

Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, New York 11225
ULURP/Land Use Committee Meeting Minutes

November 14, 2023
Meeting ID: 818 5078 7125

Attendance (Board Members): Suki Cheong, Committee Chair; Pat Moses; John Woefling

Attendance (Community Resident Members): Nichola Cox; Esteban Giron; John Craver; Yaacov Behrman

Absent (Board Members): None

Absent (Committee Members): Tom Thomas

Guests: Felice Robertson, CB9; Theresa Westerdahl, CB9; Alicia Boyd; Zeng Jean-Jacques; Laurette Brown; Andrew Magnus; Mecca Geters; Sherry Ann Atkinson; Cheryl Bernard

CB9 Staff: Mia N. Hilton, Assistant District Manager

- I. **Call to Order**
 - a. Committee Chair, Suki Cheong called the meeting to order at 7:08pm
- II. **Election of Vice Chair**
 - a. Yaacov Behrman unanimously elected chair by committee members
- III. **Committee Updates**
 - a. **City of Yes For Economic Opportunity Subcommittee** Update (Chair Cheong)
 - i. Sweeping Citywide Text Amendment will completely change commercial zoning
 - ii. Committee discussed and were generally opposed to some proposals from Department of City Planning:
 1. Collapsing several zoning categories would allow more manufacturing, auto businesses and nightclubs in all mixed residential and retail districts instead of keeping hazardous and noxious uses separate from residential.
 2. Allowing ground floor retail in all areas where commercial is currently not allowed, within 100 feet of a corner and up to 2500 sf. Citywide, proposal would allow for up to 150 million sf of new commercial/eliminating up to 150 million sf of residential.

- iii. Timeline: Community Boards have 60-day review beginning Oct 30. COY committee will continue to discuss recommendations
- iv. Alicia: Use Groups 17 and 18 will be combined, allowing heavy manufacturing
(for example, sugar refining) in all districts
- v. John W: What about differences between harmful or nuisance causing activities and those which aren't.
- vi. Alicia: Enforcement is not happening as it is. These proposals put the burden on the public to report violations and push for enforcement. Manufacturing districts were created to separate residential and industrial districts, so those activities don't cause harm
- vii. Alicia: Also allowing upper floor commercial uses to be mixed with residential housing and expanding home occupations – before only certain occupations like accountant or lawyer, now it could be a nail salon or barber shop which requires certain types of ventilation
- viii. Nightclubs
 1. Alicia: When we had a nightclub in the area, cops coming to shut down nightclub activities can create as much noise as the nightclub. Also, there was a lot of congregations on the sidewalk.
 2. Cheryl: No one can guarantee that once these activities are approved that nothing will go wrong, that there will be no gunshots or robberies.
 3. Nichola: We're trying not to just say no – there could be a special permit in certain districts for communities where it makes sense. It probably doesn't in our community. We want to be able to hear these applications at our community board and determine that.
 4. Suki – Currently dancing is as of right in M1 and there is a special permit for dancing in C2, C4, C6 districts. They have to tell the BSA what they're going to do to mitigate noise, crowds, etc. We have some C2 districts, also C1, C8 and M1.
 5. Rod – I don't think our community can handle the nightclubs. It should be a blanket no, not even a special permit.
 6. Zeng – object to blanket allowance, okay with special permit. What is causing all these changes? What is in place now works.
 7. Suki – started with BLAST committee
 8. Alicia – initiative by real estate industry to remove all zoning restrictions so we can build more and have more commercial activity.

b. City of Yes For Housing Opportunity Update

- i. Citywide zoning text amendment would upzone the entire city and eliminate requirement to add parking for new development
- ii. Environmental Assessment has been conducted and found potential negative impacts in most categories.

- iii. Upzoning proposals would sharply increase density in R6 and R7 areas which cover most of CB9. City planning says only a minor increase but that is not true in our district. Nyczoning.org
 - 1. Potential to demolish 3000 more buildings in CB9, given size of existing buildings and extra air rights, developers will demolish
 - 2. Potential to build more than 24,000 new units of housing in CB9 (average unit size 800 sf)
- iv. Stated goal of zoning text amendment is to build 100,000 new units. However, upzoning proposals would potentially create millions of new units and there are already 120,000 new units permitted as of right.
- v. Yaacov: In crown heights many homeowners would like to be able to have bedrooms in the basement or rent out the basement – like the proposals to allow basement housing.
- vi. John W: don't think developers will demolish if they can only build a couple thousand sq feet.
- vii. Esteban: City planning consistently underestimates the effects of rezonings in creating new residential housing. In downtown Brooklyn they thought they were rezoning for office buildings, and they got 20,000 new units of housing.
- viii. John C: NYC has grown by 630,000 people from 2010 according to 2020 census, need to take that into account when looking at housing need.
- ix. Suki: But from 2020 to End 2022, we lost 450,000 people. Latest Census figure is 8.35 million population in NYC.
- x. Alicia: Many people have been displaced by all the development that is going on. Almost 90,000 units have been created in Brooklyn, mostly in communities of color. We are not building for the average new Yorker.
- xi. John: The upzoning would add affordable housing – the new units would all be affordable
- xii. Suki: Since the zoning could incentivize so much demolition in our district, in the new building only 20% would be affordable, 80% would be much more expensive than currently.
- xiii. Suki: The affordability level is expected to be \$100,000 for a family of 3; since it is a voluntary incentive the developers will use the incentive in communities where median income is below \$100,000 so they get a free upzoning. This zoning text amendment will lead to development, demolition, and density to be concentrated in lower income communities.
- xiv. Alicia: Developers will always take the highest income level available to them.
This is another scam that will not lead to affordable housing in our community
- xv. Alicia: R2, R4. And R5 will also have a significant increase in development potential.
- xvi. Zeng: What options have been explored other than this zoning text amendment before we drastically change and destroy this community? This is a nightmare; this is the twilight zone. Why couldn't developers build in upstate New York where they have acres and acres of open land?

xvii. Alicia: The environmental review process is just an exposure process. Frequently no mitigation is required. They do not usually stop projects.

xviii. Andrew:

1. The proposal to build more upstate and in long island was proposed but failed
2. A lot of alterations are interior and can change the number of units, for example Carroll Gardens lost units due to interior combinations.
3. Not all buildings will be demolished right away
4. AMI should be calculated based on the neighborhood. Sometimes lower income options are used by developers.

IV. **New Business**

a. Continued Discussion of Environmental Effects of Development

- i. Sewers – With rezonings, CEQR threshold (per technical manual) for adverse impact is 400 units. PLG/S. Crown Heights has had 5000 units of new development from 2010-2022, most of it without rezoning, meaning that there has been no mitigation even though new units enough to trigger adverse impact.
 - ii. Electric – what is the impact on the grid? Usage Need is calculated based on amount of sq feet added.
 - iii. Housing Affordability - Data from Equitable development data explorer shows positive correlation between higher new development and higher rents from 2010-2022
 1. Bay Ridge: 437 new units, 12% increase in median rent
 2. PLG & S. Crown Heights: 5000 new units, 20% increase in median rent
 3. N. Crown Heights- 6500 new units, 26% increase in median rent
 4. Williamsburg & Greenpoint – 21,000 new units, 50% increase in median rent
 - iv. Housing safety and quality – in many parts of CB9, buildings are so dense already that new development encroaches on existing apartment buildings
 1. 1 Sullivan – 12 story building with 6 stories cantilevered over existing 6 story apartment building. Caused cracking of top floor apartment ceilings and walls
 2. 1930 Bedford Avenue – cut off windows at the back of rent stabilized apartment building around the corner. Tenants are entitled to reasonable light and air so the new building diminished existing property value and displaced tenants.
- b. **777 Rutland Road** – proposed upzoning from R6 to R8 MIH, low income housing no parking.
- i. Church is saying to pray for the ULURP – what is the status? ii. Suki – no rezoning application has been filed yet. CB9 had hearing last year, and residents opposed to upzoning and no parking and concerned about incoming

population. iii. Office to ask DCAS if deed restriction has been lifted – restricts the land to church use only

- c. **Washington Avenue** apartment building, construction work. **Asbestos** in ceilings. Had to call AG to intervene. Creating small apartments, \$6000 a month.

V. **Adjournment**

- a. Meeting adjourned at 10:12pm