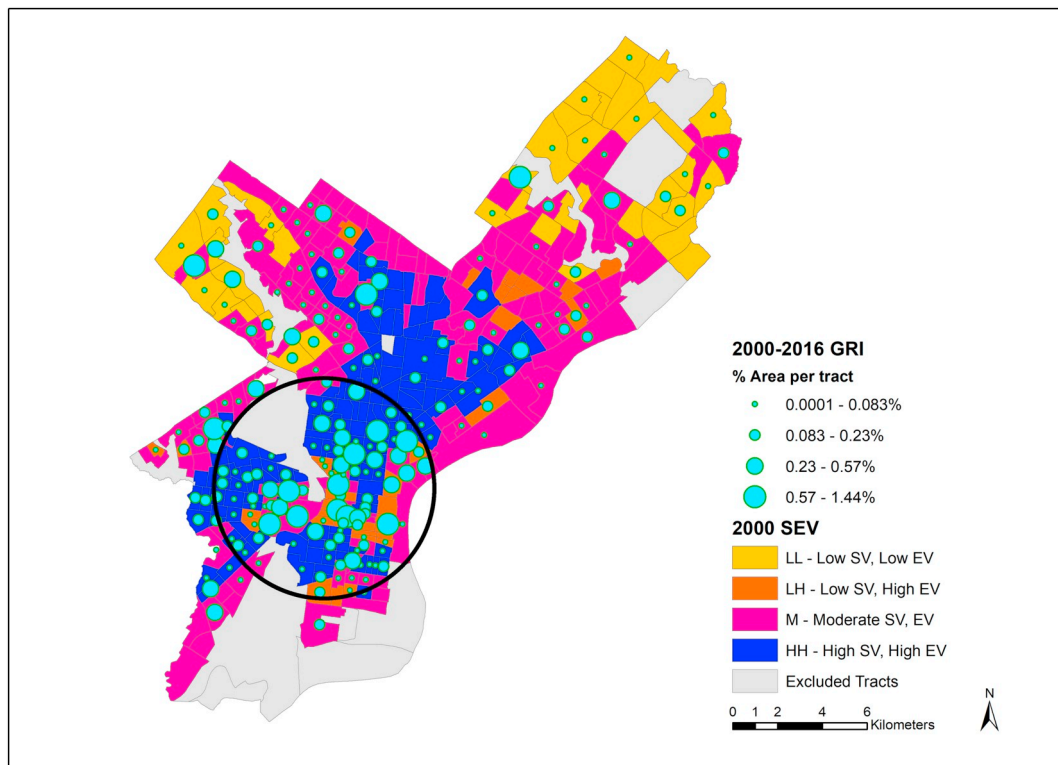


Fig. 3. Sites of Omission, SEV in 2000 and GRI from 2000 to 2016, in the City of Philadelphia.

concentration (Moran's  $I$  z-score: 15.87,  $p$ -value: 0.00) seems to indicate a great deal of flux in and around downtown neighborhoods with concentrated gentrification, such as University City, Spruce Hill, Woodland Terrace, Point Breeze, Callowhill, Brewerytown, West Kensington, Ludlow and Center City-Chinatown (see Fig. 5).

#### 5.2.2. Gentrification observed with GRI siting from the overall period of 2000 to 2016

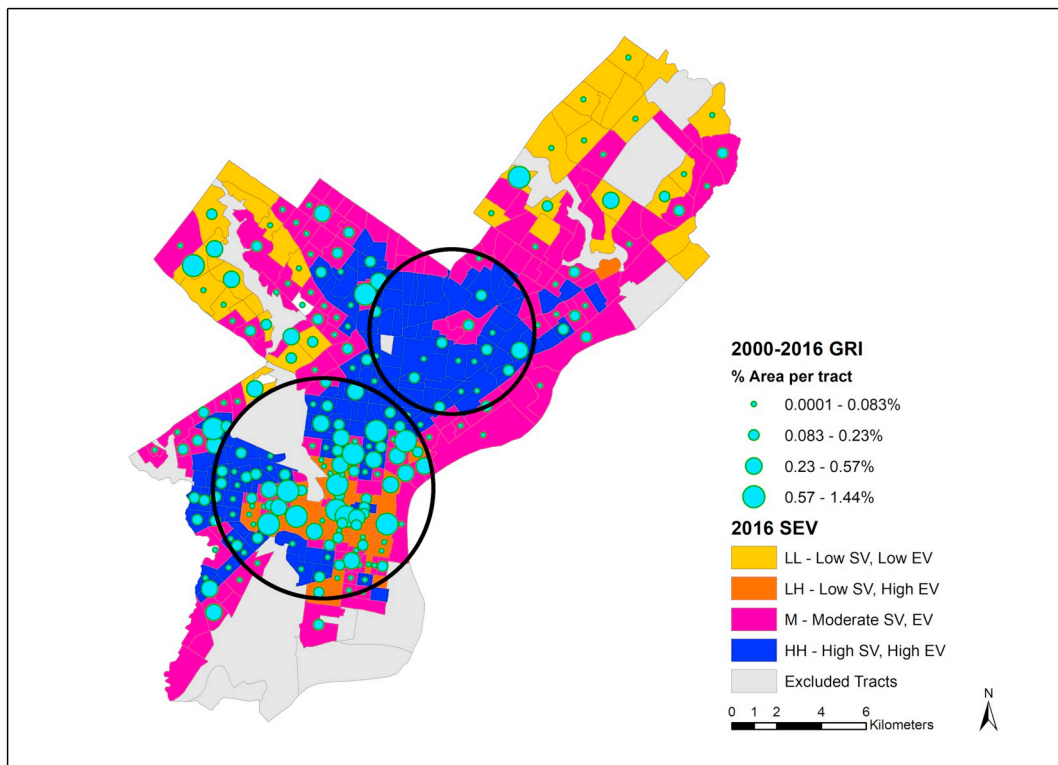
Fig. 6 demonstrates that green resilience interventions from 2000 to 2016 are tightly enmeshed with processes that generate Sites of Commission through the correlation with gentrification in Philadelphia. The 47 tracts with the highest composite gentrification scores of five or six (see Table 3a), received both the overall highest average number of GRI interventions (9.8 per tract) and the highest average percentage of GRI area (0.40% of the tract) from 2000 to 2016. This amounts to a 4 to 5 times higher average percent GRI than in the lowest and non-gentrifying tracts. These highly gentrifying tracts with high GRI were concentrated mostly in the neighborhoods of Southwest Centre City, University City, North Philadelphia East and West, and Brewerytown. In general, the higher the count or percent area of GRI, the higher the gentrification score of a tract. The bivariate association between GRI and gentrification score was highly statistically significant ( $p < .05$ ).

#### 5.2.3. Gentrification observed with GRI siting from 2000 to 2010 and from 2011 to 2016

We also divided the time period into 2000–2010 and 2011–2016 to test whether the announcement and adoption of the *Green City, Clean Waters* plan between, 2009 and 2011, and the subsequent increase in GRI interventions, also correlated with gentrification trends. We found that in the first period (Table 3b), GRI and gentrification showed strong positive correlations, just as they did in the overall period. The highly gentrifying areas (scores of 5 or 6) by 2010 had received the highest percent area (0.06%) and the highest number (1.3) of GRI. However, in the second period (Table 3c), from 2011 to 2016, more GRI (5.7 interventions and 0.19% area) were invested in the moderately gentrifying areas. The highly gentrifying areas were close behind in percent area (0.18%) and number (4.67) accumulated. Further analysis below helps shed light on why this may be.

#### 5.2.4. Which came first: gentrification or GRI?

We also tested if GRI, sited from 2000 to 2010, was correlated with subsequent gentrification (Table 3d), and further tested the reverse proposition: whether gentrification in the first period was correlated with subsequent GRI siting (Table 3e). Indeed, the strongest positive correlations appear for gentrification in the first period (2000–2010) and GRI siting in the second period (2011–2016, see Fig. 7, Table 3e). This was the case for both average number (6.2) and average percent area (0.26%) of GRI. Results indicate GRI 3 times higher in number and 4 times higher in percent area than those found in non-gentrifying tracts. In other words,



**Fig. 4.** Sites of Omission, SEV in 2016 and GRI from 2000 to 2016, in the City of Philadelphia. By 2016, the upper encircled area has grown more socially vulnerable and received relatively little to no GRI.

GRI tends to be sited in neighborhoods that were gentrifying in the previous period, showing that it is likely both cause and consequence of gentrification – it is likely integrated with and intensifies processes of gentrification.

We found that GRI siting in the first period (2000–2010) tends to precede moderate levels of gentrification in the second period (2011–2016), more so than preceding high gentrification levels (see Table 3d) for both average number (1.5) and average percent area (0.07%). Viewed in combination with the results in Table 3c, which also found higher levels of GRI in moderately gentrifying tracts from 2011 to 2016 (5.72 and 0.19%), these findings suggest that increasing amounts of GRI went to tracts that were highly gentrifying in the first period but in which gentrification had slowed to moderate levels by the second period.

#### 5.2.5. Does earlier gentrification correlate with overall GRI or does earlier GRI correlate with overall gentrification?

Lastly, GRI in the first period strongly correlates with gentrification in the overall time period (see Table 3f) - increasing amounts of GRI see increasing degrees of gentrification. The reverse, however, is also true (see Table 3g) wherein increasing degrees of gentrification in the first period correlate with more GRI in the overall period. These findings may reflect the strong correlation between the two key variables, regardless of directionality, when both are considered over the whole study period. Green resilience gentrification may not occur subsequently to GRI siting – as we have defined Sites of Commission – but in conjunction with it, possibly generating a snowball effect, in which economically valued areas and more privileged residents are better protected at the expense of – and leading to the greater insecurity of – already more vulnerable residents.

#### 5.2.6. Changes in minority populations/income and GRI siting from 2000 to 2016

Finally, we examined tracts that increased in concentration of socially vulnerable populations over time and had little to no GRI – the corollary to trends above where areas receiving GRI gentrified. These are also Sites of Commission because we may observe an increased concentration of more socially vulnerable groups in less protected areas and/or a worsening of conditions. We did not measure for absolute change in populations; rather we tested for our hypothesized association of a negative correlation between percent minority/low-income residents and percent White/higher-income populations.

Fig. 8 (left) shows the change in Black population from 2000 to 2016. The darkest red areas, totaling 24 tracts, represent an increase of 20–48 percentage points in Black residents. The blue areas represent a decrease in Black population during the time period, with most between 0 and 20%. We can observe an increase in percentage of Black residents where relatively few GRI have been installed and a decrease in the percentage of Black residents where high numbers of GRI cluster. These results were strongly significant for a negative association between GRI and Black population ( $p < .01$ ). Similar results were found for Hispanic residents

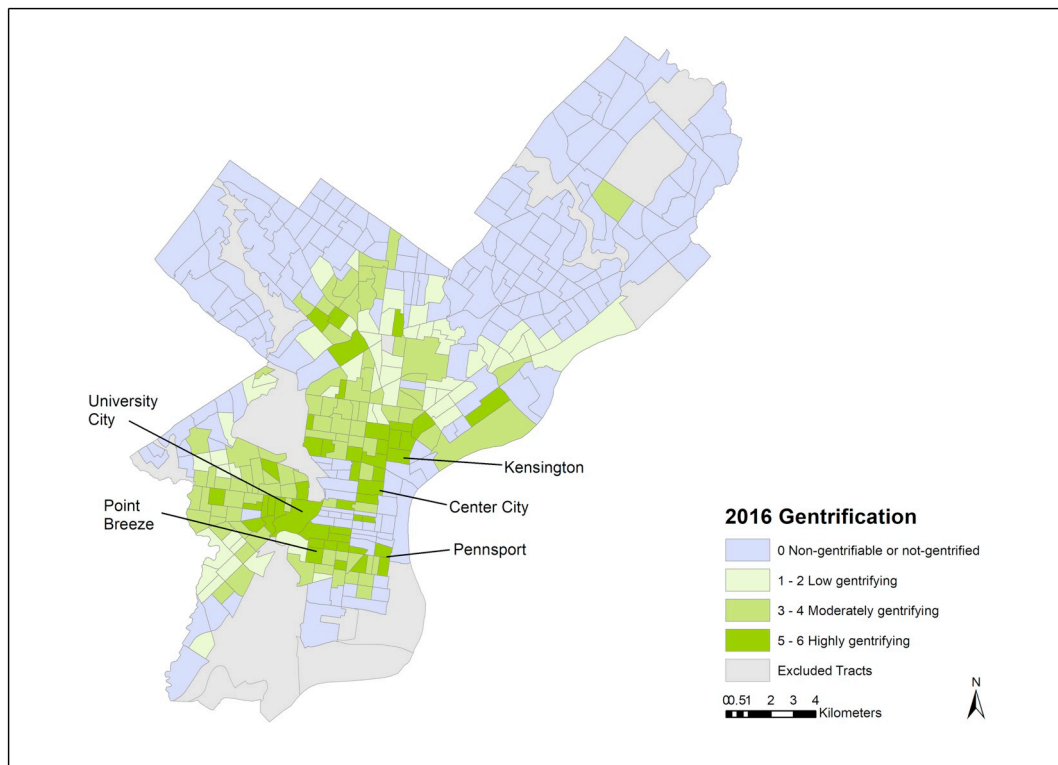


Fig. 5. Gentrification in Philadelphia 2000–2016.

(Fig. 8, right). On the contrary, there was a strong positive association between high-income/White residents and GRI, especially in the overall period ( $p < .01$ ). Table 4 shows Pearson correlation coefficients for GRI by year and by each of four gentrification demographic variables, pertaining to race/ethnicity and income, across the 371 census tracts in Philadelphia. Sites of Commission in the more economically valued neighborhoods of Philadelphia to which whiter and wealthier residents have increasingly moved are paralleled by increases in the percentage of lower-income and minority residents in under-protected, less climate-resilient areas.

## 6. Interpretation and discussion

In this paper, we responded to calls for a better understanding of how adaptation or climate resilient infrastructure play out in the lives of socially vulnerable residents. We have sought to test whether green and resilient infrastructure siting addresses social-ecological vulnerability or if such practices reproduce uneven conditions, rendering historically marginalized populations actually more vulnerable to climate impacts and risks and less secure, while benefiting more privileged new residents.

Our study indicates that green resilience infrastructure in Philadelphia are not being sited or accumulating in such a way as to benefit the most socio-ecologically vulnerable residents. Had the landscape of social vulnerability remained unchanged from 2000 to 2016, residents with high social vulnerability would have almost equally benefited over time. However, residential stability did not occur in Philadelphia: As our analysis of gentrification and GRI shows, most of the benefits of protective infrastructure have gone to areas with wealthier, whiter and better educated residents over time. It is possible that green resilience investments and improvements made these areas more attractive and seemingly less risky (or more secure) for those newcomers.

However, our results also strongly suggest that early gentrifiers have themselves attracted or created the protections we see in these areas by 2016 – GRI is most likely both cause and consequence of gentrification in Philadelphia. It is thoroughly entwined in the processes of social change that are occurring.

During this period, marked by extreme gentrification in the city center, the numbers of Black and Hispanic lower-income residents declined in gentrifying resilience-invested areas while they increased in neighborhoods where GRI investments did not occur in the most recent period. This leads us to suggest that a dually – simultaneously or parallel – unjust process of omission and commission may be occurring alongside the planning, provision and siting of resilience investments in Philadelphia. On the one hand, climate protective infrastructure is becoming concentrated in wealthier and economically valued areas over other ecologically vulnerable, less favored areas; while on the other hand, minority and low-income residents have shifted from wealthy areas and are increasing in green resilience dis – /under-invested neighborhoods. This means that the landscape of vulnerability in Philadelphia shifted, but also that a new social-ecological riskscape and environmental insecurity shaped by resilience-building measures emerged.



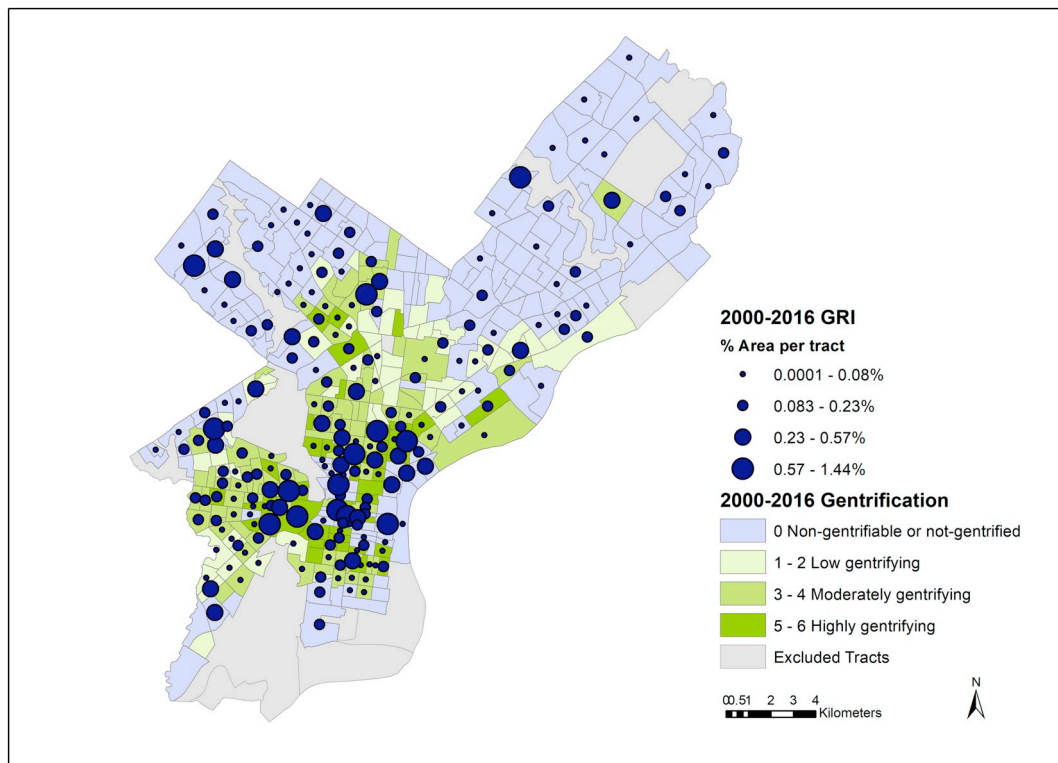


Fig. 6. Green Resilience Gentrification in Philadelphia: Sites of Commission, Gentrification and GRI 2000–2016.

### 6.1. Climate protection inequities in addressing socio-ecological vulnerabilities

As we first examined whether the most socio-ecologically vulnerable tracts were receiving GRI protection or not, our findings indicated that ecologically vulnerable areas were targeted for GRI from 2000 to 2016, but with a strong preference for less socially vulnerable areas. Here there may be two factors at work. Before the passage of the *Green City, Clean Waters* plan, as with other ‘early adapters’ (Chu et al., 2016), Philadelphia’s watershed engineers may have taken an experimental approach that required some degree of ‘learning by doing’ and a strategy of deploying demonstration projects in neighborhoods with the lowest implementation risks, as well as the highest potential to achieve visibility (Bulkeley and Castán Broto, 2013) and boost political salience (Madden, 2010). In this scenario, engineers and planners would have seized on opportunities for inter-agency partnerships and ad-hoc initiatives proposed by private and community leaders (Anguelovski et al., 2014; van den Berg and Coenen, 2012) leading possibly to siting in centrally-located, higher income neighborhoods with strong private investment interest and potential.

However, even with the later passage of the *Green City, Clean Waters* plan in 2011, neighborhoods with low social vulnerability continued to be better protected by more recent GRI siting. Here, procedural justice issues may be structuring siting decisions such that less vulnerable neighborhoods are more capable of attracting and maintaining protective infrastructure, as opposed to high social vulnerability neighborhoods with a legacy of disinvestment and privatization of urban service provisions (Heynen et al., 2006). For example, the Philadelphia *Rain Check* program tends to privilege homeowners (Bulkeley et al., 2014) – that is traditionally higher-income residents – and individualizes the responsibility to adapt to those able to (Dauvergne, 2016; Zografos et al., 2016), in particular, those with the budget, time, space and physical ability to make and maintain their homes in a greener, more resilient condition (Heckert and Rosan, 2018; Mandarano and Meenar, 2017). In neighborhoods where residents do not have the income or capital to invest in these projects, they may lose out on GRI investment and protection, with this uneven outcome reproduced as another green resilient inequity over the program’s continuation.

Furthermore, the strong clustering of GRI in the city center and in and around downtown university campuses, which have been sites of concentrated public and private investment in recent years (PEW Charitable Trusts, 2016), suggests that these economically-valued districts are being unequally protected, and possibly at the expense of more socio-ecologically vulnerable neighborhoods such as Olney and parts of Lawndale, Oxford Circle and Hunting Park. As Mandarano and Meenar point out (Mandarano and Meenar, 2017, p. 11) in Philadelphia, “regulations mandating private sector investment in [GRI] prompt the inclusion of [GRI] projects in development, but do not shift the location of development.” This reliance on private investment for protection and adaptation generates new Sites of Omission, leading to maladaptation and new landscapes of unequal socio-ecological vulnerability.

The city’s climate resilience model may further assume that the economic (i.e. increasing real-estate values) and the hedonistic (i.e. beautification, recreation) are equally beneficial for all social groups. Overlooking the terrain of unequal and entrenched power

**Table 3**  
Gentrification Composite Scores and GRI concentrations (Counts and Percent Area).

		Composite gentrification score	Tract typologies	Average GRI count by tract typology	Average % GRI by tract typology
3a	Does 2000–2016 GRI correlate with Gentrification in the same period?	0	<sup>a</sup> Non-gentrifying	2.36	0.080%
		1–2	Low gentrifying	4.87	0.120%
		3–4	Moderately gentrifying	5.88	0.208%
		5–6	Highly gentrifying	<b>9.8</b>	<b>0.400%</b>
			<i>r value:</i>	<i>0.9706**</i>	<i>0.9776**</i>
3b	Does 2000–2010 GRI correlate with Gentrification in the same period?	0	<sup>a</sup> Non-gentrifying	0.35	0.013%
		1–2	Low gentrifying	0.78	0.030%
		3–4	Moderately gentrifying	1.13	0.040%
		5–6	Highly gentrifying	<b>1.3</b>	<b>0.060%</b>
			<i>r value:</i>	<i>0.9508**</i>	<i>0.9824**</i>
3c	Does 2011–2016 GRI correlate with Gentrification in the same period?	0	<sup>a</sup> Non-gentrifying	2.36	0.069%
		1–2	Low gentrifying	2.11	0.110%
		3–4	Moderately gentrifying	<b>5.72</b>	<b>0.192%</b>
		5–6	Highly gentrifying	4.67	0.184%
			<i>r value:</i>	<i>0.7825</i>	<i>0.9027*</i>
3d	Does 2000–2010 GRI correlate with 2011–2016 Gentrification?	0	<sup>a</sup> Non-gentrifying	0.4	0.013%
		1–2	Low gentrifying	0.44	0.010%
		3–4	Moderately gentrifying	<b>1.54</b>	<b>0.069%</b>
		5–6	Highly gentrifying	0.72	0.046%
			<i>r value:</i>	<i>0.4766</i>	<i>0.7243</i>
3e	Does 2000–2010 Gentrification correlate with 2011–2016 GRI?	0	<sup>a</sup> Non-gentrifying	2.04	0.064%
		1–2	Low gentrifying	4.23	0.108%
		3–4	Moderately gentrifying	4.66	0.135%
		5–6	Highly gentrifying	<b>6.24</b>	<b>0.256%</b>
			<i>r value:</i>	<i>0.9353*</i>	<i>0.9620**</i>
3f	Does 2000–2010 GRI correlate with 2000–2016 Gentrification?	0	<sup>a</sup> Non-gentrifying	0.34	0.013%
		1–2	Low gentrifying	0.7	0.019%
		3–4	Moderately gentrifying	1.02	0.053%
		5–6	Highly gentrifying	<b>2.34</b>	<b>0.076%</b>
			<i>r value:</i>	<i>0.9590**</i>	<i>0.9920***</i>
3g	Does 2000–2010 Gentrification correlate with 2000–2016 GRI?	0	<sup>a</sup> Non-gentrifying	2.38	0.077%
		1–2	Low gentrifying	5.01	0.132%
		3–4	Moderately gentrifying	5.79	0.178%
		5–6	Highly gentrifying	<b>7.55</b>	<b>0.316%</b>
			<i>r value:</i>	<i>0.9433*</i>	<i>0.9769**</i>

<sup>a</sup> Non-gentrifying tracts included both non-gentrifiable tracts whose median incomes were above the citywide median, and gentrifiable tracts that did not gentrify. There were 183 non-gentrifiable tracts in 2000 and 181 in 2010.

\*\*\* Indicates significant at  $p < 0.01$ .

\*\* Indicates significant at  $p < 0.05$ .

\* Indicates significant at  $p < 0.10$ .

dynamics among social and racial groups and the potentially contested space onto which new green technologies enter (Connolly, 2018; Finewood et al., 2019), technocratic approaches ensure that more powerful actors will benefit most from “urban ecological security” (Hodson and Marvin, 2009).

## 6.2. Climate protection: a new pathway toward green resilience gentrification?

In our study, we found a significant positive correlation between GRI clustering and highly gentrifying neighborhoods in Philadelphia from 2000 to 2016. The discrepancy between GRI clustering in highly gentrifying tracts versus non-gentrifying tracts was 3 to 1 on average for the number of interventions and 4 times the amount of “greened acres”, Philadelphia's metric for green resilience infrastructure. We also found that the fastest gentrifying neighborhoods in the 2000s received the highest quantities and concentrations of GRI in the most recent years.

Our interpretation builds on nascent critical climate adaptation (Anguelovski et al., 2016), green gentrification (Anguelovski et al., 2018b; Checker, 2011; Curran and Hamilton, 2012; Gould and Lewis, 2017), and climate gentrification (Keenan et al., 2018) scholarship. By leaving open the direction of association between GRI and gentrification, our results suggest an important nuance – that gentrification correlates strongly with GRI and may also facilitate or accelerate climate protective infrastructure. It is a two-way relationship characterized

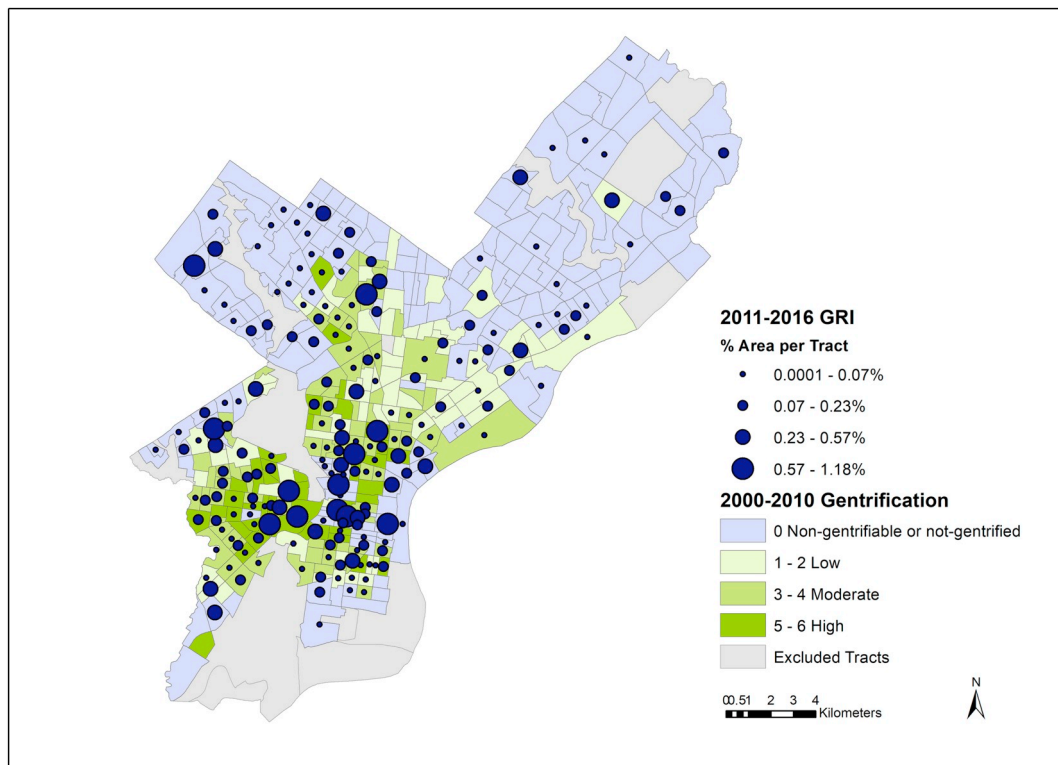


Fig. 7. Green Resilience Gentrification in Philadelphia: Sites of Commission, Gentrification 2000–2010 and GRI 2011–2016.

by the embeddedness of social and ecological processes rather than a linear causation pathway. The Philadelphia case therefore indicates a new bidirectional pathway not yet described in the climate gentrification literature, one in which public-private investment in climate protection in gentrifying neighborhoods results in new ecological enclaves for privileged White/high-income residents. Those residents then reinforce those enclaves by drawing further investment after gentrification, thus producing a new geography of risk in the city.

Moreover, by including a racial component, our approach produced a key finding. In Philadelphia, racial composition tends to be the strongest predictor of which areas receive GRI, suggesting that race plays a key role in siting, even more so than socioeconomic and real estate variables (Mohai and Saha, 2015). Such results advise extending the analysis of gentrification conceptualized solely as increased property values or as changes in the proportion of highly educated residents, to investigating which social and racial groups of residents benefit from green climate resilience strategies over the short and mid-term and whose long-term security and livelihood is undermined. Older discriminations, lurking in past zoning decisions, infrastructural investments, and housing affordances, may continue to haunt present-day decisions (Mohai et al., 2009).

Thus, our study contributes to better understanding climate gentrification as a process of climate *protection* gentrification and climate injustice. Fig. 9 presents a framework for understanding its pathways and implications by extending the theoretical development of sites of omission and commission that emerged from the analysis. Although we have not measured displacement – further research is needed – these results nonetheless point to trends that Black and Hispanic residents in Philadelphia seem to be shifting into less protected areas (future sites of commission should they gentrify with the siting of new GRI), and corroborate other findings that Philadelphia is re-segregating as minority middle-income neighborhoods grow more fragile with higher rates of eviction and foreclosure and declining incomes and employment (Reinvestment Fund, 2017). This re-segregation is thus marked by a new form of social-ecological polarization that arises from, on the one hand, an unequal distribution of environmental protections and possibly, on the other hand, a lack of social protections to prevent displacement. Even if physical displacement is always difficult to demonstrate in gentrification studies (Easton et al., 2019), the arrival of wealthier and whiter residents and the frequent next step (or accompanying step) of cultural and political gentrification (Hyra, 2015, 2017; Prince, 2014) signifies potential losses of social cohesion and political power, which are also key in urban adaptation and in harnessing adaptation projects and/or resources (Graham et al., 2016; Zografos et al., 2016). Therefore, coupled with patterns of gentrification, resilience efforts can lead to new landscapes of environmental insecurity and injustice by class and race characterized by increased livelihood insecurities, new climate protected enclaves for the privileged, privatized resilience, maladaptation and climate protection segregation.

### 6.3. Policy implications: new pathways and methodologies for a more just green climate protection

Using a spatial quantitative analysis, we attempted to uncover mechanisms by which environmental inequalities of climate

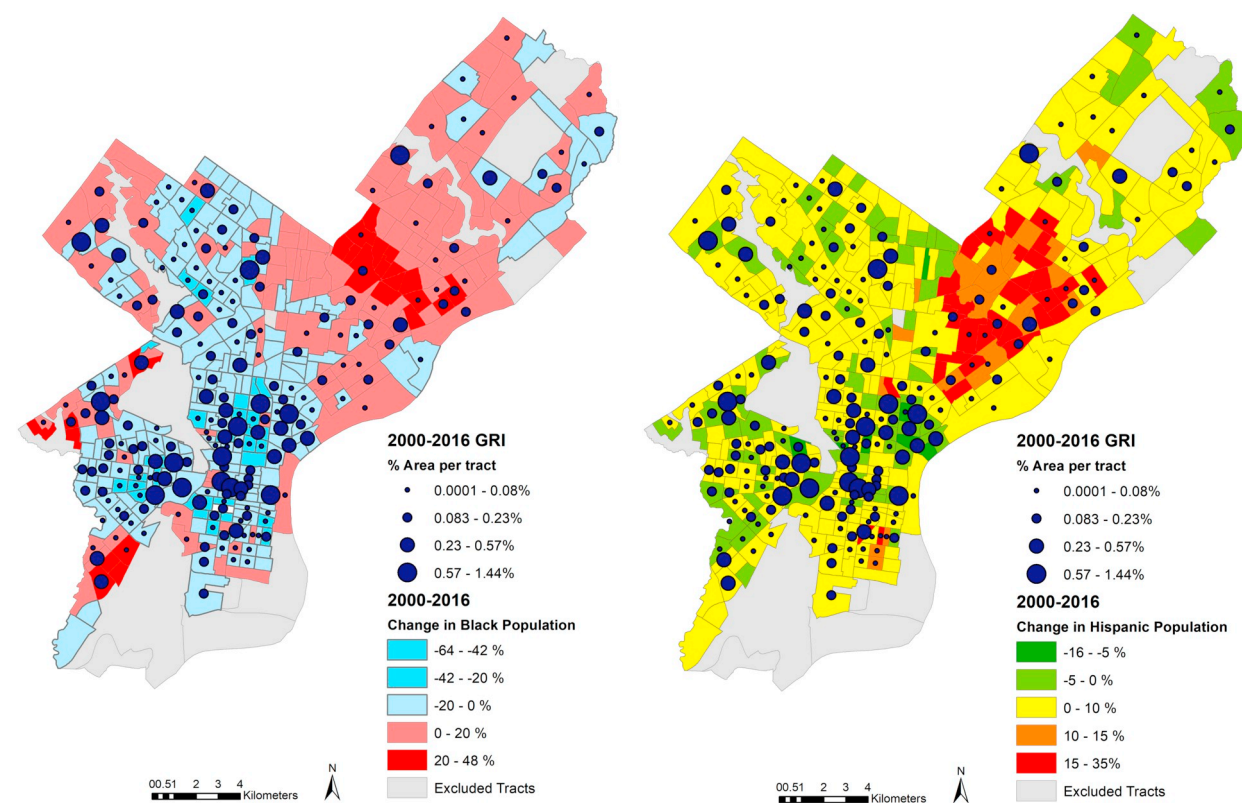


Fig. 8. GRI and Change in minority residents, Black (left) and Hispanic (right), 2000–2016 - Sites of Commission.

protection occur and perpetuate. Environmental inequalities today cannot be reversed by simply replacing “hazards” with “green amenities”, while leaving entrenched social, racial, and economic hierarchies untouched. We suggest here a process that re-couples an understanding of historic drivers of uneven geographies to the social-ecological model and to resiliency planning and explicitly ties a longitudinal approach to social-ecological vulnerability by integrating questions of gentrification and environmental and climate justice.

Based on our study, this requires 1) to evaluate social and ecological vulnerability across urban landscapes to ensure that green infrastructure not only builds resilience equitably, but is justice enhancing by prioritizing neighborhoods with higher socio-ecological vulnerability; 2) to analyze neighborhoods for vulnerability to gentrification/displacement and identify intersectional drivers of climate injustice; 3) to proactively put in place anti-gentrification and anti-displacement measures before projects are underway; and 4) to prioritize community-driven climate resilience approaches so that they can be responsive in real time to social-ecological processes and ensure that benefits belong to vulnerable residents.

To do so, GRI programs must carefully consider race, socioeconomic and real estate factors - among others - in addition to environmental and climate ones (Ranganathan and Bratman, 2019), and to go beyond technocratic, colorblind approaches to building resilience as they may subordinate alternative aspirations, politics and forms of knowledge (Finewood et al., 2019; Hardy et al., 2017). They should work closely with local organizations to prioritize GRI's wider adoption by lower-income residents, including fully subsidizing community driven efforts. They should also advocate alongside these organizations for protections ensuring that residents in long disinvested areas can stay in place if they choose. GRI programs can assist by endorsing tax breaks or incentives to low-income homeowners designed to keep housing costs and repairs (including green upgrades) down (Immergluck and Balan, 2018) and support a series of citywide community land trusts around GRI cluster areas or large-scale climate protection projects (i.e. waterfront resiliency redevelopments) which can secure long-term affordability and stability for lower-income residents

Table 4

Pearson correlation coefficients for selected gentrification variables by GRI siting period among census tracts in Philadelphia ( $n = 371$ ).

GRI siting period	Gentrification period	High-income residents	White (non-Hispanic)	Black (non-Hispanic)	Hispanic
2000–2016	2000–2016	0.173***	0.153***	−0.142**	−0.170***
2000–2010	2010–2016	0.036	−0.011	−0.016	−0.163***
2011–2016	2000–2010	0.170***	0.09	−0.162***	−0.136***

\*\*\* Indicates significant at  $p < 0.01$ .



## Pathways of Climate Gentrification in Green Resilient Infrastructure Siting

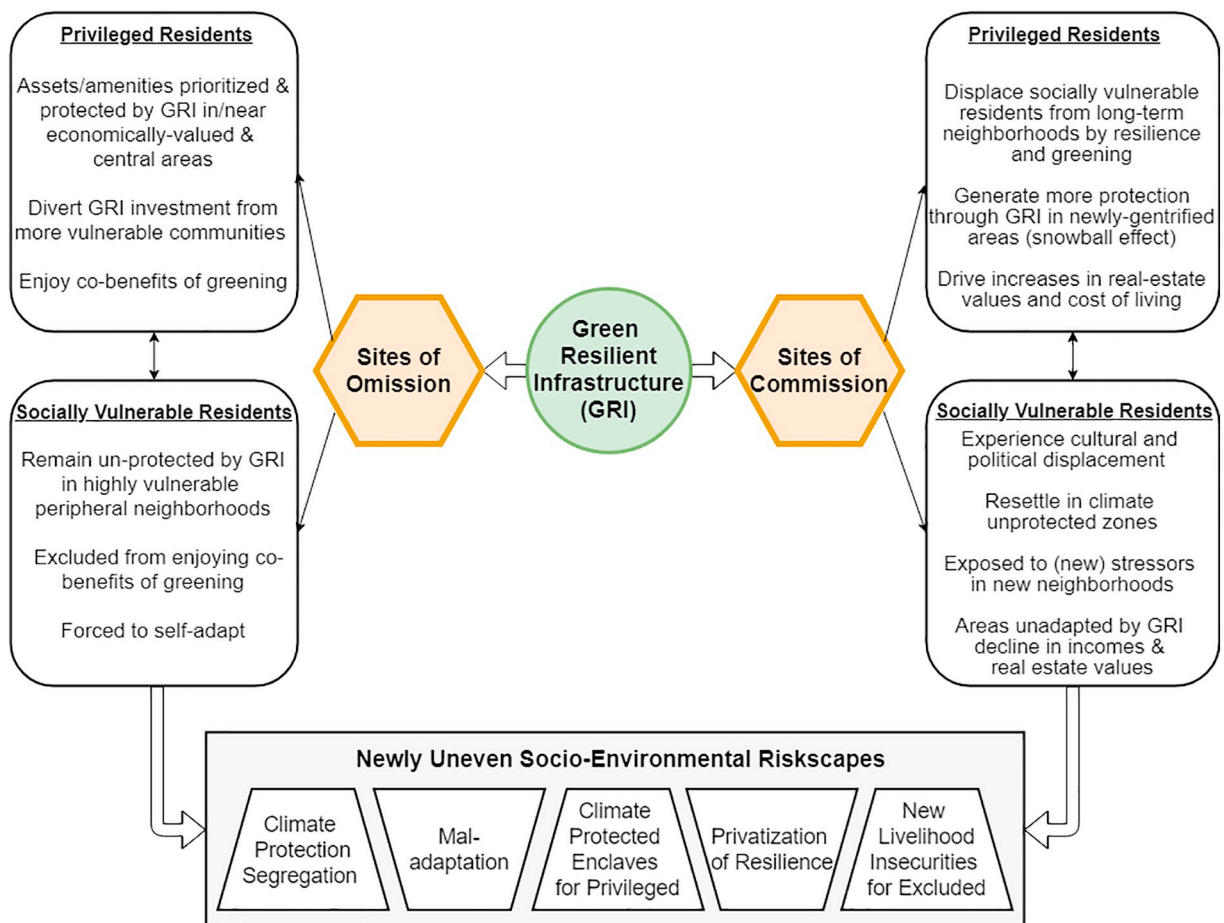


Fig. 9. Pathways of climate protection gentrification in green resilient infrastructure siting.

(Anguelovski, 2014; Thompson, 2015). They can further call for other complementary housing affordability, tenants' rights and land rights policies, which also help preserve social networks and important local cultural institutions and symbolic places (Wolch et al., 2014). This also means advocating against the hazardous features of so-called community development programs that largely benefit wealthier homeowners and developers (i.e. federal opportunity zones and long-term city tax abatements on all new construction and major renovations). These policies increase vulnerability to gentrification and displacement, reduce city resources and therefore hinder their ability to ensure climate protection for socio-ecologically vulnerable areas.

Lastly, there is real opportunity for GRI programs and partners to participate in more transformative urban climate justice and reparations efforts. For example, by allying with and promoting low-income and minority community-driven efforts, cities can boost local workforce development and minority owned businesses as part of a broader Green New Deal, labor reform or other green climate economy initiatives. Beyond infrastructure itself, any work that strengthens local organizational networks, social ties and place attachments is more likely to benefit long-lasting climate resiliency and justice (Graham et al., 2016).

## 7. Concluding reflections and future research directions

In sum, we found that shifting patterns of vulnerability in correlation with gentrification created new urban risksapes in which low-income and minority residents were shifted into conditions of heightened socio-ecological insecurity. Based on findings in Philadelphia, green resilient infrastructure is enmeshed in these processes, creating new urban conditions for the privileged and enlarged social risk (insecurity) for vulnerable populations – a key missing consideration of land use planning and decision-making.

Therefore, future research is needed to understand the social and political barriers to adopting green resilient interventions in high vulnerability neighborhoods, including residents' perceptions of and resistance to resilience projects (Kaika, 2017) and their association of green resilience projects with locally unwanted land uses (green LULUs) and indicators of wealth, whiteness and status. People have indeed different perceptions of social-ecological risk and security shaped by confrontations within unequal power

dynamics and rooted ultimately in uneven conditions and possibilities for flourishing and thriving.

A research agenda that engages with the politics of resiliency and adaptation planning is needed to better understand these dynamics. Future research should also examine the politics by which green resilient infrastructure siting decisions are made in the complex inter-agency and planning configurations of the city (Connolly, 2018; Pellow, 2000) and consider the political economy of drivers behind the clustering of protective infrastructure in new “resilience zones” (Teicher, 2018).

In future research we intend to examine vulnerability to future green resilience gentrification in correlation with private investment and new development as well as adaptive capacity to gentrification. Resilience carries with it a notion of security that suggests protection from the harms of future hazards (Vale, 2014) – including those that are more and less predictable – such as gentrification and its well-known social, cultural, and economic impacts. Future research could also try to unpack whether and why some more socially and ecologically vulnerable neighborhoods may succeed in acquiring green and resilient protection and yet stay off gentrification and displacement. These potential examples of social-ecological resilience are not well known or understood.

Building resilience in a context of uneven (unequal) conditions thus means confronting uneven socio-ecological riskscape, vulnerabilities, and increased insecurities vis-à-vis people's long-time place of residence, their social ties and livelihoods, combined with new exposure to extreme weather events, so that today's green climate interventions and other environmental benefits do not become tomorrow's undesirable outcomes for the politically and economically less powerful and more vulnerable.

## Declaration of Competing Interest

The authors have no conflicts of interest to declare.

## Acknowledgements

This research contributes to the Maria de Maetzu Unit of Excellence grant (MDM-2015-0552) at the Institute for Environmental Science and Technology (ICTA) at the Universitat Autònoma de Barcelona (UAB). It has received the support of the European Research Council (ERC) Starting Grant GreenLULUs (GA678034) and also contributes to the European Union's Horizon 2020 project, Naturvation (730243). In addition, James JT Connolly would like to acknowledge the support of the Juan de la Cierva MINECO program (IJCI-2016-31100) from the Spanish Ministerio de Ciencia, Innovación y Universidades. We are also grateful to our anonymous referees for their invaluable comments.

## References

- Adams, C.T. (Ed.), 1991. *Philadelphia: Neighborhoods, Division, and Conflict in a Postindustrial City*, Comparative American Cities. Temple University Press, Philadelphia.
- Adger, W.N., 2006. Vulnerability. *Glob. Environ. Chang.* 16, 268–281. <https://doi.org/10.1016/j.gloenvcha.2006.02.006>.
- Ahern, J., 2007. Green infrastructure for cities: the spatial dimension. In: *cities of the Future*. In: *Towards Integrated Sustainable Water and Landscape Management*. IWA Publishing, pp. 267–283.
- Ahern, J., 2013. Urban landscape sustainability and resilience: the promise and challenges of integrating ecology with urban planning and design. *Landsc. Ecol.* 28, 1203–1212. <https://doi.org/10.1007/s10980-012-9799-z>.
- Anguelovski, I., 2014. *Neighborhood as Refuge: Community Reconstruction, Place Remaking, and Environmental Justice in the City*, Urban and Industrial Environments. The MIT Press, Cambridge, Massachusetts.
- Anguelovski, I., 2016. From toxic sites to Parks as (green) LULUs? New challenges of inequity, privilege, gentrification, and exclusion for urban environmental justice. *J. Plan. Lit.* 31, 23–36. <https://doi.org/10.1177/0885412215610491>.
- Anguelovski, I., Chu, E., Carmin, J., 2014. Variations in approaches to urban climate adaptation: experiences and experimentation from the global south. *Glob. Environ. Chang.* 27, 156–167. <https://doi.org/10.1016/j.gloenvcha.2014.05.010>.
- Anguelovski, I., Shi, L., Chu, E., Gallagher, D., Goh, K., Lamb, Z., Reeve, K., Teicher, H., 2016. Equity impacts of urban land use planning for climate adaptation: critical perspectives from the global north and south. *J. Plan. Educ. Res.* 36, 333–348. <https://doi.org/10.1177/0739456X16645166>.
- Anguelovski, I., Connolly, J., Brand, A.L., 2018a. From landscapes of utopia to the margins of the green urban life: for whom is the new green city? *City* 22, 417–436. <https://doi.org/10.1080/13604813.2018.1473126>.
- Anguelovski, I., Connolly, J.J.T., Masip, L., Pearsall, H., 2018b. Assessing green gentrification in historically disenfranchised neighborhoods: a longitudinal and spatial analysis of Barcelona. *Urban Geogr.* 39, 458–491. <https://doi.org/10.1080/02723638.2017.1349987>.
- Aylett, A., 2015. Institutionalizing the urban governance of climate change adaptation: results of an international survey. *Urban Clim.* 14, 4–16. <https://doi.org/10.1016/j.uclim.2015.06.005>.
- Baptiste, A.K., Foley, C., Smardon, R., 2015. Understanding urban neighborhood differences in willingness to implement green infrastructure measures: a case study of Syracuse, NY. *Landsc. Urban Plan.* 136, 1–12. <https://doi.org/10.1016/j.landurbplan.2014.11.012>.
- Barnett, J., O'Neill, S., 2010. Maladaptation. *Glob. Environ. Chang.* 20, 211–213. <https://doi.org/10.1016/j.gloenvcha.2009.11.004>.
- Bassett, E., Shandas, V., 2010. Innovation and climate action planning. *J. Am. Plan. Assoc.* 76, 435–450. <https://doi.org/10.1080/01944363.2010.509703>.
- Beauregard, R.A., 1990. Tenacious inequalities: politics and race in Philadelphia. *Urban Aff. Q.* 25, 420–434. <https://doi.org/10.1177/004208169002500305>.
- Benedict, M., McMahon, E., 2001. *Green Infrastructure: Smart Conservation for the 21st Century*.
- Bennett, N.J., Blythe, J., Tyler, S., Ban, N.C., 2016. Communities and change in the anthropocene: understanding social-ecological vulnerability and planning adaptations to multiple interacting exposures. *Reg. Environ. Chang.* 16, 907–926. <https://doi.org/10.1007/s10113-015-0839-5>.
- Brown, K., 2014. Global environmental change I: a social turn for resilience? *Prog. Hum. Geogr.* 38, 107–117. <https://doi.org/10.1177/0309132513498837>.
- Brownlow, A., 2006. An archaeology of fear and environmental change in Philadelphia. *Geoforum* 37, 227–245. <https://doi.org/10.1016/j.geoforum.2005.02.009>.
- Bulkeley, H., Castán Broto, V., 2013. Government by experiment? Global cities and the governing of climate change. *Trans. Inst. Br. Geogr.* 38, 361–375. <https://doi.org/10.1111/j.1475-5661.2012.00535.x>.
- Bulkeley, H., Edwards, G.A.S., Fuller, S., 2014. Contesting climate justice in the city: examining politics and practice in urban climate change experiments. *Glob. Environ. Chang.* 25, 31–40. <https://doi.org/10.1016/j.gloenvcha.2014.01.009>.
- Carmichael, C.E., McDonough, M.H., 2019. Community stories: explaining resistance to street tree-planting programs in Detroit, Michigan. *USA. Soc. Nat. Resour.* 0, 1–18. <https://doi.org/10.1080/08941920.2018.1550229>.
- Carmin, J., Anguelovski, I., Roberts, D., 2012. Urban climate adaptation in the global south: planning in an emerging policy domain. *J. Plan. Educ. Res.* 32, 18–32. <https://doi.org/10.1177/0739456X11430951>.

- Checker, M., 2011. Wiped out by the “Greenwave”: environmental gentrification and the paradoxical politics of urban sustainability. *City Soc.* 23, 210–229. <https://doi.org/10.1111/j.1548-744X.2011.01063.x>.
- Christman, Z., Meenar, M., Mandarano, L., Hearing, K., 2018. Prioritizing suitable locations for green Stormwater infrastructure based on social factors in Philadelphia. *Land* 7, 145. <https://doi.org/10.3390/land7040145>.
- Chu, E., Anguelovski, I., Carmin, J., 2016. Inclusive approaches to urban climate adaptation planning and implementation in the global south. *Clim. Pol.* 16, 372–392. <https://doi.org/10.1080/14693062.2015.1019822>.
- Chu, E., Anguelovski, I., Roberts, D., 2017. Climate adaptation as strategic urbanism: assessing opportunities and uncertainties for equity and inclusive development in cities. *Cities* 60, 378–387. <https://doi.org/10.1016/j.cities.2016.10.016>.
- Cinner, J., Folke, C., Daw, T., Hicks, C., 2011. Responding to change: using scenarios to understand how socioeconomic factors may influence amplifying or dampening exploitation feedbacks among Tanzanian fishers. *Glob. Environ. Chang.* 21, 7–12. <https://doi.org/10.1016/j.gloenvcha.2010.09.001>.
- Coaffee, J., Clarke, J., 2015. On securing the generational challenge of urban resilience. *Town Plan. Rev.* 86, 249–255. <https://doi.org/10.3828/tpr.2015.16>.
- Connolly, J.J., 2018. From systems thinking to systemic action: social vulnerability and the institutional challenge of urban resilience. *City Community* 17, 8–11. <https://doi.org/10.1111/cico.12282>.
- Connolly, J.J., Svendsen, E.S., Fisher, D.R., Campbell, L.K., 2013. Organizing urban ecosystem services through environmental stewardship governance in new York City. In: *Landsc. Urban Plan., Special Issue: Urban Ecosystem Services*. 109, pp. 76–84. <https://doi.org/10.1016/j.landurbplan.2012.07.001>.
- Cooke, P. (Ed.), 2003. *The Rise of the Rustbelt*, Reprinted. Ed. Routledge. Taylor & Francis Group, London New York (2003).
- Curran, W., Hamilton, T., 2012. Just green enough: contesting environmental gentrification in Greenpoint, Brooklyn. *Local Environ.* 17, 1027–1042. <https://doi.org/10.1080/13549839.2012.729569>.
- Cutter, S.L., Boruff, B.J., Shirley, W.L., 2003. Social vulnerability to environmental hazards\* Soc. Sci. Q. 84, 242–261. <https://doi.org/10.1111/1540-6237.8402002>.
- Dalrymple, M., 2018. Interview with Philadelphia Water Design Engineer and Project Manager.
- Dauvergne, P., 2016. *Environmentalism of the Rich*. MIT Press.
- De Sherbinin, A., Schiller, A., Pulsipher, A., 2007. The vulnerability of global cities to climate hazards. *Environ. Urban.* 19, 39–64. <https://doi.org/10.1177/0956247807076725>.
- Ding, L., Hwang, J., Divringi, E., 2016. Gentrification and residential mobility in Philadelphia. *Reg. Sci. Urban Econ.* 61, 38–51. <https://doi.org/10.1016/j.regsciurbeco.2016.09.004>.
- Dodman, D., 2009. Blaming cities for climate change? An analysis of urban greenhouse gas emissions inventories. *Environ. Urban.* 21, 185–201. <https://doi.org/10.1177/0956247809103016>.
- Dooring, S., 2009. Ecological gentrification: a research agenda exploring justice in the City. *Int. J. Urban Reg. Res.* 33, 621–639. <https://doi.org/10.1111/j.1468-2427.2009.00860.x>.
- Douglas, O., Lennon, M., Scott, M., 2017. Green space benefits for health and well-being: a life-course approach for urban planning, design and management. *Cities* 66, 53–62. <https://doi.org/10.1016/j.cities.2017.03.011>.
- Easton, S., Lees, L., Hubbard, P., Tate, N., 2019. Measuring and mapping displacement: the problem of quantification in the battle against gentrification. *Urban Stud.* <https://doi.org/10.1177/0042098019851953>.
- Environmental Protection Agency, 1994. NPDES: Combined Sewer Overflow (CSO) Control Policy.
- Eriksen, S.H., Nightingale, A.J., Eakin, H., 2015. Reframing adaptation: the political nature of climate change adaptation. *Glob. Environ. Chang.* 35, 523–533. <https://doi.org/10.1016/j.gloenvcha.2015.09.014>.
- Essoka, J.D., 2010. The gentrifying effects of brownfields redevelopment. *West. J. Black Stud.* 34, 299–315.
- Fainstein, S., 2015. Resilience and justice: debates and developments. *Int. J. Urban Reg. Res.* 39, 157–167. <https://doi.org/10.1111/1468-2427.12186>.
- Finewood, M.H., Matsler, A.M., Zivkovich, J., 2019. Green infrastructure and the hidden politics of urban Stormwater governance in a Postindustrial City. *Ann. Am. Assoc. Geogr.* 109, 909–925. <https://doi.org/10.1080/24694452.2018.1507813>.
- Flanagan, B.E., Gregory, E.W., Hallisey, E.J., Heitgerd, J.L., Lewis, B., 2011. A social vulnerability index for disaster management. *J. Homel. Secur. Emerg. Manag.* 8. <https://doi.org/10.2202/1547-7355.1792>.
- Folke, C., 2006. Resilience: the emergence of a perspective for social–ecological systems analyses. *Glob. Environ. Change, resilience, vulnerability, and adaptation: a cross-cutting theme of the international human dimensions Programme on*. *Glob. Environ. Chang.* 16, 253–267. <https://doi.org/10.1016/j.gloenvcha.2006.04.002>.
- Folke, C., 2016. Resilience (republished). *Ecol. Soc.* 21. <https://doi.org/10.5751/ES-09088-210444>.
- Freeman, L., Braconi, F., 2004. Gentrification and displacement new York City in the 1990s. *J. Am. Plan. Assoc.* 70, 39–52. <https://doi.org/10.1080/01944360408976337>.
- Friend, R., Moench, M., 2013. What is the purpose of urban climate resilience? Implications for addressing poverty and vulnerability. *Urban Clim.* 6, 98–113. <https://doi.org/10.1016/j.uclim.2013.09.002>.
- Füssel, H.-M., 2010. How inequitable is the global distribution of responsibility, capability, and vulnerability to climate change: a comprehensive indicator-based assessment. *Glob. Environ. Change, 20th Anniversary Special Issue* 20, 597–611. <https://doi.org/10.1016/j.gloenvcha.2010.07.009>.
- Garrison, 2017. Seeing the park for the trees: New York’s “Million Trees” campaign vs. the deep roots of environmental inequality. *Environment and Planning B: Urban Analytics and City Science* 46 (5). <https://doi.org/10.1177/2399808317737071>.
- Garrison, J.D., 2018. Environmental justice in theory and practice: measuring the equity outcomes of Los Angeles and New York’s “Million Trees” Campaigns. *J. Plan. Educ. Res.* <https://doi.org/10.1177/0739456X18772072>.
- Gough, I., 2011. Climate change, double injustice and social policy: a case study of the United Kingdom, occasional paper. In: UNRISD. Geneva, United Nations Research Institute for Social Development.
- Gould, K.A., Lewis, T.L., 2017. Green Gentrification: Urban Sustainability and the Struggle for Environmental Justice.
- Gould, K.A., Lewis, T.L., 2018. From green gentrification to resilience gentrification: an example from Brooklyn1. *City Community* 17, 12–15. <https://doi.org/10.1111/cico.12283>.
- Graham, L., Debuquoy, W., Anguelovski, I., 2016. The influence of urban development dynamics on community resilience practice in new York City after superstorm Sandy: experiences from the lower east side and the rockaways. *Glob. Environ. Chang.* 40, 112–124. <https://doi.org/10.1016/j.gloenvcha.2016.07.001>.
- Haase, D., Kabisch, S., Haase, A., Andersson, E., Banzhaf, E., Baró, F., Brenck, M., Fischer, L.K., Frantzeskaki, N., Kabisch, N., Krellenberg, K., Kremer, P., Kronenberg, J., Larondelle, N., Mathey, J., Pauleit, S., Ring, I., Rink, D., Schwarz, N., Wolff, M., 2017. Greening cities – to be socially inclusive? About the alleged paradox of society and ecology in cities. *Habitat Int.* 64, 41–48. <https://doi.org/10.1016/j.habitatint.2017.04.005>.
- Hardy, R.D., Milligan, R.A., Heynan, N., et al., 2017. Racial coastal formation: The environmental injustice of colorblind adaptation planning for sea-level rise. *Geoforum* 87, 62–72. <https://doi.org/10.1016/j.geoforum.2017.10.005>.
- Heckert, M., Mennis, J., 2012. The economic impact of greening urban vacant land: a spatial difference-in-differences analysis. *Environ. Plan. A* 44, 3010–3027. <https://doi.org/10.1068/a4595>.
- Heckert, M., Rosan, C.D., 2018. Creating GIS-based planning tools to promote equity through green infrastructure. *Front. Built Environ.* 4. <https://doi.org/10.3389/fbuil.2018.00027>.
- Heynen, N., Perkins, H.A., Roy, P., 2006. The political ecology of uneven urban green space: the impact of political economy on race and ethnicity in producing environmental inequality in Milwaukee. *Urban Aff. Rev.* 42, 3–25. <https://doi.org/10.1177/1078087406290729>.
- Hodson, M., Marvin, S., 2009. ‘Urban ecological security’: a new urban paradigm? *Int. J. Urban Reg. Res.* 33, 193–215. <https://doi.org/10.1111/j.1468-2427.2009.00832.x>.
- Hughes, S., 2015. A meta-analysis of urban climate change adaptation planning in the U.S. *Urban Clim.* In: *Building Capacity for Climate Change Adaptation in Urban Areas*. 14, pp. 17–29. <https://doi.org/10.1016/j.uclim.2015.06.003>.
- Huq, S., Kovats, S., Reid, H., Satterthwaite, D., 2007. Editorial: reducing risks to cities from disasters and climate change. *Environ. Urban.* 19, 3–15. <https://doi.org/10.1177/0956247807076725>.

- 1177/0956247807078058.
- Hwang, J., 2016. The social construction of a gentrifying neighborhood: reifying and redefining identity and boundaries in inequality. *Urban Aff. Rev.* 52, 98–128. <https://doi.org/10.1177/1078087415570643>.
- Hyra, D., 2015. The back-to-the-city movement: Neighbourhood redevelopment and processes of political and cultural displacement. *Urban Stud.* 52, 1753–1773. <https://doi.org/10.1177/0042098014539403>.
- Hyra, D.S., 2017. *Race, Class, and Politics in the Cappuccino City*. The University of Chicago Press, Chicago; London.
- Immergluck, D., 2009. Large redevelopment initiatives, housing values and gentrification: the case of the Atlanta beltline. *Urban Stud.* 46, 1723–1745. <https://doi.org/10.1177/0042098009105500>.
- Immergluck, D., Balan, T., 2018. Sustainable for whom? Green urban development, environmental gentrification, and the Atlanta beltline. *Urban Geogr.* 39, 546–562. <https://doi.org/10.1080/02723638.2017.1360041>.
- Juhola, S., Glaas, E., Linnér, B.-O., Neset, T.-S., 2016. Redefining maladaptation. *Environ. Sci. Pol.* 55, 135–140. <https://doi.org/10.1016/j.envsci.2015.09.014>.
- Kabisch, N., Frantzeskaki, N., Pauleit, S., Naumann, S., Davis, M., Artmann, M., Haase, D., Knapp, S., Korn, H., Stadler, J., Zaunberger, K., Bonn, A., 2016. Nature-based solutions to climate change mitigation and adaptation in urban areas: perspectives on indicators, knowledge gaps, barriers, and opportunities for action. *Ecol. Soc.* 21. <https://doi.org/10.5751/ES-08373-210239>.
- Kaika, M., 2017. 'Don't call me resilient again!': The new urban agenda as immunology ... or ... what happens when communities refuse to be vaccinated with 'smart cities' and indicators. *Environ. Urban.* 29, 89–102. <https://doi.org/10.1177/0956247816684763>.
- Keenan, J.M., Hill, T., Gumber, A., 2018. Climate gentrification: from theory to empiricism in Miami-Dade County, Florida. *Environ. Res. Lett.* 13, 054001. <https://doi.org/10.1088/1748-9326/aabb32>.
- Kondo, M.C., Low, S.C., Henning, J., Branas, C.C., 2015. The impact of green stormwater infrastructure installation on surrounding health and safety. *Am. J. Public Health* 105, e114–e121. <https://doi.org/10.2105/AJPH.2014.302314>.
- Kremer, P., Hamstead, Z.A., McPhearson, T., 2016. The value of urban ecosystem services in New York City: a spatially explicit multicriteria analysis of landscape scale valuation scenarios. In: *Environ. Sci. Policy, Advancing urban environmental governance: Understanding theories, practices and processes shaping urban sustainability and resilience*. 62, pp. 57–68. <https://doi.org/10.1016/j.envsci.2016.04.012>.
- Lennon, M., Scott, M., 2014. Delivering ecosystems services via spatial planning: reviewing the possibilities and implications of a green infrastructure approach. *Town Plan. Rev.* 85, 563–587. <https://doi.org/10.3828/tpr.2014.35>.
- Liu, L., Jensen, M.B., 2018. Green infrastructure for sustainable urban water management: practices of five forerunner cities. *Cities* 74, 126–133. <https://doi.org/10.1016/j.cities.2017.11.013>.
- Lyttimäki, J., Petersen, L.K., Normander, B., Bezák, P., 2008. Nature as a nuisance? Ecosystem services and disservices to urban lifestyle. *Environ. Sci.* 5, 161–172. <https://doi.org/10.1080/15693430802055524>.
- Maantay, J., 2002. Mapping environmental injustices: pitfalls and potential of geographic information systems in assessing environmental health and equity. *Environ. Health Perspect.* 110 (Suppl. 2), 161–171. <https://doi.org/10.1289/ehp.02110s2161>.
- Mabon, L., Shih, W.-Y., 2018. What might 'just green enough' urban development mean in the context of climate change adaptation? The case of urban greenspace planning in Taipei Metropolis, Taiwan. *World Dev.* 107, 224–238. <https://doi.org/10.1016/j.worlddev.2018.02.035>.
- Madden, S., 2010. *Choosing Green over Gray: Philadelphia's Innovative Stormwater Infrastructure Plan* (Master's Thesis). Massachusetts Institute of Technology, Cambridge, MA, USA.
- Mandarano, L., Meenar, M., 2017. Equitable distribution of green stormwater infrastructure: a capacity-based framework for implementation in disadvantaged communities. *Local Environ.* 22, 1338–1357. <https://doi.org/10.1080/13549839.2017.1345878>.
- Meerow, S., Newell, J.P., 2017. Spatial planning for multifunctional green infrastructure: growing resilience in Detroit. *Landsc. Urban Plan.* 159, 62–75. <https://doi.org/10.1016/j.landurbplan.2016.10.005>.
- Mees, H.-L., Driessen, P., 2011. Adaptation to climate change in urban areas: climate-greening London, Rotterdam, and Toronto. *Clim. Law* 251–280. <https://doi.org/10.3233/CL-2011-036>.
- Mohai, P., Saha, R., 2015. Which came first, people or pollution? Assessing the disparate siting and post-siting demographic change hypotheses of environmental injustice. *Environ. Res. Lett.* 10, 115008. <https://doi.org/10.1088/1748-9326/10/11/115008>.
- Mohai, P., Pellow, D., Roberts, J.T., 2009. Environmental justice. *Annu. Rev. Environ. Resour.* 34, 405–430. <https://doi.org/10.1146/annurev-environ-082508-094348>.
- Newburn, D.A., Alberini, A., 2016. Household response to environmental incentives for rain garden adoption. *Water Resour. Res.* 52, 1345–1357. <https://doi.org/10.1002/2015WR018063>.
- Newman, K., Wyly, E.K., 2006. The right to stay put, revisited: gentrification and resistance to displacement in new York City. *Urban Stud.* 43, 23–57. <https://doi.org/10.1080/00420980500388710>.
- O'Brien, K., Eriksen, S.H.S., Nygaard, L., Schjolden, A., 2007. Why different interpretations of vulnerability matter in climate change discourses. *Clim. Policy*. 7, pp. 73–88. <https://doi.org/10.1080/14693062.2007.9685639>.
- Owens, A., 2012. Neighborhoods on the rise: a typology of neighborhoods experiencing socioeconomic ascent. *City Community* 11, 345–369. <https://doi.org/10.1111/j.1540-6040.2012.01412.x>.
- Palmer, M.A., Liu, J., Matthews, J.H., Mumba, M., D'Odorico, P., 2015. Manage water in a green way. *Science* 349, 584–585. <https://doi.org/10.1126/science.aac7778>.
- Pauleit, S., Liu, L., Ahern, J., Kazmierczak, A., 2011. Multifunctional green infrastructure planning to promote ecological services in the City. In: Breuste, J.H., Elmqvist, T., Guntenspergen, G., James, P., McIntyre, N.E. (Eds.), *Urban Ecology*. Oxford University Press, pp. 272–285. <https://doi.org/10.1093/acprof:oso/9780199563562.003.0033>.
- Pearsall, H., 2010. From Brown to green? assessing social vulnerability to environmental gentrification in new York City. *Environ. Plan. C Gov. Policy* 28, 872–886. <https://doi.org/10.1068/c08126>.
- Pelling, M., 2011. *Adaptation to Climate Change: From Resilience to Transformation*. Routledge, London.
- Pellow, D., 2000. Environmental inequality formation: toward a theory of environmental injustice. *Am. Behav. Sci.* 43, 581–601. <https://doi.org/10.1177/0002764200043004004>.
- PEW Charitable Trusts, 2016. *Philadelphia's Changing Neighborhoods: Gentrification and other shifts since 2000*.
- Philadelphia Water, 2015. *Green Stormwater Infrastructure Design Requirements and Guidelines Packet*.
- Philadelphia Office of Sustainability, ICF International, 2015. *Growing Stronger: Towards a Climate-Ready Philadelphia*.
- Phillips, M., Smith, D.P., 2018. Comparative approaches to gentrification: lessons from the rural. *Dialogues Hum. Geogr.* 8, 3–25. <https://doi.org/10.1177/2043820617752009>.
- Pollock, L., 1991. Financing under the clean Water act: the Move from Federal Grants to state loans. *J. Contemp. Water Res. Educ.* 84.
- Prince, S., 2014. *African Americans and gentrification in Washington, D.C.: race, class and social justice in the nation's capital, urban anthropology*. Ashgate, Farnham. In: Surrey [England]. VT, Burlington.
- PWD, 2009. *Green City Clean Waters: Long-Term Control Plan Update*.
- Ranganathan, M., Bratman, E., 2019. From Urban Resilience to Abolitionist Climate Justice in Washington, DC. *Antipode*. <https://doi.org/10.1111/anti.12555>.
- Reinvest Fund, 2017. *Philadelphia's Middle Neighborhoods: Demographic and Market Differences by Race, Ethnicity, and Nation of Origin*.
- Roberts, J.T., Parks, B.C., 2007. *A Climate of Injustice: Global Inequality, North-South Politics, and Climate Policy*. MIT Press.
- Shi, L., Chu, E., Anguelovski, I., Aylett, A., Deats, J., Goh, K., Schenk, T., Seto, K.C., Dodman, D., Roberts, D., Roberts, J.T., VanDeever, S.D., 2016. Roadmap towards justice in urban climate adaptation research. *Nature Climate Change* 6, 131–137. <https://doi.org/10.1038/nclimate2841>.
- Sovacool, B.K., Linnér, B.-O., Goodsite, M.E., 2015. The political economy of climate adaptation. *Nat. Clim. Chang.* 5, 616–618. <https://doi.org/10.1038/nclimate2665>.



- Summers, J.K., Smith, L.M., Harwell, L.C., Buck, K.D., 2017. Conceptualizing holistic community resilience to climate events: foundation for a climate resilience screening index: community resilience to climate events. *GeoHealth* 1, 151–164. <https://doi.org/10.1002/2016GH000047>.
- Taylor, M., 2015. *The Political Ecology of Climate Change Adaptation: Livelihoods, Agrarian Change and the Conflicts of Development*.
- Teicher, H.M., 2018. Practices and pitfalls of competitive resilience: urban adaptation as real estate firms turn climate risk to competitive advantage. *Urban Clim.* 25, 9–21. <https://doi.org/10.1016/j.uclim.2018.04.008>.
- Thompson, M., 2015. Between boundaries: from Commoning and guerrilla gardening to community land trust development in Liverpool: community land trust development in Liverpool. *Antipode* 47, 1021–1042. <https://doi.org/10.1111/anti.12154>.
- Tibbetts, J., 2005. Combined sewer systems: down, dirty. *Out Date. Environ. Health Perspect.* 113, A464–A467.
- Triguero-Mas, M., Davdand, P., Cirach, M., Martínez, D., Medina, A., Mompert, A., Basagaña, X., Gražulevičienė, R., Nieuwenhuijsen, M.J., 2015. Natural outdoor environments and mental and physical health: relationships and mechanisms. *Environ. Int.* 77, 35–41. <https://doi.org/10.1016/j.envint.2015.01.012>.
- Turner, M.D., 2016. In: *Geoforum*, C. (Ed.), *Climate vulnerability as a relational concept*, pp. 29–38. <https://doi.org/10.1016/j.geoforum.2015.11.006>.
- Turner, B.L., Kasperson, R.E., Matson, P.A., McCarthy, J.J., Corell, R.W., Christensen, L., Eckley, N., Kasperson, J.X., Luers, A., Martello, M.L., Polsky, C., Pulsipher, A., Schiller, A., 2003. A framework for vulnerability analysis in sustainability science. *Proc. Natl. Acad. Sci. U. S. A.* 100, 8074–8079. <https://doi.org/10.1073/pnas.1231335100>.
- Tzoulas, K., Korpela, K., Venn, S., Yli-Pelkonen, V., Kaźmierczak, A., Niemela, J., James, P., 2007. Promoting ecosystem and human health in urban areas using green infrastructure: a literature review. *Landsc. Urban Plan.* 81, 167–178. <https://doi.org/10.1016/j.landurbplan.2007.02.001>.
- US Environmental Protection Agency, 2004. *Report to Congress: Impacts and Control of CSOs and SSOs*.
- Vale, L.J., 2014. The politics of resilient cities: whose resilience and whose city? *Build. Res. Inf.* 42, 191–201. <https://doi.org/10.1080/09613218.2014.850602>.
- van den Berg, M.M., Coenen, F.H.J.M., 2012. Integrating climate change adaptation into Dutch local policies and the role of contextual factors. *Local Environ.* 17, 441–460. <https://doi.org/10.1080/13549839.2012.678313>.
- Wilkinson, C., 2012. Social-ecological resilience: insights and issues for planning theory. *Plan. Theory* 11, 148–169. <https://doi.org/10.1177/1473095211426274>.
- Wolch, J.R., Byrne, J., Newell, J.P., 2014. Urban green space, public health, and environmental justice: the challenge of making cities 'just green enough'. *Landsc. Urban Plan.* 125, 234–244. <https://doi.org/10.1016/j.landurbplan.2014.01.017>.
- Woodruff, S.C., Stults, M., 2016. Numerous strategies but limited implementation guidance in US local adaptation plans. *Nat. Clim. Chang.* 6, 796–802. <https://doi.org/10.1038/nclimate3012>.
- Woodruff, S.C., Meerow, S., Stults, M., Wilkins, C., 2018. Adaptation to resilience planning: alternative pathways to prepare for climate change. *J. Plan. Educ. Res.*, 0739456X1880105. <https://doi.org/10.1177/0739456X18801057>.
- Young, R., Zanders, J., Lieberknecht, K., Fassman-Beck, E., 2014. A comprehensive typology for mainstreaming urban green infrastructure. *J. Hydrol.* 519, 2571–2583. <https://doi.org/10.1016/j.jhydrol.2014.05.048>.
- Ziervogel, G., Pelling, M., Cartwright, A., Chu, E., Deshpande, T., Harris, L., Hyams, K., Kaunda, J., Klaus, B., Michael, K., Pasquini, L., Pharoah, R., Rodina, L., Scott, D., Zweig, P., 2017. Inserting rights and justice into urban resilience: a focus on everyday risk. *Environ. Urban.* 29, 123–138. <https://doi.org/10.1177/0956247816686905>.
- Zografos, C., Goulden, M.C., Kallis, G., 2014. Sources of human insecurity in the face of hydro-climatic change. *Glob. Environ. Chang.* 29, 327–336. <https://doi.org/10.1016/j.gloenvcha.2013.11.002>.
- Zografos, C., Anguelovski, I., Grigorova, M., 2016. When exposure to climate change is not enough: exploring heatwave adaptive capacity of a multi-ethnic, low-income urban community in Australia. *Urban Clim.* 17, 248–265. <https://doi.org/10.1016/j.uclim.2016.06.003>.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Tuesday, February 18, 2020 8:26:55 PM  
**Attachments:** [Adan Palermo CPC Testimony.pdf](#)

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Adan Palermo**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

February 19, 2020 To Whom It May Concern: My name is Adan Palermo and I am a Sunset Park resident. I have also worked as an outreach worker in the community, working with local auto shops. Throughout my outreach work, I have already seen many challenges to business owners. Many are currently trying to fight to stay in existence in the middle of increasing rental prices. I am against Industry City's rezoning proposal because if allowed, it will further exacerbate displacement of businesses. There were times when I would return to auto shops to not find them in their original location. Auto shops and businesses in Sunset Park are owned locally, by residents who live in the neighborhood. Rezoning affects livelihoods and jobs, which then affects the ability of people to afford to live in the neighborhood. As climate change and sea level rise is a real concern in our world today, we must be able to adapt for it.

Sunset Park is a waterfront community, we must take this opportunity to build for climate adaptation, mitigation, and resilience. This will ensure local auto shops and other business owners can continue to exist without the threat of increasing rent prices. The Green Resilient Industrial District offers climate adaptation with green jobs for the community. There is nothing innovative regarding Industry City's rezoning application when it comes to gentrification and displacement. Sincerely, Adan Palermo

February 19, 2020

To Whom It May Concern:

My name is Adan Palermo and I am a Sunset Park resident. I have also worked as an outreach worker in the community, working with local auto shops. Throughout my outreach work, I have already seen many challenges to business owners. Many are currently trying to fight to stay in existence in the middle of increasing rental prices. I am against Industry City's rezoning proposal because if allowed, it will further exacerbate displacement of businesses.

There were times when I would return to auto shops to not find them in their original location. Auto shops and businesses in Sunset Park are owned locally, by residents who live in the neighborhood. Rezoning affects livelihoods and jobs, which then affects the ability of people to afford to live in the neighborhood.

As climate change and sea level rise is a real concern in our world today, we must be able to adapt for it. Sunset Park is a waterfront community, we must take this opportunity to build for climate adaptation, mitigation, and resilience. This will ensure local auto shops and other business owners can continue to exist without the threat of increasing rent prices. The Green Resilient Industrial District offers climate adaptation with green jobs for the community. There is nothing innovative regarding Industry City's rezoning application when it comes to gentrification and displacement.

Sincerely,  
Adan Palermo

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Tuesday, February 25, 2020 3:07:32 PM

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Michele Paolella**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I'm not in favor of the rezoning of Industry City. In the 10 years I've lived in Sunset Park we've largely avoided the dramatic rent increases, displacement, and devastation of local businesses that I believe this rezoning will cause. Our community is vibrant, caring, and diverse, and my neighbors and I deserve a better plan to develop the waterfront. With so many New Yorkers being priced out, we as a community reject anything that contributes to the further uninhabitability of Brooklyn! My landlord, an immigrant and long time homeowner in the neighborhood, is feeling pushed out, and I stand with her and others to keep Sunset Park the amazing place to live that it is today.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Connie Chan \(DCP\)](#); [Stephanie Shellooe \(DCP\)](#); [BrooklynComments\\_DL](#)  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Date:** Monday, February 17, 2020 4:01:53 PM

---

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

**Submitted by:**

Name: **Nancy Plese**  
Zip: **11232**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent": **37th Street Block Association**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Industry City is an anchor for the rebirth of Sunset Park. I support their expanded mission to improve the neighborhood.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Monday, March 2, 2020 12:17 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City  
**Attachments:** CPC\_hearing-Industry\_City\_rezoning-20200219-LLP.pdf

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Leonel Ponce**  
Zip: **10009**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

To successfully face the growing threat of climate change, we must also prepare our infrastructure and economy to transition from a polluting, extractive model to one that lowers ecological and carbon footprint across all sectors, and provides opportunities for local, green, resilient careers. This Just Transition relies on industry and manufacturing, and Sunset Park's working waterfront has immense potential to lead it. The proposed Industry City re-zoning runs counter to this necessary shift in our economic models. The re-zoning application asks that we suspend reality and believe that to build a healthy, so-called innovative economy in a twenty first century of climate change, we must prioritize hotels, market-rate retail, and high-end design offices, all in an industrial zone at risk of Sea Level Rise and future storms. In reality, that could be sited anywhere. So what's the alternative? Proposals such as the Sunset Park GRID – Green Resilient Industrial District - outline potential well-paid local jobs that could be housed in Industry City and the

waterfront, and provide a roadmap for climate change adaptation and the emergence of a just, green industrial and manufacturing economy. Therefore, I urge you to disapprove the Industry City rezoning proposal and all its actions.



**NYC City Planning Commission public hearing, 19 February 2020**

**Written Testimony on the Industry City re-zoning proposal in Sunset Park, Brooklyn**

<b>CD 7</b>	<b>C 190296 ZMK</b>
<b>CD 7</b>	<b>C 190297 ZSK</b>
<b>CD 7</b>	<b>N 190298 ZRK</b>
<b>CD 7</b>	<b>C 160146 MMK</b>

Hello, my name is Leonel Lima Ponce. I am an architect and the Academic Coordinator at Pratt Institute's Master of Science in Sustainable Environmental Systems program, in Brooklyn. Thank you for this opportunity to testify.

New York City's sustainable policies and rules, like the Climate Mobilization Act, can place us at the forefront of sustainable development in the United States. These milestones can move us towards climate mitigation, adaptation, and resilience, and begin to rectify inequitable environmental burdens. However, policy advances alone cannot drive us to a more just and prosperous city. After all, who will put into them into practice, and build our sustainable future?

To successfully face the growing threat of climate change, we must also prepare our infrastructure and economy to transition from a polluting, extractive model to one that lowers ecological and carbon footprint across all sectors, **and** provides opportunities for local, green, resilient careers. This Just Transition relies on industry and manufacturing, and Sunset Park's working waterfront has immense potential to lead it.

The proposed Industry City re-zoning runs counter to this necessary shift in our economic models. The re-zoning application asks that we suspend reality and believe that to build a healthy, so-called innovative economy in a twenty first century of climate change, we must prioritize hotels, market-rate retail, and high-end design offices, all in an industrial zone at risk of Sea Level Rise and future storms. In reality, that could be sited anywhere. ***For these reasons and the opportunities illustrated below, I oppose the Industry City re-zoning proposal in question.***

So what's the alternative? Proposals such as the Sunset Park GRID – Green Resilient Industrial District - outline potential well-paid **local** jobs that could be housed in Industry City and the waterfront, and provide a roadmap for climate change adaptation and the emergence of a just, green industrial and manufacturing economy.

***What could this Local, Just, Green Resilient Industry look like?***

**It is productive.** Local gardeners, cooks, and bakers work in a local food supply chain, including vertical aeroponic farms and food production. Logistics engineers coordinate shipping and receiving of produce

from upstate farms, to complement the local yields and provide local restaurants on 4<sup>th</sup>, 5<sup>th</sup>, and 8<sup>th</sup> Avenue with local and regional, fresh produce. A wholesale market adjacent to Bush Terminal Park brings producers, restaurant owners, and residents together on a weekly basis.

**It is regenerative.** A local landscape contractor purchases crushed glass from the SIMS recycling facility and compost from local gardens, and stores them in an industrial loft building. She grows sedum, grasses, and vegetables on the roof, and installs productive green roofs on local schools and multi-family buildings to mitigate urban heat island, manage stormwater, and educate young residents of Sunset Park on food sovereignty.

**It is water dependent.** Workers at an offshore wind staging area at the South Brooklyn Marine Terminal receive major turbine components from abroad, while other components are machined in the IBZ's existing buildings. Having access to this new market and training opportunities, machinists form cooperatively-owned manufacturing warehouses for smaller turbines for the urban setting, testing out pilot models along the waterfront and atop the industrial buildings.

**It harnesses the neighborhood's knowledge, assets, and resources for their own benefit.** DSNY, FabScrap and local textile industries collaborate to fabricate upcycled insulating materials from scraps and sell them to local energy retrofit contractors. Existing construction material warehouses collaborate with these and other re-manufacturing coalitions, producing and selling upcycled construction materials that help reduce energy loads, embodied energy while better preparing Sunset Park and South Brooklyn's residents building owners for more frequent heat waves and storms.

**It mitigates climate change.** Renewable energy contractors store solar photovoltaic cells in industrial warehouses, for replacement and expansion of existing arrays in the community-owned Sunset Park Solar cooperative network. Through training programs sponsored by Sunset Park Solar and hosted in the Industrial Zone, and help maintain energy storage facilities that have replaced polluting peaker power plants.

**It is adaptive to climate change.** Researchers develop tidal gauges and sensing equipment, to be built in the neighborhood and deployed in coastal protection installations. Along the SMIA, 500-year floodplain, and zone threatened by sea level rise, tidal marshes and other nature-based solutions are designed, built, and managed with community input, including that of industrial business owners and workers. Young people participating in the participatory planning and design processes are hired for all steps of implementation of an expanded greenway, public park and storm buffer zone.

**It is healthy and thriving.** As plans for the removal of the Gowanus Expressway are explored, local advocates for public health and safety work together with industry to ensure that the Sunset Park

community benefits – whether or not the proposal is approved. Rather than disperse truck and automobile traffic through local streets and thus continuing to contribute to air pollution, residents establishing a 21<sup>st</sup> century working waterfront walk to work each day, along upland green connectors that promote walkability and strengthen connections between the neighborhood and the waterfront. Proposals for last-mile delivery warehouses are supplanted by local mile micro-carters and micro-haulers, carting materials and waste via bicycles built locally to transport materials from centralized distribution centers at the edge of the community, reducing emissions and nurturing a circular and local economy.

These primary uses, and more, could be housed in the proposed re-zoning sites. The current IBZ and industrial zoning have preserved the latent potential of the neighborhood. Large footprints, flexible spaces and load-bearing capacities of make industrial buildings ideal for the uses described above, as do the large unbuilt lots. Close proximity to the water and its connection to local, regional, and international networks enhances its market potential. The presence of trained in manufacturing, construction, mechanics, shipping, and logistics, and a myriad of other skills provides a wealth of local workforce experience to draw from. As the largest remaining Significant Maritime Industrial Area in NYC, Sunset Park is poised to capitalize on the economic opportunities provided by the state Climate Leadership and Community Protection Act and the city's CMA, **and** become a model for a healthy, green, resilient, **local** industrial waterfront economy for the 21<sup>st</sup> century.

### ***How do Industry City and its re-zoning proposal fall short?***

Instead, the re-zoning proposal would prevent many of the uses described above from occurring in the Sunset Park SMIA, perpetuate current precedents for unsustainable development that inadequately addresses the local economy and climate change impacts, and cause residential and commercial displacement.

Testimony at the February 19, 2020 City Planning Commission provided anecdotal evidence of support of industrial, sustainable and local businesses by Industry City, such as offices for an energy retrofit company, resiliency projects by a design company tenant, and a jobs clearinghouse and workforce development center. This is, of course not quite relevant to the re-zoning at hand, which is asking for additional area within the Industrial District that could theoretically be used for retail and office – and indeed asks for specific increases in area restrictions for these uses. Retail and office, as stated above, can be sited just about anywhere, and may be welcome in other part of Sunset Park or adjacent neighborhoods. Additionally, while academic and training programs - whether provided by responsible design firms, through an Innovation Lab, or via satellite campuses of local universities - can help create opportunity for some youth in a community, academic collaboration does not rely on the taking of

industrial space by an institution; it can be provided via off-site spaces, or within accessory uses to principal Manufacturing uses.

As further described in my original response to Chapters 10 and 14 of the re-zoning's DEIS, as submitted by the CCCE, the current application is glaringly lacking any clear acknowledgement, understanding, or commitment to mitigating or adapting to climate change. Additionally, different sets of data and assumptions are held in various sections of the applicant's analysis of energy and GHG impacts. The lack of basic explicit compliance with current regulations and the environmental review process by the Applicant does not instill much faith in their ability or intent to go above and beyond, and take the necessary steps to help its sites and surrounding area adapt to sea level rise, rising temperatures, and increased storms. Coupled with the large investment made by Blackstone and other principal investors in companies actively participating in the deforestation of the Amazon and other climate atrocities, it is clear that Industry City's main goal is profit, not the improvement of the industrial waterfront nor the well-being of Sunset Park's residents and workers.

In short, the Industry City re-zoning application does not innovate, limits the economic vision, climate change adaptation, and transformative potential of Sunset Park and New York City to fulfill its promises and overcome the challenges posed by climate change – as a Green Resilient **Industrial** District.

**Therefore, I urge you to disapprove the Industry City rezoning proposal and all its actions.**

Sincerely,



Leonel Lima Ponce  
Acting Academic Coordinator  
M.Sc. in Sustainable Environmental Systems  
Graduate Center for Planning & The Environment  
Pratt Institute, School of Architecture

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Monday, March 2, 2020 12:28 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Robert Stevens**  
Zip: **11209**

I represent:

- **Myself**

Details for "I Represent":

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

Hi Everyone, I want to thank you for hearing my concerns on the Industry City rezone request. I believe this decision should be made with full input from the community residents, businesses and employees at industry city regardless of contracted out status we play an integral role in the day to day success of Industry City and keep it operating and safe for the general public and employees. As a former Union rep there for 4 plus years I as I expressed am appalled at the deep cuts to the security department ranks. These cuts were directed by the client Jamestown. A- Team Security the contractor simply followed the orders of it's client. Industry City has a history of assigning blame to contractors as they did in 2017 when Mr. Kimball blamed the contractor Squashed Exterminating for the cruel removal of several feral cat colonies at the campus. it is very difficult to explain to an employee the process of filing for unemployment during the holiday seasons of Thanksgiving and Christmas. I did read an article last night indicating Mr. Eric Adams Borough President calls for safer streets amid the recent deaths of 2 school age children. <https://www.ny1.com/nyc/all->

boroughs/news/2020/03/01/brooklyn-borough-president-eric-adams-calls-for-safer-streets-after-deadly-accidents- The cuts to the Dock Master position at Industry City even on private property does nothing to keep the shoppers, employees and residents safe there. We have had cases of individuals falling through the loading dock gates when they are unsecured. A camera cannot prevent accidents it can only document them. The private property owners are asking the City of New York to modify zoning and they have an unequivocal responsibility to do their part ethically to keep the residents safe. For the aforementioned reasons I oppose the rezoning of Industry City. If they are slashing safety positions now prior to a rezone I can't imagine how emboldened they will become to make cuts if it is approved with significant more traffic and pedestrians descending there it will be a recipe for accidents. Camera's on streets will not suffice to keep the public safe. Eyes and ears will. Thanks Robert Stevens

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Sunday, March 1, 2020 7:19 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Annmarie Tesar**  
Zip: **11232**

I represent:

- **Myself**

Details for "I Represent": **I have lived in sunset park since 2013.**

### My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

I have lived in sunset park since 2013. I have seen a lot of changes since moving here. I raise my 2 year old son here along with my husband who is a full time student. I am the primary breadwinner for my family. I am worried this project will lead to increased gentrification and displace long term residents in the process.

## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Saturday, February 29, 2020 10:38 PM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Patrick Whelan**  
Zip: **11232-3300**

I represent:

- **A local business**

Details for "I Represent": **Sahadi's**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

### Additional Comments:

While we are known for our historic store on Atlantic Ave, we have had a facility in Sunset Park for decades. I run that facility. Instead of closing or moving, we decided to adapt our business around a new start in Industry City. This was not about opportunity for me, but for our next generation. This is about encouraging businesses, like Sahadi's, to invest. Instead of listening to self-serving concerns, and sudden new plans for the waterfront, I implore you to help this job engine continue.



## Rupsha Ghosh (DCP)

---

**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Wednesday, February 26, 2020 11:32 AM  
**To:** Connie Chan (DCP); Stephanie Shellooe (DCP); BrooklynComments\_DL  
**Subject:** Comments re: C 190296 ZMK - Industry City

Re. Project: **C 190296 ZMK - Industry City**

- Application Number: **C 190296 ZMK**
- Project: **Industry City**
- Public Hearing Date: **02/19/2020**
- Borough: **Brooklyn**
- Community District: **7**

### Submitted by:

Name: **Sylvia Zimmerman**  
Zip: **11220**

I represent:

- **Myself**

Details for "I Represent": **Industry city's goal to create 20,000 jobs. I am a home owner in the community and see the need for this community to grow and improve our schools and neighborhood businesses**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

Industry city's goal to create 20,000 jobs. I am a home owner in the community and see the need for this community to grow and improve our schools and neighborhood businesses