

From: [Felicia O'brien](#)
To: [Land Use Testimony](#)
Subject: Felicia DeVita testimony
Date: Tuesday, September 15, 2020 11:54:01 AM

My Name is Felicia DeVita. I am a resident of 28th street between 3rd and 4th avenue. Although we are considered a mix used block, we have 14 multi family homes. Our children would like to play on or block and ride their bikes.

Since the increase in truck traffic going to industry city and liberty view our small block has become a through way for illegal 53 foot trailers traveling at high speeds to make the light. They often make pit stops at kentucky fried chicken, eat the food they purchase there as they are parked on our block and toss the contents on our street. Our block has become an illegal truck route for them to use to be able to turn down toward third avenue. I am telling yo today that these trucks traveling at these high speeds are a tragedy waiting to happen. You cant continue to build and promise that you are adding to our community when we are suffering from what you are building. Our taxes continue to increase and our quality of life continues to decline. A designated truck route needs to be designed and it needs to be inforced.

The other concern for us is our sewer system. It is over taxed. Our entire block of homeowners own sub pumps and have installed check valves. Even with these safety measures in place we have flooded when it rains. Last July a heavy rain backed up our sewer and the pressure of the water was too much. We lost our entire kitchen and living area from this disaster of sewer water. The damage far exceeded the max for a sewer back up insurance claim. You are building hotels on every corner and continue to plan to build but have an outdated sewer system that is already over taxed. This needs to be addressed before you continue to build.

The last concern are the use of these spaces for homeless shelters next to our schools, what does this say for the future if this "up and coming area" If they are not living in the shelters they are living in trailers under the highway. They used to park the trailers near industry city but have been chased away and now sit on our corner, taking up parking and loitering. The space under the highway was made safe for pedestrians directly in front of industry city but the space on 28th street is failing apart and dangerous to have to stand under while waiting to cross with our children. Industry city does not care about making connections in this community. This is why we are all apposed to the changes. Our quality life has declined since they took over the bush terminal buildings.

My husbands family has owned this house since it was built in 1910 and we will be the generation to finally leave. All the stores have closed. The construction has over taken our streets and parking. There is not a drug store, restaurant. park, playground or grocery store around. The community is suffering! We will not be able to continue to live here for you to even offer the jobs you are going to offer.

United Brotherhood of Carpenters and Joiners OF AMERICA

1682 86th Street, 2nd Floor
Brooklyn, NY 11214

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LOCAL UNION 926

ANTHONY BELISARIO
Recording Secretary

MARTIN TUOZZO
President

VINCENT ALAIMO
Financial Secretary

NYC Council
Subcommittee on Zoning & Franchises
250 Broadway New York, NY 10007

September 15th, 2020

Re: L.U. 674, 675, 676, & 677 - Industry City

Honorable Members of the Subcommittee:

I am Martin Tuozzo, President of **Brooklyn Carpenters Local #926**, with a membership of approximately two-thousand (2000) Brooklyn Union Carpenters; many of which live in Brooklyn, have familial and/or close ties to the Borough. **I was born in Sunset Park Brooklyn**, and was raised in neighboring Park Slope. I wish to emphasize what the rezoning of **Industry City** means for my members.

A vote In-Favor of the Rezoning means potentially hundreds of Union jobs, lasting years for our Carpenter members. Such jobs provide wages on which our families can be raised, rent and mortgages can be met, and local purchases can be made. A favorable vote can bring much needed comfort in a time of uncertainty given the ramifications of the health crisis we all face. The well being of thousands of families, many from Brooklyn, lays in your hands. Our very livelihoods depend upon your decision.

On behalf of these families I must therefore urge the Subcommittee to recommend a vote **In-Favor of the Industry City Rezoning** with no further delay.

Sincerely,

Martin Tuozzo: President
Carpenters Local #926

Testimony by Al Wiltshire in Support of Industry City's Rezoning

September 15, 2020

Good afternoon.

My name is Al Wiltshire. I've had the pleasure of working on the revitalization of Brooklyn for over forty years including time as a senior executive at Brooklyn Union Gas and as Chief of Staff to Congressman Ed Towns. The work I'm most proud of was my service to the Brooklyn Navy Yard. I served as president of the Yard in the 1970s when literally we had to put fires out nearly every day and, as a former police officer, I wore a gun to work given the wild west nature of the Yard at the time. I also had the pleasure of serving as Vice Chair of its Board of Directors during the time Andrew Kimball served as CEO.

It is no understatement to say that during Andrew's tenure the Navy Yard was transformed. Working closely with me and other Board members and staff our underperforming Employment Center was transformed into a national model placing thousands of local residents, many with high bars to employment, in good paying jobs. The physical plant of the Navy Yard radically changed with barbed wire ominously keeping the neighborhood out coming down and new buildings going up.

I've seen the same remarkable turnaround of the crumbling old industrial site into a vibrant center of local employment and innovation taking place at Industry City. I've seen Andrew bring to the private sector the lessons we learned at the Navy Yard's Employment Center -- that is now been renamed in my honor -- by establishing the Industry City Innovation Lab helping local residents find employment in this dynamic new employment hub.

I've been around for a long time. I remember well the City during the fiscal crisis in the 70s and long recovery in the 80s and 90s. Ladies and gentlemen, unless our elected officials act quickly to reenergize the economy we will be back in those bad old days.

It is mind boggling to me that this modest, yet visionary zoning change is causing so much controversy.

Council Members, please show Citywide leadership. Please approve this project.



BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

GARY LaBARBERA
PRESIDENT

AFFILIATED WITH THE
BUILDING CONSTRUCTION TRADES DEPARTMENT
OF WASHINGTON, DC

BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE

AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

TESTIMONY

On behalf

BUILDING AND CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK AND VICINITY

In Support of the Industry City Rezoning

September 15, 2020

Good afternoon. I am Gary LaBarbera, President of the Building and Construction Trades Council of Greater New York & Vicinity. I am here to testify in support of the Industry City Rezoning.

The Building and Construction Trades Council is an organization of local building and construction trade unions that are affiliated with 15 International Unions in the North American Building Trades Union. Our local union affiliates represent approximately 100,000 union construction workers. The Building Trades mission is to raise the standard of living for all workers, to advocate for safe work conditions and to collectively advance working conditions for our affiliates' members, as well as all workers in New York City.

New York City is unique in its resiliency and its ability to adapt and to move forward into the future. Industry City has been a long-time industrial and manufacturing hub on the Brooklyn Waterfront. Rezoning Industry City sends a message that New York City remains invested in progress. Now is the right time for this message to be sent.

Rezoning Industry City would allow for the creation of more than 20,000 jobs. Many of these jobs would provide wages and benefits that will support a middle-class lifestyle for workers and their families. With over 1 million workers out of work, now is the right time to take action that will lead to job creation.

Rezoning Industry City would be a much welcome boost to the City's economy. A rezoning of Industry City provides the opportunity to inject \$1 billion in private investment into New York City and to create \$100 million a year in tax revenue. With the City of New York very much struggling with the economic impacts of the Covid-19 pandemic, now is the right time to take advantage of opportunities to promote investment and generate revenue in New York City.

We believe that this opportunity is one upon which the City cannot afford to take a pass. Rezoning Industry City is smart. It creates good paying jobs and addresses important economic concerns at a unique point in time where the City needs to do both. The Building and Construction Trades Council of Greater New York and Vicinity supports projects like the Industry City rezoning that will improve the lives of many New Yorkers, modernize our City, and create middle class jobs for our members in the process.

We thank you again for this opportunity to testify in support of this project.

From: [Shannon Finnegan](#)
To: [Land Use Testimony](#)
Subject: I oppose IC Rezoning
Date: Thursday, September 10, 2020 8:51:20 AM

Dear City Council,

I am a resident of Sunset Park and I oppose Industry City's rezoning proposal.

This rezoning proposal aligns with a vision of New York City for the wealthy. It will raise rents in the area at a time when so many of my neighbors are already feeling immense financial pressure to pay bills and make rent. It is a playground for the rich with stores, restaurants, and bars that expensive and out of touch with the needs of our neighborhood. For example, IC is raising the post office's rent when that is a vital service, and one of the only reasons I go to IC. I am extremely skeptical of the jobs numbers Industry City is touting — will those jobs have livable wages? Will they go to people in our community?

This proposal has no meaningful commitments to our community.

I urge you to vote against this rezoning proposal. It will do so much damage to Sunset Park.

Thank you for your time and consideration,
Shannon Finnegan

From: [Orion Martin](#)
To: [Land Use Testimony](#)
Subject: I strongly oppose Industry City rezoning
Date: Thursday, September 10, 2020 2:47:45 PM

Dear City Council,

I am a resident of Sunset Park, and had two jobs that were based in Industry City, both of which moved out due to predatory (30% in one year) rent hikes. I also frequently use the USPS in Industry City, which is now relocating due to... predatory rent hikes.

I have not seen one spec of meaningful engagement with the community on the part of Industry City's developers. Like so many other developments in NYC, Industry City will say what it needs to right now so that city politicians feel alright voting for it, and before the ink is dry, they will have abandoned those commitments and continued on their mission to push current residents out and change the culture of our community.

Do not allow this to happen.

Best,
Orion

Marcela Mitaynes

Sunset Park is a diverse neighborhood. It is one of the last real NYC communities. I moved to Sunset Park in 1978, when I was 5 years old, part of an immigrant family who migrated from Peru to NY for a better life. Our rent stabilized apartment became our own Ellis Island as my father called for his parents, sisters and they came with their spouses and children. Four generations of my family have called Sunset Park home. **But Sunset Park was very different in the late 70's than it is today. My family and I moved here because it was affordable at a time it was not particularly desirable. We, along with our neighbors set roots here, we attended the local schools, patronized the local stores, attended the local places of worship and helped make Sunset Park a vibrant, flourishing community.**

To claim there will be no impact on residential housing stock because there is no housing being built is just false. The rezoning has the potential to wipe out the immigrant population as we know it. We are already seeing and feeling the impact as residential and commercial tenant displacement pressures have risen since 2013, when Industry City took ownership.

Their draft EIS claimed there would be no primary or secondary displacement as they were not building affordable housing. After they conducted their study, **the developer has acknowledged there are approximately 26 families that will be directly impacted as they are currently in the area where they want to build one of the hotels. Industry City went on further to claim that because the 26 families are less than 1% of the population this was insignificant.**

This proposal is flawed because it lacks a comprehensive look at how this rezoning will impact the neighborhood. This is the largest private rezoning and although it is focused on commercial space, it will have a transformative effect on the existing population and community of Sunset Park.

There is no racial/ethnic impact study conducted examining impact of proposed rezoning on equity, direct/indirect residential displacement, and direct/indirect business displacement in community board 7. We know for this project to be successful, it means gentrifying the community.

There is no creation of a local restricted residential unit database to allow for research and data tracking of rent restricted units. To say there will be impact to residential

There is no community specific study examining preservation of existing affordable housing units. As neighborhoods change and rent goes up, the loss of affordable residential units helps the neighborhood gentrify faster, replacing the working class community.

There is no identification of possible, potential development sites for new affordable housing and or preservation purchases. How can we have a real discussion about a potential Community Benefit Agreement that may include the creation of affordable housing to mitigate the impact.

There is no procurement of existing 2-5 family housing to be placed into affordable housing stock. We are seeing tenants who have lived in this type of housing for 10, 20 even 30 years, with no lease, living month to month, suddenly being priced out or evicted. Property owners are rushing to cash in on the new influx of residents willing to pay more in rent.

There is 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. What was once seen as an

economic development; there was a creation of immigrant businesses to serve the needs of the community. We are now seeing those same businesses change the products sold to cater to new, incoming populations.

There is no comprehensive analytical data or study results available examining increases harassment pressures (e.g.: rent increases, lack of lease renewals or short term renewals, unjust evictions, etc.) for residential and commercial businesses in community board 7 pre/post Industry City ownership change in 2013 to present. We can see the changes as long time businesses are closing and our neighbors leaving.

There is no identification of accurate direct displacement, and no identification of mitigation efforts for directly displaced residential/commercial tenants in proposed site area along 3rd avenue. For this rezoning to move forward means displacing families from an affordable unit and pushing them out into the market rate world, with no support to succeed.

There is no comprehensive study examining the impacts/effect of other project developments currently in progress in community board 7. There is currently a massive development on the East side of Sunset Park, just outside community board 7 but borders Sunset Park. The new development will help expedite gentrification.

There is no available studies examining home and property sale price changes for homeowners pre/post Industry City ownership change in 2013 to present. We are seeing real estate aggressively, harassing property owners to sell, offering cash and purchasing property to flip them for a profit, making the reality of homeownership that much more difficult.

There is no comprehensive study examining the impact/effects of several other project developments currently in progress in community board 7 as well as no study of neighboring current or potential rezoning (i.e. Gowanus rezoning) or past rezoning of Sunset Park and their impacts on direct/indirect displacement, housing affordability.

To be able to consider and determine how this proposed rezoning will fundamentally change the character, the diversity and makeup of the neighborhood, there is a need for further study. The request to rezone Industry City is unprecedented as this is the largest and last working waterfront. To understand what is happening in our community, it was simply expressed by a social worker, from a local elementary school, last year as the community as a whole was worried about the rezoning. The social worker explained she currently has 300 children classified as homeless. The Board of Education classifies homeless as those who lack a fixed, regular and adequate nighttime residence. That represents 200 and another 100 who are coming from shelters. That is 300 of a school population of 900, $\frac{1}{3}$ of the children are homeless. The social worker was clearly able to recognize the impact of school attendance and behavior problems dating back 5-6 years, meaning the problems started in 2013-2014 when change of ownership happened with Industry City. **We as residents are experts in our lived experiences and we know this rezoning is not good for us but only benefits the developers and owners. Therefore, you must not allow this proposed zoning of Industry City to move forward.**

From: [Ray Flautt](#)
To: [Land Use Testimony](#)
Subject: In support of IC rezoning
Date: Sunday, September 13, 2020 12:29:59 PM

I live on 41st Street in Sunset Park. I moved here in 1984. My home was robbed twice in the early days and when I used to go running down through Bush Terminal training for NYC Marathon, I would be chased by drug users and stray dogs. Many building were vacant and in disrepair. It was quite scary. Now I go down there frequently to walk in Bush Terminal Park. I eat and shop in IC. And I still frequent small local shops and restaurants on Fifth and Fourth Avenues. I think IC has done wonderful things for our neighborhood by attracting and retaining Brooklynites thru job creation and training, social and cultural events, shopping and restaurants. I believe that they should be given permission to continue and expand their efforts to improve the quality of life for all Sunset Park residents.

Sincerely,
Ray Flautt
41 Street

From: [John Reyes](#)
To: [Land Use Testimony](#)
Subject: Industry City
Date: Tuesday, September 15, 2020 7:01:41 PM

I am for rezoning and I live in the neighborhood for my life. I am for job creation. I am for education opportunities. I am for rebuilding. I am for modernization and renovation. Sunset Park does not have to be in the 'older' and 'previous' days forever. Thank you.

From: [Waichi Yeung](#)
To: [Land Use Testimony](#)
Subject: Industry City (L.U. 674, 675, 676, & 677)
Date: Monday, September 14, 2020 2:23:03 PM

Hi there,

I'm a homeowner between 2nd and 3rd Avenues.

NO to Industry City Rezoning!

My family and neighbors don't want any "luxury," elitist developments here — NO condos, hotels, or big box retailers! NYC doesn't need more multi-million dollar condos!

Plans need to maintain the industrial character of the Sunset Park waterfront to: protect and expand career-track manufacturing jobs, protect working class residents from displacement, and develop for climate resilience.

Any recreational developments should be publicly accessible to all communities in Sunset Park.

Thank you.

From: [Nancy Plese](#)
To: [Land Use Testimony](#)
Subject: Industry City
Date: Thursday, September 17, 2020 10:59:43 AM

Dear Councilmembers, I support Industry City development because we have to work quickly to prepare for a post-COVID world.

We need jobs and IC is in a position to rapidly provide them. My daughter is an unemployed young adult who was born and grew up a few blocks from this complex. I hope she will be able to soon work there. She can't wait for an alternate plan that would come to fruition a few years from now.

We are not gentrifiers; my husband and I have lived here since 1982.

Please support jobs and improvements in Sunset Park quality of life. Thank you. Nancy Plese, 457 37th Street, Brooklyn 11232

[Sent from iPhone](#)

From: [Sharon Peters](#)
To: [Land Use Testimony](#)
Subject: Industry city
Date: Monday, September 14, 2020 10:50:21 PM

I strongly respect the well thought out opinion of council member Carlos Menchaca to oppose the current plan to rezone Industry City. It is based on profit based motives and ignores any input from a community ravaged by Covid-19 and the resulting loss of income and resources.

It is totally reprehensible to do so.

Sharon Peters

From: [Priscilla Grim](#)
To: [Land Use Testimony](#)
Subject: Industry City Comments - I would like to present - I am on the list
Date: Tuesday, September 15, 2020 10:16:09 AM

In the early 2000s, I was raising a toddler, making experimental films, building blogs online with hand-coded html, and financially struggling as I lived on 45th Street and Fourth Avenue in Sunset Park. I had seen the advertisements in the neighborhood about Industry City and read articles about the “tech-centered” hub being planned for the neighborhood.

I returned to school to formalize my knowledge of all things internet at the New School, graduated, built Real Punk Radio, an online radio station with friends, from my home in Sunset Park, and began my tech career. I signed up to every email available from Industry City, as I read they would be keeping the neighborhood informed of job possibilities while searching online job boards, and raising my daughter as she attended PS 24.

In 2012, I began work at the Bill and Melinda Gates-funded ed-tech organization, PowerMyLearning, I thought it would be a great transition from the social justice-oriented work I enjoyed, though not well paid, as I patiently applied and waited for an opportunity from the Industry City campus to arise. In my work at PowerMyLearning, I brought over 500K new users to the platform with a user growth strategy grounded in content marketing.

For four years I applied to positions at Industry City businesses, hoping for an opportunity to work in my neighborhood for 14 years, at that time. The opportunity never came. In 2017 I moved to Flatbush after a year of harassment from my landlord, wanting to collect an increased rent he witnessed others in the neighborhood paying, but that I could not afford.

The promises of Industry City are a lie and not in service to the people of Sunset Park, Brooklyn, or the City of New York. A rezoning for Industry City will only bring displacement and harm. Please vote against their plans, now and in the future.

Priscilla Grim
2328 Newkirk Ave
4c
Brooklyn, NY 11226

Priscilla Grim
Brooklyn | 347.682.9783
Build Audience, Engage Your Community: <http://bit.ly/Nine2FivePriscillaGrim>

From: [Tom Schloegel](#)
To: [Land Use Testimony](#)
Subject: Industry City rezone proposal 674-677
Date: Tuesday, September 15, 2020 11:46:27 AM

To Whom It May Concern:

I am a registered voter and resident of Brooklyn. I write to voice my opinion AGAINST the rezoning proposal, for two reasons:

1. My neighbors - members of my NYC family - from Sunset Park have clearly stated that they do not endorse the proposal (4000+ petitions signed), and Council Member Menchaca has expressed those wishes to the council (further endorsed by Public Advocate Jumaane Williams and every state and U.S. elected representative from Sunset Park). Council Members serve the public and the public has made their preference clear. Council members serve on our behalf and should vote accordingly.

2. The City Council passed Resolution 864 in 2019, "calling for an immediate emergency mobilization to restore a safe climate." Approving additional development on NYC waterfront property, putting people and property at risk of flooding, directly contravenes this resolution.

Thank you.

Tom Schloegel
285A 13th Street
Brooklyn, NY 11215

From: [Marie Miller](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning
Date: Sunday, September 13, 2020 10:35:34 PM

Dear Council Speaker Corey Johnson,

Some people might refer to me as just a housewife but I'm far more than that!

I was an attorney but devoted my life to raising my two sons while my husband became the main bread winner while working in real estate development. We have worked hard over the years, have been financially responsible and always careful to save for the future. Our two sons attended Harvard and we paid every penny of the tuition. On top of that I have been a full time volunteer to improve others' lives in so many ways.

Today, my husband is unemployed and NYC needs to move forward if there is even a chance for him to find a job. We are scared and lose lots of sleep.

Limiting any kind of development and future projects is disastrous. Think of all the jobs this will bring. The sheer possibility of not allowing all these jobs terrifies me. NYC has suffered enough. This is a way to get part of it moving. Don't lose that chance. Blocking this rezoning is like kicking a gift horse in the mouth.

Every person who is employed because of this rezoning is one person less who is struggling. Who knows? My husband might even get hired!

Make NY proud by allowing this rezoning.

Be well,

Marie Miller

Sent from my iPhone

Testimony of Laura Wolf-Powers

LU 0674-0677 Industry City Rezoning Application

September 15, 2020

Thank you, Chair Moya and subcommittee members, for the opportunity to share my views today. My name is Laura Wolf-Powers and I am an Associate Professor of Urban Policy and Planning at Hunter College, CUNY. What I'm about to say reflects my views and not necessarily those of my employer.

In his testimony, Mr. Kimball spoke of his ground-breaking leadership at the Brooklyn Navy Yard several miles north of Sunset Park. I am a huge proponent of the development model that gave us the Brooklyn Navy Yard, and a longtime admirer of the Navy Yard's many accomplishments. If this proposal were about expanding the Navy Yard, or about replicating the Navy Yard model on the Sunset Park waterfront, I would be testifying in favor. But Industry City is not the Brooklyn Navy Yard, and it is disingenuous to claim that what Mr. Kimball achieved there has anything to do with Jamestown's ambitions in Sunset Park.

Mr. Kimball chose to leave the non-profit Navy Yard Development Corporation, where he was President and CEO, to become an employee of Jamestown Properties, a private investor and developer. In doing so, he left a mission-driven, city-chartered entity dedicated to serving the City of New York. The Navy Yard Development Corporation is structured to take revenues in excess of expenses and reinvest those revenues to create opportunities for first-time entrepreneurs, for family-owned manufacturing companies, for young people who need good jobs. For the Navy Yard, leasing space at below-market rents to job-dense manufacturing companies and creating successful public-facing workforce development programs is mission-consistent. The Navy Yard Development Corporation is governed by a board that is accountable to the public. It's a wonderful model. There should be more Navy Yards, and there **could** be more Navy Yards.

The people who manage Jamestown Properties, the organization that owns Industry City, are not accountable to the public. They are accountable to the people and institutions that invest in their funds. Period. The metric they use to evaluate success is very simple. That metric is return on financial investment.

I have no problem with real estate companies doing what they do and pursuing the objectives that they are structurally created to pursue. As others have mentioned, Industry City currently owns a property in Sunset Park that provides jobs and amenities. That's great. We heard from some of those businesses. Industry City does some good things for the community that we've heard about. But the social mission is not driving the bus. I don't think Mr. Kimball would deny that.

Industry City is not fully built out under current zoning, and I applaud the company's efforts to build out its current space. I even understand their effort to obtain an up-zoning so that they can build a hotel, retail stores and upscale offices and crowd out manufacturers, which are not a revenue-maximizing land use. I would expect nothing less from an entity whose overriding obligation is to maximize shareholder return on investment.

The reason oppose the rezoning is not that I think Industry City is doing anything wrong. The reason is that the City Council cannot credibly align its own responsibility to the public with the action that Jamestown Properties is asking it to take. This is a choice – and it is not a choice between something and nothing, as Ms. Wylde argued. It is a choice between investor-driven development that seeks to maximize return by building as much retail and luxury office space as it can under the banner of an “innovation district” and development that has the capacity to accommodate the business model of industrial firms, such as that suggested by the Sunset Park Community Coalition. Over the course of my career as a researcher and practitioner, I have learned that that manufacturing businesses can only make a go of it in New York City if their rents are below \$30 per square foot. My understanding is that rents at Industry City start at \$35 per square foot. Renting to manufacturers at prices they can afford is inconsistent with Jamestown’s business model. Again – this is not the Brooklyn Navy Yard.

At this moment, especially given the changes wrought by COVID on the economy, **we need to stop greenlighting hotels and Class A office buildings and create more Navy Yards.** Now is the time to rethink old habits and invest in entities that depart from a business-as-usual approaches to development. Be bold!

From: [Alice Walsh](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning
Date: Wednesday, September 16, 2020 11:09:52 AM

I vote NO on the rezoning of Industry City (L.U. 674, 675, 677 @678).

I am a retired New York City public schoolteacher and have been a Sunset Park homeowner/resident for 48 years. After so many years of neglect I am grateful to now witness the redevelopment of the waterfront as evidenced by the presence of Lutheran Medical Center, Brooklyn Army Terminal, Costco, the waterfront park on 43rd Street, Bush Terminal (now branded at IC) among others. It is encouraging to see that these projects have revitalized the area and attracted further investment and development. Because of this redevelopment, Sunset Park residents as well as those from neighboring communities have benefited by having opportunities to gainful employment.

My objection to the rezoning stems from my observation that much of IC caters to high-end businesses whose products and services are well beyond the means of those who reside in the nearby communities, with the exception of the shops at 850 3rd Avenue. It appears that IC's survival is dependent upon affluent folks from Manhattan or the tristate area who travel in to shop or shop online. Under normal conditions investment of this sort comes with risks but given the current pandemic and economic crisis it is unconscionable and unsustainable.

I support Councilman Carlos Menchaca's opposition to the rezoning as well as those of my neighbors who have expressed their concerns. The IC rezoning plan should be defeated because I believe it would continue to create an environment that is dramatically separate and foreign from its surroundings. It cries out of economic disparity! It does not address the long term needs and concerns of the community.

I urge the New York City Council members to vote NO on this proposal.

Alice Walsh
452 54th Street
Brooklyn, NY 11220
apswalsh@yahoo.com
September 14, 2020

From: [David Johnson](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning
Date: Thursday, September 10, 2020 10:48:21 AM

To whom it may concern,

My wife and I are home owners in Sunset Park, Brooklyn. We have lived here for about 18 years. For us, the development of Industry City has been the most positive change that has occurred for our community during that time. The jobs and businesses that have come because of it have made Industry City and Sunset Park a destination for people from outside of the community. Additionally, rather than spending our dollars outside of the community on a frequent basis it has allowed us to spend those dollars inside of our own community. When we look at Industry City and its potential, we see only bigger and better possibilities.

The impact of Covid-19 on the world has had devastating consequences on both a health basis and an economic basis for New York City. At this moment, it appears that federal government aid and support for the states is not coming. Therefore, New York City must do everything in its power to bring and create new jobs and tax revenue for our city. Allowing Industry City to rezone does just that.

Regards,

David Johnson

Sent from [Mail](#) for Windows 10

From: [Emily G](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning
Date: Monday, September 14, 2020 8:15:55 PM

Good evening--I'm writing to urge you to vote no to Industry City's rezoning proposal. This rezoning will not bring quality jobs to Sunset Park. It bring a small number of low paying retail services jobs to the neighborhood while raising rent. I urge you to support making the GRID plan by Uprose, an organization that has been serving Sunset Park for decades, a reality instead. We want green jobs and environmental justice. We don't want our neighborhood to turn into a giant outdoor mall.

I'm a native Brooklynite and have lived in Sunset Park for 8 years. The people who live in Sunset Park oppose this rezoning. To even have to send this email after Carlos Menchaca has voiced his opposition to this rezoning is disgusting.

Sincerely,
Emily Griffin
773 44th Street
BK NY 11220

September 12, 2020

Honorable Corey Johnson, Speaker, New York City council,

I have lived in Sunset Park for the last 34 years and I consider this neighborhood to be the best I have ever lived in. The reason it is such a great neighborhood is because it is a real community where people care about each other and about making sure people can stay and it remains a strong community. There aren't so many of those kinds of communities left in this city.

I am now a homeowner and I love the tenants who live in my house. I would hate for them to have to move because my taxes are going up and I need to raise their rent. I would hate for my working class neighbors to be displaced and have to leave because real estate developers and the lawmakers that bow to them are trying to rezone over a million square feet of Industry City without community agreement and support. We know this will only hike up rents and cause more displacement in Sunset Park.

The Sunset Park waterfront, New York City's largest maritime manufacturing area, embodies not only New York's industrial past but also the neighborhood's history as a community of recently-arrived immigrants and working-class families. Industry City envisions transforming the historic waterfront into a destination for big-box retail, corporate tenants and luxury hotels, in an economic transformation that would raise property values and bring a healthy return on the investment made by Industry City's private owners and foreign investors. This approach to development, already in force in other formerly industrial waterfront Brooklyn neighborhoods, is the legacy of the Bloomberg era and a lure for the type of speculative real-estate capital that has been a key driver of New York City's affordability crisis and incentive for landlords to oust long-time tenants.

Our council member Carlos Menchaca took a long time making the decision to say no to this private rezoning plan because he wanted to try to work with Industry City developers for the benefit of the community. It is only when he realized that the developers weren't acting in good faith that he made his decision. It is very upsetting for those of us to have been invested in working on behalf of Sunset Park to realize that the decision made by the council member we elected and we trust is not being backed by the rest of the council and particularly by its speaker.

I am emphatically calling on the City Council to vote NO on rezoning Industry City.

Sincerely,

Hélène Filion Onserud
428 54 Street, Brooklyn 11220

From: [Jessica Jamotta](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning
Date: Thursday, September 10, 2020 2:02:22 PM

My name is Jessica Jamotta and I have been a teacher in the Sunset Park community for the past 5 years, during which time I have worked with many of the community's immigrant families. Since March, I have spoken with many families who are struggling to not only pay rent, but to buy enough groceries to feed their families. I am very concerned that the proposed Industry City rezoning plan would significantly raise rents in Sunset Park and accelerate gentrification of the area, resulting in many families being priced out of their current homes. This would be detrimental at any time, but especially right now, in the midst of the COVID-19 pandemic.

New York City as a whole, and specifically Brooklyn, is becoming a city for the rich. Personally speaking, I am a NYC teacher and I know that there are only a handful of communities left that I can afford to comfortably live in. Part of what makes Sunset Park so special is the fact that it is home to many low-income and immigrant families and is such a desirable place to live. There are successful small businesses, restaurants and a beautiful park for families to enjoy; not to mention plenty of public transportation options. These should not be things that only the rich can afford to have in their neighborhoods. I urge you to help Sunset Park remain a community that can be home to families of varying socioeconomic backgrounds, including many immigrant families, by not allowing the rezoning of Industry City. It is your duty as public servants to serve the individuals and families of this city, not big businesses and corporations.

From: [Nathaniel Bachelis](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning
Date: Tuesday, September 15, 2020 1:10:59 PM

To whom it may concern,

My name is Nathaniel Bachelis and together with my wife and two sons reside in the 11232 zipcode and a 10 minute walk away from the area known as Industry City.

I'm writing to express my support for the Industry City rezoning proposal in my capacity as a local resident. My family frequently, though less so due to COVID, enjoy the shops and open spaces. Our older son would've had his birthday party in the courtyard but for COVID this year. And we regularly go there for the free Musical Playhouse events. I'd like to see more amenities in the area and I appreciate that unlike the Amazon/HQ2 proposal, this involves zero public dollars.

If the owners of Industry City want to spend their money to make the area nicer then who am I to tell them no! What bothers me the most about the area is the traffic violence and pollution from the BQE and 3rd avenue. I know people are passionate about this proposal and I concede I'm less so than others but I do want to see more investment in my community generally and frankly I'd love to see what comes out of this. We ought to address the good faith and sincere concerns of those in opposition but we shouldn't throw the baby out with the bathwater. Thank you for your time.

Very Truly Yours,

Nathaniel Bachelis

From: [Rebecca Lang](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning
Date: Tuesday, September 8, 2020 11:48:09 AM

Dear Council Members,

I am a resident of Sunset Park and am writing with my testimony on the Industry City rezoning proposal. Thank you for taking this testimony into consideration when making your decision on this matter. I sincerely hope that you will prioritize the voices of the community that is directly impacted by Industry City in this matter. That should be your primary concern when dealing with development issues and up to now, the needs of Sunset Park have been secondary. Please change that.

I'm a white, working parent who has lived in Sunset Park for 13 years. My kid attends public school in the neighborhood and we value living in a working-class neighborhood. I have multiple concerns about Industry City and the proposed rezoning.

- Gentrification -- the prices charged for goods and food at Industry City are outrageously high. I cannot shop there--I don't have \$300 to spend on a scarf. These stores are for outside residents and are clearly meant to attract a wealthier (which, let's face it, means whiter) clientele. If luxury hotels and luxury housing are allowed to be built, it will further displace low-income residents. There should be space for local businesses to get a foothold in IC--an open market where local vendors can come to sell would be a great way to do this. We need affordable housing that fits the needs of low and middle-class families and young people who need reasonably-priced homes, not multi-million dollar high rises.
- Environmental impact -- Industry City has not come up with a plan to combat the increased strain on the environment that they are causing now and will cause in the future. Flooding is an issue in Sunset Park and there needs to be a concerted effort on IC's part to create an infrastructure that helps, not harms. Increased foot and car traffic is clogging up already crowded streets and putting further strain on roads that are in dire need of repair. What funds, generated by IC, are going toward road repairs?
- The Post Office -- the fact that IC is trying to force the USPS location out of their space is egregious and disgusting. IC's greedy desire to control all the storefronts is NOT helping this community. They are not interested in working with this community to maintain our needs and not negotiating the Post Office's rent is but one example.
- Safety -- having commercial and industrial spaces together makes no sense. Cyclist deaths are an issue on 3rd Ave--they are killed by truck drivers. Increased foot traffic alongside increased truck traffic is a disaster waiting to happen. There needs to be more thought put into how these spaces are designed with pedestrian safety at the forefront of the decision.

The jobs created for Sunset Park residents so far is not enough to offset the many problems with this development. I'm afraid that the animosity between Councilmember Menchaca and the rest of the Council Board has resulted in our District being punished. We are severely underfunded and it pains me to see IC not being held accountable to the needs of the community. As Council members, it's your job to put the needs of the people first and I hope you will do so. Lives and livelihoods depend on you making the right decision for Sunset Park, not Industry City.

Thank you for your time,
Rebecca Lang

From: [Scott Kerns](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning
Date: Tuesday, September 15, 2020 11:52:54 AM

To the Committee:

I am a small business owner at IC and local Brooklyn resident. Four years ago we rented our first studio space at Industry City and since then have been both a witness to IC's growth and a very active participant in the burgeoning small business community on its campus.

From the start, we found the management of IC to be not only landlords, but partners in growth. Time after time, they have gone out of their way to help our small family business grow. With the aid of their team, we were able to open a retail storefront and gain access to a growing and mainly local customer base. Since we opened our doors last year, a majority of our retail customers have come from Sunset Park and the surrounding areas.

In the face of retail devastation from COVID, IC worked with us to navigate shutdown, and has since aided in our efforts to stay afloat. As we look toward prolonged uncertainty, IC has recommitted to supporting us and other small businesses like ours, who would otherwise have to shut our doors.

I understand the fears of local residents and the very real threats of gentrification and displacement. These are pressing issues that threaten the heart of our city. I believe, however, that in the midst of this hyper-political time, all questions of development have become black and white where perhaps there are more shades of grey. In my experience, Industry City has continually acted in good faith and stayed true to their mission of converting vacant or underutilized property into job-intensive industrial uses and creating affordable rental space. I trust them to continue acting as an agent of positive change for both the Brooklyn waterfront and the city as a whole. I wholeheartedly support their bid for rezoning.

Scott Kerns



Scott Kerns | Partner/COO

a: SASKIA | 67 35th St | Suite B220

e: scott@shopsaskia.com | **w:** www.shopsaskia.com

p: 7183692151



From: [Sally Knapp](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning
Date: Tuesday, September 15, 2020 5:08:33 PM

Hello,

My name is Sarah Knapp and I have been a resident of Sunset Park for almost ten years. I have been lucky to live in this beautiful neighborhood and become a part of the community, particularly since COVID has struck and neighbors have come together like never before to take care of each other.

I am asking that the city council vote "NO" on the Industry City rezoning. Much of the waterfront has already been overtaken without the community's consent. This is an area with a lot of working-class and immigrant families who are already suffering disproportionately due to job loss and financial strain from the pandemic. It is akin to a slap in the face to ignore the pleas of the community, whom the government has already failed in multiple ways, and build a multimillion dollar project that yet does not serve them. Residents would instead welcome a development that brings green jobs the community could actually see benefits from, both financially and environmentally. Residents do not want nor need a luxury mall. Residents do not want nor need more hotels.

As public servants who are meant to act as voices of the people, I truly hope you will listen to the justified opposition, pause, and reconsider moving forward with a plan that will not help--and in fact would actively harm--the thousands of people who call this neighborhood home. Please protect Sunset Park, and work *together* with the community so we can reach a consensus that works for all.

I am relatively privileged, in that I still have a job and am not food insecure--but if rents are raised due to the luxury buildings the rezoning proposes, I will no longer be able to stay in my home of a decade, which would break my heart. It breaks more, of course, for families who have been here for generations and made this place what it is, yet are now at risk of being priced out or evicted.

Please hear us and dialogue with us about a bright future for the many rather than the few.

Thank you,
Sarah Knapp

From: [Adam Brody](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning comment
Date: Tuesday, September 15, 2020 8:18:00 PM

Hello,

I was on the the Zoom call for 10 hours. It was very interesting.
I was not called to testify by the time that I had to leave at 8pm.

I do not support Industry City rezoning.

I am a small business owner in Sunset Park and I believe that, even before rezoning, Industry City has been the kind of development that negatively impacts working people by way of its cookie-cutter approach to new urbanism that ignores the culture, the talents, and the people of Sunset Park. With rezoning, it will continue to funnel wealth to its shareholders and away from the people of our community, and continue to become an elite island within an increasingly make Sunset Park an economically challenging and socially hostile community for working people.

Industry City is a landlord--nothing more. They are not an altruistic entity that is here to uplift the people of our district. They answer to the highest bidder, and will say anything to make folks believe that they have Sunset Park's best interest at heart. Again: as a Sunset Park resident & small business owner : I say no.

Thank you for reading,

Adam Brody
283 23rd Street
Brooklyn NY 11215

From: [Alicia Bernlohr](#)
To: [Land Use Testimony](#)
Subject: Industry city rezoning testimony
Date: Monday, September 14, 2020 6:33:50 AM

Hi, I live nearby in Brooklyn and wanted to send my testimony. Industry city doesn't need any more multi million dollar condos. What we do need is green space and community gathering spaces.

Thank you,
Alicia Bernlohr

Sent from my iPhone

From: [Colleen Peabody-Diez](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning Testimony
Date: Tuesday, September 15, 2020 1:01:16 PM

Hello,

My name is Colleen Peabody-Diez, and I am a longtime resident of Sunset Park and a volunteer with a group called Sunset Park Organized Neighbors, a group of workers, residents and students who are organizing to bring much needed justice and equity to our neighborhood. I have been directly involved, spending hundreds of hours talking to the people in my community about this rezoning, and we have collected 4,000+ signatures from the community demanding that this rezoning is not passed and that the people of Sunset Park are given control to plan for our community ourselves rather than a private developer.

Below is my testimony regarding the Industry City rezoning for the record:

In the middle of a deadly pandemic that has impacted communities like Sunset Park disproportionately, the mayor has resumed ULURP and Industry City is heavily lobbying the city council in an effort to bypass the community's will.

WE are here because the people of Sunset Park have said no.

The community board has said no.

The council member has said no.

The community and our allies stand in solidarity against this rezoning and we don't need another public hearing to voice this.

Displacement is the oldest social justice issue in this country and one we have yet to reconcile. Rich capital has figured out better marketing strategies to remove people from their homes, but we are still reliving this same narrative today in neighborhoods like Sunset Park, the LES, Flushing and Inwood. In areas that 10-20 years ago, young white suburbanites stayed far from and likely didn't know existed. Neighborhoods that have been historically underfunded and left to figure it out for themselves. But these are neighborhoods rich in community and culture. Where many low income and immigrant families have been able to take root, run small businesses and afford homes. Now Industry City, with help from Mayor de Blasio's displacement agenda, are poised to decimate Sunset Park, all in the midst of a pandemic when many in our community are trying to figure out how to eat, pay rent and pay off funeral costs.

We know why this rezoning is bad. 20,000 jobs? Unlikely for a landlord to deliver. And what jobs and for who? The people of Sunset Park can't afford to make avocado toast at minimum wage for rich white people.

We know ICs business model is a failure and antiquated. The city doesn't need another bankrupted luxury mall like Hudson Yards.

We also have to look long term and seriously ask what will happen to this area once the zoning restrictions are eased. Will the owners sell to Amazon, like they have openly solicited, and since this what they did with Chelsea Market and Google? How many years will it even be before IC sits under water?! Why would the city agree to more office and retail space in an area that will be flooded in the next major storm?

IC is short sighted with small ideas. The people of sunset park have big, bold ideas about how our community can not just remain, but thrive. We just need elected officials and a city government that will finally work for us and not real estate investors.

If the City Council votes to approve Industry City's rezoning application, they will be responsible for another community lost.

Using your voice and power to stop racist rezonings that displace bipoc folks IS the hard work of anti-racism.

Speaker Corey Johnson - will you perpetuate the failed policies of Mayor de Blasio and side with rich developers or will you listen to the people of Sunset Park?

Colleen Peabody-Diez
49th St Brooklyn, NY 11220
231-670-1596

From: [crys yin](#)
To: [Land Use Testimony](#)
Subject: Industry City rezoning testimony
Date: Tuesday, September 15, 2020 10:00:18 AM

Hi,

I would like to submit my statement as testimony in opposition of the proposed Industry City rezoning:

My name is Crys Yin and I'm a resident of Sunset Park. I want to voice my disagreement of the proposed Industry City rezoning. The sale of this city's land to Belvedere Capital is extremely upsetting, considering there was zero notice given to our community. Residents of Sunset Park do NOT want luxury real estate developers and investors in our neighborhood, further displacing our neighbors. The 4,000+ petitions gathered by Sunset Park Organized Neighbors and other community activists are proof of our disapproval of this gross IC expansion.

Councilmember Carlos Menchaca has already said that he will vote NO to the rezoning, noting that "Scant evidence exists showing that Sunset Park working class families have benefited from the jobs at IC" and "Finally, the notion that IC is a 'good neighbor' is wrong on two counts. First, they are not a good neighbor. As reported, during the pandemic, IC ignored please from essential workers to make their campus safe and appears to have retaliated against those who spoke up." Councilmember Menchaca is speaking on behalf of his constituents, who have held him accountable for this decision since talks of rezoning began.

I hope the working class communities and immigrant families of Sunset Park can count on a citywide NO vote on this rezoning. This city cannot just belong to the rich – working class folks are the backbone of this city and our elected officials must represent the needs of all.

Thank you for your time,
Crys

From: [vvanr7](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning Testimony
Date: Tuesday, September 15, 2020 1:09:34 PM
Attachments: [Testimony 2.docx](#)

September 15, 2020

WRITTEN TESTIMONY FOR INDUSTRY CITY REZONING PROPOSAL

Dear Council Members,

My name is Ivan Rivera and I have lived in Sunset Park for 49 years. I am an active community resident and I am writing to you because I am very concerned about what the proposed rezoning of Industry City will do to the neighborhood of Sunset Park.

I'm writing to testify specifically about the impact of residential and commercial displacement and the social and economic impacts the rezoning of Industry City will cause. I strongly believe that the rezoning will lead to more negative environmental and socioeconomic impacts within the neighborhood. The rezoning is certain to make the waterfront community more vulnerable to climate change, as social cohesion will be disturbed, and it will create community instability if/when construction begins. I am also very concerned that the rezoning will shrink the manufacturing sector and hurt the small businesses in the community. Industry City needs to seriously evaluate the risk of environmental and socio-economic impacts on the community.

I understand that Industry City is not the only force driving displacement in Sunset Park, but it has already had an impact on rental prices and speculation. More and more advertisements on Craigslist for over-priced apartments mention proximity to Industry City, when this never used to be the case. Industry City is already being used to justify increasing rents that low-income and working class residents cannot afford. At this moment, this is causing residential displacement all across Sunset Park.

The Industry City rezoning impacts to the environment concerning the 10 years of construction and changes in land use resulting in changes in traffic and subsequent air quality issues. Sunset Park already has poorer air quality due to industrial uses and the BQE. This rezoning has the serious potential to add to an existing problem. The rezoning will produce environmental noise, and public health impacts during construction. This includes not only redevelopment of the property itself, but also the construction of supporting energy, transportation, water, and sewer infrastructure. The rezoning of Industry City will increase waste generation, effect water quality, will prevent public waterfront access, and will generate more greenhouse gas emissions.

Increased construction will also impact existing businesses near Industry City. Long time storeowners will be impacted by loss of customer activity and revenue due to blocked signage and storefronts.

I have been to many Community Board meetings and I keep hearing how Industry City will be a great benefit to Sunset Park. It will bring union jobs to Sunset Park if the Hotel and Conference Center is built, Industry City has rented out office space to community groups, to help train the next generation of workers. But what I don't hear is will any of those Union Members be from Sunset Park, will any of those jobs go to current residents of Sunset Park. Have the Community Groups housed at Industry City done their due diligence recruiting a larger percentage of Sunset Park residence to work at Industry City? Or are they relying more on the rent incentives given to them to have their offices in Industry City.

It is a shame that Industry City and the conglomerate that owns it, have been lobbying for this rezoning for the past four years, but they should see how passionate and determined Sunset Park residents are keeping our community intact.

I implore all City Council members to stop the gentrification in Sunset Park because it will cause massive displacement of the core residents of Sunset Park.

Vote No to the rezoning of Industry City.

Thank you for your time and for the opportunity to comment,
Ivan Rivera
445-44th
Brooklyn, NY 11220

September 15, 2020

WRITTEN TESTIMONY FOR INDUSTRY CITY REZONING PROPOSAL

Dear Council Members,

My name is Ivan Rivera and I have lived in Sunset Park for 49 years. I am an active community resident and I am writing to you because I am very concerned about what the proposed rezoning of Industry City will do to the neighborhood of Sunset Park.

I'm writing to testify specifically about the impact of residential and commercial displacement and the social and economic impacts the rezoning of Industry City will cause. I strongly believe that the rezoning will lead to more negative environmental and socioeconomic impacts within the neighborhood. The rezoning is certain to make the waterfront community more vulnerable to climate change, as social cohesion will be disturbed, and it will create community instability if/when construction begins. I am also very concerned that the rezoning will shrink the manufacturing sector and hurt the small businesses in the community. Industry City needs to seriously evaluate the risk of environmental and socio-economic impacts on the community.

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Vote No to the rezoning of Industry City.

Thank you for your time and for the opportunity to comment,

Ivan Rivera

445-44th

Brooklyn, NY 11220

From: [Rebecca Lurie](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning Testimony
Date: Tuesday, September 15, 2020 5:10:54 PM

Industry City Rezoning Testimony

Rebecca Lurie

reblurie@gmail.com

Resident of Brooklyn

September 15, 2020

To the City Council Subcommittee on Zoning and Franchises

landusetestimony@council.nyc.gov

Re Land Use rezoning for Industry City

My name is Rebecca Lurie. I am a union carpenter by trade, soon to collect a union pension! I am a lifelong New Yorker and have lived neighboring Sunset Park for the last 30 years.

I stand before you today to oppose the rezoning. Because it is in my best interest and the interest of the community living in Sunset Park and the community who will be here into the future generations.

Following my work as a carpenter I moved into workforce development and have been dedicated to strategies of access and opportunity for workers to get good jobs, including careers in construction and green jobs. I now work as a professor at the CUNY School of Labor and Urban Studies where I founded a project, Community and Worker Ownership, where we explore means to develop a just economy for all; a cooperative and democratic economy.

The triple bottom line approach for any plan, any entity, any city, is to include the people and the planet along with prosperity. (Not profit as the single bottom line.) The residents of this part of the world, long before New York and Brooklyn were settled by colonizers, was stewarded by the Canarsie and Lenape people. In partnership with the Haudenosaunee (the Six Nation Iroquois Confederacy) they placed decisions for their communities on a value for the seventh generation forward. They asked: How will what we do now affect them?

This is what the waterfront at Sunset Park and the people in the neighborhood also demand. The nature of waterfront during climate change is it will flood. And principle to fighting climate injustice

and racial injustice is to listen to the most impacted and follow their lead. Not the lead of the mighty dollar.

Our City Council needs to stand where the future of our city's development needs to go. This battle is a front line today. It resembles what was and will continue to be future struggles for just land use. What we build can be many things. A resilient waterfront with climate jobs can be built union. Union workers and more union jobs can be part of a resilient approach. We do not need to measure returns on the dollar in short term paybacks into a narrow spread of hands. We need to look at the solid plan for the Green Resilient Industrial District, honor the maritime industrial zoning we already have, and use this waterfront for the people who reside here now and those who will be here in the future, all in sync with industry that promotes nature's boundary and bounty toward just development.

I want to be clear, this rezoning is not about jobs. Nor should it be about choosing good jobs. Everyone agrees we want good and union jobs on the land at Industry City. What we build is under discussion. Not that we build. We can build for good jobs, resilient waterfront and community engagement and use this project as an example of what healthy development through climate change can look like.

Thank you

From: [Sheryl Oppenheim](#)
To: [Land Use Testimony](#); [info38](#)
Cc: [BKallos@benkallos.com](#); [Helen@helenrosenthal.com](#); [Speaker Corey Johnson](#); [District43](#); [Chin](#); [District2](#); [Office of Council Member Powers](#); [District7](#); [Ayala, Diana](#); [D09Perkins](#); [Rodriguez, Ydanis](#); [District11](#); [King, Andy](#); [Gjonaj, Mark](#); [Cabrera, Fernando](#); [Torres, Ritchie](#); [District16Bronx](#); [Salamanca](#); [Diaz, Ruben](#); [District19](#); [Koo, Peter](#); [Moya, Francisco](#); [Grodenschik, Barry S.](#); [Lancman, Rory](#); [Dromm, CM](#); [Van Bramer, Jimmy](#); [Adams](#); [Koslowitz, CM](#); [District30](#); [Richards, Donovan](#); [Ulrich, Eric](#); [Levin, Stephen](#); [Reynoso, Antonio](#); [Cumbo, Laurie](#); [District36](#); [Council Member Lander](#); [Eugene, Mathieu](#); [District41](#); [District45](#); [Verdree, Vinson](#); [AskKalman](#); [Maisel, Alan](#); [Treyger, Mark](#); [Deutsch, Chaim](#); [Rose, Deborah](#); [Matteo, Steven](#); [Joseph Borelli](#)
Subject: Industry City Rezoning Testimony
Date: Monday, September 14, 2020 2:21:50 PM

Dear New York City Council Members and Subcommittee on Zoning and Franchises:

I am writing to strongly oppose the further rezoning of Industry City by Jamestown. I am a Sunset Park resident who has lived in a rent-stabilized apartment on 40th Street since 2013. In these short seven years, as the neighborhood has been developed west of the BQE and rents elsewhere in the city have continued to rise, I have seen so many people on my block already pushed out or pressured by their landlords to leave. In my own building, my landlord has started to offer many tenants buyouts of their leases over the last few years.

It is infuriating to me and many others that City Council is considering breaking tradition and voting against Council Member Menchaca, who spent a long time talking to developers and even supported them for a time before deciding to vote no - he did so because they already deceived him multiple times during the process, and because once they are given permission to rezone there is no way to enforce any of the promises they have made.

Some of these promises have been brazenly broken already - for example, Jamestown promised that they would remove hotels from their proposal and then put that demand back in. Jamestown has further engaged in deceptive practices like bringing non-Sunset Park residents (many of whom appeared to have been sent there by their union and did not even know why they were there except to hold the signs they were given) to appear as pro-development voices at community meetings.

The rezoning thus far has brought two types of tenants to Industry City:

- 1) Retail shops, mostly chains, that offer relatively low wage jobs as counter people and cashiers
- 2) The sort of white-collar creative jobs that are not likely to create better jobs for the people of Sunset Park.

Any new jobs Jamestown claims will be created here exist in other parts of the city, where people can go to work without having to worry about being priced out of this neighborhood.

Sunset Park residents have made absolutely clear that we do NOT want Jamestown, we do not want rezoning, and we do not want further development of Industry City that isn't led by neighborhood stakeholders with existing residents interests prioritized. Over 4000 residents of the neighborhood and every elected official representing Sunset Park is opposed to the rezoning.

Thank you for your time,

Sheryl Oppenheim
528 40th Street, 11232

sherylsheryl@gmail.com

--

www.includingbutnotlimitedto.tv

From: [Tirtzah Bassel](#)
To: [info38](#); [Land Use Testimony](#)
Cc: [BKallos@benkallos.com](#); [Helen@helenrosenthal.com](#); [Speaker Corey Johnson](#); [District43](#); [Chin](#); [District2](#); [Office of Council Member Powers](#); [District7](#); [Ayala, Diana](#); [D09Perkins](#); [Rodriguez, Ydanis](#); [District11](#); [King, Andy](#); [Gjonaj, Mark](#); [Cabrera, Fernando](#); [Torres, Ritchie](#); [District16Bronx](#); [Salamanca](#); [Diaz, Ruben](#); [District19](#); [Koo, Peter](#); [Moya, Francisco](#); [Grodenschik, Barry S.](#); [Lancman, Rory](#); [Dromm, CM](#); [Van Bramer, Jimmy](#); [Adams](#); [Koslowitz, CM](#); [District30](#); [Richards, Donovan](#); [Ulrich, Eric](#); [Levin, Stephen](#); [Reynoso, Antonio](#); [Cumbo, Laurie](#); [District36](#); [Council Member Lander](#); [Eugene, Mathieu](#); [District41](#); [District45](#); [Verdree, Vinson](#); [AskKalman](#); [Maisel, Alan](#); [Treyger, Mark](#); [Deutsch, Chaim](#); [Rose, Deborah](#); [Matteo, Steven](#); [Joseph Borelli](#)
Subject: Industry City Rezoning Testimony
Date: Tuesday, September 15, 2020 9:55:09 PM

Dear New York City Council Members and Subcommittee on Zoning and Franchises,

I am writing to oppose the further rezoning of Industry City by Jamestown. I am a long time resident of Sunset Park, I live here with my husband and two young children. We have been in the neighborhood for over ten years and are deeply concerned that the rezoning will negatively effect us and our neighbors. If the rezoning proceeds as proposed, we do not believe that the jobs created will benefit the residents of the neighborhood. Furthermore, it will cause dramatic increase in rent that will price many people out of the neighborhood, and will suck resources from the neighborhood without any accountability to give back to the residents.

The rezoning thus far has brought two types of tenants to Industry City:

- 1) Retail shops, mostly chains, that offer relatively low wage jobs as counter people and cashiers
- 2) The sort of white-collar creative jobs that are not likely to create better jobs for the people of Sunset Park.

Any new jobs Jamestown claims will be created here exist in other parts of the city, where people can go to work without having to worry about being priced out of this neighborhood.

Sunset Park residents have made it absolutely clear that we do NOT want the development Industry City that isn't led by neighborhood stakeholders with clear mechanisms of accountability to the residents. Over 4000 residents of the neighborhood and every elected official representing Sunset Park is opposed to rezoning.

It is infuriating to me and many others that City Council is considering breaking tradition and voting against Council Member Menchaca, who spent a long time talking to developers and even supported them for a time before deciding to vote no - he did so because they already deceived him multiple times during the process, and because once they are given permission to rezone there is no way to enforce any of the promises they have made.

Thank you for your time,

Tirtzah Bassel
469 51st St, 11220
tirtzahbassel@gmail.com

From: [Lynn Tondrick](#)
To: [Land Use Testimony](#)
Cc: [UPROSE](#); jeremy.kaplan.1@gmail.com; [Menchaca, Carlos](#)
Subject: Industry City Rezoning.
Date: Monday, September 14, 2020 10:14:36 PM

Dear Land Use Subcommittee,

I am emailing regarding the proposed rezoning of Industry City to accommodate an increase in retail with additions of hotels offering the promise of new jobs. We have all seen the type of jobs this proposal will create. Firstly, there will be far fewer jobs than promised. Secondly, they will be jobs with no health insurance which are minimum wage low skilled jobs. These are not jobs that will lift my community out of poverty. My wife and I have lived here for 20 + years and call this wonderful neighborhood home. We want to see green jobs and training for our community. We are done with hotels that turn into homeless shelters when no one is looking. We have hotels up the wazoo. The proposed increase in retail will displace local mom and pop businesses. Rents will continue to go up at an alarming pace which will be faster as a result of this development displacing the low income primarily immigrant community. Property tax goes up for those of us who are not planning on cashing out and moving. All to enrich the real-estate industry and the owners of this property at the expense of our community. Right now, I see the IC folks get off the subway and take shuttle to their enclave. They do not interact with or contribute to our community or support our community. That is of course their right but until Industry City cares about their impact on the community up the hill and adjusts accordingly we say NO to the rezoning. Our Councilman, our community organizations, our community board (my wife is on the land use committee) have all said NO. It is time to listen to the people.

Sincerely,

Lynn Tondrick
526 47th Street
Brooklyn, NY
11220
718-208-3928
tondrick@hotmail.com

From: [Benjamin Norskov](#)
To: [Land Use Testimony](#)
Subject: Industry City Rezoning: A Personal Reflection
Date: Wednesday, September 16, 2020 10:57:13 PM

Hello,

My name is Ben Norskov, and I'm writing to urge council members to vote no on the Industry City rezoning application. Y'all have probably had many expert testimonies about this issue, but I'd like to offer three views on it from my perspective: a person who engages with Sunset Park on a personal level.

I was attending a series of meetings about the rezoning before the pandemic hit us. At one of them I met an older man who owned and ran plastic recycling centers. He was in talks to install more at Industry City, providing some green jobs and increasing the capacity of plastics recycling for the area, but Industry City did not want his business there. Why would they not support an industrial green business bringing in good jobs if we are to believe their promise of being focused on creating jobs?

Second, I'd like to emphasize how Industry City kicked out the Post Office last month. The Post Office is one of the few places former veterans and people of color can obtain jobs with a living wage without much education, and Industry City would not renew the Post Office's lease. Why would they not want the Post Office which supports and maintains jobs at a living wage for dozens of local residents to be one of their tenants if we are to believe their promise of being focused on creating jobs?

My third interaction around this issue came from talking with a person at a co-working space near my home in Windsor Terrace. She was meeting a friend who worked at Industry City for lunch, and in the course of our conversation she stated "Oh, Sunset Park? They have so little food options. The neighborhood is dead." I was shocked to hear this opinion coming from anyone, but she obviously didn't have any contact with the rich cuisine, culture, and residents of Sunset Park other than through Industry City. This third interaction hit the hardest for me, as it underlined the type of person Industry City was hoping to attract with its rezoning: young, tech-focused, innovation economy worker. But that person didn't live in the neighborhood, and had interacted so little with it they thought the neighborhood was "dead."

People who live in Sunset Park I've met aren't against any type of development near them, they want the types of development which brings jobs paying a living wage, and with some sort of opportunity for advancement. They want jobs helping sustain the environment, rather than contribute to environmental degradation. They want jobs like what the post office offers, where you can support yourself doing work that you believe in.

Industry City talks often about bringing jobs to the community, but have proven with these two actions they don't want the types of jobs that lead to a sustaining future for the folks working in them. IC wants this rezoning to happen because they seem to only want the types of jobs for people who do not want to engage with Sunset Park's actual residents. Hotel and retail development return a higher investment for landlords, while providing fewer jobs, at lower rates, and with little hope for advancement for the workers than jobs in industry or essential services like the Post Office.

The types of jobs folks want, Industry City has specifically acted against maintaining in their quest for ever increasing profits. Let's vote no on this rezoning, and encourage development and jobs to sustain a community, not exploit it.

-Ben

From: [Jennifer M. Wertz](#)
To: [Land Use Testimony](#)
Subject: Industry City Statement from local resident
Date: Tuesday, September 15, 2020 5:43:00 PM

I am thrilled at the opportunity for Industry City to be actively involved in working with the local community. I'd like to see our elected officials use the estimated \$100 million dollars in tax revenue and pour that money directly into enhancements for the health and safety of the community. While decreasing residential taxes on longtime residents so that they can stay in their homes. Let's make this community one where people can afford to stay here safely. As a long time resident in close proximity of IC for over a decade, I've seen the neighborhood go downhill. Over 10 years ago, I went to my first community board meeting and learned we have the oldest sewer system in the city. They were talking about changing it long before I moved here and it never got done. The corner of 28th Street and 3rd Avenue consistently has free standing dirty water. Bikers often have to go into the middle of the busy Avenue to avoid this oftentimes giant flood. There is even a white bike memorial of someone who has died on the corner. Many of the crossing lights along 3rd Avenue do not have pedestrian counter lights in both directions of crossing which has resulted in several accidents and deaths over the course of time I've been here. In addition many of the crossing pedestrian lights on 4th Avenue are completely out in close proximity to the PS 172 elementary school. One I saw today that was out is at the corner of 31st Street and 4th Avenue. The only major development projects in the area besides the federal prison at 30th Street are approximately a dozen hotels that have begun being used as shelters long before COVID. The other day, I noticed one of my neighbors with a Uhaul. When I asked them why they were moving it was because the city has raised residential property taxes more than triple in the past 10 years and has done nothing to fix the sewer system. Landlords on 28th Street are forced to pay thousands of dollars each to fix the first floors of their homes whenever the city sewer backs up because the ancient system simply cannot handle it. Landlords are forced to raise rent because the city is raising taxes and not fixing basic infrastructure. Since this is a diverse neighborhood with low voter turnout, we've slipped through the cracks. Industry City is the best thing that has happened to the neighborhood and gives us a chance to build a safer and healthier community so that residents can stay here and raise their families with opportunities to stay in the area too. The additional tax revenue could be used to fix the long time never addressed issues above as well as create a safe trucking route for 53' trucks that are now driving down residential streets.

Thank you for hearing me out on email and considering my voice. I hope to make the meeting but if not, please consider the above statement in the future of our community.

From: [Laura Fodera](#)
To: [Land Use Testimony](#)
Subject: Industry City Subcommittee on Zoning and Franchises Testimony
Date: Tuesday, September 15, 2020 9:14:44 AM

City Council Testimony of Laura Fodera (Tinervia) in favor of Industry City's Rezoning
September 15, 2020

Good afternoon. My name is Laura Fodera. My family and I own and run a bass guitar manufacturing company in Industry City. I have personally worked there for almost 11 years now and have seen it go from a sketchy place that I was nervous to be in to a flourishing campus that I am proud of and now enjoy with my family, friends and coworkers. I'm here to offer my strong support for Industry City's rezoning.

Let me tell you something about what Industry City was like before Andrew and the current ownership group began the current revitalization. When we arrived as a tenant in 1990, filth and crime was everywhere. Unfortunately, I will never forget the smell of the halls as I walked up to our floor. There was even a specific day that my dad wanted to bring my little brother to work and had to shield him from seeing someone bleeding out in the staircase. It was a good day when the elevator worked and the power didn't go out. It was very hard to work under those conditions and even worse to invite our customers into them.

All of that changed when new ownership arrived in 2013. They've grown the campus, invested in new power infrastructure, sidewalks, loading docks and amenities that make it a place that we now want to come to and are proud to call home.

I too often see people traveling out of Brooklyn to work and enjoy free time, why not keep all of that close to home? I am in favor of Industry City's request for rezoning. Please approve it. Thank you.

--

Laura Fodera, Manager
Fodera Guitar Partners, LLC
C: 347-539-2953
W: 718-832-3455

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Please consider the environment before printing this email.

From: [Adam Friedman](#)
To: [Land Use Testimony](#)
Subject: Industry City Testimony
Date: Tuesday, September 15, 2020 10:10:19 AM
Attachments: [Statement on IC - For submission .docx](#)

NYC is Ready for Businesses of the Future, Not the Past
New York City Council – Subcommittee on Zoning and Franchises
Re: Industry City Rezoning
Adam Friedman, Director
September 15th 2020.

I am Adam Friedman, Director of the Pratt Center for Community Development and I appreciate the opportunity to testify in opposition to the rezoning of Industry City.

Pratt Center opposes this rezoning because the world of real estate has changed and the city should not be building on the needs and real estate assumptions of the pre-Covid era.

Despite our clear opposition to this land use action, there are many things that Industry City is doing right as a business entity: their efforts to support workforce development and to build a bridge between their tenants and residents should be standard for all large-scale commercial development. The City needs to act to revive its economy.

But rather than acting “boldly” it needs to act deliberately. The City needs to acknowledge how much is uncertain about its future land use needs, and heed the community voices who have been championing a long-term vision rooted in the future of work.

Two quick illustrations of economic assumptions in this land use action that are outdated:

First, the city needs to rethink its industrial policy to consider not only the high-quality jobs manufacturing provides but the importance of production capacity, especially during a crisis. During the pandemic, local manufacturers were called upon by Economic Development Corporation (NYCEDC) and Health and Hospitals Corporation (HHC) to produce an amazing number of isolation gowns, masks and face shields every week. – 600,000 each! Local manufacturers were organized into hub and spoke clusters to achieve these goals. Two of those hubs were in the Garment Center and one was in Industry City. The Garment

Center has already been rezoned and we can expect displacement there, diminishing their capacity to house clusters for essential work like this. The proposed rezoning of Industry City would be for another cluster of essential production.

If the pandemic had occurred two years later - after these zoning changes, after the displacement of their manufacturers, the City would not have been able to close the gaps in generating personal protection equipment (PPE) as well as it did.

Second, the real estate market for office space in Manhattan has collapsed. I am testifying to you from 100 miles away because of a personal high risk health condition. Lifelong New Yorkers, deeply dedicated to the city, do not want to get on a subway or ride a bus unless it is absolutely necessary. The “temporary” (2-5 years) changes to which we are adapting in the pandemic will permanently change our concept of “the office,” radically changing patterns of use and consequently, market demand, in the long-term. Opening up more office space in Brooklyn that is highly dependent on mass transit will not change this fundamental reality.

It is important to send the message that New York is ready for business. But the message should be that New York is ready for the businesses of the future. It should be that New York City is safe as a result of thoughtful planning to confront whatever new emergency arises in the future whether that is sea level rise or a pandemic.

If what happens in the Sunset Park community and the message it sends is of citywide importance, the Mayor needs to ensure that the resources invested in the area meet community needs and support their vision – which it currently dramatically fails to do.

Thank you.

For more information, contact: Adam Friedman afriedman@prattcenter.net

NOTE: This testimony is the position of the Pratt Center for Community Development and not Pratt Institute.

NYC is Ready for Businesses of the Future, Not the Past

New York City Council – Subcommittee on Zoning and Franchises

Re: Industry City Rezoning

Adam Friedman, Director

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face shields every week. – 600,000 each! Local manufacturers were organized into hub and spoke clusters to achieve these goals. Two of those hubs were in the Garment Center and one was in Industry City. The Garment Center has already been rezoned and we can expect displacement there, diminishing their capacity to house clusters for essential work like this. The proposed rezoning of Industry City would be for another cluster of essential production.

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Thank you.

For more information, contact: Adam Friedman afriedman@prattcenter.net

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Testimony of Frankie Correa regarding the Industry City Rezoning Application

Hi my name is Frankie Correa and I've been in Sunset park for almost 40 yrs.

Thank you for the opportunity to testify. As a community member, this platform doesn't feel like we are in a position of power.

I say that because Industry City (IC) has a lot of money, influence and power and when you have money, you never let a good crisis go to waste.

Many of our neighbors here and throughout the country are temporarily out of work even though the stock market has never been higher. So, IC has used their leverage and purchased more property as well as outside influence, newspapers, clergies, their tenants, and elected officials who need Real Estate "sugar daddy" dollars.

All these supporters have been used to recite IC's speculative numbers rhetoric of 20,00 jobs and \$100 million in revenues as they seek this opportunity to land grab while people are hurting.

Today, IC has posed as both the victims who are trying to grow their business and as the saviors of the community/new york city. When in fact, they have Pentagon size properties of 17 buildings and almost 6 million sq ft, while over 20% of their properties have not been developed. And yet, they want more! They have amassed a significant amount of property already without providing any meaningful benefit to the community. The rezoning seems wholly unnecessary. IC has more than enough space at its disposal and enough equity and capital to activate those properties.

IC claims to bring 20,000 jobs but if you ask them, How many work there now? Their response has been "We don't know, we are just landlords and have no control on who or how many people our tenants hire."

Then they claim "They are bringing \$100 million revenue in taxes" Our property taxes have tripled in the 7 years. So WHO is paying for this revenue? We also know that if they invested \$1 Billion Like they say, they will be writing off those revenues for years to come.

I joined the Community Benefits Agreement group because after witnessing how this administration and the two before it have rolled over backwards for real estate developers, I figured I will try and get something of value for my neighbors. My focus has been on trying to get Industry City to contribute to building homes, not just rental affordable housing. We need affordable homeownership opportunities that include coops, condos and/or Mitchell-Lama type properties that people can purchase which will allow them to stay in the neighborhood they grew up in. There is pride in homeownership.

Developers buy and build luxury rentals with a small percentage of units marketed as affordable housing but that are often way above the area median incomes of a neighborhood. The middle class doesn't have an opportunity to buy any longer because developers have taken their options away.

Up until last week, I realize IC has not been a fair player throughout this process. They did little to no work with the community. They lack respect or empathy for our community. And, in a Trump-like fashion has been divisive and fine with pushing out lies. They've used the unpopularity of our current Councilmember Carlos Menchaca and actively lobbied other council members to vote against him. Councilmember Menchaca has endured a couple of "Amateur nights at the Apollo" treatment for members of the community at public hearings, but he listened to those both for and against the rezoning. He then made a common sense decision - noting the damage this rezoning will undoubtedly have on this community. He stood behind the will of the people of this community, which is what we elected him to do. We did not elect him to blindly kiss the ring of the city leadership or those so called stewards of public good who are bought with real estate money to fund their next campaigns. I decided that the CBA was not a good idea because they are not binding and IC's character has proven they can not be trusted and they will say, pay and do whatever they think will get them this rezoning.

Our Council Member's political savviness should not be a deterrent to stand behind the will of the people of this community. This respected body was elected to back up those voices of the community and we need you to not undermine Democracy and vote with special interests. We need Council Members to show compassion for people over cash and show that the voices of the people still matter. **So please, check Industry City's privilege and vote NO.**

Frankie Correa
215 31st Street
Brooklyn, NY 11232
917-743-2348

Sept. 15, 2020 testimony of George M. Janes, AICP to City Council on Industry City

My name is George Janes. I'm an urban planner, and Community Board 7 engaged my firm to help in the review of the Industry City ULURP application. I am here today only representing myself. I neither favor nor oppose the application, but I'm here to offer information.

The CB7 review of this application was exceptional. I've never seen anything quite like it. There were extraordinary efforts to communicate extremely technical details to both members and the larger public. This was the first major rezoning in the area since 2009 and the board leadership, membership and the public took it very seriously.

And so did the Council Member, who had staff at the public meetings, and who heard the comments and discussion that occurred throughout.

This application is complicated, and the zoning proposal has raised questions. For instance, the application creates a new special zoning district, but if you read the zoning text, it's pretty thin, there isn't much there. That's because much of the detail of the proposal is not in zoning, but it's in a special permit. Why is that? Why is so much of this proposal put into a special permit rather than the zoning text?

The application will also allow for development rights to float between different zoning lots on different blocks, which is very unusual. Why are we considering such an extraordinary measure here?

I think you have to know the answers to these and dozens of other questions, before you can make an informed decision on this application. I encourage Council Members to educate themselves, read the extensive record, talk to the Community Board, neighbors in Sunset Park who kept showing up to every meeting, the Borough President and your colleague, the local Council Member who was as active during the process as any Council Member could be.

Finally, a CM's comment early in the hearing regarded the private streets on the IC campus and the CM asked if the streets would be kept open to the public and unchanged into perpetuity. The applicant did not answer the question directly. If preserving these streets is important to City Council, the Council should consider altering the proposed zoning to provide the streets protection. This can be done directly in the zoning text, or more easily it can be done by adding to the Findings required for the CPC Special Permit that, "the proposed modifications do not unduly change the dimensions of, or access to, existing private streets;" or words to that effect. I'm quite sure that there are many ways City Council can alter the zoning text to make it better and achieve larger goals should it decide to approve this application.

Thanks for all the work you do. Contact me at george@georgejanes.com / 917-612-7478 with questions.

From: k8t
To: [Land Use Testimony](#)
Subject: Industry City Testimony
Date: Tuesday, September 15, 2020 7:00:51 AM

Good evening,

I'm emailing you to voice my **DISAGREEMENT** of the proposed Industry City rezoning,

The sale of the 67,000 sq ft of land to Belvedere Capital is upsetting considering there was **ZERO** notice given to the community. Residents of Sunset Park refuse luxury real estate developers and investors in our neighborhood. The over **3,000** petitions gathered by Sunset Park Organized Neighbors and other community leaders are proof of **OUR DISAPPROVAL** of this gross Industry City expansion. Do NOT push the existing community out!

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn's waterfront communities. You'll be supporting the voices of more than **5,000** members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan.

You can see the full letter about our rejection of Industry City's plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands.

Please act to protect Sunset Park and the working people of Brooklyn especially through these tough times!

Please BLOCK the Sunset Park rezoning!

Katie

From: [Leo Frampton](#)
To: [Land Use Testimony](#)
Subject: Industry City Testimony
Date: Tuesday, September 15, 2020 11:58:24 AM

Around this time a year ago, I attended an outdoor concert at industry city. It took me twenty minutes to find where the concert actually was, trying to navigate through a counter-intuitive and visually unappealing shopping mall. I do not believe Industry City have a good sense for efficiency or customer appeal and I do not think it is a good idea to hand over such a precious waterfront area to them. Our pandemic has also shown the weakness of having our city's economy rely on large retail-based areas which mainly profit off residents who have moved in from out of the city. This was made clear when so many residents recently fled the city as lockdown began. Look to California now to understand why climate resiliency and public interest should instead be used as a framework for Sunset Park Brooklyn. I urge the council to look at the GRID plan drafted by UPROSE, as it both invests in and relies on the existing communities in Sunset Park. Our city is not going to last if we hand it over to unfettered private development, please reject Industry City's plan and instead help lead the country in community-based climate resiliency.

Testimony
Submitted to the New York City Council
Sub-Committee on Zoning and Franchises
September 15, 2020
Industry City Rezoning
L.U. 674, 675, 676, & 677

Good morning. My name is Eve Baron and I'm the chairperson of the Pratt Institute Graduate Center for Planning and the Environment, and I head the City and Regional Planning program. I'm testifying today as a private individual. While I appreciate this opportunity to deliver testimony virtually, which is our contemporary equivalent to in-person public hearings, I realize that in doing so I am exercising a privilege that not everyone has, including many people who will be most impacted by this rezoning.

Planning, not zoning

Zoning is a blunt tool, but it is simply a tool to implement plans. Land use plans must be drawn from a purpose beyond the managed accrual of profits to property owners—they must embody a city's goals. NYC has been a leader in many regards in response to climate change, stepping in under then Mayor Bloomberg to come up with a local sustainability plan in 2012 when the US failed to sign the Kyoto agreement by developing PlaNYC 2020. Mayor DeBlasio followed with OneNYC 2050's call to be 100 percent reliant on renewable energy by 2040; Speaker Johnson has followed with his own plan, Securing Our Future. These are the types of plans that should guide our land use actions.

Sunset Park's waterfront already has been planned: it is a place to create, produce, package, move goods and create energy. It's a place for infrastructure. It has long been a manufacturing district. Its importance as such is embodied by its inclusion as a Significant Maritime Industrial Area and an Industrial Business Zone. Its importance as a manufacturing zone has only been proven stronger in the calls for clean energy, a circular economy, resilience, and a green jobs incubator. There is no logical reason in terms of comprehensive land use planning to change the zoning designation of Industry City and allow for an erosion of industrial use—the inevitable by-product of additional retail space. Not only has the Sunset Park waterfront's land use been agreed upon by multiple administrations, it has also been agreed upon by the people who live there; first, through the 2011 CB7 197 a plan, and subsequently by the UPROSE Green Resilient Industrial District (GRID) plan.

The Industry City rezoning proposal, if passed, would foreclose on a major piece of NYC's ability to respond to climate change. When a presumed Biden administration comes in, with a \$2 trillion budget for a clean energy economy, there will need to be space in NYC to implement the subsequent actions. Sunset Park and the GRID are primed to be one of those locations. Forty percent of clean energy investments will be earmarked for "disadvantaged communities." (*Biden-Sanders Unity Task Force Report*, accessed Sept 15, 2020). The Biden plan is all about jobs; the GRID plan is primed to take the jobs; and the proposed Industry City rezoning would make it all but impossible for Sunset Park's manufacturing area to receive those jobs.

People and actual jobs, not profits and dubious claims

Many questions remain to be answered about the Industry City application. Job counts are vague and the nature of an Innovation Economy is vague. What are the businesses that will make up the proposed Innovation Economy District, and what qualifies them as innovative? As it now stands, this sounds like a page taken out of Richard Florida's widely-criticized creative class approach to local development, which has led to gentrification and housing market inflation in places like San Francisco, Philadelphia, Seattle, and Portland. If innovation means office and retail, then where is the current market for that? We are facing a Great Depression-sized economic downturn, and yet the applicants are relying on pre-COVID-19 economic data. The City Environmental Quality Review technical manual requires applicants to examine existing conditions with "timely data" and create a future conditions projection based on new data (CEQR, 300. Existing Conditions). Yet the IC zoning makes no mention of COVID-19, nor how NYC's economy has undergone changes since March that will impact the city for many years to come.

During questioning on Tuesday, September 15, CEO Kimball acknowledged that the proclaimed 20,000 jobs in actuality was only 7,000 jobs emanating from mostly new leasing. While NYC can certainly use 7,000 new jobs, even those numbers seem to bely current economic reports. For example, an August 13th press release from

the Partnership for New York City, led by Kathryn Wylde, summarizing results from a “return to office survey” posits that as of August, only *eight percent* of mid-town office workers had returned to their offices (<https://pnyc.org/news/return-to-office-survey-released-from-partnership-for-new-york-city/>, accessed September 14, 2020). Employers anticipate 26 percent of employees will return by the end of the year and expect only a total of 54 percent to return by July 2021. Additionally, Tech employers expect only 74 percent of employees to return to the office by July 2021. Finance and insurance employers expect 55 percent, and consulting firms expect 50 percent. Accounting, Media and Entertainment, Sports and Hospitality employers --- all sectors that IC would seek to entice-- have much lower rates of return. With these types of vacancy reports in prime midtown offices close to numerous public transportation lines, where does Industry City think the new businesses are going to come from?

Early evidence of the impact of COVID-19 on retail is not lacking, especially on the mall-style design approach envisioned by Industry City. Hudson Yards, whose existence depended heavily on public subsidy, is now nearly empty, placing tax revenue set to pay back bonds to the city to build out the extension of the 7-train, in jeopardy. Some analysts even speculate that the city will be called in to bail out the very costly project (“Pandemic Economy Could Turn A Deserted Hudson Yards Into An Even Bigger Taxpayer Money Pit,” DeMause in *Gotham Gazette*, September 16, 2020.) Contrary to claims that the project has no public funding, Industry City enjoys many tax benefits ranging from a \$115 million city investment in infrastructure upgrades, ferry service, broadband, and 25-year tax abatements for taxes on commercial leases. (Busting Industry City Rezoning Myths,” Hum in *Gotham Gazette*, September 14, 2020). This is they type of public investment that the federal administration and state could make in Sunset Park to support clean energy, a circular economy, resilience, and a green jobs incubator—some of the component pieces of the GRID. But only if the Industry City rezoning is rejected.

You have an opportunity to be bold and visionary now and to put NYC in the vanguard of the fight for climate survival, in a manner that truly supports a diverse, working class community. To approve the IC rezoning is the equivalent of replacing the working waterfront with a high-end mall just when we need creative planning and development that serves local and regional needs, supports current residents, and adds to our climate resilience. This is a business-as-usual land use action, at one of the most disrupted social and economic moments in the city’s history, and you don’t even have accurate information before you by which to assess it. I urge the Council to vote to disapprove the Industry City rezoning.

From: [RONALD SHIFFMAN](#)
To: [Land Use Testimony](#)
Cc: [Kelley, Chelsea](#)
Subject: INDUSTRY CITY ZONING APPLICATION
Date: Wednesday, September 16, 2020 11:13:23 AM
Attachments: [RS City Council Statement 9.13.20.docx](#)
[Ron Shiffman Short 7.2020.doc](#)

Honorable Members of the City Council,

Below is a copy of my Testimony. I and my colleagues are available to answer and follow-up on any questions or concerns that you may have.

RONALD SHIFFMAN, FAICP, Hon.AIA
Professor Emeritus,
Pratt Graduate Center for Planning and the Environment;
Founder and Director Emeritus.
Pratt Center for Community Development;
City Planning Commissioner [1990-96]
917.705.8935

PS

I have attached a copy of my resume so that you can have a better understanding of the context and background for some of my observations and conclusions. Those conclusions are based on my experiences over the years. During that period I have encountered those who today call for higher density but years ago advocated for the suburbanization and de-densification of the city, that opposed manufacturing retention, that said preservation of much of our housing stock was impossible, some who walked in the footsteps of those that advocated “planned shrinkage.” As I said yesterday, I feel and share the pain of our union brothers and sisters, but illusion does not create jobs, zoning does not create jobs. I firmly believe that addressing the challenges of climate change, addressing the needs of the poor, adapting to rising sea levels, building our decayed infrastructure, preserving and expanding our public housing and low and moderate-income housing supply, curtailing land speculation will create jobs and are a foundation for our city to grow and to prosper. For this to happen we need enlightened and courageous leadership.

Testimony of
RONALD SHIFFMAN, FAICP, Hon. A.I.A
Pratt Graduate Center for Planning and the Environment;
Founder and Director Emeritus.
Pratt Center for Community Development;
New York City Planning Commissioner [1990-96]
rshiffma@pratt.edu
917.705.8935

15 September 2020
Before
The New York City Council
Professor Emeritus,

Honorable Member of the City Council

My name is Ron Shiffman, I am a city planner and educator. I have been engaged in New York city planning, community development and zoning issues since 1963. In 1964, I co-founded what today is the largest and longest continuously operating university-based public service architectural, planning and community development assistance center in the country --the Pratt Center for Community Development. I had the honor of serving as a New York City Planning Commissioner from 1990 to 1996, having been appointed to that position by then Mayor David Dinkins. In the late. 1990s, I was a founding board member of the New York city Industrial Retention Network dedicated to preserving and expanding manufacturing in the City. In 2004, I stepped down as Director of the Pratt Center and I am now Professor Emeritus at Pratt, where I teach and assist communities to address the ravages and inequities they experience because of social, racial and economic injustices inflicted upon them because of discriminatory planning and development policies --policies enacted in haste, often to curry favor with well-financed developers seeking to benefit their few investors. The developers are doing their job representing their investors, however, the City Planning Commission and the City Council, whose role is to look out for the public interest have for far too long met the needs of those

developers/investors while ignoring the present and future needs of the public, particularly those most in need.

Today's meeting is taking place at a point in time where our nation, state and city are addressing the intersection of a debilitating pandemic, with its disastrous human and economic toll, a long deferred racial and class reckoning, and the ever present and growing danger of climate change. If the 'Industry City' application is approved, it will send a message that the City is wedded to 'press release planning,' accepting misleading and constantly changing job numbers in lieu of a proposal- the GRID -predicated on addressing the real needs, of today and tomorrow and based on sound and verifiable projections.¹ This zoning application, designed to benefit one owner, Jamestown Properties, must be rejected and/or withdrawn. The proposed rezoning application is, despite its size, "spot zoning"-- a practice that has been traditionally frowned upon by the courts.

2

In lieu of that proposal, the city should consider the strategy put forth by UPROSE, a nationally recognized and acclaimed, community-based environmental justice organization, to adopt a comprehensive plan to develop a Green Resilient industrial District- the GRID. An innovative and inclusive vision for this strategically located important deep-water segment of New York City's waterfront - an area that includes the Industry City site owned by Jamestown Properties, but also includes other private parcels and city-owned properties. A plan that meets the challenges and opportunities of the future by aggressively addressing climate change and other unforeseen challenges. A plan that enables

- manufacturing and industrial uses with well-paying manufacturing industrial jobs, rather than unneeded retail and office spaces.

¹ See the testimony of my colleagues and fellow panelists, Eva Hanhardt, Devyani Guha, Juan Camillo Osario plus the follow sources:
<https://www.nyscrda.ny.gov/About/Newsroom/2019-Announcements/2019-09-24-NYSERDA-Announces-New-Yorks-Rapidly-Growing-Clean-Energy-Economy-Employed-Nearly-159000-Workers-in-2018>

<https://www.nyscrda.ny.gov/Researchers-and-Policymakers/Green-Jobs-Green-New-York/Data-and-Trends>
https://www.energypolicy.columbia.edu/research/commentary/leveraging-state-funds-clean-energy-lessons-new-york-state?utm_source=Center+on+Global+Energy+Policy+Mailing+List&utm_campaign=0ed85d0d81-EMAIL_CAMPAIGN_2019_09_24_06_19_COPY_01&utm_medium=email&utm_term=0_0773077aac-0ed85d0d81-102381074

"Go Big to Rescue America for the Covid19 Crisis in Bloomberg News

[https://www.bloomberg.com/news/features/2020-04-30/bailout-isn-t-enough-for-economy-to-recover-from-coronavirus;](https://www.bloomberg.com/news/features/2020-04-30/bailout-isn-t-enough-for-economy-to-recover-from-coronavirus)

Robert Rubin Op ED in the NYTimes

<https://www.nytimes.com/2020/03/02/opinion/rubin-economy-democrats.html>

² Please see P. 5 and 6 of the following:

https://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf

- the City and Region to respond to unforeseen events, such as Covid19 and the unpredictable ravages of climate change
- addresses food security issues by linking this part of the region with upstate farms and long island communities,
- Staten Island and New Jersey to be linked to Long Island, Upstate New York and New England by rail rather than by truck,
- rebuilding of the region's infrastructure using locally manufactured and stored materials, rather than importing material, labor and machinery from neighboring states thereby increasing the economic and environmental costs.
- New York to deploy and service off shore wind turbines and develop and produce products and materials to adapt to and to mitigate extreme heat, and adapt to rising sea level.
- the deployment of barges capable of sweeping plastics and other debris from our waterways before they enter our harbors.
- us to produce many things that we will need tomorrow that we can't envision today.

These are the services and the industries that are needed now – ones that will enable us to address the challenges NYC faces, that will provide the well-paying jobs and launch the businesses of the future that people in Sunset Park and our city and region need.

These efforts can be financed by recently adopted New York State innovative **environmental just transition** laws such as the Climate Leadership & Community Protection Act ³and the just transition polluter pay fees and related initiatives. These New York State laws are models for the nation in creating well-paid green worker jobs and innovative green enterprises. This package of legislative initiatives exists because of efforts that UPROSE with partners like NY Renews, The New York City Environmental Justice Alliance and others worked collectively to enact.

The vote of the City Planning Commission a few weeks ago to approve the Industry City rezoning application was a procedural and programmatic outrage. Procedural because it was done in the middle of August, after the Mayor

³ <https://drive.google.com/file/d/1t3ay4o445DGwPPhBtVNFk1FHf9LJKWs/view>
https://drive.google.com/file/d/1Ek0H8OU9P5KGZ78X_HiBsOF1BqXmKXZW/view

surprisingly lifted a suspension of the City's Land Use Review Procedures put in place because of a state of emergency in response to the pandemic that has dramatically impacted our city and our people. The Planning Commission acted on 19 August despite the fact that their own website indicated that the suspension would be in effect until the 14th of September. More importantly, from a programmatic perspective, their action was based on the fictitious belief that 20,000 jobs would be produced. This claim was challenged prior to the pandemic because of the fallacious argument put based on a discredited "creative economic development" policy that would have accelerated the gentrification of this important deep waterfront manufacturing and industrial area. A proposal that the community, environmental and climate justice organizations argued would lead to the displacement of people⁴ and manufacturing jobs and would deprive the city of the kind of space and the opportunity to develop 21st century businesses and jobs to address climate change and to build a strong non-carbon dependent economy. Industry city's proposal, which was weak to begin with, was based on factors that the pandemic has torn asunder. Their environmental impact analyses and market studies are based on pre-pandemic conditions -- conditions that no longer apply. Their argument about the number jobs to be produced is, as my colleagues have demonstrated, without foundation and the adverse impacts that they initially raised have all been intensified, yet the commission didn't ask any of these questions or raise any of these issues, instead they rushed to approve these zoning changes.

The City Planning Commission voted to approve this proposal because of the specious argument that it would create jobs even though the pandemic has thrown in question whether we need any more retail, hotel or 'creative spaces' in a city reeling from the loss of jobs, the closure of thousands of small businesses and where the journey to work patterns of those still employed has changed so dramatically.

Our city has painfully learned, what we should have known all along, that we depend upon front-line workers, the nurses, the sanitation workers, the folks that put food on the shelves and deliver it to our homes, as well as, those that

⁴ During the testimony on 9.15.20 before the NYC City Council a number of speakers alluded to both a CBA and the construction of denser/high rise housing to address the issues of displacement and other issues raised in the EIS that needed to be mitigated. I have two quick responses. One, there is to my knowledge no way of developing a legally binding "community benefits agreement" without the City being a signatory and with the agreement being part of the deed or a covenant to the land and the building. Two, the best way to avoid displacement is through preservation of the existing supply of low cost, low-income housing. The idea that higher densities and higher structures without deep subsidies will stave off displacement is simply fiction.

manufacture the plastic shields and other protective gear we desperately needed. Yet, if this application is approved, you will not only ignore their voices, but you will act to undermine their community, where so many of these front-line workers live and work. If this application succeeds these essential workers will face displacement not only from their jobs but from the places where they live. If you approve this application and ignore those who labor you will reward only those who will financially benefit from the short-term illusionary benefits⁵ of your action. Approval of this application will give a single corporate development entity the rezoning change which they can now peddle at a profit or exploit on their own without any allegiance to the community or without a mandate to address the unforeseen economic development and climate challenges the city faces in a post-pandemic world- one where our life style has been dramatically changed in ways we have not yet been able to visualize.

Below, for the record, are my comments on a section of the EIS that I prepared earlier this spring for testimony and submission the City Planning Commission and Brooklyn Borough President's office. Please add them to this record. They are pertinent today and the events and trauma of the pandemic highlight why many of those issues are even more important today than when I first drafted them.

Please note the following is from a more extensive critique and comment of the Industry City EIS submitted to the City Planning Department prior to COVID19. The full critique is part of the City Planning Department's environmental review record. **I believe that the EIS for Industry City should be updated based on COVID19 impact on the city's economy and the potential trauma to the city's land use needs and it economic priorities prior to any action on this application.** Any action taken without this kind of analysis is reckless and not in the interest of the residents and business of this city including the applicant themselves.

To quote the Environmental Impact Statement, Chapter 22, Irreversible and Irretrievable Commitments of Resources:

These resources are considered irretrievably committed because their reuse for some other purpose would be highly unlikely. The re-tenanting and redevelopment of Industry City through the Proposed Actions also constitutes a long-term commitment of land

⁵ The debate about the positive and or negative impact of Opportunity Zones and its relationship to Industry City needs to be understood clearly before any economic analysis can take place. In addition, any economic analysis of the economic benefit of this action or the potential harm to other parts of the city must take into consideration posr-COVID19 data not only data prior to March 2020.

<https://www.bloomberg.com/news/articles/2020-06-25/opportunity-zones-don-t-work-can-they-be-fixed>

<https://www.urban.org/urban-wire/opportunity-zone-incentive-isnt-living-its-equitable-development-goals-here-are-four-ways-improve-it>

<https://www.cbpp.org/research/federal-tax/potential-flaws-of-opportunity-zones-loom-as-do-risks-of-large-scale-tax>

resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future.

We maintain that this statement only faintly touches on what potentially will be significant negative impacts and ignores some critically important issues, for three reasons.

The first issue is that Industry City by itself represents a significant percentage of the remaining industrial space of the City of New York. In the past 20 years, the City has reduced the land area zoned for and available to industry (not counting “transitional” mixed use areas) by a substantial percentage. There is presently considerable testimony to and evidence of a resurgence in industrial activity and values, especially for planned industrial campuses. One such success story is in the same industrial neighborhood—the Brooklyn Army Terminal (BAT). Another is the Brooklyn Navy Yard (BNY), which, like BAT and Industry City, enjoys immediate access to both water and land-based transportation systems including an interstate highway. The growing focus on the development of the circular economy⁶ and its locational dependence on dense urban concentrations will create a demand for more space serving New York City. The continued loss and commitment of a substantial portion of Industry City’s space to non-industrial uses will remove a meaningful amount of industrial space that cannot be replicated

The second issue is that Industry City represents the largest privately-owned industrial complex in the city. The private and public sectors, by their very nature, respond differently to marketing, tenancing, background checks, etc. Industrial rents, absent government incentives, do not currently sustain new construction for manufacturing tenants. Most new construction for industry is build-to-suit, such as for distribution centers. To quote Jane Jacobs, Old ideas can sometimes use new buildings. New ideas must use old buildings." Losing old adaptable manufacturing spaces like those in Industry city, once lost cannot be replicated and as result the city’s ability to innovate and adapt to future challenges like climate change will be dramatically impaired. Clearly, further study is required to determine what percent of the privately-owned industrial space would be irrevocably removed from the city’s inventory. Especially space that is adaptable and conducive to innovation, experimentation and often where new ideas generate new enterprises needed to address new needs.

The third issue is that however high these two proportions are (i.e., the total industrial square feet; the total for-rent industrial space), they will be higher in the future. One cause is the expected continued pace of the conversion of industry-to-commercial or housing uses (e.g., the City has proposed industrial rezonings in both Gowanus and North Brooklyn), but also mindful

⁶ 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. The report highlights the vast scope to reduce greenhouse gas emissions by applying circular principles – notably re-use, re-manufacturing and re-cycling - to key sectors such as the built environment. Yet it notes that most governments barely consider circular economy measures in policies aimed at meeting the Paris Agreement target of limiting global warming to as close as possible to 1.5°C. quoted from the UN Climate Change News, 22 January 2019 “Circular Economy Crucial for Climate Change Goals.

of climate change. By our rough estimate, a substantial amount of the industrially zoned land in the city will be under water (within the high-tide mark) within the next 20 years. Much more industrial land will be subject to frequent flooding. The historical fact is that industry largely located on the city's waterfront for multiple reasons: access to shipping and later railroads then highways, use of landfill to avoid assemblage difficulties, and use of water bodies for cooling or discharge. While large-scale complexes (such as Industry City, the BNY and BAT) can afford to undertake protective and adaptive measures, most small-scale industrial buildings and uses will likely need to relocate. Most importantly, the city by not addressing the loss of space—both open and built- that can be lost, and once lost, rarely recreated—might very well be needed to protect, adapt, mitigate the impact of rising sea levels and increased heat. Absent a strategic plan to address land use issues concerning climate change, the City will be inviting irreparable harm to the region. The need to marshal, produce, assemble and manufacture material needed to address the existential threat of climate change should be assessed prior to allowing any zoning changes or modifications to Industry City and any other areas remaining that are zoned for manufacturing and or industrial uses. Yet, with less than one percent of the land area for New York City zoned for industry, there will be few opportunities—not just in New York City, but also in the rest of region (e.g., Bayonne, Jersey City, Yonkers). Clearly, more analysis is needed.

To summarize, further study is needed to discern the full impact of the proposed action mindful that Industry City is the largest privately-owned industrial holding in the city, and as such is a unique resource; and absent a strategic climate adaptation plan and city policy to protect the city from climate change and a policy to safeguard industry or relocate it due to climate change and more rezoning, that retention of that unique resource will grow in importance. **Indeed, further disclosure is not enough, a full plan for addressing the city's industrial land use mindful of the climate change and other issues is needed.**⁷ Until such time, we believe that a moratorium should be put in place for all waterfront industrial areas; i.e., that land use policy for the city requires a better understanding of the ramification of climate change for an essential land use that is—proportionately more than any other land use in the city—on the waterfront, and therefore particularly at risk due to climate change. This is not a 20-year horizon, as is customary in New York City for Environmental Impact Statements; it is at least the reasonable worst case for climate change in the year 2100.

To our knowledge: The proposed action would represent the largest single alienation of industrial square footage in the history of New York City, for a category of land use that is most endangered of all in terms of flooding and high tide. What may be generally treated as incremental in terms of commitment of resources will, in this case, be significant. It cannot and should not move forward without a solid analysis of what is at risk, citywide, and a policy for addressing that risk if not finding ways to make the city's industrial jobs and services stronger and more resilient than ever. In essence there should be a moratorium and a freeze on rezoning and development for a period of 9 to 12 months while the City develops a land use

⁷ Please note this was written before the pandemic. If anything, the pandemic dramatically highlights the need for a better, more informed set of data as the foundation for the development of a comprehensive waterfront plan prior to any action that would limit the scope of that plan for the decades ahead.

plan for the waterfront as part of a Climate Change Protection and Adaptation Plan and a plan for the essential infrastructure needed to protect the people of this city, their welfare and our economy.

From: [Ruben Colon](#)
To: [Land Use Testimony](#)
Subject: L.U. 674, 675, 676, & 677 - Industry City - Petition In Favor of Rezoning
Date: Tuesday, September 15, 2020 8:49:30 AM

<https://www.change.org/Rezone-Industry-City>

Rubén Colón: Representative
NYCDC Area Standards Dept
Rcolon@nycdistrictcouncil.org
[395 Hudson Street, 1st Floor](#)
New York, NY 10014

From: [Rubén Colón](#)
To: [Luis De Testimony](#)
Cc: [Eddie McMillan](#); [Rita Brady](#)
Subject: L.U. 674, 675, 676, & 677 - Industry City - Petition In Favor of Rezoning
Date: Tuesday, September 15, 2020 8:46:03 AM

Please see link below for **Petition In Favor** of L.U. 674, 675, 676, & 677 - Industry City

Thank you,

Rubén Colón: Representative
NYCDC Area Standards Dept

[https://www.chango.org/p/unions-sarpenters-write-your-city-councilmember-insist-on-union-jobs-at-industry-city?utm_content=s4_sharecopy_24216097_cst15%3A4&recruiter=71666496&utm_source=share_petition&utm_medium=copylink&utm_campaign=share_petition&utm_term=C%3ESearch%3E\\$AP%3EUS%3EBrand%3EGeneral%3EExact&fbclid=IwAR3DIEjXCoXUEtLIEYm7BvASSpV3QKJsqHhZCIMIiSAZ3hs8dSO9ht0](https://www.chango.org/p/unions-sarpenters-write-your-city-councilmember-insist-on-union-jobs-at-industry-city?utm_content=s4_sharecopy_24216097_cst15%3A4&recruiter=71666496&utm_source=share_petition&utm_medium=copylink&utm_campaign=share_petition&utm_term=C%3ESearch%3E$AP%3EUS%3EBrand%3EGeneral%3EExact&fbclid=IwAR3DIEjXCoXUEtLIEYm7BvASSpV3QKJsqHhZCIMIiSAZ3hs8dSO9ht0)

Rubén Colón: Representative
NYCDC Area Standards Dept
Reolon@nycdistrictcouncil.org
[395 Hudson Street, 1st Floor](#)
New York, NY 10014

From: [SM](#)
To: [Land Use Testimony](#)
Subject: L.U. 674, 675, 676, & 677 - Industry City
Date: Tuesday, September 15, 2020 10:39:47 AM

Hello, my name is Steven Mayer and I have lived in Sunset Park since 2012.

I urge the council to oppose the Industry City rezoning because it is a direct threat to Sunset Park residents, as well as working class communities across the city. It's important to note that every elected official covering the Sunset Park area opposes the rezoning: Councilmember Carlos Menchaca, US Congresswoman Nydia Velazquez, incoming state assemblymember Marcela Mitaynes, incoming state senator Jabari Brisport, state senator Zellnor Myrie, and Public Advocate Jumaane Williams have all publicly stated opposition to this rezoning.

The entire Industry City process has been developer-driven and community input has been ignored. Industry City is not creating opportunities for local people, they are a landlord that is interested in rents- not jobs. With 50% of their spaces currently vacant, amounting to about 5 million square feet, and their retail clientele in an especially precarious place after COVID, our waterfront will continue to idle as wasted space regardless of the rezoning they claim will help the community.

This proposed rezoning will be a doubling-down on an outdated and harmful model. Office demand is at an all-time low and retailers are closing across the country. What we need, and what the Sunset Park residents and community leaders have proposed is a community waterfront focused on creating well-paying jobs in manufacturing and in green-industries accessible to existing residents. These include Community Board 7's 197-A plan for Sunset Park and environmental non-profit Uprose's GRID plan, among others.

This is an incredible opportunity for the city to work with the community and transform a waterfront neighborhood into a vibrant model of sustainable green jobs, and in turn craft a model that can be exported across the country as we are facing massive challenges with climate, sustainable energy, and loss of local industries from coast to coast.

Thank you for your time and consideration.

From: [A Suarez](#)
To: [Land Use Testimony](#)
Cc: [Kelley, Chelsea](#)
Subject: -L.U. 674, 675, 676, & 677 - Industry City Rezoning Testimony
Date: Wednesday, September 16, 2020 2:32:12 PM
Attachments: [Industry City Speech-9-15-20-1.docx](#)

Dear Council Members,

I participated in the Industry City Rezoning proposal testimonial and gave my short and brief testimony.

I have attached a copy of my actual testimony in favor of the rezoning of Industry City.

Sincerely,
Angie Suarez

Sent from [Mail](#) for Windows 10

I am in favor and in support for the rezoning of Industry City.

My name is Angie Suarez and I have been a long-time resident of Sunset Park. In fact, I grew up in Sunset Park. During the 1970's and 1980's, gangs and prostitution were visible on our streets and Third Avenue provided a conduit for illegal activities. Therefore, I have seen the slow changes surrounding my neighborhood.

I am disappointed to say that I have not seen a huge revitalization evolving my neighborhood. There have been many talks of revitalization but not much leading to transformation. One such transformation has been Bush Terminal Piers Park this has encouraged me to see a vision by giving me an initial glimpse of a possibility of what could become along the rest of the waterfront. There is so much potential out there and yet not much in the way of development but a bunch of political and community misunderstanding as to what opportunities exist. I have been to many meetings and have heard numerous political promises and yet not much has been done with the undeveloped waterfront property. With all the ongoing bureaucratic talks and the non-action, this working-class community, which many of its citizens consists of immigrants like me, continue to suffer with the poor conditions.

I realize that Sunset Park does not carry the same clout power as other neighborhoods such as Park Slope and Dumbo, but Sunset Park has become a more known name because of Industry City. Industry City has brought an affinity and revitalization to Sunset Park. When the Gowanus Expressway was built in the 1930's, demolition of many homes and businesses along Third Avenue left this neighborhood full of car fumes and ongoing traffic, which attributes to an increase of asthma rates.

For that alone, I am in favor for the Industry City rezoning. Looking back at history of our neighborhood of when The Gowanus Expressway on Third Avenue was built and followed by the abandonment and decrease of manufacturing jobs over the years in Sunset Park what transpire and left the Sunset Park community over the year was a mostly empty Bush Terminal complex of buildings deteriorated and not serving much of a purpose in the community.

The revitalization of the Bush Terminal Buildings to what is now known as Industry City has given a lift of aliveness to a decrepit, dirty and a seedy Third Avenue Sunset Park. This area of Sunset Park is mostly surrounded by commercial and industrial space. During the Giuliani administration, as Times Square was cleaned up Third Avenue in Sunset Park became a haven for adult porn stores.

As a resident of this community, I have not seen much of a major development within Sunset Park. If anything, what I have seeing in the past years is an ongoing development of hotels. These hotels receive tax rebates and homeless subsidies from the De Blasio Administration to house homeless people and this is during pre-pandemic. Right now, there is a 7 to 8 floor hotel being built on 29 Street and 4th Avenue, and another hotel which was completed on 30th Street and 4th Avenue out of the many existing hotels already in Sunset Park.

I bring this point up because yes, we in Sunset Park have a lack of affordable housing but the City is allowing the construction of hotels turn homeless shelters, many on the opposing side of Industry City rezoning are saying Industry City is to be blamed for the tenant's displacement. How so? I believe is the landlords that are pushing the existing tenants for higher rents. I ask the community and members of the City Council that are listening to me. What is the solution for the lack of affordable housing?

There is a misunderstanding that Industry City is causing misplacement for the community. How?

Industry City...they are not in the business of residential investment; they are in the commercial industry.

My understanding and from what I read is Industry City is not a consortium of residential developers but investors and what they have done is instead of going toward high-rise luxury condos, which would require an influx of big money to be used for renovations, repurpose and revitalize the massive complex, eventually bringing 20,000 jobs to the vast industrial hub that was once called Bush Terminal. Therefore, I ask again how is Industry City displacing residents?

I wondered if the same naysayers are here when Costco came into Sunset Park. Costco had many oppositions due to fears and speculation it was going to put existing stores out of business and hurt the bodegas and supermarkets such as Key Food, C-Town, Bravo etc. Did it? No!

In my point of view Industry City has revitalized, awaken, and brighten and I mean literally brighten Third Avenue over the Gowanus Expressway. It has lifted a once lifeless, decrepit building complexes with aesthetically and appealing and comfortable court yards. Third Avenue is illuminated at night in a once dark and seedy area of my neighborhood.

I have been able to participate in many of Industry City Community perks. Like free Zumba classes, workouts, movies, and other social events, of course, pre-COVID-19.

I want to thank Industry City for taking a chance in Sunset Park and having a vision to revitalize the former Bush Terminal. Why should all good opportunities only go to the Navy Yard also a once decrepit area of Brooklyn and now thriving.

Industry City has done some good to our Sunset Park community like jobs, cultural events, and retail options. We have a wonderful place to bring our families and friends for entertainment and socializing. I, for sure, do not need to go to Manhattan, Bay Ridge or Park Slope to entertain family and friends. I could just walk over to Industry City.

If government is not investing in building its water front to give us access by developing an urban oasis with promenades, green and open space for the community to enjoy and perhaps even have a ferry stop, then allow the private sector to build and give back to the community by reinvesting in employment.

Sunset Park needs to grow and all I ask, and I request for the Industry City owners to keep in mind these 3 petitions. As you rezone and develop your plans, please bring into our Sunset Park community sustainable environmental, health and economic growth and improvements.

Sunset Park needs a revival. Do not let fears keep Sunset Park from growth revitalization.

Do we want growth or stagnation?

Angie Suarez
128 29th Street

From: [Danyul Nguyễn](#)
To: [Land Use Testimony](#)
Subject: L.U. 674, 675, 676, & 677
Date: Tuesday, September 15, 2020 1:14:46 PM

A project of this size cannot be rushed the way it has. If Industry City and Andrew Kimball cannot take the proper time to work with the local community, they cannot be trusted to hold the neighborhood's best interests at heart.

From: [Eighth Avenue](#)
To: [Land Use Testimony](#)
Subject: Land Testimony Letter to Proposed Rezoning of Industry City (L.U. 674, 675, 676, & 677 - Industry City)
Date: Wednesday, September 16, 2020 10:56:15 PM
Attachments: [City Council Industry City Rezoning letter.pdf](#)

**Brooklyn
Chinatown
Research Project**
【布鲁克林唐人街
研究项目】

**Sunset Park,
Brooklyn**
【日落公园,布鲁克
林】

September 15, 2020

Dear City Council Members,

We are writing with regards to the proposed rezoning of Industry City (L.U. 674, 675, 676, & 677 - Industry City) which is of the utmost concern to us as residents and scholars of the Sunset Park 8th Avenue community. We are members of the Brooklyn Chinatown Research project, a participatory action research project focused on gentrification of the 8th Avenue community and its impact upon Chinese

immigrants and Chinese-American families. Our research specifically focuses on housing and small businesses. Some of us have grown up in the neighborhood and have deep ties here. **We are concerned that the rezoning of Industry City will have dramatic impacts upon our community and that many in our neighborhood are unaware that this is even happening. We ask that you vote NO on the rezoning of Industry City, and YES to preserving Brooklyn Chinatown and investing in our community's health and economic well-being. Save Sunset Park**, a culturally rich community that is home to so many of us, from global developers who profit off of our displacement!

The promises of job creation at Industry City are hollow. Industry City has been named an "innovation hub," attracting those who work "in the art, design, film, fashion, manufacturing, tech, and food sectors," and they are looking for people who are educated with college degrees and can work white collar jobs. Industry City promises 20,000 jobs to the community, but approximately 80% of Sunset Park residents have not attended college and more than 50% of residents do not have a high school diploma (US Census Data, 2010). We know that these 20,000 "innovation hub" jobs are not for the people in the neighborhood. These jobs are not for us.

Sunset Park is gentrifying and is already unaffordable. The rezoning of Industry City will amplify this. Sunset Park is an immigrant community and for years, it has provided a place for new immigrants to sustain and nurture families with its affordable prices and easy access to transportation. Industry City does not serve the community and it directly affects our right to stay in our neighborhood. Displacement is already taking place. Before COVID-19 rents were skyrocketing, now it's worse. Many are in danger of being evicted with the loss of income. Many community members are already living in

crowded conditions because they cannot afford the rent. Others have been forced to leave.

We have followed the rezonings of other areas of the city, including the Williamsburg industrial waterfront, which has resulted in massive displacement. We have witnessed how in every rezoning around the city, the new housing built is not for local working class communities, but for wealthier (often whiter) new residents that are attracted by the new developments. **The rezoning of Industry City will not only physically displace, but culturally displace Brooklyn Chinatown.** We stand in solidarity with our Latinx neighbors in Sunset Park who, like our community, are in danger of being displaced, after weathering years of disinvestment.

Some of us have parents who are struggling to pay rent for their small businesses that just reopened after months of being closed with no income. “For Rent” signs fill the streets of 8th Avenue as more and more small businesses, the lifeblood of our community, are forced to close and move away. Rezoning Industry City will only accelerate gentrification, forcing even more small businesses out, while also selling marked up goods that people from the community will not be able to afford. For example, Tous les Jours prices their cakes at \$45+, while we can find \$20 cakes at local Chinese bakeries like Dragon Bay. We are concerned that Industry City will kill our small business culture, which is crucial to 8th Avenue and part of our community’s identity. **What protections are there for our small businesses?**

8th Avenue is a popular shopping area for Chinese people living in Staten Island, Bensonhurst, and people all around NYC. Here you can find a diverse variety of vegetables, meat, herbs, snacks, and other goods that the 8th Avenue community rely on. Our community is brought together through these cultural overlaps during the annual Lunar New Year parade, eating mooncakes during the Mid-Autumn

festival, or sitting around our dining table to celebrate the Winter Solstice. Our grandparents spend their mornings at Chinese bakeries, talking to their friends and bonding over common interests. This community is meaningful to all of us. **We are concerned about the displacement of our culture, our elders, and our community.**

The Chinese community has been left out of the decision-making process! Very few people of the Chinese community even know that this is happening! While the 8th Avenue community is emotionally and physically preoccupied with COVID-19 and the economic devastation, this rezoning is being pushed through without community participation. Many in our community do not have computers or Zoom. We are concerned that **the City has not done its due diligence in terms of informing and engaging the Chinese community.** The timing of this rezoning is un-democratic and inequitable. We ask that you not exploit this moment of instability for economic profit. **Sunset Park is our home.**

In conclusion, we ask that you vote NO on the rezoning of Industry City and vote YES to investing in our community's well-being, health, education, and housing! Our community is already facing massive economic distress due to Covid-19. **Vote YES to our community's essential workers and immigrant families. Preserve Brooklyn Chinatown for our community (not tourists). Save Sunset Park - save immigrant communities!**

Thank you for listening and supporting our community.

Sincerely,

Valentina Guo, Research Associate, Brooklyn Chinatown Research Project
Sunset Park resident (11219)

Regina Shen, Research Associate, Brooklyn
Chinatown Research Project
Sunset Park resident (11220)

Diane Cheng, Research Associate, Brooklyn
Chinatown Research Project

Dr. Caitlin Cahill, Research Associate, Brooklyn
Chinatown Research Project

Sunset Park residents and allies

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Doris Chen (11220)

Amy Wu (11220)

Jason Wu (11220)

Jane Zheng (11220)

Jessica Zheng (11219)

Zheng Guo (11219)

Tracy Jiang (11220)

Hafsa Habib

Crystal Lin

Brooklyn Chinatown Research Project (布鲁克林唐人街研究项目)

Sunset Park, Brooklyn (日落公园, 布鲁克林)

September 15, 2020

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Zheng Guo (11219)

Tracy Jiang (11220)

Hafsa Habib

Crystal Lin

From: [David Vibert](#)
To: [Land Use Testimony](#)
Subject: Land Use Testimony - David Vibert - Re: Industry City
Date: Tuesday, September 15, 2020 7:28:12 PM

Industry City Rezoning Testimony
Opposing the rezoning application
David Vibert

I am a longtime Sunset Park resident and local small business owner and I'm here to speak against the Industry City expansion. I live with my partner and her family who have been in Sunset Park for the past 40 years. It's people and families like hers, not landlords and developers, that improved this neighborhood and made it a great place to live by building communities and small businesses here.

This proposed rezoning is an existential threat to the working class communities of Sunset Park and across NYC. It ignores alternative plans and all community input. If approved it will confirm the message that what the city values is the profits of developers not the needs of working class communities.

This is the largest private rezoning application in New York City history— almost one million square feet. Every other rezoning of this size, scale, and importance has gone through a public review process with input from neighborhood residents and New Yorkers. The IC process is entirely developer-driven and prioritizes the private interests of the property owner and developers over the interests of the Sunset Park, Brooklyn, and New York City communities.

For good reason, we are seeing immense community opposition to this proposal. The Protect Sunset Park coalition has collected over 4000 resident signatures in opposition to this rezoning. Every elected official covering the Sunset Park area opposes the rezoning: Councilmember Carlos Menchaca, US Congresswoman Nydia Velazquez, incoming state assemblymember Marcela Mitaynes, incoming state senator Jabari Brisport, state senator Zellnor Myrie, and Public Advocate Jumaane Williams. And, you have heard not only the community's opposition tonight, but that of environmental academics and urban planners opposed this rezoning, who realize too well the detrimental impact this expansion will have on this neighborhood. The people testifying in favor of IC have financial interests in their expansion or were paid for their time. We are volunteers, sitting on a ten hour live zoom call in the middle of a workday.

Industry City's well paid PR firms are hammering on job creation as a reason for the council to vote against our community and for Industry City, but Industry City doesn't "create" jobs: they are a landlord, backed by billionaire real estate investment firms. Industry City are interested in land value and rents, not jobs. They can't meaningfully commit to any job numbers or growth and any job estimates are hopes at best, lies at worst.

There are better, more important futures for our working waterfront than what Industry City is offering, one that centers our future in workers, residents and the community. Sunset Park's community continues to generate rich, alternative plans for our waterfront that would address issues of climate resiliency, climate change and create accessible, well-paying jobs in industry, manufacturing and in green industries.

Approving this rezoning would foreclose a community-involved process and all of the hard work and possibility envisioned by our community, for decades to come, handing the keys to our waterfront over to real estate developers, for the next half century. Industry City needs this rezoning in a way Sunset Park or the City does not. This is a bad deal. We can and should say

no. Industry City knew the risks when they bought this property and now they are trying to rezone for profit. They can afford to lose that bet. We cannot afford to lose our homes, our livelihoods, and our communities.

From: [Marti Cummings](#)
To: [Land Use Testimony](#)
Subject: Land Use Testimony
Date: Tuesday, September 15, 2020 10:22:17 AM

For far to long our city has been one that works to amplify and uplift the wealthy. Catering to their every need. We have allowed the rich to dictate how neighborhoods are zoned, who can live where, and what store fronts will be allotted in commercial spaces. We must become a city that is for the everyday working people of New York. The rezoning of industry city in Sunset Park must be opposed. We must listen to the people of the community. By re zoning the crisis of gentrification will only continue. I am strongly opposed to the re zoning and fully support Council Member Menchaca in firmly standing against this re zoning. I urge the other council members to think of their own communities and the impact that re zonings like this have had on communities. Our priority must be uplifting and amplifying small local businesses, hiring with in community, supporting tenants and residents, protecting and fighting for our working people. Not for corporate greed and large complexes that will push people out of their homes and small businesses. I urge the council to support Sunset Park and vote against the re zoning of industry city.

Marti Gould Allen-Cummings
www.martigcummings.com

Employee Opposition to Industry City Rezone

I am an 8- year veteran security officer at Industry City and I oppose the rezoning application with vigor. I commenced my employment prior to the corporate consortium of investors assumed controlled of the 16 building, 35- acre campus. I have had an inside perspective and would like to share this with the council to enable it to make an informed decision.

Industry City Failed to Disclose COVID-19 Cases to Essential Staff

In March during the peak of the pandemic in N.Y.C and shortly after states of emergency were declared by both the Mayor and Governor, hundreds of essential workers (security officers, cleaners and maintenance staff continued to bravely appear for work. Unbeknownst to the essential workers, multiple positive cases occurred on campus. Several cases stemmed from the Jamestown management office at building #2. An internal e-mail was sent among managers however, management failed to disclose information to essential staff. When I and a colleague brought our concerns over this to management it was met with denials. A director of security actually asked me if I had proof of positive cases when in fact he was in loop on positive cases and recklessly withheld this information. This same director wrote to me in an e-mail that the only way one can contract COVID is to “ lick the subway floor” and said he felt people will use it to finally get 14 days paid sick leave.

My colleague and I were desperate, and we sought the assistance of Councilman Menchaca and his great staff including Tony Chiriato. We also partnered with Jorge Muniz and Antoinette Martinez who represent the community activists group Protect Sunset Park. A reporter was contacted from News 12 Brooklyn and I and my colleague divulged the facts publicly: Industry City had willfully withheld critical health and safety information from it' essential staff. Finally, management began posting transparently the existence of cases. Sadly, it took a media story and political pressure to convince I.C to do what's ethical.

Report to N.Y.S Department of Labor

Around the end of March, management failed to adequately protect essential workers with respect to proper P.P.E in addition a hand scanner device was still in effect after repeated calls by workers to suspend use of this device during the health crisis. The hand scanner requires placing a physical hand on a machine to clock in. This is an unreasonable method during a pandemic with over 50 employees using the same time clock. Management prefers this clock in method to save money on overtime costs and to prevent time theft. It took weeks until they finally approved suspending the scanner. Several of my colleagues ultimately were infected with COVID-19, possibly due to failures to disclose cases as mentioned earlier and use of this scanner.

To ensure management was following recommended guidelines I submitted a complaint to the special NYS COVID division within the department of labor to protect my coworkers and me.

Retaliation Ensued

Several weeks after my report to the state I encountered a campaign of retaliation against my employment of 8 years. Suddenly, minor matters such as using a cell phone and eating on duty became major issues resulting in escalating punishments. Prior to my report I had a clear disciplinary file for 8 years' service. It is no mystery I was retaliated against for trying to protect my coworkers from the grips of the deadly pandemic. I showed up for work daily during the pandemic on the front lines. The contractor A-Team Security suspended me consecutively which amounts to a near \$500 in lost wages. Managers were awaiting my arrival on these occasions with disciplinary paperwork in hand. I later discovered a hidden camera was installed across from my desk post inside a wall socket. This type of behavior is reprehensible. No employee should be subjected to this treatment. This will deter others from speaking out on health and safety issues at a time when our workers in this state and city are afraid to return to work .

My colleague who went to the news with me was swiftly laid off. The contractor has refused to return him to his position although they have hired new supervisors in his similar capacity. Currently, the N.Y.S Attorney General's Office is investigating the retaliation against me. I am hoping to receive justice.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
HIGH RISE CONCRETE CARPENTERS
LOCAL UNION NO. 212

395 Hudson Street, New York, NY 10014 - PH# 646-201-9865 Fax# 212-574-3319



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NYC Council
Subcommittee on Zoning & Franchises
250 Broadway
New York, NY 10007
Re: L.U. 674, 675, 676, & 677 - Industry City

September 15th, 2020

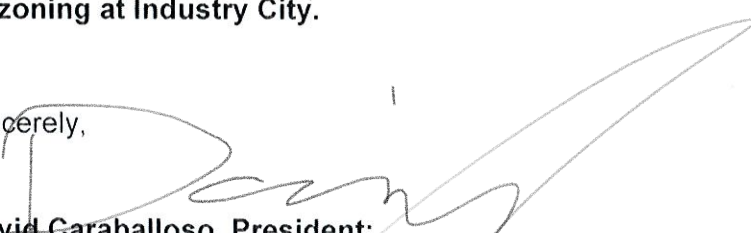
Honorable Members of the Subcommittee:

I am David Carabaloso, President of **Highrise Concrete Carpenters Local #212**. We are the newest of the 9 Locals that make up the **New York City & Vicinity District Council of Carpenters**, having been founded in 2016. We are also the most locally based & racially diverse of the Carpenters' locals. Of our approximate 1000 members, 77% live within the 5 boroughs and 65% are Persons of Color. More importantly and relevant to the Rezoning question, over 20% of Local #212's membership are Brooklynites. It is on their behalf that I must speak.

As a Latino currently living and raised in Harlem, I understand the struggles of our inner-cities and outer-boroughs. I know the day to day struggles faced by my members as I live it with them. I must therefore urge that the **NYC Council** to render a vote **In-Favor of the Rezoning**. It is important that you understand that construction workers are dependent upon development as a means of putting food on the table. Thus far, the administrators of **Industry City** have shown they are responsible neighbors, are forthcoming with information, and express a sincere willingness to work with the community.

On behalf of my membership I thank you for the opportunity to speak on their behalf, **In-Favor of Rezoning at Industry City**.

Sincerely,


David Carabaloso, President:
Highrise Concrete Carpenters Local #212



From: [Maggie Barrett](#)
To: [Land Use Testimony](#); [Cumbo, Laurie](#)
Date: Tuesday, September 15, 2020 8:37:21 PM

Dear Land Use Testimony and City Council member Laurie Cumbo,

I am writing to ask you to vote against the Industry City Rezoning for condos and hotels.

I used to work in one of the organizations that had office space at Industry City, so I frequented Sunset Park daily for three years.

The construction while I was there was nearly constant which often made it uncomfortably loud to work inside. The quality of life for the neighborhood will go down drastically if it is rezoned for hotels and condos. Furthermore, the neighborhood of Sunset Park has a lot of small mom and pop businesses -- they are thriving from the local population of the neighborhood. I do not want to see the rezoning of Industry City because I think it could ultimately end up similar to Williamsburg -- lots of chain and high end stores and the local small businesses largely being pushed out.

Thank you for your consideration. Please vote against the rezoning of Industry City for condos and hotels.

Maggie Barrett
263 Eastern Pkwy Brooklyn

<https://www.gothamgazette.com/opinion/9752-busting-industry-city-rezoning-myths-brooklyn-development-menchaca>

From: [Justin Pascone](#)
To: [Land Use Testimony](#)
Subject: New York Building Congress- Industry City Testimony, 9.15.20
Date: Tuesday, September 15, 2020 10:41:46 AM
Attachments: [New York Building Congress Industry City 9.15.20.pdf](#)

Hello,

On behalf of the New York Building Congress, submitting the following testimony in regards to Industry City for today's Subcommittee on Zoning and Franchises.

Please confirm receipt.

Best,

Justin

Justin Pascone | Director, Policy

New York Building Congress

t: (646) 868-0380 | e: jpascone@buildingcongress.com

1040 Avenue of the Americas, 21st Floor | New York, New York 10018 | buildingcongress.com

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Testimony before the New York City Council Subcommittee on Zoning and Franchises Regarding Industry City

September 15, 2020

The New York Building Congress is proud to support the rezoning plan for Industry City. At a time of unprecedented economic crisis in our city, an investment into our community and our future is needed. This proposal to create thousands of jobs for the residents of Sunset park is critical.

The New York Building Congress has, for almost a hundred years, advocated for investment in infrastructure, pursued job creation and promoted preservation and growth in the New York City area. Our association is made up of over 550 organizations comprised of more than 250,000 professionals. Through our members, events and various committees, we seek to address the critical issues of the building industry and consistently promote the economic and social advancement of our city and its constituents.

As we strive to recover from one of the most severe disasters in New York's history, assisting and growing MWBEs must be a priority now more than ever before. The New York Building Congress is committed to aiding these companies in every way possible, and we urge the City Council to join us in supporting them by approving Industry City's thoughtful rezoning plan.

Industry City's positive impacts on minority- and women-owned business and their community are not just promises. Over the past six years, they have spent more than \$100 million on local businesses as part of the redevelopment and renovation of their Sunset Park campus, and this has included numerous MWBE contractors and vendors from Sunset Park and across Brooklyn.

Industry City's supportive ecosystem for neighborhood-based minority and women businesses is exactly what our city needs, especially in the wake of historic health and economic crises that have disproportionately affected minority-owned small businesses.

For small businesses in Sunset Park and across the borough, especially minority and women-owned companies, Industry City's future growth and success have become truly essential. On behalf of the New York Building Congress, we urge the City Council to make the right choice for these businesses, for Brooklyn and for all of New York City and approve Industry City's rezoning plan.

From: [Carmen Hulbert](#)
To: [Land Use Testimony](#)
Cc: protectsunsetpark@gmail.com
Subject: No Rezoning
Date: Tuesday, September 15, 2020 4:12:59 PM

Hello

I am Carmen Valdivieso Hulbert, an old time resident of Red Hook.

I am concerned about the future of Sunset Park, a community of immigrants who have worked hard and have kept the area as a place where families raised their kids and have created a place called home.

The rezoning requested by Industry City will bring gentrification and displacement.

The neighbors already are suffering the first signs of displacement when greedy landlords have raised rents, expecting a rezoning. Many Sunset Park workers who lived here, were forced to move away to other boroughs like Staten Island, but have to commute back to this area every day.

The fact that Sunset Park has an extensive waterfront makes it an ideal place to keep alive manufacturing jobs in the renewable industry to contribute to accomplish the Green New Deal in New York City. Retrofitting public buildings in the Big Apple for the unions to rejoice should be a priority for our city government.

I suggest we organize a Renewable Industry Manufacturing World Fair in our waterfront in order to attract companies that might be interested to generate renewable energy byproducts and help make effective city plans. Instead of offering tax breaks to developers who displace new yorkers, we should offer breaks to green job creators. Without a political will, we won't move forward.

Thank you,

Carmen V. Hulbert

From: [Maria Quinata](#)
To: [Land Use Testimony](#)
Subject: NO to Industry City Rezoning
Date: Saturday, September 12, 2020 3:52:35 PM

Dear City Council Members:

I am writing to you today as a Sunset Park resident to vehemently express my opposition to the Industry City Rezoning. This proposal will displace countless long-time residents and small businesses who are truly the backbone of Sunset Park's incredibly vibrant community. I cannot express my opposition enough-- this rezoning will only exacerbate the gross inequities that have plagued this city at large for far too long. For the sake of my neighbors and the Sunset Park community, I ask that you oppose this rezoning-- it is a proposal built on displacement, racial and economic inequity, and exploitation of the working class that have tirelessly worked to be the lifeline of this neighborhood.

Thank you for your time,
Maria Quinata
Sunset Park resident

From: [Ray Acheson](#)
To: [Land Use Testimony](#)
Subject: NO to Industry City rezoning application
Date: Thursday, September 17, 2020 3:45:53 PM
Attachments: [IC rezoning - NO.docx](#)

Respected Members of the New York City Council,

Thank you for the opportunity to submit written testimony regarding the proposed rezoning of the Industry City complex along the Sunset Park waterfront. As a resident of Brooklyn since 2015, I oppose Industry City's proposed rezoning, which would lead to irreparable harm for the Sunset Park and Southwest Brooklyn communities, most notably in the form of residential and industrial displacement.

Since Industry City's development, real estate speculation in the area has spiked and the existing, working class, majority-people of colour (POC) population of Sunset Park faces imminent housing, business, and cultural displacement. Speculation provokes rent hikes, tenant harassment, the dismantling of networks of small businesses that low-income and immigrant residents rely on, loss of light manufacturing. The Inevitable end result is significant displacement of working-class POC residents and ultimately the loss of yet another working-class neighborhood.

In line with community concern well-articulated by our City Council representative Carlos Menchaca and the Protect Sunset Park coalition, I urge a shift of City land use and economic strategy away from speculative property development. Instead of major developers determining the future of our City and designing it for the rich, we need to empower the multi-racial working-class of our neighbourhood to meaningfully steer the City's planning processes through just, reparative comprehensive planning at the city level and at the neighborhood level, including community- and worker-led planning. We also need to rapidly transform the City's land use regime to support a just transition off of fossil fuels and to build resilient communities.

Thank you for your time and consideration. On behalf of the future of our neighbourhood and our City, please vote NO on the rezoning requested by Industry City.

Sincerely,

Ray Acheson
Resident of Sunset Park, Brooklyn, NY

Ray Acheson
Resident of Sunset Park, Brooklyn, NY

New York City Council
15 September 2020

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Thank you for your time and consideration. On behalf of the future of our neighbourhood and our City, please vote NO on the rezoning requested by Industry City.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Acheson', written over a light-colored rectangular background.

Ray Acheson
Resident of Sunset Park, Brooklyn, NY

From: [Pete Abel](#)
To: [Land Use Testimony](#)
Subject: NYC Council Industry City Rezoning Testimonial
Date: Tuesday, September 15, 2020 7:31:36 PM
Attachments: [NYC Council Meeting Testimonial Industry City Rezoning.pdf](#)

NYC Council Subcommittee Meeting on Zoning & Franchises Sep 15 2020 - Testimonial

I'm Pete Abel, CEO and co-founder of AbelCine, and we are emphatically in favor of the Industry City rezoning.

We've been an equipment and services provider to the film and television industry for over 30 years, founded in NY, with offices in LA and Chicago. Over those years, we have seen hundreds of employees and interns pass through our doors. We're proud to provide jobs and opportunities to so many individuals who come into the company, often with very little practical experience, and learn on the job. Some stay with us, while others go on to build a career in the part of the media industry that they have a passion for.

In 2017, we moved our 85 NY employees from our West Village location to a 40,000 sq ft space at Industry City that was approximately 75% larger than what we previously had, encompassing a technical development center that was previously not financially feasible for us in NYC. Thanks to the REAP relocation tax credits, as well as the personal engagement from Industry City personnel, we made a successful move to Sunset Park.

Three years later, we're an active community member, working alongside hundreds of small and mid-size companies and creatives that make up the growing Industry City creative campus. We have seen firsthand Industry City's ability to build community, create connectivity, and enable all stakeholders to succeed and grow.

A few months before the onset of the pandemic, the New York City Comptroller's office issued a report that stated the Creative Economy generates over 110 billion dollars in activity and employs over 293,000 people in NYC, accounting for 13 percent of the city's total economic output. As most of us know, film production in the New York City has been growing rapidly, but not without fierce competition for this business from cities like Atlanta, Chicago and Toronto.

We believe the New York has been committed to making it attractive and cost effective to shoot here, as evidenced by the recent award to Steiner Studios for the project at Bush Terminal. But there is so much more to the formula than just building more sound stages – it's the ecosystem around it that creates long term sustainability. The media industry is a collaborative business – it takes production assistants, set builders, service providers, food services and the thousands of role players for production to happen.

In our experience, Industry City understands the importance of building this type of infrastructure and will be a great complement to the new Steiner Studios project. The diversity, energy and collaborative environment within the IC campus creates opportunities among tenants and the Sunset Park community that wouldn't exist otherwise. A rising tide that lifts all boats.

The rezoning of Industry City is a critical component to this growth. Now more than ever, the city and neighborhoods like Sunset Park need projects and operators that have the capacity to drive economic growth at an accelerated rate as the city emerges from the COVID-19 crisis.

The very scale of the IC project offers a unique opportunity to build more components of the media ecosystem that NYC needs - where artists and artisans are welcome and nurtured, and a below-the-line workforce is developed, educated and trained.

Pete Abel

President / CEO

AbelCine 88 35th St, Brooklyn, NY 11232
888.223.1599 | 646.933.9991
pete@abelcine.com | www.abelcine.com

From: [mary](#)
To: [Land Use Testimony](#)
Subject: Oppose Industry City rezoning
Date: Tuesday, September 15, 2020 1:15:48 PM

I am a resident of Sunset Park and I oppose the Industry City rezoning. The city should prioritize the [voices of residents](#) who are asking for investment in climate change infrastructure and green jobs with living wages. Please vote against this rezoning.

Today's hearing showed Andrew Kimball's blatant disregard for our community and our needs. He claims that a group "will emerge" that supports his vision but can't point to any group that does--as Carlos Menchaca pointed out, Kimball has been trying to get this off the ground since 2013, and yet has been unable to get any support from officials or community groups this whole time. How can he say a group "will emerge" before the vote in November?

Kimball is full of promises but refused to give details on how he would carry them out. He refused to give details on how he could actually bring in 20k jobs or guarantee that they'd go to Sunset

Park residents. He refused to address his impact on gentrification. He wants a blank check from the City Council to do whatever he wants. It would be entirely naive to trust him.

Please vote against this rezoning.
Mary Steffenhagen

From: [B. Winters](#)
To: [Land Use Testimony](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Sunday, September 13, 2020 11:14:55 PM

My name is Briar Winters and I am a resident of the Lower East Side and I work in Chinatown, both communities that are suffering from rampant displacement of residents and small businesses due to skyrocketing rents which are the result of the lack of zoning protections. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. You really want to add more luxury retail while our neighbors struggle to afford food for their families? This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

Sincerely,

Briar Winters

From: [C.C](#)
To: [Land Use Testimony](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Monday, September 14, 2020 2:11:29 AM

My name is Caleb Considine and I am a resident of sunset park. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. You really want to add more luxury retail while our neighbors struggle to afford food for their families? This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

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From: [Evita](#)
To: [Land Use Testimony](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Sunday, September 13, 2020 11:11:30 PM

My name is Evangelina Jimenez and I am a resident of New York City. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. You really want to add more luxury retail while our neighbors struggle to afford food for their families? This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

From: [fran benitez](#)
To: [Land Use Testimony](#)
Cc: [District2](#); [Moya, Francisco](#); [Grodnychik, Barry S.](#); [Lancman, Rory](#); [Richards, Donovan](#); [Levin, Stephen](#); [Reynoso, Antonio](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Monday, September 14, 2020 9:53:01 PM

My name is Francisca Benitez, and I live in Chinatown, in Manhattan. I am asking you to vote "NO" on Industry City's rezoning application.

Via this proposed rezoning a small group of private landlords is trying to transform this working-class industrial waterfront into a destination for luxury retail. This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses.

Even though I don't live in this neighborhood, I care for the communities that live and work there, they are my neighbors and fellow New Yorkers. Like them, and all over the city, we are standing up to demand change. We want planning and zoning to be seriously used to create a more livable city for all of us, not just for the rich.

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support a community-led process to plan the future of Brooklyn's waterfront communities. More than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca have voiced their opposition to the Industry City plan.

Please vote responsibly, please vote "NO" on Industry City's rezoning application.

Thank you,

Francisca Benítez
62 East Broadway #5
New York, NY 10002 US
+1.917.449.5187
francisca.benitez@gmail.com

From: [Leo Shaw](#)
To: [Land Use Testimony](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Wednesday, September 16, 2020 9:10:22 AM

My name is Leo Shaw and I am a resident of Brooklyn. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space, and with much of that space currently vacant during an economic crisis, this is NOT the moment to hand them more.

I am writing to you as someone who has both lived in Sunset Park and worked at Industry City. My small web consulting company moved there in 2017 because we were given preferential rent by an upscale coworking space. It was very clear to me what kind of economic development was taking place: IC offers fancy retail and desirable work space for privileged and mostly white professionals while the majority of "local job creation" is in low-wage service positions such as security, maintenance, and food prep to make the campus function. Instead of offering genuine opportunities for economic mobility to Sunset Park residents, IC caters to a nomadic workforce that will easily relocate when another, more desirable location emerges.

Industry City is also wholly separate from the Sunset Park community. Just like at the Navy Yard, workers often commute there by private shuttle or by Uber. If they take the train, they get off at 36th street and avoid neighborhood establishments completely. They do not spend money at businesses on 4th and 5th avenue owned by working class people of color. Instead they have come to expect businesses with price points and "quality" that are far out of reach of Sunset Park residents. As more professionals work and buy property in the neighborhood, more small businesses are being displaced.

Finally, there is NO guarantee that the benefits IC has promised will come to pass once this rezoning is approved. IC cannot promise a CUNY campus or high school will open here because they have not done the work to bring the city to the table. They cannot speak to the crucial details of a Community Benefits Agreement. In the middle of the worst economic crisis since the 70s, there is no way to honestly evaluate the proponent's job creation numbers. As in so many other rezonings, the City Council is accepting promises that cannot be substantiated in any way shape or form at this point.

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

Thank you,
Leo Shaw

From: [Mika Lee](#)
To: [Land Use Testimony](#)
Subject: Please vote NO on Industry City Rezoning
Date: Monday, September 14, 2020 11:15:52 AM

Hello, my name is Mika Lee and I am a resident of Sunset Park. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for luxury shopping, corporate tenants, and hotels. They already own 16 buildings and 35 acres of space. Why do they need more? The jobs they have promised are highly dubious. You really want to add more luxury retail while our neighbors struggle to support their families? This project will create speculation and decrease affordability in Sunset Park, displacing long-term residents and small businesses.

I stand with my neighbors in Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. I hope the working class communities and immigrant families of Sunset Park can count on you to vote NO on this rezoning as well. This city cannot just belong to the rich – working class folks are the backbone of this city and our elected officials must represent the needs of all. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

From: [Sunder Ganglani](#)
To: [Land Use Testimony](#)
Subject: please VOTE NO on Industry City Rezoning
Date: Wednesday, September 16, 2020 10:08:44 AM

My name is Sunder Ganglani and I am a resident of Sunset Park, Brooklyn. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. You really want to add more luxury retail while our neighbors struggle to afford food for their families? This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

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The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

Thank you - please make the right decision - if you set this precedent - your neighborhood will be next and you’ll be writing this letter.

From: [Elyse Shuk](#)
To: [Land Use Testimony](#)
Subject: Please Vote No on the Rezone Application
Date: Wednesday, September 16, 2020 11:50:13 AM
Importance: High

Hello,

My name is Elyse Shuk and I am a mental health advocate. I worked at Memorial Sloan Kettering Cancer Center as a behavioral scientist for 15 years. I am a member of the climate change advocacy coalition Extinction Rebellion, and am a proud supporter of Marcela Mitaynes in the state assembly.

I own a condo unit in Greenwood Heights and am extremely fortunate to have stable housing.

My heart and passion are with the residents of the Sunset Park community. **I emphatically urge the City Council to vote NO against the Rezone application led by the Industry City developers in Sunset Park.**

I unequivocally support the testimony yesterday from city planner Ronald Schiffman. The developer of Industry City is unfortunately interested in his bottom line only. He is promising 8,000 jobs with no evidence. His promise of jobs is an elaborate display of magical thinking. The Mayor's office is not supporting the developers of Industry City either. There are currently only 80 people working at Industry City.

I ask the City Council to think about the current residents of Sunset Park when you vote on this Rezone application. Think about the human cost of housing displacement. Think about the economic instability that many people who are currently living in Sunset Park are already facing. The rents in Sunset Park are already astronomical. Many have lost their jobs due to the pandemic and are struggling to pay rent.

Thank you for your consideration.

Elyse Shuk

Randy Peers, President & CEO – Brooklyn Chamber of Commerce
Industry City Rezoning Application – Testimony before the NYC Council
September 15th, 2020

On behalf of the Brooklyn Chamber of Commerce, the borough’s leading business association serving over 1,600 members, I am pleased to offer our support for the Industry City (IC) ULURP application in its entirety.

For us, this application is about jobs and opportunity, not just for Sunset Park, but Brooklyn and for NYC. This application represents the difference between the 6,000 good paying jobs IC has already created, and the 20,000 jobs that can be realized as our economy recovers from the COVID pandemic and corresponding shut down. Now more than ever, jobs and opportunity are what is needed for all our residents.

My insights into IC go well beyond my current role as Chamber President. As the former Chairman of Sunset Park’s Community Board 7 and past CEO of NYC’s largest youth workforce organization headquartered in Sunset Park, I have devoted my professional life to empowering members of our community. From this unique vantage point, I want to use my time to address two important, but often overlooked aspects of the current rezoning debate.

First, the **IC rezoning plan is consistent with, and furthers the goals of the Community Board 7’s 197A** waterfront plan adopted a decade ago. Specifically:

- 1) Convert vacant or underutilized property into job intensive industrial uses and create affordable rental space.
- 2) Explore the possibility of developing a vocational training center on the waterfront (potentially through partnership with an academic institution) – this can only be done with a zoning change.
- 3) Develop transportation and urban design solutions...to improve conditions for both pedestrians and cyclists and facilitate access to the waterfront - Industry City recently added elevated sidewalks and substantially improved loading operations throughout the campus; they also partnered with City DOT and the Design Trust to improve lighting and stormwater runoff capture under the BQE and have committed to other substantial infrastructure improvements as part of their zoning approval.

- 4) Preserve manufacturing and discourage residential development – two very clear mandates IC has consistently adhered to – by agreeing to community requests for a manufacturing set aside, and by agreeing to remove hotels from the plan.

Second, **JOB CREATION WILL, IN FACT, BENEFIT SUNSET PARK...INCLUDING IT'S YOUTH!** Opponents of the plan are being disingenuous by suggesting that the residents of Sunset Park, including its youth, won't or can't benefit from the jobs created at IC. The youth of Sunset Park are some of the brightest, most tech-savvy young adults in NYC. Saying they can't benefit from jobs in the creative economy is just plain wrong, and frankly, sells these youth short. The nature of manufacturing has changed, and the old industrial jobs have moved on. But IC companies still create things -- from food products to the digital arts and design space, custom furniture, podcasts, even life science products. And the talented young people of Sunset Park can and will benefit from these opportunities.

I along with many of our fellow Sunset Park neighbors, have stood by and watched with frustration as longtime voices from the community have been shouted down and intimidated by activists who are enamored with the political rhetoric of the day, but utterly uninterested in the objective realities of this project or the community's publicly-stated needs as outlined above. It would be an absolute shame if the promise of 20,000 jobs and a bright economic future on our waterfront was derailed by misinformation or a misunderstanding. I urge you to look at the objective facts and vote yes. Thank you.

Randy Peers

Brooklyn Chamber of Commerce

rpeers@brooklynchamber.com

From: [Michael Korn](#)
To: [Land Use Testimony](#)
Subject: Re: Rezoning Sunset Park
Date: Wednesday, September 16, 2020 11:19:39 AM

Dear Subcommittee on Zoning and Franchises,

I'm writing this short note to ask that the subcommittee votes NO on the rezoning proposal for Industry City. Please preserve the industrial character of the waterfront. If hotels, casinos or luxury apartments are built on the Sunset Park waterfront it will forever destroy any chance of using this essential space for promoting green industry and with it, good paying jobs. We must address climate change! And the Sunset Park waterfront could be an important component in transitioning to a fossil free future.

As the COVID crisis has shown, when the going gets tough, the rich get out of Dodge! (sorry for the mixed metaphor) As you may have noticed hotel occupancy is at an all-time low. We are at the beginning of a serious downturn and it might be permanent unless we get a grip on our priorities. Luxury hotels and million dollar high rise condos are not the answer. The answer is to start preparing NYC to mitigate the blows of climate change by becoming leaders in a new green economy. We either can start getting serious about the new realities or remain oblivious and just keep sailing around on the Titanic (eating caviar) oblivious to the iceberg that will eventually take us out.

So please vote NO on the rezoning and let's get to work solving our real problems. Thanks!

Edward Perez

456 Fifty-Third Street
Brooklyn, NY 11220

NYC Council
Subcommittee on Zoning & Franchises
250 Broadway
New York, NY 10007

September 15th, 2020

Re: L.U. 674, 675, 676, & 677 - Industry City

Honorable Members of the Subcommittee:

My name is Edward Perez and I live in Sunset Park. **I am a 26 year resident** of my community. I'm also a Rank & File Union Carpenter and elected Delegate of **Carpenters Local #157**, the largest of the 9 Locals that make up the **NYC District Council of Carpenters**. I wish to submit a statement **IN-Favor** of Industry City's Rezoning on behalf of myself and the many members Local #157 who live in Brooklyn.

I have seen this neighborhood go from bad to worse and back again. Since **Industry City** began making improvements to their property I have seen the neighborhood change for the better. As a resident I can say that their influence has been a positive one for my community. I wish to see this continue and I believe a vote **In-Favor of Rezoning** would keep this momentum going forward. Our Union Carpenter members who live in Brooklyn would also stand to benefit as we depend on Responsible Development for our livelihoods. A rezoning has the potential to create career sustaining, good jobs, even Union Jobs, in Sunset Park. Given the direction NYC's economy has taken recently I sincerely feel we as a community can not afford to pass up this chance.

Thank you for your time and attention on this matter. I ask that you do what is right for the larger community of Sunset Park and that you not be swayed by a vocal minority who do not wish to see progress.

Sincerely,

Edward Perez, Carpenter
& Sunset Park Resident

From: [Brian DeRosia](#)
To: [Land Use Testimony](#)
Subject: Rezoning Industry City (L.U. 674, 675, 676, & 677)
Date: Tuesday, September 15, 2020 10:29:59 AM

To Whom it May Concern:

As a resident of Sunset Park whose husband has worked in Industry City for nearly a decade, I am deeply concerned about the rezoning plan for Industry City. Industry City has been a thriving site of many businesses for many, many years, providing job opportunities for Sunset Park residents.

Since Jamestown bought a 49.9% stake, we have watched things change extremely rapidly. While on a superficial level these changes may seem positive, for myself and my family, they represent a threat to our livelihood. The rent for the space that my husband's employer inhabits doubled immediately, and has continued to increase every year. As new restaurants and shops appealing to weekend visitors have increased, the practical amenities necessary for actually running an industrial business have shrunk -- less loading docks, less parking, less elevator availability, etc.

Capitalizing on the "gritty" appeal of the name Industry City while simultaneously creating increasingly inhospitable conditions that push out actual industry, is not only hypocritical, it is bad for the quality of life of the normal residents of Sunset Park. We are a community that values work-life balance and the ability to walk to work. We are a community of hard working dreamers who build solid foundations for their families. While the new amenities are lovely, they are also not really affordable for the majority of us. They are clearly catering to an outside demographic.

There is still time to walk back some of these changes and prioritize supporting Sunset Park residents and long-term tenants of Industry City.

Thank you, Council Member Menchaca, for standing with the residents of Sunset Park to keep our neighborhood thriving.

I ask that the rest of the Council Members stand alongside Council Member Menchaca, and truly consider the needs of our neighborhood.

Sincerely,

Molly McIntyre

From: [Molly McIntyre](#)
To: [Land Use Testimony](#)
Subject: Rezoning Industry City (L.U. 674, 675, 676, & 677)
Date: Tuesday, September 15, 2020 10:43:31 AM

To Whom it May Concern:

As a resident of Sunset Park whose husband has worked in Industry City for nearly a decade, I am deeply concerned about the rezoning plan for Industry City. Contrary to popular belief, Industry City has been a thriving site of many businesses for many, many years, providing job opportunities for Sunset Park residents.

Since Jamestown bought a 49.9% stake, we have watched things change extremely rapidly. While on a superficial level these changes may seem positive, for myself and my family, they represent a threat to our livelihood. The rent for the space that my husband's employer inhabits doubled immediately, and has continued to increase every year. As new restaurants and shops appealing to weekend visitors have increased, the amenities necessary for actually running an industrial business have decreased -- less parking, fewer loading docks, less access to elevators, etc.

Sunset Park is a neighborhood that values work-life balance and being able to walk to work. We are a neighborhood of hard-working dreamers who live here because here we can build viable lives for our families. Industry City has historically provided space for these dreams and hard work to thrive. Now, Industry City seems designed to cater to people from outside the neighborhood.

Thank you, Council Member Menchaca, for standing up against this new rezoning proposal. I ask that the rest of the council members join together with Council Member Menchaca to stand up for our neighborhood and its residents.

Sincerely,
Molly McIntyre

P.S. I just sent tried to send a longer version of this email but I don't see it in my "sent" folder. It might have sent from my husband's email, but I don't see it there either. My apologies if you received two emails from me -- but given how strongly I feel about this, perhaps two emails is appropriate!

--
Molly McIntyre

mollymcintyre.com



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LETTER IN SUPPORT OF INDUSTRY CITY REZONING APPLICATION

September 9, 2020

Dear Chairperson Moya and Committee Members:

The Building Contractors Association, Inc. ("BCA") is Metropolitan New York's leading membership association of union construction contractors. Since its formation in 1933, the BCA has represented and promoted the general welfare and interests of its construction industry employer members. Among its stated purposes, the BCA has historically provided the unified contractor voice needed to address and enter equitable long-term labor-management relationships with the organized building trades.

The BCA and its 200 plus member construction contractors **strongly support** the approval of the Industry City rezoning application.

The City of New York is facing strong headwinds in its efforts fight back against the economic damage inflicted during the COVID-19 crisis. Public and private entities have all been adversely impacted. Industry City represents a shot in the arm to the City's economy. Without any public funds, Industry City's development team promises a return of approximately \$100 million a year in tax revenue, the creation of thousands of jobs, and an infusion of almost \$1 billion into the City's economy. Industry City cannot become Amazon 2.0.

There is a new wave of NIMBYism coursing throughout the City using old school fear tactics to oppose Industry City. The boogeymen may now be gentrification, real estate development, capitalism, colonization, but the intent hasn't changed. Use fear to oppose change. Fear did not build this City.

Industry City's City-wide importance cannot be ignored. Approve the Industry City rezoning application.

Thank you for your consideration of the BCA's position.

Yours,


John O'Hare
Managing Director

From: [Jabari Brisport](#)
To: [Land Use Testimony](#)
Subject: Statement against Industry City rezoning
Date: Wednesday, September 16, 2020 10:22:22 PM

Hello Land Use Committee,

My name is Jabari Brisport. I'm the State Senator-elect in Brooklyn's 25th district, which includes parts of the Sunset Park industrial zone. I'd like to speak out against the Industry City rezoning. The development does not meet the needs of the community. It doesn't provide enough affordable housing stock to combat the gentrification it will bring. It also doesn't bring sustainable job growth to the area. We can make a better plan together, but as it stands now, this plan is not acceptable.

Thanks,
Jabari Brisport

Sent from the palm of my hand.

**Statement to the City Council in Support of the Industry City Rezoning
September 15, 2020**

Dear Speaker Johnson and Chair Salamanca,

The growth of green jobs and sustainability improvements on the Sunset Park waterfront are central points of interest for Waterfront Alliance and for the surrounding community. We believe the Industry City rezoning application has an important role to play in the renewable energy future of our city, state and region by buoying the offshore wind project planned for New York Harbor.

In 2018, the de Blasio Administration selected industry leaders Red Hook Container Terminal and Industry City to operate the Sustainable South Brooklyn Marine Terminal (SSBMT), a vibrant cluster of maritime activity that will bring new industrial uses to the South Brooklyn waterfront and connect local talent to quality jobs of the future. SSBMT is a key component to strengthening the South Brooklyn working waterfront, especially as a future hub for offshore wind assembly.

Currently, SSBMT is one of 11 port terminals in New York State prequalified to complete for a NYSEDA grant which would fund port capital infrastructure for staging and assembly for the Empire Wind project.

New industrial space at Industry City will support a range of offshore wind related businesses from research and development to design and engineering, as well as manufacturing, and would encourage investment, competitiveness, and utilization of the complex over the long term.

One of the measures that Industry City has agreed to in its negotiations with the community is the “Establishment of a mechanism to ensure the provision of an irreducible amount of space restricted for industrial uses within the proposed Special District.”

We believe this is an important step. We expect that a number of the offshore wind companies and related businesses involved in SSBMT will lease space at Industry City.

This rezoning is not just about adding square footage, but rather updating antiquated zoning restrictions such as those that will now allow for educational facilities, for example. Waterfront Alliance will continue to advocate for training and workforce development initiatives led by Industry City and the offshore wind developers that will lead to good paying opportunities for the local community.

We encourage the Council to consider the revitalization of Industry City and this zoning application in the context of positioning SSBMT as a major offshore wind port hub, as well as a key step towards meeting New York State's ambitious renewable energy goals.

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President and CEO



Finally, we encourage Industry City to implement – as part of a community benefits package – greater open space and waterfront public access amenities in and around Industry City. For example, we are aware of community kayaking programs at Bush Terminal that would benefit from capital and operational support. With the potential for more individuals working and living around Industry City, the need for recreational and open space is essential. Waterfront Alliance is well-positioned to be part of these discussions.

Sincerely,

Cortney Worrall
President and CEO

CC Members of the New York City Council



**Testimony of Jonathan Bowles
Executive Director, Center for an Urban Future**

**Before the New York City Council
Subcommittee on Zoning and Franchises
Public Hearing on Industry City
September 15, 2020**

Good morning.

I'm Jonathan Bowles, Executive Director of the Center for an Urban Future, an independent think tank focused on creating a more inclusive economy in New York City.

I support the proposed rezoning because I strongly believe Industry City is crucial to producing the well-paying, accessible jobs of the future.

The first report I authored at the Center – way back in 1999 – argued that New York needed to do a lot more to preserve and grow industrial jobs.

I was convinced that New York could stem the losses in the manufacturing sector, which had long been a ticket to the middle class for New Yorkers from low-income backgrounds.

Manufacturing jobs are still vital middle class jobs in New York. There just aren't enough of them left to be the primary focus of our efforts to lift New Yorkers out of poverty.

Since that report I authored in 1999, the city lost two third of its manufacturing jobs. Even during the last five years—before the pandemic—manufacturing jobs in the city declined by 10,000, even as all other private sector jobs in the city increased by 450,000.

We now need other strategies to move low-income New Yorkers into good jobs.

One should be to nurture the well-paying jobs that are already growing rapidly in New York – while dramatically increasing efforts to make those industries more inclusive.

Where good jobs have been growing, it's largely been in the innovation economy, particularly in the tech and creative industries – exactly the kinds of jobs being created at Industry City.

These sectors will continue to drive job growth. Indeed, during the pandemic, both the tech and creative industries have held up better than nearly every other part of the economy.

Other cities are laying out the red carpet to poach these good jobs from New York.

We need to keep them here, and lay the groundwork for additional growth – now more than ever.

We can help by supporting this rezoning.

We must also do a lot more to expand access to innovation jobs. I can attest that Industry City has been one of the few leaders in doing this, making major investments in training programs that connect local residents to innovation jobs.

I urge the Council to support this rezoning, which can help New York build both a larger innovation economy and a more inclusive innovation economy.

Finally, I'd also urge the Council to run with several of the policy recommendations my colleagues and I have made to expand access to jobs in the innovation economy, including scaling up successful tech training programs, boosting apprenticeships, creating new bridge programs, and investing in CUNY.

From: [Michael Morrise](#)
To: [Land Use Testimony](#)
Subject: Sunset Park Industry City Rezoning Plan--Support
Date: Thursday, September 17, 2020 12:57:55 PM

Dear Speaker Johnson and Esteemed City Council Members,

I write to you in support of the Sunset Park Industry City rezoning proposal. In this time when our city is facing a massive shortfall in taxes and dangerous population contraction, it will be extremely harmful to the city--and to Sunset Park residents in particular--if the City Council votes against the plan. A small business owner of a chocolate factory told the press, "[If not for Industry City, our factory would have had to move to Pennsylvania.](#)" *We need tax money to pay for trash clean-up.* Don't let businesses move to other states, vote for the rezoning!

Sincerely yours,
Michael Thomas Morrise 莫永智

--

Michael Morrise 莫永智

From: k8t
To: [Land Use Testimony](#)
Subject: Sunset Park Rezoning
Date: Monday, September 14, 2020 10:10:29 PM

Good evening,

I'm emailing you to voice my **DISAGREEMENT** of the proposed Industry City rezoning,

The sale of the 67,000 sq ft of land to Belvedere Capital is upsetting considering there was **ZERO** notice given to the community. Residents of Sunset Park refuse luxury real estate developers and investors in our neighborhood. The over **3,000** petitions gathered by Sunset Park Organized Neighbors and other community leaders are proof of **OUR DISAPPROVAL** of this gross Industry City expansion. Do NOT push the existing community out!

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn's waterfront communities. You'll be supporting the voices of more than **5,000** members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan.

You can see the full letter about our rejection of Industry City's plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands.

Please act to protect Sunset Park and the working people of Brooklyn especially through these tough times!

Please BLOCK the Sunset Park rezoning!

Katie

From: [Maya Funaro](#)
To: [Land Use Testimony](#)
Subject: Sunset Park Rezoning
Date: Tuesday, September 15, 2020 10:12:08 AM

Dear City Council,

I have lived in Sunset Park for 20 years, and I strongly oppose the rezoning proposal set forth by Industry City. Industry City is not acting in good faith. After a long community process they took no meaningful steps to listen to the people who live here or make true concessions for the benefit of their neighbors. Their promises are worthless because in the proposal before you there is no way to hold them accountable. Even the jobs they do promise would not make up for the damage they will cause to this community. I urge you to vote no. If Industry City is committed to being a true partner in the community they will work with and meet the demands of the community, not pursue their interests without regard for Sunset Park's well being.

Thank you for your time,
Maya Funaro

From: [Kiera Maloney](#)
To: [Land Use Testimony](#)
Subject: Sunset Park/Industry City Rezoning
Date: Wednesday, September 16, 2020 3:00:01 PM

Hello,

My name is Kiera Maloney and I work in Sunset Park. I am writing to express concern in regards to the rezoning of Industry City.

This neighborhood is a vibrant New York City community that has been ravaged by the COVID pandemic and is at high-risk of gentrification.

As city council considers new plans for this area, it must be of utmost priority to support current residents of Sunset Park. The new Industry City rezoning plan does not do that.

As Sunrise Movement has outlined, "Sunset Park like many other industrial areas has the opportunity to catalyze regional climate engagement from eco-industrial jobs, green ports, sustainable manufacturing, food security, and renewable energy. Industry City will threaten this opportunity by building luxury retail and commercial uses on the industrial waterfront by utilizing a business-as-usual model for development."

UpRose Brooklyn has proposed a community-led alternative plan for Sunset Park that "outlines how to utilize the industrial sector as the economic engine to build for climate adaptability, and train local businesses and residents for a green economy."

I urge you to use this opportunity to support the residents of Sunset Park and lead a just transition into green industry. If G.R.I.D. is passed, it will model collaborative development as well as the possibilities of green industry. Do not let this opportunity pass us by.

Sincerely,
Kiera Maloney
Farmer at Brooklyn Grange

From: [megan watson](#)
To: [Land Use Testimony](#)
Subject: Sunset Park/industry city rezoning
Date: Sunday, September 13, 2020 7:15:28 PM

Hello City Council,

The rezoning of Industry City to build luxury malls, hotels and condos will just make this area into another Hudson Yards. How is Hudson Yards doing now? How has it served the community. What jobs has it provided when shops were not busy even before the pandemic. This looks like a quick cash grab for everyone now with zero consideration of the long term effects. Families of color will be forced from their homes while new condos/apts will remain empty/not sold. Stop being lazy and think beyond the money being thrown in front of your face. Stop ignoring anyone in the community for a few voices who do not live here.

Thank you,
Megan Watson

From: [Michael Beattie](#)
To: [Land Use Testimony](#)
Subject: support for the industry city rezoning
Date: Thursday, September 17, 2020 1:23:57 PM

I would like to voice my support for the Industry City Rezoning.

I think what Industry City has done to date to transform and bring activity back to the waterfront has been amazing. 5 years ago I would have no reason to cross under the expressway to reach this area, and now I find both myself and my family consistently walking between Sunset Park and the amenities at Industry City every weekend. This was especially true pre-pandemic when they had a fantastic list of programs for people of all ages. If not for Industry City we would have sought these programs and experiences outside the neighborhood. Now we can stay within our neighborhood for these activities and have led us to buying food and items locally as we walk from 7th Avenue down to 3rd Avenue.

I would also like to say the proposal isn't to rezone 8th Avenue or 5th Avenue which have established and vibrant communities, but an area that has been neglected and brought nothing to the neighborhood until Industry City.

Thank you

Michael Beattie

From: [Michael Anderson](#)
To: [Land Use Testimony](#)
Subject: Support of Industry City Rezoning - Doob USA
Date: Tuesday, September 15, 2020 12:38:37 PM

To Whom It May Concern,

I've been unable to participate via zoom today and would still like to submit this written testimony on behalf of Industry City's rezoning. We at doob USA ask that you vote Yes!

Doob USA is a 3D technology company with its manufacturing center located in Sunset Park within Industry City. We use 3D printers to produce personalized and lifelike sculptures of our customers that celebrate special moments in their lives.

When we opened here in 2014, we hired employees from all over the city, and I still recall a conversation with an IC team member about how much higher the turnover rate is when employees have to commute a long distance.

We immediately found this to be the case and learned why supporting this initiative is so important. It became critical for the success of our business to build a consistent workforce that resides within Sunset Park and Brooklyn. Having this stability not only led to increased efficiency from a more reliable team, it also allowed us to invest more in training.

From our perspective, supporting this is a common sense decision. Residents of Sunset Park and the companies at IC are tied together. Moving forward with this initiative would provide an extremely valuable boost to the local job base and economy and have a tremendously positive impact for the community as a whole.

Thank you.

Michael Anderson
CEO, doob usa inc.
(312) 890-3992

From: [Jen Epstein](#)
To: [Land Use Testimony](#)
Subject: Testify against IC Rezoning
Date: Wednesday, September 16, 2020 10:37:43 AM

Dear New York City Council Land Use Division,

Thank you for taking time to review my comments on why I am urging the city council to vote no on the Industry City Rezoning Project.

As a Brooklyn resident, I have grave concerns over the development of this project, particularly during the time of COVID-19. This proposal is even worse during an economic downturn when so many industries and members of our Brooklyn community have been hit hardest by COVID..

Alternative plans like the GRID push jobs of the future.

The new narrative from Industry City's press firms to the city council is that this kind of development is needed to generate jobs and aid towards recovery from the economic recession that has taken place during the COVID-19 pandemic.

This however, is not the case. Industry City rezoning will do the exact opposite. Instead, the rezoning project will double down on the industries most heavily impacted. Hotels, office spaces and retail which already surround the neighborhood, now sit empty potentially for many years to come. Office space in nearby developments such as Sunset Yards and the Whale building in Sunset Park sit practically empty, while staffers work remotely. The Industry City press relations line touts that 20K jobs will be created. Their proposal text however, only projects 15,000 jobs and both are estimated totals that comprise 8k to 10k jobs at IC since

Sunset park alternative plans like the GRID promote better paying jobs, union jobs and climate jobs.

Sunset Park has a rich history of community-led planning, including the 197-A plan for the waterfront and now Uprose's GRID plan, and those coming out of community visioning sessions organized with Protect Sunset Park. In-depth conversations with our neighbors show that Sunset Parkers want to keep the industrial nature of the waterfront and to find good manufacturing, industrial, waterfront, and climate jobs. The decade-long process of the [197-A plan](#) emphasized the need to keep industrial/manufacturing jobs and to make sure they were union and green. [The GRID plan](#) goes even further and outlines important guidelines for climate job creation and building infrastructure for the climate future. NY State recently passed the CLCPA, stipulating that 35% of clean energy and energy efficiency efforts are to be invested in working class communities of color like Sunset Park. Sunset Park possesses the access to maritime transit options and the industrial infrastructure that can make these visions of a green Brooklyn a reality.

I hope that you will consider these alternative plans and vote no on the Industry City Rezoning project.

Thank you,
Sincere Regards,

Jen Epstein

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From: [John Santore](#)
To: [Land Use Testimony](#)
Subject: Testimony - Against IC rezoning - John V. Santore
Date: Monday, September 14, 2020 9:43:21 PM

Dear Land Use staffers,

I would like to submit the below testimony in opposition to Industry City's rezoning. My name is John V. Santore, and I have lived in Sunset Park since 2016.

Link to testimony: https://docs.google.com/document/d/1UTJ-83KoYn3ir-XdbT4nWHchVNO4pY_449NT9Pmunv8/edit?usp=sharing

Text below:

Sep. 14, 2020

Memo re: IC rezoning

As a former reporter and current Sunset Park resident, I have followed Industry City's rezoning effort since 2016. For years, I was skeptical of the proposal, but took no public position on it, believing I lacked the information needed to meaningfully understand IC's operations, intentions, and likely future impact. Clearly, a lot of activity was ongoing inside the development - but what did it really consist of, and what might a rezoning mean for the future?

This year, however, I signed a petition against the rezoning, because I came to believe the answers I was waiting for were never going to arrive.

I'm skipping one of the larger arguments about IC: that manufacturing zones in NYC should be prioritized for the massive work needed to decarbonize New York City's economy (that's a premise of The Grid proposal by UPROSE, <https://www.uprose.org/the-grid>). I agree with this, at least in theory, but again, I'll skip it here.

Instead, I'll treat IC as a business proposition made to Sunset Park. News coverage typically treats IC as a known entity, and treats its post-rezoning future as a known entity. I believe this is incorrect.

IC's CEO, Andrew Kimball, has [told the Council](#) that the development has a "track record of success and community collaboration." But that track record is filled with significant information gaps and contradictory statements, making it impossible for any member of the Council to know what this rezoning would actually mean.

Please consider the following:

1. **Silent owners** - The owners of Industry City - Jamestown Properties, Belvedere

Capital, Angelo, Gordon & Co., Cammeby's International, FBE Limited, and, most recently, [Singapore's GIC](#) - have never spoken publicly to Sunset Park or New York City about their plans for the property. Instead, Mr. Kimball conducts all major public outreach.

2.

No independent or public workforce data - All statistics on IC's past and current workforce come from the development itself. No independent, publicly available data detailing that workforce has ever been produced.

In addition, IC has never publicly shared the raw data or the methodology of its own workforce estimates.

- IC said it did a workforce survey in the spring of 2015, but the survey and its methodology were never made public.
- Similarly, the [statistics provided](#) during IC's October, 2017 scoping hearing were attributed to an "HR&A analysis of Industry City Tenant Survey, 2017" - but again, neither the survey nor the analysis were released.
- IC's periodic workforce claims since then have been unsourced, and it is unclear how they were produced.

A lack of faith in IC's job statistics led Councilman Menchaca to propose that the development's jobs should be tracked by EDC - see p. 54 of his [September, 2019 presentation](#) on the rezoning proposal - though this idea hasn't gone anywhere.

3.

New or relocated jobs? - IC has never provided data showing how many of its current on-site jobs are new, and how many were relocated from elsewhere.

4.

A lack of salary, benefit and advancement information - IC has never paired its jobs claims with detailed data on the salaries and benefits received by campus workers, or their history of career advancement.

5.

Limited Innovation Lab data - While the organizations operating IC's Innovation Lab appear entirely sincere, the most detailed information on the Lab's performance comes from a [one-page document](#) it released in July, 2019. The limited summary presented (114 job placements over a one year period, about 91 of which were at IC, with salaries ranging from \$16.19 - \$17.60 per hour), remains our most specific look at the organization to date. However, source data was not shared, the data presented did not include information on benefits or weekly hours, and a follow-up report has yet

to be released.

6.

Unsupported and unclear post-rezoning job claims - IC has not provided documentation or analysis supporting its post-rezoning job claims, and the claims themselves have changed:

- A 2016 [presentation](#) delivered by Mr. Kimball stated that a rezoning would lead to the “creation” of 20,000 jobs, of which 13,300 would be “direct” (see p. 27). But “creation” and “direct” were not defined on the relevant slide.
- A 2018 IC [presentation](#) said the rezoning would “support a total of 15,000 on-site jobs plus an additional 7,000 jobs off-site” (see p. 46 - confusingly, a different number on the same slide links the rezoning to 8,250 off-site jobs).
- An IC [presentation](#) from February, 2019 stated that the rezoning would “support a total of 15,000 on-site jobs plus an additional 8,250 jobs off-site” (see p. 42).
- IC’s September, 2019 [ULURP filing](#) stated that the rezoning “will generate more than 15,000 on site jobs.”
- In a November, 2019 [letter to CB7](#), Mr. Kimball wrote that after the rezoning, “jobs at Industry City will increase to 15,000 onsite with another 8000 jobs offsite.”
- In his July, 2020 [letter to the City Council](#), Mr. Kimball wrote that, “The rezoning will facilitate growth to over 1000 business[es] and 20,000 jobs.” In the same letter, Mr. Kimball also wrote that, “With the rezoning, jobs at Industry City will increase to 15,000 onsite with another 8,000 jobs offsite.” These are different sums (a difference between 20,000 jobs, on and off-site, and 23,000 jobs, on and off-site).
- In August, 2020, Mr. Kimball [told NY1 journalist Errol Louis](#) that 15,000 jobs would be on-site, “and then the economic activity based on the work here will lead to jobs elsewhere...which will take the job total well over 20,000 jobs.”

IC has never explained how it arrived at its on-site or off-site job projections, what off-site jobs it is including in its estimates, or why its projections have shifted. Additionally, as is the case with its current workforce, IC hasn’t explained how many of these jobs would be new, and how many would be relocated.

What's more, the central claim in question has been repeatedly misstated. In their much-cited [New York Daily News opinion piece](#), Councilmembers Ritchie Torres and Donovan Richards wrote that rejecting the rezoning would be "sacrificing 20,000 jobs." Similarly, *The New York Times* [reported](#) that the rezoning involves "adding 20,000 jobs during an economic crisis," while an [op-ed in The New York Post](#) said the same. As recently as Sep. 4, State Sen. Velmanette Montgomery, whose district includes IC, [said](#) that, "The expansion of this major industrial park would create twenty thousand jobs in Brooklyn."

These assertions do not align with IC's own statements. IC says 8,000 workers are currently on-site. Its claim that a rezoning would take that number to 15,000 (after a number of years) means 7,000 additional employees would eventually work on the IC campus. All other counted workers (anywhere from 5,000 to 8,250, depending on the claim) would be off-site in an associated capacity - bringing total IC-related growth to between 12,000 and 15,250 workers, post-rezoning. But IC has never claimed that the rezoned development will directly or indirectly connect to 28,000 total jobs - the number required to hit the repeatedly-asserted 20,000 jobs mark.

7.

No support for tax revenue claims - In their op-ed Mr. Torres and Mr. Richards also wrote that the rezoned property would generate "\$100 million a year in tax revenue." No supporting information has been shared by IC to back up this claim.

8.

No financial transparency - IC has never discussed the financials underlying the project. Major financial moves have periodically popped up in media reports, only to disappear without discussion. What is the significance of Singapore's GIC [buying into IC](#), or Blackstone leading a [\\$720 million refinancing](#) of the project? The public has no access to answers.

Along these lines, IC's own statements on its financial status paint an unclear picture. On Feb. 12, Mr. Kimball [told the Wall Street Journal](#) that IC has "bright prospects for the future regardless of the rezoning." On July 27, IC spokesperson Lee Silberstein [told Politico](#) "that companies allowed under current zoning continue to show interest in the campus," a possible reason for withdrawing the rezoning application. Three days later, Mr. Silberstein [offered a different message](#) to the *Brooklyn Eagle*, calling for "leaders" to step forward and support the rezoning.

IC's owners have deep access to tremendous resources. Just this year, Belvedere Capital [purchased](#) an additional property in Sunset Park for \$10 million. This fact, coupled with IC's statements on the consistent growth of its campus, raise the question of why a rezoning is financially necessary to support further redevelopment

of the project. IC hasn't explained, but one answer may lie in the previously mentioned [2016 presentation](#) Mr. Kimball gave, which claimed that, "Without regulatory changes, ownership estimates that it will take 25-30 years to fully invest in the portfolio" (see p. 24). In other words, IC could move forward without a rezoning - it just wants to move forward faster.

9.

IC offered Amazon 4 million square feet of office space - But another possibility is that IC wants to pivot hard in a new direction, and needs a rezoning to do it.

Consider: In a [March 6th, 2019 letter](#) to CB7 and Councilman Menchaca, Mr. Kimball wrote that a failure to rezone the property would "force the project to turn entirely to commercial office-type tenants." Similarly, in a [November 5, 2019 letter](#) to CB7 and Councilman Menchaca, Mr. Kimball wrote that a rezoning would prevent IC from being "forced to solely pursue existing as-of-right leasing opportunities, including unlimited office and last mile warehouse." The message was, and has been, clear: A rezoning will support IC's mixture of uses, and will allow it to *avoid* developing into an office complex.

And yet, in September, 2017, IC privately [offered Amazon 4 million square feet](#) for the retailer's second headquarters, a proposal revealed in 2019 following a FOIL request. The pitch's cover letter, signed by Mr. Kimball, also offered Amazon "an ownership stake [of IC] at a compelling basis," and made clear that a rezoning would facilitate Amazon's massive move onto the property.

In light of this evident contradiction, IC could have explained, contextualized, or even defended their Amazon proposal at any point. Instead, the matter has never been addressed in any detail by anyone at IC.

10.

Confusion within the CPC - The City Planning Commission almost unanimously approved IC's proposal without any modifications, despite [dozens of specific, thoughtful changes](#) discussed by CB7, many of which were [officially approved by the Board](#), and despite [many significant alterations](#) recommended by Brooklyn Borough President Eric Adams.

Does the CPC understand this project more deeply than the public? Perhaps. But curious comments during its August 19th vote are worth noting.

Chair Marisa Lugo emphasized "our city's growing reliance on large, last-mile distribution centers," adding that, "We know that for our city to function, we need both warehousing space and space for job dense uses close to where New Yorkers live, and the Industry City proposal can provide both." But IC's proposal has always been about *reducing* its warehousing space (see p. 24 of the [2016 presentation](#)), while Mr. Kimball's November, 2019 letter held up "last mile warehouse" as a use IC

wants to avoid. (Despite this, Amazon recently opened a new [Whole Foods distribution center](#) on the site.)

At another point during the August 19th CPC hearing, Commissioner Orlando Marín stated, “I will say that I would have preferred – I know this is not what was proposed, but I would have preferred the city keep the asset and have a manager manage the asset for the City of New York – but that was not what was proposed to us.” In other words, the Commissioner advocated for *public* control of IC, but then voted against the numerous public recommendations he had been given.

Again, perhaps the Commission understands the project more deeply than the public - or perhaps a lack of clarity over where IC stands and where it wants to go led to CPC confusion as well.

Conclusion: Zoning should not work like this - The above may be viewed as an effort to poke holes in a broadly successful project, to ignore the forest while focusing on the trees. But I don’t believe this is the case. Having observed discussions surrounding this project for years, it appears to me that on numerous key issues, the public has never been able to get an honest picture of IC’s present or likely future. The main reason for this is clear: in the ways that matter most, the owners of IC do not want to engage in a transparent conversation about the development, and therefore have not done so.

This is not acceptable. For the sake of our city, major developers should not be able to operate in this manner, and our land use processes should not permit decisions to be made with this lack of clarity and public control. If IC wants to change its zoning, it should be required to work with community members in a far more open, holistic way, one that centers public concerns above all others.

In August, David J. Burney was the only CPC member to vote against the rezoning. He emphasized that IC had initially agreed to modify its proposal in association with other community negotiations, “agreeing to eliminate the hotels and to significantly reduce the amount of retail that they were requesting.” However, though no modifications had been made, IC had decided “to take their case to the City Council, where there’s now heavy lobbying to reduce the influence of the local Council member. So to me, this just diminishes the role of the community review process, it sidesteps the work of the community board and the local elected officials who represent that community. And I understand the applicant has the right to do this if the Commission so votes, but they will do so without my vote, and I vote no.”

The City Council should agree.

Sincerely,

John V. Santore

--

John V. Santore

johnvsantore@gmail.com

718-306-4984 (cell)

Written Testimony of Justin Collins Regarding the Proposed Rezoning of Industry City

(L.U. 674, 675, 676, and 677)

September 15, 2020

Respected Members of the New York City Council,

Thank you for the opportunity to submit written testimony regarding the proposed rezoning of the Industry City complex along the Sunset Park waterfront. As a resident of Brooklyn since 2006, a workforce development professional who spent several years working in economic development in Southwest Brooklyn, and a member of Brooklyn Community Board 7, I vehemently oppose Industry City's proposed rezoning, which would lead to irreparable harm for the Sunset Park and Southwest Brooklyn communities, most notably in the form of residential and industrial displacement. I also want to express my displeasure with a land use process in which the deck has seemingly been stacked in favor of the current owners – Jamestown L.P., Angelo Gordon, and Belvedere Capital – and their planned rezoning of the properties in question.

Objections to the Proposed Rezoning on its Merits

My objections to the rezoning, on its merits, fall into three key categories, and are as follows:

The False Promise of "Jobs"

Industry City has repeatedly claimed their requested rezoning is in the interest of the surrounding community, based upon the vague, unsubstantiated claim of 20,000 potential jobs. However, despite repeated requests from both the community board and other local stakeholders, they have failed to indicate how this 20,000 number was calculated, whether these jobs would provide a living wage, and whether they would be accessible to members of the local community.

Over the past few years, since the complex was purchased by its current owners, we have witnessed extensive development at Industry City – most of it focused on food service and retail. Based on this recent behavior, and the requested rezoning allowing for an even greater shift toward these sectors (as well as hotels), we can easily infer that any potential jobs that might be created would primarily be in the food service, hospitality and retail sectors. This is deeply concerning for multiple reasons.

1. We are in the midst of a pandemic that has not only taken the lives of tens of thousands of our fellow New Yorkers – particularly poor and working-class New Yorkers, and New Yorkers of color. This pandemic has decimated the city's economy. Among the hardest hit sectors have been the retail and hospitality sectors. On August 11, 2020, the *New York Times* reported on [how retail and restaurant chains are "abandoning Manhattan" due to declining demand and revenue](#). This includes some of the nation's largest and wealthiest corporations. Small businesses, especially those owned by women, people of color, and immigrants [have been hit even harder](#). In this environment, the rezoning of additional property for retail, restaurant, and hotel use would simply add more supply in an environment where existing restaurants and retail businesses are barely scraping by.

2. Hospitality and retail jobs are among the lowest-paying in the city, and this was the case even prior to the rise of COVID-19. If Industry City were in fact able to create these jobs, they would be disproportionately low-wage, with limited potential for career advancement.
3. At a time when retail and hospitality sectors are suffering, and other sectors have begun to rely on a remote or virtual workforce, industrial and manufacturing jobs require the majority of their workforce to remain on-site. Meanwhile, Industry City is attempting to shift away from the very sectors that are most reliant on brick-and-mortar facilities to do their jobs. Manufacturing is as essential as ever, and the displacement of industrial jobs and industrial businesses from Industry City would not only hurt the neighborhood economy, but the economy of the broader city as well.

Potential for Community Displacement

At no time has Industry City provided any data on the potential for indirect displacement, of either Sunset Park residents or industrial businesses that call the Sunset Park waterfront home. With regard to residents, Sunset Park is a community largely made up of working-class immigrants and people of color, many of whom are renters who are at severe risk for displacement if a luxury mall opens in their backyard. This threat of displacement is compounded by the fact that poor and working-class communities of color across New York City, especially in Brooklyn, have been facing displacement due to gentrification over the past decade or more. As a result, if current residents are displaced from Sunset Park, it is increasingly likely that they will have to leave New York City entirely.

Meanwhile, the industrial businesses that have provided living-wage jobs to Sunset Park residents are under threat as well. Sunset Park is historically one of New York City's largest walk-to-work communities, with residents working living-wage jobs and building careers right in their own neighborhood. Many of these industrial businesses are renters, and their displacement could lead to the loss of living-wage industrial and manufacturing jobs for local residents. While Industry City promises jobs, these jobs would need to offset the lost industrial jobs, many of which would pay more and offer better benefits than the promised hospitality, restaurant, and retail positions at Industry City.

Industry City has been repeatedly asked, by both the Community Board and other stakeholders, for data on potential displacement and how they will work to prevent it from occurring. To date, that have provided nothing in this regard.

The Threat of Climate Change

As a waterfront development, Industry City is particularly at risk of extreme weather events and rising seas due to climate change. As we saw in 2012 with the devastation wreaked by Superstorm Sandy on waterfront neighborhoods like Red Hook, Brooklyn and the Rockaways, there exists potential for extreme flooding that could cause significant damage to Sunset Park. In light of that, any potential rezoning or redevelopment for Industry City must focus on climate resiliency. Climate change is here. We've seen Hurricane Sandy and its impact on our waterfront neighborhoods. California is currently on fire due to climate change. And we're only going to see more extreme weather events in the near future. Yet the proposed rezoning offers zero provisions for climate change adaptation or mitigation, and once again, it is going to fall on New York City's residents and taxpayers to clean up the mess and pay for the recovery.

A Deeply Flawed Process

In addition to the inherent problems with the proposed rezoning itself, the process through which Industry City has pursued this rezoning, and the treatment this land use proposal has received from the city, has been beyond flawed – rising to the level of deeply alarming. From the beginning of the rezoning process, the community has faced challenges from both Industry City and city government. This has occurred in various ways:

1. In spite of requests from the Community Board and other local stakeholders, Industry City refused to provide any concrete data on jobs or community displacement.
2. While supposedly negotiating with members of the community on potential concessions, Industry City filed its ULURP request in fall 2019 without warning, only withdrawing it upon condemnation from the local council member and two members of the United States House of Representatives.
3. When they filed their ultimate ULURP request, Industry City filed it in advance of the holiday season, an act of gamesmanship that made it particularly difficult for the Community Board to convene meetings to review and debate the specifics of the land use changes requested.
4. The Department of City Planning failed to include the significant comments and recommendations from the Community Board land use review process in the materials provided to the City Planning Commission. These materials, compiled after more than 30 meetings of the Community Board and its committees, offered explanations for the Board's decisions as well as recommendations for how the application should be changed. In doing so, DCP claimed these recommendations were substantially similar to those of the Brooklyn Borough President, in spite of the fact that the Community Board did not vote in favor of the land use changes requested, while the Borough President did vote in favor.
5. In spite of the typical deference paid to local representatives in land use planning decisions, elected officials representing other New York City neighborhoods have taken the unprecedented step of writing open letters and op-eds in favor of Industry City's rezonings and are attempting to run an end-around through the Speaker of the New York City Council to approve the rezoning request. Meanwhile, Sunset Park's elected member of the New York City Council, our new State Assemblymember-elect, our State Senator-elect, and our Member of the House of Representatives have all spoken out against the rezoning. These attempts demonstrate a total lack of respect for the local community and the decisions articulated by the Community Board and local stakeholders.

For the above-mentioned reasons, I implore the New York City Council and its Land Use Committee to consider the desires of local residents and businesses not to be displaced by yet another luxury development that will provide nothing but low-wage service-sector jobs and exacerbate gentrification. I urge the Council to consider the words of elected local representatives, who are opposed to these land use changes as well. This is not a local neighborhood taking a NIMBY approach to a perceived nuisance -- this is a community fighting for its very existence. I also urge City Council, the City Planning Commission, and the Department of City Planning to examine the current ULURP process, and how it privileges the positions of real estate developers, limits transparency, and hampers local community efforts to understand and address proposed land use changes. I stand in solidarity with my friends, neighbors, and colleagues across Sunset Park and its waterfront in opposing these dangerous changes to our waterfront.

Sincerely,

Justin Collins

Member, Brooklyn Community Board 7

From: [Miguel Hernandez](#)
To: [Land Use Testimony](#)
Subject: Testimony - Industry City Rezoning LU 674, 675, 676, 677 - SUPPORT
Date: Tuesday, September 15, 2020 10:54:52 AM
Attachments: [IC Testimony - Support.docx](#)

September 15, 2020

Subcommittee on Zoning and Franchises

Testimony re Industry City Rezoning (LI 674, 675, 676 & 677)

Chairman Moya and Members of the Committee,

I am writing to strongly urge you to VOTE YES on the Industry City Rezoning application.

As someone who was born, raised and owns a home in Sunset Park, I have witnessed firsthand the positive effect Industry City has had on our community: from creating thousands of jobs and giving small businesses a place to call home, to revitalizing a neglected part of our neighborhood and bringing community access to our waterfront. Industry City has gone from a dangerous area to be avoided to a safe environment where residents can work in or bring their families to on the weekends.

As for the rezoning application being presented before you, there are important often ignored facts that I hope remain at the forefront of your decision. Industry City is already privately owned and this rezoning does not require any government funding or subsidy. There will be no eminent domain or acquiring of public land with this proposal. There is no housing in this proposal and certainly no provisions for luxury condos – the proposal will merely update current out of date zoning designations and keep the site as mixed use for light industry and commercial space. As a former employee of the City Council, I have never seen a more thorough and transparent public review process. Countless meetings have been held over a number of years, in different languages, hosted by different City agencies, elected officials, and community-based organization, in every corner of the District.

New York City finds itself at a crossroads and we must show that we are serious about getting people back to work. This proposal brings with it thousands of jobs that Sunset Parkers, Brooklynites, and New Yorkers desperately need. It would also bring hundreds of millions of dollars in investment and tax revenue that our City urgently requires as we recover from the COVID crisis. This is urgently needed revenue to fund schools, City agencies, libraries, food pantries, hospitals and more.

As an elected official, you have the distinct privilege, burden and responsibility to get New York back on its feet. You can help do so by voting “yes” to the Industry City rezoning.

Thank you for your time,

Miguel Hernandez

Sunset Park, Brooklyn, NY 11220

From: rob@itpnyc.com
To: [Land Use Testimony](#)
Subject: testimony
Date: Wednesday, September 16, 2020 11:18:49 AM

I waited as long as I could, but at 7:30pm I had to go....

Here is my testimony:

Hello, I am Robert Manning, a resident of Sunset Park and a member of the Sunset Park Coalition. The Coalition has been working diligently through numerous stops and starts to coalesce around the specific, essential asks that have been alluded to today. Manufacturing, Jobs, Training, Education, Housing, Green Industry and High Tech Innovation, to name a few.

I echo the basic message of my colleagues on the Coalition - certain conditions and requirements must be met, and enforced in perpetuity (even if ownership changes hands), for this rezoning to make sense. These various categories will ultimately come down to negotiation, but there are certain aspects of this process that only a resident can speak to.

The recent growth and expansion of Industry City has been admirable from a commercial perspective (I was a tenant up until 2014, so I've witnessed the transformation) - but there have been only cursory efforts to truly integrate with the Sunset Park neighborhood. Residents, workers and their families should have reasons to visit Industry City - most importantly as a potential place of employment or even business creation, but also as an integrated, cultural destination of recreation, music, food and sports interests - indoor handball courts, for instance. These are not vis-a-vis "essential" aspects, but they would demonstrate a sincere effort to make IC a living, breathing entity that is ingrained in the fabric of the community, not an isolated island primarily for visitors and passersby - with inflated price points to match. Local transportation solutions are inferred.

Speaking of transportation, as one who drives a car, I sat in

the backed up traffic on 3rd avenue from 40th st to 15th st yesterday and could only imagine what the impact will be if and when construction begins and then subsequent to whatever facilities and buildings are completed. Residents of the neighborhood should have ample incentive to tolerate this inevitable, excruciating intrusion, for the near and long term.

In addition to aforementioned supervisory mechanisms that must be created to oversee and enforce many of the SP Coalition asks, this slightly more amorphous category of neighborhood integration should be elevated and infused into all the numbers and dollar signs, to guarantee a human side to all the calculations. IC should have an active presence within this collaborative body.

In sum, I agree with my Coalition colleagues that without substantive modifications to the IC rezoning proposal Council members should vote no.

That said, there is no reason this work can't continue and issues resolved over the coming days. It seems imperative that those considering their vote on this significant proposal take the Coalition efforts in mind, and to examine closely the detailed, negotiated results - any one of which could be a dealbreaker.

Time is short - there may be need for an extension to finalize a deal - obstacles are plenty, but we must try. This both because of, and in spite of, current circumstances.

I welcome any follow up inquiries.

Thank you for your time.

Rob Manning



Jennifer Dundas
Blue Marble Ice Cream
55 33rd St. Unit 14
Brooklyn, NY 11232

September 15, 2020

Dear Council Members:

I am testifying because I want the community to know how IC has benefited my small business, and in turn has benefited my employees. I founded Blue Marble Ice Cream in 2007. In 2010, we launched our wholesale division and were in need of a production space and warehouse. We moved into Industry City in the fall of 2011, prior to Jamestown's partnership. In fact, we were the first post-redevelopment tenants on the ground floor of Building 2 on 36th St, now known as the Food Hall. At the time, it was a massive vacant warehouse surrounded by decayed structured and no amenities in sight, which suited me fine. We needed no frills. I have learned a great deal in the last 13 years, and I have seen many, many, many, MANY small food businesses like mine fail. We need several things to survive: proximity to our customer base, access to reliable labor, a network of service vendors to help us fix things when they break, a space to work out of, loading docks, and manageable rents. If we don't have these things, we cannot exist. IC is the only remaining place in NYC that provides these necessities.

I started the business in response to irresponsible sourcing practices that dominated the ice cream industry. Artificial ingredients, low wages for farm workers, sugar cane burning that made low income communities sick, corn syrup responsible for degrading agriculture and increasing serious illnesses across the world, cocoa and fruits sourced from companies with exploitive labor practices, to name a few. A product as ubiquitous as ice cream can stop its support of cheap, unethical and destructive sourcing that hurts low income communities across the globe. Brooklyn was the place that made this possible. **I truly believe, we could not have sustained our business in New York City if not for our residence at Industry City.** We are considered “light manufacturers,” we are a small business, and we are good for the economy. Since 2011, we have employed over 250 people. The kinds of jobs we create in light manufacturing and specialty retail can’t be replicated by a machine or replaced by AI.

Our workers make a living wage. Admittedly, our staffing numbers are down due to COVID, but remaining hourly employees earn between \$25-\$30/hour. We have offered healthcare to our salaried employees since our founding. We have offered numerous supplemental educational opportunities and our employees are on a track of upward mobility. The two people running the company with me began as hourly employees nine years ago, and now are in executive positions earning the top salaries in the company. Both were born and raised in South Brooklyn – Red Hook and Bay Ridge.

Small companies like mine helped create and sustain the forward moving ecosystem at IC.

Thank you.

Jennie Dundas
Co-Founder & CEO
Blue Marble Ice Cream

c. 917.628.1150
email. jennie@bluemarbleicecream.com

City Council Testimony of Jack Keum in favor of Industry City's Rezoning

September 15, 2020

Good afternoon. My name is Jack Keum. I am a Sunset Park resident and live right up the street from Industry City. My company, IMakr, a commercial 3-D printing company has been a tenant at Industry City for three years and I'm here to offer my strong support for Industry City's rezoning.

We chose Industry City because we saw the great investment being made in providing opportunities for small businesses like ours. Even after 3 years as a tenant I'm still amazed at how IC is constantly finding ways to help small businesses like ours to grow. Let me give you a very good example:

During the early stage of the pandemic, we pivoted our business to manufacturing PPE for donation to local hospitals, when we reach out to Industry City proposing our plan, we were overwhelmed by IC's response:

Andrew Kimball provided us with extra space that we needed, created a platform for other tenants to join our effort and even connected us to local hospitals namely Elmhurst hospital, the Brooklyn Hospital Center and NYU Langone in Sunset Park. Thanks to our collaborative efforts we donated over five thousand of these 3D printed PPE to keep our first responders safe.

The kind of changes by the rezoning will only strengthen the existing business ecosystem and help IMakr grow. More businesses at IC means more business for IMakr.

Members of the City Council, please support this project that is so critical to the community, the City and the future of small businesses like mine. Thank you.

Testimony of Alexa Avilés regarding the Proposed Rezoning of Industry City

Respected Members of the New York City Council,

Thank you for the opportunity to testify. My name is Alexa Avilés. I am a Brooklyn native, a longtime resident of Sunset Park, Member of Brooklyn Community Board 7. **I vehemently oppose Industry City's proposed rezoning and ask you to reject the application and stop this ineffective and broken process used to railroad our community.**

I implore each of you to listen to actual lived experiences of the residents of Sunset Park, who bear the brunt of the daily impacts of this complex. Sunset Park has been hard-hit by covid: devastating loss of jobs, rampant food insecurity, severe trauma, mental health needs, ice raids, and a looming housing crisis. We are deeply suffering.

Do you know who is NOT suffering?

IC's current owners - Jamestown L.P., Angelo Gordon, and Belvedere Capital - who have been reaping the benefits of high profits in a very lucrative market, purchasing more waterfront property (\$10 million) from the federal government during the pandemic, and spending millions of dollars on public relations firms and lobbyists who peddle unsubstantiated claims and false promises to policymakers, stakeholder groups and anyone willing to weigh in. Do you know who could have used those millions of dollars? Our community is profoundly suffering!

I respect Mr. Kimball's prior accomplishments, but we must be clear-eyed about this application. This Development is NOT the Brooklyn Army Terminal. It is wholly different and should not be conflated. IC is a privately-owned development set up to maximize its investor's profit, not with the interest of the public good as with BAT, which is accountable to the City. I find the constant conflation deeply problematic and disingenuous.

If IC listened so well, why is the application unchanged? Why are none of the things we have asked for, more than a year ago, in the application? Kimball's "commitment" to manufacturing is evident in the application: a minimal commitment of fewer than 1 million sq. ft dedicated to that usage. Brooklyn Community Board Seven noted a significant number of failures in the application. IC has addressed not one of those! Not a single issue.

We have repeatedly asked IC to make those commitments to changes before ULURP, in the application, but IC refused. As they seek maximum flexibility to maximize profit with little accountability, they insist on ramming agreements at the last minute or post ULURP when they have little teeth to be enforced. The conversations started about a community benefits agreement (CBA) were done on quicksand. The CBA developed in the Kingsbridge Armory was developed over a two-year community-engaged process. Albeit messy, Kingsbridge was a real community-engaged process that set benefit asks in an open process. In our circumstance, IC controlled the compressed timeframe, insisting on a ULURP during the holidays and total disregard of the global pandemic and how it deeply impacted our community. For them, it's full-steam ahead at all costs, no matter what. IC has demonstrated with clarity: They have no interest in our community's well-being and cannot be trusted. Mr. Kimball's testimony was filled with so many threats "we'll be forced to go with last-mile warehousing" when they already do; contradictions and STILL no hard

data to back claims. Community members and local elected have read the application and that is precisely why we are pushing back. The rhetoric doesn't match the actual application.

What is clear is that this rezoning should not happen right now during a pandemic and economic recession. The context has drastically changed, and the applicant casually sweeps that reality under the rug. The entity is making a profit, and they can bring jobs with their remaining 2.5 million unused space. They don't need a rezoning and 1.6 million square feet of MORE space. Respected Council Members, do you know the definition of insanity? It is doing the same thing over and over again and expecting a different outcome. We must stop this insanity of the same economic development approach that hyper fuels gentrification and displacement in working-class and low-income communities.

We have an alternative PLAN (UPROSE's GRID) that center's our community's health and well-being that chooses PEOPLE over PROFIT. It has enormous potential and is truly innovative and forward-looking. While the IC complex has impacts on individuals throughout the city, the undeniable truth is its most concentrated impacts are felt by the Sunset Park elders, youth, families, and most vulnerable. **I implore each of you to VOTE with your conscience, vote using data, and vote with our community who has been begging/advocating for a very longtime for "NO rezoning, NO conditions, and to Protect our industrial working waterfront."**

Thank you for your time.

Alexa Avilés
215 31st Street, #N10
Brooklyn, NY 11232
917-885-8122
Alexamaviles@gmail.com

From: [Ellyson Perkins](#)
To: [Land Use Testimony](#)
Subject: Testimony on Industry City rezoning
Date: Tuesday, September 15, 2020 10:54:36 AM

Hello,

I am writing to submit testimony on the rezoning proposal for Industry City. I oppose the current proposal.

I am a homeowner in Sunset Park and I plan to raise my family here--I intend to spend many years paying taxes that support this neighborhood and voting for leaders who are working to ensure that everyone in Sunset Park is able to thrive. For this reason, I oppose the current rezoning proposal, which privileges gentrification over long-term sustainable development for the neighborhood. I am hopeful that development in this community can continue in a way that respects the local context and the needs of all community members. For example, I encourage the developers to incorporate the recommendations of the Green Resilient Industrial District into their proposal, drawing from years of local thinking and planning about what Sunset Park needs. As we watch the horrifying impacts of climate change currently unfolding on the West Coast, the time is now for New York City--and Sunset Park!--to take a step in the right direction and build a truly green and equitable future for our community.

Sincerely,
Elly Perkins

From: maia.cruz.palileo
To: [Land Use Testimony](#)
Subject: Testimony Subcommittee on Zoning and Franchises
Date: Wednesday, September 16, 2020 10:33:28 AM

Dear Subcommittee Members:

My name is Maia Cruz Palileo and I am an artist who has already been displaced from Industry City, where I rented a studio in 88 35th Street from NARS Foundation from 2008-2013. I am testifying against rezoning because I believe it will fundamentally change the nature of Sunset Park's largely immigrant, industrial neighborhood in a negative way. After moving out of Industry City because of exorbitant rent increases, I moved to the Brooklyn Army Terminal where I have worked since 2013. I believe that community led proposals should be leading any kind of development should it take place so that it serve the needs of the people who currently live and work in Sunset Park, not allowing real estate developers to have the power to make decisions for the future of Industry City and its neighboring industrial spaces. This decision will set a precedent for the rest of the neighborhood and therefore the threat of displacement looms again.

I support NYC DSA Socialist views of land use:

1.
We need to rapidly transform the city's land use regime to support a just transition off of fossil fuels and to build resilient communities.
2.
We demand a shift of City land use and economic strategy away from speculative property development, to unshackle the City's fiscal health from perpetual real estate fluctuations; remove real estate and developer interests from planning and land use bureaucracies; and cut off the flow of public resources to private development.
3.
We seek to empower the multi-racial working-class to meaningfully steer the City's planning processes through just, reparative comprehensive planning at the city level and at the neighborhood level, including community- and worker-led planning.
4.
We demand that the City expand the proportion of land dedicated to sustainable and non-polluting manufacturing land uses, public health care infrastructure, and other economic activities that promote an empowered, prosperous and well-organized multi-racial working class.

Please consider my testimony seriously as well as the hundreds of other voices of the people who live and work in Sunset Park and vote against IC Rezoning and adopt the above principals moving forward.

Sincerely,
Maia Cruz Palileo

Maia Cruz Palileo
www.maiacruzpalileo.com
347.471.4767

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NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

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NYC Council
Subcommittee on Zoning & Franchises
250 Broadway
New York, NY 10007

September 15th, 2020

Re: L.U. 674, 675, 676, & 677 - Industry City

Honorable Members of the Subcommittee:

I am Ruben Colon, the Brooklyn Area Standards Representative for hundreds of **NYC & Vicinity District Council of Carpenters'** members who live in the area of the proposed rezoning, thousands more live in Brooklyn. I myself was raised in Sunset Park and live in an adjoining neighborhood where I sit on my Community Board. I also have close familial ties to the area as do many of those I represent.

Having grown up in Sunset let me first make one thing clear, contrary to the opinions of a vocal few, I love my old neighborhood. It is because of this that today I speak out. I and many I grew up with, remember the rapid economic deterioration of Sunset Park back in the 70's & 80's; many left for greener pastures, others like myself held steadfast. We are proud of what Sunset Park has become and recognize how much more can be done in the way of progress. But to do this we can not mire ourselves in fear. It's ok to be cautious about change, but we can not allow ourselves to be paralyzed by it; especially so, at a time when due to the ongoing Pandemic we face economic hardships the extent & ramifications of which have yet to be determined. Indicators are the long term consequences will be devastating to our communities.

Now is not the time to second guess ourselves. We look to our leaders at the **NYC Council** to do the greater good for the greater number of people. These are not traditional times, we must think outside the box. The Council must act in the best interest of all New Yorkers in spite of the local Councilman's objections. NYC can not afford to cater to the few, while forsaking the many. Working men & women are counting on you. On behalf of those I speak for, I pray the Council will render a vote **IN-FAVOR** of the proposed **Industry City** Rezoning with no further restrictions or delay.

Sincerely,

Rubén Colón, NYCDC
AS Representative

CC: File

From: [Shaurav Datta](#)
To: [Land Use Testimony](#)
Subject: Testimony to support the Industry City rezoning
Date: Tuesday, September 15, 2020 4:03:35 PM

Dear Speaker Johnson and Committee Chair Moya,

I am a constituent of Council District 33. I am writing today as an unaffiliated individual to offer testimony to the Subcommittee on Zoning and Franchises public hearing on the proposed rezoning of Industry City. I support the rezoning of Industry City.

The Covid-19 crisis has dealt a terrible blow to New York City. It is unfortunate that in a time when the City should be coming together to chart out a tangible and pragmatic course to recovery, we are seeing local efforts to undermine development, and exclude new community members on the basis of perceived "otherness." This exclusion and "othering" takes many forms: whether it is neighborhood groups on the Upper West Side supporting the removal of unsheltered New Yorkers from city-contracted hotels, Queens Councilmember Peter Koo chanting "Business Lives Matter" to oppose the Flushing Main Street busway serving thousands of transit riders daily, or indeed the Sunset Park groups using the spectre of gentrification to block 20,000 new jobs and the addition of valuable new community amenities to Industry City.

New York City has grown into a diverse and international metropolis because it has always embraced change and welcomed newcomers, no matter what their origin or standing. This same dynamism is needed to rebuild New York into a place that is welcoming of change, embracing of new ideas and innovation, and accepting of new residents, workers, and their families into its communities.

The rezoning of Industry City is a good microcosm of the challenges New York faces in its path to post-Covid recovery. Will we stand for the status quo and paint every pro-development proposal as being a scheme concocted by "greedy developers" with an agenda to displace? Or will we counter this politics of exclusion and stasis, as advocated for on the Upper West Side, in Flushing, and now in Sunset Park, with a substantive program for achieving growth responsibly. New York City will need assistance from private industry in its path to recovery. our current budget situation all but confirms that. Let's build those partnerships with private industry now to benefit all New Yorkers now. Denying the Industry City proposal now on flimsy grounds now may help those Council Members who are term limited in 2021 and pandering to narrow voter constituencies for their future ambitions, but will cast a shadow on future investment and expansion at a time when several cities will be competing for jobs and investment.

Sunset Park community members should have a voice. The management and developers of Industry City should make good faith efforts to hear these voices. New York City should also support the private development of affordable housing to address concerns around gentrification and displacement. However, to hold Industry City, and the 20,000 new jobs it promises, as the source of all these long-standing ills that impact Sunset Park is not pragmatic at this time, and will leave Industry City languishing as is while its opponents await indefinitely for a more "perfect" counter proposal that will require public investment. A rezoning with such outsized impact should not be deferred or cancelled with the input of only hyperlocal opposing voices. This is a rezoning that will affect thousands of families:

construction workers, manufacturing workers, office personnel, shoppers, visitors, diners, tourists, maintenance workers.

Let's not disregard the good only to wait for the perfect. Let's not let hyperlocal identity politics take away from New York City's ethos of welcoming new ideas, new community members, and new opportunities.

Please support the Industry City rezoning.

Respectfully,

Shaurav Datta
237 Duffield St
Brooklyn, NY
(first generation immigrant, public servant, and New Yorker of 16 years)

From: [Summer Sandoval](#)
To: [Land Use Testimony](#)
Cc: [Elizabeth Yeampierre](#); [Ting Ting Fu](#)
Subject: UPROSE Testimony on Industry City Rezoning Application
Date: Thursday, September 17, 2020 5:59:41 PM
Attachments: [UPROSE Full Written Testimony with CCCE Analyses.pdf](#)

Hello,

Please find our full written testimony accompanied with the technical analyses of Industry City's DEIS & FEIS prepared by the Collective for Community, Culture and Environment.

Best,
Summer

--

Summer Sandoval
Energy Democracy Coordinator



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Testimony of UPROSE

New York City Council Subcommittee on Zoning and Franchises - Industry City
Rezoning Public Hearing

September 15th, 2020

New York City Hall

New York, NY 10007

I'm Elizabeth Yeampierre, the Executive Director of UPROSE. Brooklyn's oldest Latino community-based organization and a national grassroots leader in the climate justice movement. Today, we face multiple crises- climate change, racial violence, and the global COVID-19 pandemic. These crises are created and exacerbated by the extractive economy that currently governs us and that proves time and time again to prioritize the agendas of private developers over years of comprehensive community planning. This hearing is testament that the City is more concerned with developer's wants than community needs. I'm here to testify against the Industry City rezoning and to urge you to uplift our community-led alternative; the Green Resilient Industrial District (GRID).

This plan builds on years of community-based planning and organizing in Sunset Park to target climate adaptation, mitigation, and recovery. On the other hand, Industry City's rezoning proposal is built on false job claims, an unchanged proposal since 2017, and outdated analyses based on pre-COVID market conditions. There is nothing innovative about hotels, destination retail, and offices in an already failing market. Economic development must be different. It's vital to take lessons learned from these crises to build and invest in developments that not only benefit frontline communities, but are led by them.

As one of NYC's last remaining, and largest Significant & Maritime Industrial Area (SMIA), Sunset Park is uniquely positioned to be the place where we build for New York and the region's economic resilience and climate needs. As we continue to design and implement a Green New

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Deal, the entire nation will move to transition as well. We can't afford to allow dated thinking developers to continue to displace existing industrial businesses and space, sacrificing our city's infrastructure and industrial capacity to produce.

If Industry City wants to develop in Sunset Park, they must do so in context. Industry City must withdraw their application immediately and incorporate all of the amendments and restrictions outlined in the GRID's Sub-area C to pilot a local GRID that will become a model for the nation, or the NYC Council say "No" to their proposal. Industry City had many chances since 2017 to change their application or incorporate the promises they made in public statements and testimony, but they didn't. They did not listen to the Sunset Park community.

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 and produce 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) and the Collective for Community, Culture and Environment 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.

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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 recovery. The GRID analyzes the different land uses and building typologies in Sunset Park, and strategizes how each area can incorporate principles of sustainability and resiliency to work cohesively to achieve the proposal’s objectives. The GRID proposal is divided into four distinct sub-areas described in Figure 1.

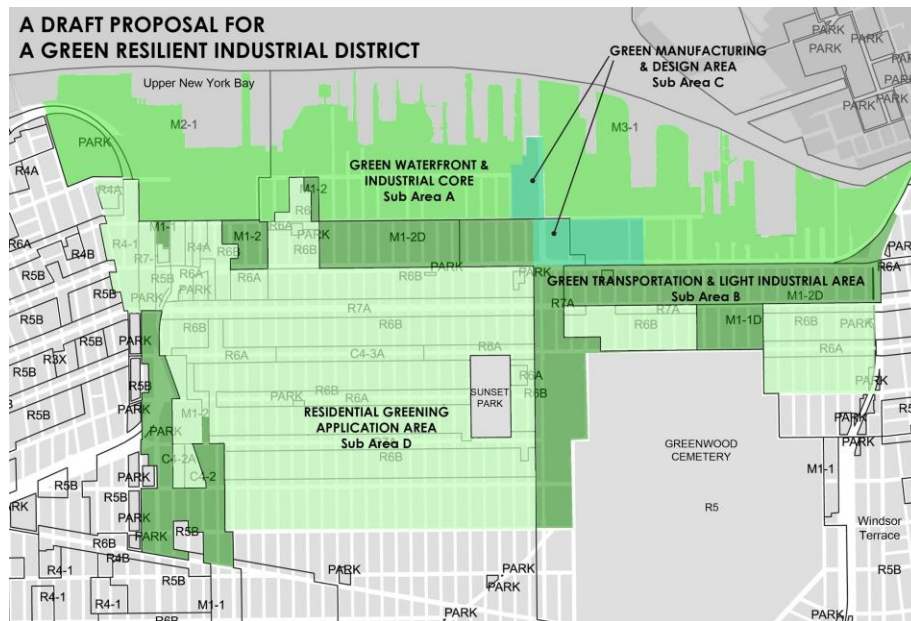


Figure 1. Proposal for a Green Resilient Industrial District

- A. Sub Area A: Green waterfront and industrial core
- B. Sub Area B: Green transportation and sustainable light industrial area

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- C. Sub Area C: Green manufacturing and design area (Industry City's rezoning area)
- D. Sub Area D: Residential sustainability pilot

The GRID is an alternative rezoning plan for Sunset Park. Unlike Industry City's proposal, the GRID includes the entire industrial waterfront and Sunset Park community and recognizes the relationships between urban systems of water, food, health, housing, 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. Industry City to immediately withdraw their application and amend their proposal with changes and recommendations that establish restrictions on use and bulk in accordance with Sub Area C (Industry City's rezoning area) 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. Please contact info@uprose.org to request the Zoning Text for Sub Area C.
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 or COVID-19 impacts. Industry City claims its proposal is consistent with the Sunset Park 197-A Plan, but has not adequately demonstrated how their proposal is supporting industrial uses in NYC's largest Significant Maritime Industrial Area (SMIA) and Industrial Business Zone (IBZ).
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 throughout the development process. Industry City's proposal does not consider or integrate aspects of community-based planning. 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

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dictate the type of development allowable in Sunset Park that will support the community's long-term transition into an equitable climate resilient industrial community and green economy.

*These GRID implementation recommendations were submitted at every step of the ULURP process.

Policy Landscape

UPROSE, as a grassroots Steering Committee member of NY Renew's was part of the monumental passing of the Climate Leadership and Community Protection Act (CLCPA) in 2019, 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. The CLCPA is projected to create 150,000 green jobs. 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 and helps realize these well-paid climate jobs.

We've codified emission mandates, job creation, and funding for a statewide Just Transition here in New York through the Climate and Community Protection Act (CLCPA) and the Climate Mobilization Act (CMA) projected to create another 40,000 jobs a year. New York's transition will not happen out of thin air, it needs infrastructure and public investment. It can either be built here, and we can reap the benefits locally, or it can be shipped-in increasing end costs. If we do not keep our industrial areas industrial to host the tens of thousands of climate jobs, then these jobs in renewable energy, energy efficiency, construction, and sustainable manufacturing will go to New Jersey and elsewhere- an enormous lost opportunity for NYC.

The GRID is not a futuristic vision. It is a proposal that operationalizes existing local, state, and federal policies and plans 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. In the midst of the global COVID-19 pandemic, where our international supply chains were disrupted and

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completely failed, we saw the invaluable ability of manufacturers on the Sunset Park waterfront to pivot and produce local PPE. We as a city, state, and region cannot afford to lose our capacity to produce and manufacture locally. Investing and supporting industrial sectors is to strengthen resilient supply chains and prioritize the creation of well-paid climate jobs.

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, renewable energy, and construction sectors. According to the International Labor 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 that will be an integral part of retrofitting buildings and meeting emission reduction targets.

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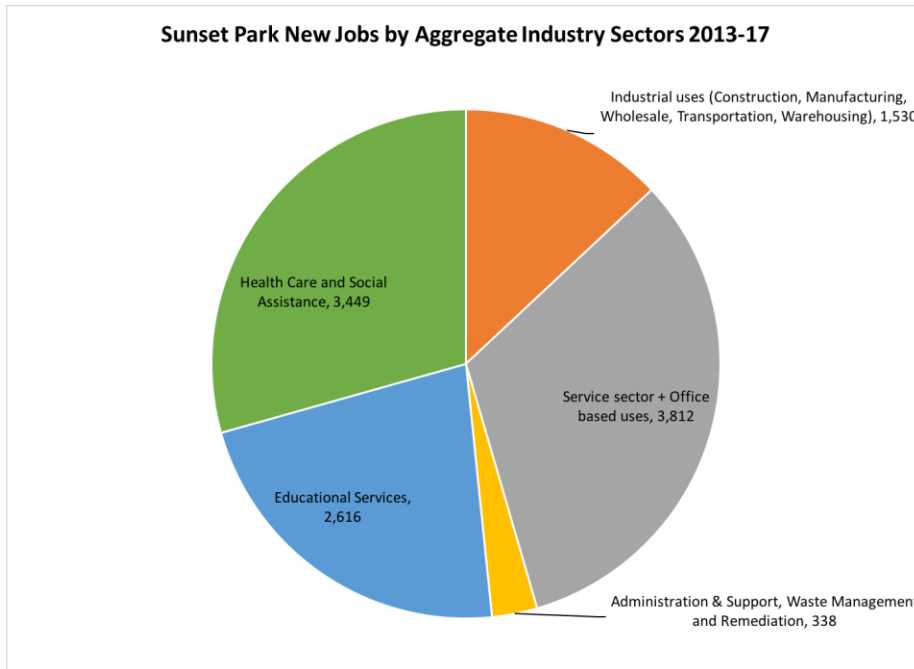


Figure 2: Sunset Park New Jobs by Aggregate Industry Sectors 2013-17

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 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. Industry City has a track record of creating polarized jobs either low-paid/minimum wage service and retail jobs and high-tech jobs that require higher levels of education. Since 41% of Sunset Park residents do not have a high school diploma, the only accessible jobs that Industry City has created are not living-wage jobs. Under the GRID, tens of thousands of well-paid climate jobs can be hosted in industrial areas.

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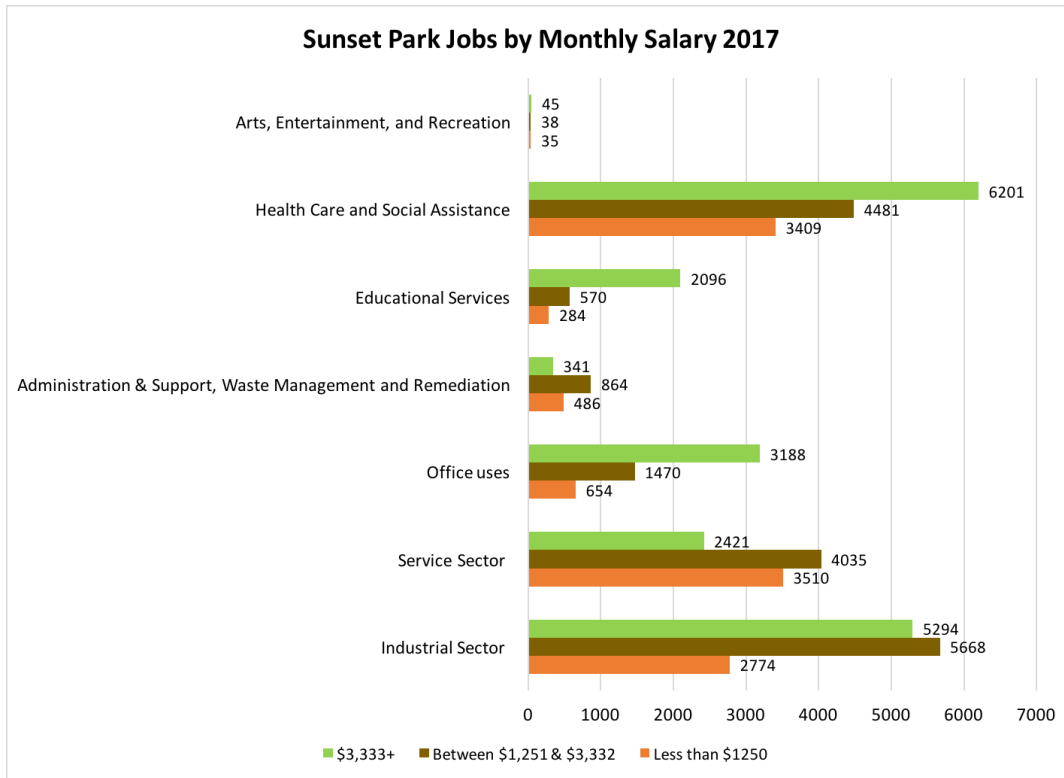


Figure 3: Sunset Park Jobs by Monthly Salary 2017

Industry City’s jobs do not come without a price. 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 threatens residential, small business, and manufacturing displacement in Sunset Park.

Industry City’s Proposal

Industry City’s rezoning application is being sold on false job creation claims that can only be labeled as intentional lies. In recent media, Industry City has stated that their rezoning will create 20,000 jobs, but in their unchanged application from 2017, the job projection is 15,000 where they claim to have already created 8,000 (many of which were lost throughout the pandemic) which will rise to 15,000. Industry City is claiming to create 7,000 new jobs based on outdated

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and pre-COVID analyses. The likelihood of even 7,000 will come to fruition is very unlikely and definitely not guaranteed. So, it would be a shame and disservice to Sunset Park, NYC, and the region if the City Council to support an application that threatens local and regional opportunities, funding, and real economic development.

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 is asking to build 1.5 million additional square feet, when they have large vacancies in their existing campus that they have not utilized.

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 a 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, which is vulnerable to sea level rise, flooding, and extreme weather events.

Much of Sunset Park's industrial waterfront is located in a floodplain, but Industry City's proposal does not integrate adequate 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 put 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.

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GRID Goals are NOT new!

They build on existing community, city, state & federal plans, programs & policies...

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 - 80x50 (One City Built to Last)
- 2014 EDC Sunset Park Vision Plan
- 2009 NYC Comprehensive Waterfront Plan
- 1992 Vision 2020-NYC Comprehensive Waterfront Plan
- 2011 Waterfront Revitalization Program
- 2011 PlaNYC 2030
- 2007/2011 Greener, Greater Buildings Plan (GGBP)
- 2009 NYC Green Infrastructure Plan
- 2009 One New York: The Plan for a Strong and Just City (OneNYC)
- 2015 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 & LL97
- 2020 NYC Securing Our Future Report

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

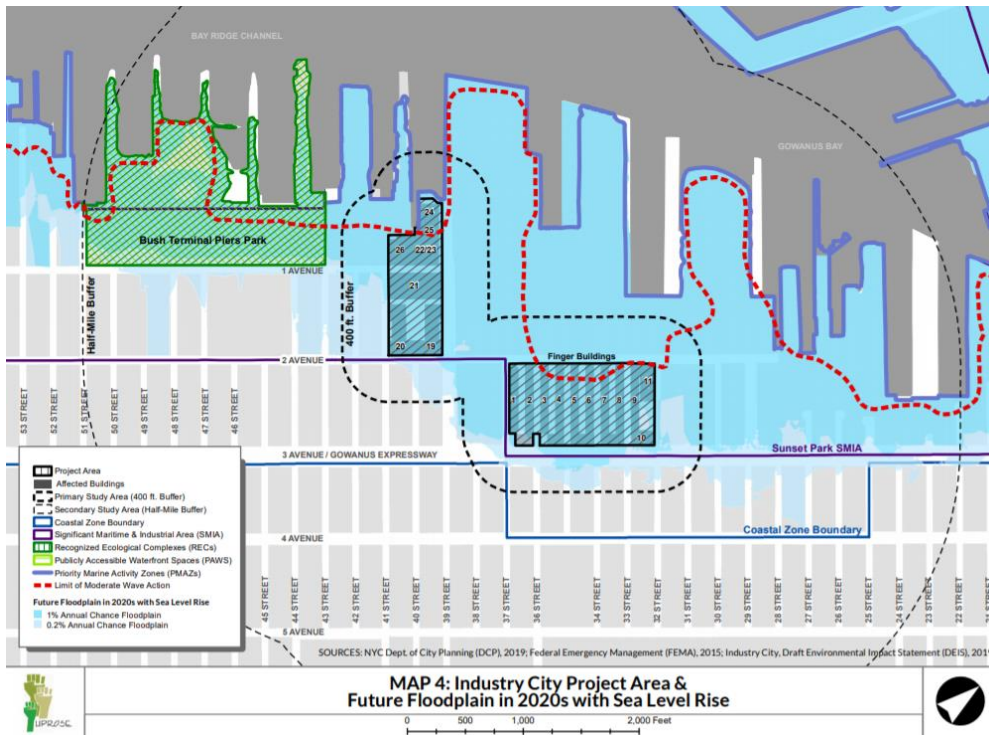


Figure 5: Industry City Project Area and Future Floodplain in 2020s with Sea Level Rise

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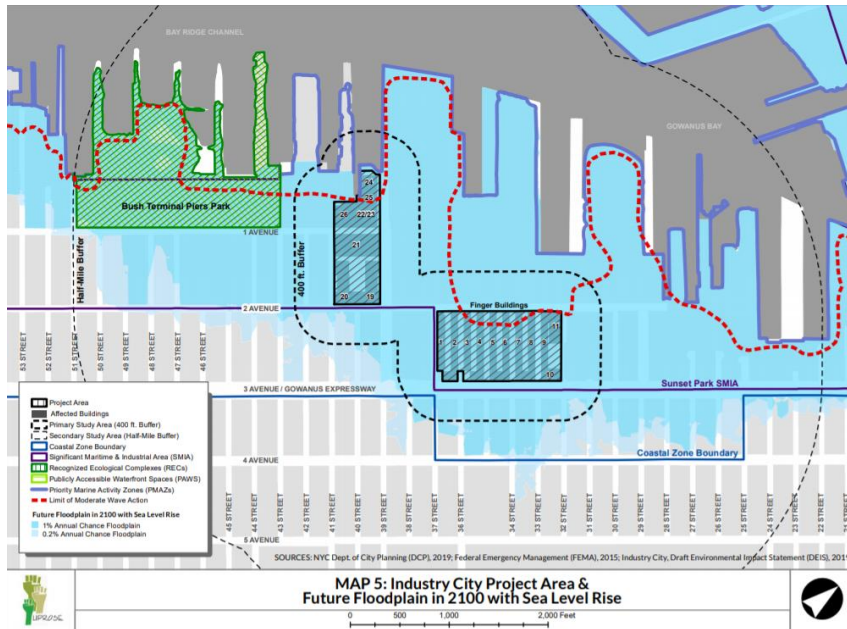


Figure 6: Industry City Project Area and Future Floodplain in 2100s with Sea Level Rise

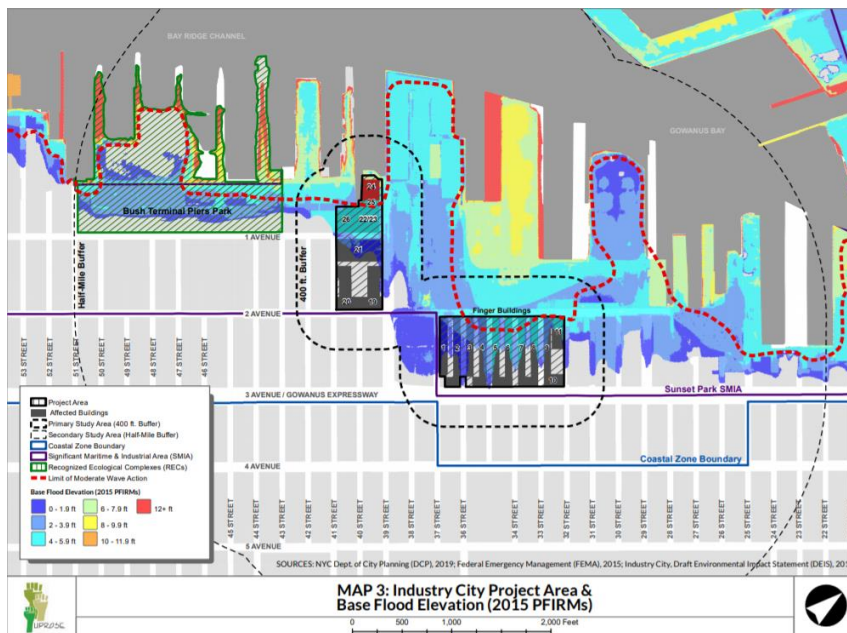


Figure 7: Industry City Project Area and Base Flood Elevation (2015 PFIRMs)

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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.

Industry City also had years to update and change their application to reflect the community’s and Community Board 7’s recommendations and concerns. Despite promises made in public testimony, Industry City has not made any of these changes to their application. There is no reason any one should trust their promises since there has been an utter lack of transparency and accountability throughout the ULURP process.

ULURP Process

The NYC Council should recommend that Industry City immediately withdraw their application because all the Existing Conditions, development scenarios, job projections, and analyses are based on outdated 2017 market conditions and data. This means that their application does not take into account the drastically different economic conditions or market impacts of COVID-19. Applicants that submit a rezoning application must adhere to the process and guidelines in the CEQR manual that states: “After the build year and study area have been established, the next step is to describe current conditions. This must be performed for each technical area that may be affected by the project. The assessment of existing conditions, which can be measured, observed, or otherwise be tested in the field, establishes a baseline from which future conditions may be projected.

Assessment of existing conditions may require data from other sources (such as the census), and, for some technical areas, use of mathematical computation or modeling. Timeliness of data is

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also important. If the review process becomes prolonged because of changes in the proposed project or other difficulties encountered during the approval process, changes in existing conditions may require further assessment.”

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 many jobs (see Figure 8 below) 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.

Potential Sunset Park job opportunities



Figure 8. Offshore wind potential Sunset Park job opportunities from Equinor

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The GRID will show that a “no” to Industry City’s rezoning application is a “yes” for equity and justice in the face of climate change and COVID-19. What is decided on this rezoning application will be felt across the nation, and we are asking you to be on the right side of history and vote in the best interest of the community and region and not with conventional profit-driven private developers.

The GRID is a comprehensive plan developed by UPROSE, partners, and community engagement to address the creation of climate jobs, local renewable energy development, sustainable manufacturing, and green ports.

Saying “no” to Industry City’s proposal is not the end of development in Sunset Park or the loss of any opportunity, it’s a first step. A vital first step to stop the perpetual cycle of private developers invading communities, harassing residents, and developing luxury and big box retail that displaces generations of families. This is an opportunity to honor community planning work as a means for development and recovery.

Closing

Industry City’s current rezoning proposal is unacceptable. As it stands, it proposes to further disarticulate 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. Industry City must withdraw their application immediately and incorporate all of the amendments and restrictions outlined in the GRID’s Sub-area C to pilot a local GRID that will become a model for the nation, or the NYC Council say “No” to their proposal. 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.

Please see the attached technical analyses prepared by the Collective for Community, Culture and Environment below.

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REVIEW OF INDUSTRY CITY DRAFT ENVIRONMENTAL IMPACT STATEMENT

Prepared for UPROSE by CCCE with assistance from
Members of the UPROSE Advisory Board and Pratt Institute Faculty¹
12/4/19

COMMENTS ON SELECTED DEIS SECTIONS

See also:

- Sunset Park Green Industrial Innovation District (GRID) Report, 2019 and
- Technical Addendum to this review with more detailed analysis

Note: Recommendations are indicated in bold type

Chapter 1: Project Description

Bush Terminal Owner LP filed a Land Use Application with the NYC Department of City Planning (DCP) seeking actions to facilitate the redevelopment and re-tenanting of the Industry City (IC) complex. The project would comprise some 6.6 million square feet of mixed use space including manufacturing, commercial and community facility uses as an “Innovation Economy Hub”. The measures would broaden the range of uses allowed at IC to include more retail, academic and hotel activities and would increase the allowable density of the project area. Three new buildings are proposed including hotels, retail, academic space, innovation economy and parking.

Applicants request the following discretionary actions to facilitate the project:

- Zoning text and map amendments to create the Special Industry City District.
- Rezone a portion of the SICD area from an M3-1 to an M2-4 district;
 - And require compliance with highest M1 performance standards
- Special Permit to modify, use, bulk, parking and public access requirements.
 - Major use changes, equivalent to M1 light manufacturing districts
- Special Permit to allow a hotel use.
 - Contradicts City policy of not allowing hotels in M2

¹ Eve Baron, Paula Luria Caplan, Eva Hanhardt, Tarry Hum, Trent Lethco, Mercedes Narciso, Juan Camilo Osorio, Leonel Ponce, Ronald Shiffman, Jaime Lynn Stein

- City Map amendment to demap 40th Street between 1st and 2nd Avenues.

The application presents IC as an “Innovation Economy Hub”, with businesses involved in the “making” process, from research and development to design and engineering, to product manufacturing.

- No explanation of how a retail mall supports or is essential to innovation economy uses, or how it might benefit Sunset Park community.

Chapter 2: Land Use, Zoning and Public Policy

This very important section, based on an overly narrow analysis framework, and despite major land use changes, concludes that there would be “no significant adverse impacts on land use, zoning, or public policy...”

Inadequate Analysis Framework

- DEIS defines the primary study area as 400 feet radius, the CEQR bare minimum, too narrow to evaluate impact on residential neighborhoods and business to IC’s east and south.
- Inconceivable that a project with over 6.6 million square feet, over 25% increase, could have no impacts on Sunset Park.

Other Public Plans and Policies; Cumulative Impacts

- DEIS states the proposed actions would be consistent with 197-a plan, WRP, other “public policies aimed at increasing, preserving, and enhancing production and light industrial uses” but offers little justification.
 - Cites 197-a goal but restates disputable justification for expanding the range of allowed uses; quotes overall job projections without detail
- Scope of Work states “The lead agency is required to take a “hard look” at the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment...”
 - Responsible “hard look” must include cumulative impacts of pending development along with impacts from Industry City on surrounding area and waterfront: traffic, air quality, etc., including the Sunset Park Significant Maritime Industrial Area (SMIA)

Zoning and Land Use

The proposed Special Industry City District would allow major changes to the composition of Industry City and accordingly to its impacts on surrounding residents and businesses.

- The zoning text provides for an extremely permissive district, with numerous possibilities for exception to basic underlying regulations.

Need for M2 zoning is not justified

Applicants propose rezoning from M3-1 to M2-4. However, the SICD text would allow many M1 District uses, either as-of-right or by special permit, some with size or location restrictions, and M1 performance standards. The SICD would also enable exceptions to bulk and parking rules by special permit. As M1-3 and M1-5 districts allow the same density (FAR 5) as M2-4, the need for M2 rather than M1 is unclear.

- The EIS must explain and provide justification of the M2 designation.

M1 Performance Standards

The SICD zoning text would apply M1 performance standards to all industrial uses.

- DEIS fails to analyze potential harm to currently conforming heavier uses, including some maritime and construction-related.
- Improved performance measures, desirable from environmental and environmental justice perspectives, must be accompanied by technical and financial assistance for local businesses to attain the higher standards.

Use Modifications

The proposal would create special permits from the CPC for a wide range of uses not otherwise permitted in M2 districts:

- Certain community facility uses up to 625,000 sq. ft. total: schools without living/sleeping accommodations; colleges or universities, professional schools; libraries, museums, non-commercial art galleries.
- Various retail and service uses up to 900,000 sq. ft. total.
 - Large scale retail stores, gyms, distilleries, hotels and motels, etc.
 - 900,000 sq. ft. does not include: art, music, dancing or theatrical studios; depositories for storage of office records, microfilm or computer tapes, or for data processing, photographic or motion picture production studios and radio or television studios
 - Requires one parking space per 500 sq. ft. of floor area if permitted retail/service uses exceed 120,000 sq. ft.; could reach 1,800 spaces
 - Buildings Commissioner could allow up to 500 additional spaces

Hotels and Motels

In 2018, New York City approved newly required special permits for hotels and motels (formerly allowed as-of-right) in M1 districts, but not in M2 or M3.

- The targeted upscale hotel clientele would intensify gentrification pressures.
- Allowing hotels, even by permit, in M2 districts sets a harmful precedent.

Waterfront

- Special Permit would waive the Zoning Resolution's waterfront regulations, although a restrictive declaration could stipulate public access.
- Zoning lots partly within and partly outside a waterfront block would be considered non-waterfront.
- The SICD zoning text does not mention the objective of promoting maritime development in an SMIA.

Please refer to Technical Addendum for more detail and analysis on Land Use, Zoning and Public Policy.

Chapter 3: Socioeconomic Conditions

Despite its title, this chapter addresses displacement but not demographics. It disregards the dynamics of Sunset Park as a multi-ethnic working class community.

The DEIS Socioeconomic Conditions section fails to analyze:

- The impact on racial minorities.
- Gentrifying effect of new retail and hotel clientele, and higher income workers.
- Impact of gentrification and of tech sector uses on local residential community and on traditional manufacturing.

Displacement

DEIS concludes project would not result in significant adverse impacts on a ½ mile radius, based on CEQR screening levels.

Residential displacement findings:

- Direct displacement of 26 residents by 2027.
 - Less than 1 percent of study area, insufficient to alter neighborhood socioeconomic character
- No indirect residential displacement.

Business displacement findings:

- Direct displacement of about 40 businesses with 186 workers.
 - Warehousing/storage, deli, café, video stores, metalworking and welding, molded plastic product manufacture
 - Not having “substantial economic value to the city”, displaced businesses direct or indirect can relocate elsewhere in NYC.
 - Fails to address impact on Sunset Park economy, job base, businesses

- Denies potential to substantially increase rents, based on IC’s investments to date (despite findings of GRIID Report).
- Acknowledges vulnerability of some retail uses to “displacement due to changing demographics”.
 - But dismisses impact: “much of the project-generated retail demand would be met by stores and services within Industry City” (retail market defined as 3 mile trade area), ignoring needs of local residents

Chapter 4: Open Space

Methodology

The DEIS states that because proposed project does not include new residential units, a residential open space assessment was not warranted (IC DEIS Chapter 4, p.4-2).

Thus the assessment addresses only the non-residential population, which is expected to increase. However, Section 330, Analysis Techniques of the CEQR 2014 Chapter 7 Open Space Technical Manual’s Preliminary Assessment for Projects that would result in an increase of Non-residential population states that *“If the project would occur in an area with a substantial residential population, the residential population of the study area should also be calculated”* (CEQR Chapter 7, p.7-7).

An analysis of census data for the Census Tracts included in the DEIS Project Area (CT 02, 18 and 84—see Technical Addendum) indicate the following:

- The total population of these 3 census tracts in 2010 is 6,874 residents, which can be considered substantial for an industrial area.
- The population of these 3 census tracts increased by 15.1% between 2000 and 2010.
- Census Tract 18 experienced an increase of 46% between 2000 and 2010.

Accordingly, the DEIS should revise the open space assessment to include the impact on residential population.

Adequacy of Open Space Resources

The DEIS presents an inventory of publicly accessible open space in the study area and provides a Quantitative and Qualitative Assessment on the Adequacy of Open Space Resources (IC DEIS Chapter 4, p.4-4 to 4-6). The three accessible open spaces are Bush Terminal Park, Sunset Park Entrance to Greenwood Cemetery and D’Emic Playground. However, the Qualitative Assessment is based only on the low utilization of Bush Terminal Park and the Sunset Park Entrance to Greenwood Cemetery, and does not examine any qualitative factors or consider needs of the local working population. User surveys, for example, would have helped to assess the quality of these open spaces and evaluate reasons for their low utilization.

A preliminary review of these low-utilization open spaces reveals the following:

- The Sunset Park Entrance to Greenwood Cemetery cannot be really considered an open space for passive recreation. There are no benches, very few trees and the walkways noted in the DEIS lie right above the graveyard (see aerial view of this open space in Technical Addendum). It is unlikely that workers in the industrial area take break time to stroll above tombs. This might explain the low utilization of this open space. **In fact, this entrance to the cemetery should not be considered a space for passive recreation but only a green space that contributes to air quality.**
- Bush Terminal Park, on the other hand seems to offer inviting passive recreation features. However its waterfront location (see aerial view in Technical Addendum), with limited access and surrounded by a street grid for industrial traffic, makes it unfriendly and even challenging to pedestrians. This might explain its low utilization by workers in the area.

A complete qualitative assessment on these two open spaces, Sunset Park Entrance to Greenwood Cemetery and Bush Terminal Park should be provided.

Principal Conclusions

The DEIS states that the Proposed Project would decrease the passive open space ratio by more than 5% but that the passive open space ratio would remain three times above the City's guideline (IC DEIS Chapter 4, p.4-2). However, most of Sunset Park is underserved by Open Space (see Sunset Park Underserved and Well-served area maps in the Technical Addendum). **The proposed project would decrease the passive open space ratio by 45%. Any decrease of any open space is questionable and unacceptable.**

Please refer to Technical Addendum for more detail and analysis on Open Space Resources.

Chapter 6: Historic and Cultural Resources

This chapter considers potential of the Baseline (With Action including uses currently contemplated by Applicants) and Overbuild Scenario (without Gateway Building, less floor are and fewer new uses) to affect historic and cultural resources (both archaeological and architectural). The project area includes portions of Bush Terminal Historic District deemed eligible for listing on the State and National Registers of Historic Places since 1986.

Archaeological Resources

Landmarks Preservation Commission (LPC) determined that the sites to be redeveloped do not possess archeological sensitivity and proposed project would have no significant adverse impact on archeological resources.

Architectural Resources

Project area includes portions of the State and National Landmark Registers of Historic Places (S/NR)-eligible Bush Terminal Historic District.

- LPC provided significance determinations for potential architectural resources based on potential effect for construction period impacts as well as the larger area in which there may be visual or contextual impacts.

Impacts on architectural resources can include both direct physical impacts (e.g., damage from vibration) and indirect impacts (contextual or visual impacts) that result from project construction or operation. Indirect impacts could result from blocking significant public views of a resource.

Potential Impacts

- Accidental damage to architectural resources from construction and demolition, e.g. vibration.
- Indirect impacts to architectural resources by blocking significant public views of a resource, isolating a resource from its setting or relationship to the streetscape.
 - Possible impact on view of upper New York harbor from Sunset Park.
 - Possible obstruction of view line from Minerva statue in Greenwood Cemetery to Statue of Liberty.
- “In a comment letter dated December 13, 2018, LPC determined that the scale of the proposed Gateway Building and Building 11 appear out of context with the neighboring Finger Buildings within the S/NR-eligible Bush Terminal Historic District” (DEIS 6-15).
 - Altering the setting of a resource
 - Introducing incompatible visual, audible, or atmospheric elements to a resource’s setting
 - Introducing shadows over an architectural resource with *sun-sensitive features*.

Please refer to Technical Addendum for more detail and analysis on Cultural and Historic Resources.

Chapter 7: Urban Design and Visual Resources

Wind

The DEIS treatment of wind conditions, which impact spatial experiences in the area,

leads to inadequate conclusions.

Methodology

The DEIS states that the proposed actions would not exacerbate wind conditions that would affect pedestrian safety, claiming that buildings or natural features attenuate winds from the waterfront and also that, as the project would utilize existing warehouse buildings, a pedestrian wind analysis is not warranted (IC DEIS Chapter 7, p.7-3). However, Section 230, Pedestrian Wind Conditions of the CEQR 2014 Chapter 10 p.10-2, Urban Design and Visual Resources Technical Manual establishes a series of findings to determine whether a pedestrian wind condition analysis is warranted, which the DEIS failed to include:

- *Whether the location is exposed to high wind conditions, such as along west and northwest-facing waterfronts, or other locations at or in close proximity to waterfront sites where prevailing winds from the waterfront are not attenuated by buildings or natural features;*
 - The project area is located in close proximity to the waterfront, with the longer blocks and streets oriented northwest direction, and the prevailing winds are generally from the west, being the northwest directions prevalent in colder months.
- *The size of the project (generally only projects of a substantial size have the potential to alter wind conditions);*
 - The Project Area comprises 7 blocks, and new construction in all scenarios would increase the existing bulk and height, while keeping similar massing and scale and street wall. These actions have the potential to exacerbate wind conditions by 'channelization' as the CEQR Manual states, especially along 39th Street and all streets within the Finger Buildings (See Prevailing Wind Direction graphic in Addendum to Urban Design).
- *The number of proposed buildings to be constructed;*
- *The size and orientation of the buildings that are proposed to be constructed;*
and
- *The site plan and surrounding pedestrian context of the project.*

Massing

- The Urban Design analysis, which considers a combination of the Baseline and Overbuild Scenarios, includes 10 new buildings (3, 4, 5, 6, 7, 8, 19, 22/23 and 24) *that would introduce changes to the massing and form of Industry City as it currently exists* (IC DEIS Project Description, p. 1-16).
- The building massing in the Overbuild Scenario assumes that the Finger Buildings would be built to the maximum height of 110 feet and buildings 19,

22/23 and 24 to 150 feet (IC DEIS Project Description, p. 1-23). These conditions would generate uniform massing that has the potential to exacerbate wind conditions.

For the reasons described above, and consistent with the CEQR manual for Urban Design, **a pedestrian wind condition analysis should be conducted.**

Please refer to Technical Addendum for more detail and analysis on Urban Design and Visual Resources.

Chapter 8: Hazardous Materials

The DEIS concludes that the project is subject to a hazardous materials evaluation, pursuant to Chapter 12 of the CEQR manual. It documents the existence of potential contamination and risk of exposure from the disruption of contaminated soil during excavation. As the primary mitigation strategy, the DEIS concludes that it will be sufficient to establish E-Designations to be placed on key properties of concern, and follow standard OSHA and construction guidelines to prevent further exposure. A preliminary review of Chapter 8: Hazardous Materials and Appendix D: Hazardous Materials reveals several areas of concern that conflict with CEQR requirements and relevant City and State policies affecting redevelopment in or near the waterfront.

The inadequate evaluation of the following important elements, and particularly their mitigation strategies, should be corrected for the Final EIS.

- **The review of regulatory environmental databases was performed with data outside of the 6-month requirement.**
- **The DEIS uses an insufficient geographic extent of only 400 feet for Phase I Environmental Site Assessment (ESA).**
- **The DEIS lacks detailed documentation or analysis of potential pathways for chemical exposure.**
- **The DEIS contains limited information regarding the remediation of existing chemical contamination.**
- **While recognizing the potential for future contamination, including chemical dislodgement from climate change impacts and severe weather and disturbance of contaminated soils during excavation and construction, it doesn't specify the type or amounts of such contamination, nor any details regarding specific mechanisms required for containment or remediation.**

Please refer to Technical Addendum for more detail and analysis on Hazardous Materials.

Chapter 9: Water and Sewer Infrastructure

Although the With Action Scenario assumes that the replacement of warehouse uses with academic/community facility and Innovation Economy uses would generate more demand on water and wastewater systems, the analysis nevertheless “finds that the Proposed Project is not anticipated to result in any significant adverse impacts on the City’s water supply, wastewater, or stormwater conveyance and treatment infrastructure.”

- Water supply: 0.11% increased demand on water supply.
- Sanitary sewers: 0.77 increased flow to Owls Head Wastewater Treatment Plant.
- Stormwater: Increased demand owing to additional impervious surfaces would be offset by Best Management Practices (BMP) --not quantified.

Conveyance System: Stormwater Flows

The analysis identifies an increase in rainfall volume entering CSO outfalls—i.e., untreated water entering Upper New York Bay--without presenting data on the maintenance and current condition of this infrastructure.

- A performance report for this infrastructure could identify operational upsets (not due to wet weather) that should be corrected.
- The conclusion that DEP BMP requirements and “required sewer improvements” would result in “no significant adverse impacts on wastewater treatment or storm water conveyance infrastructure” is not justified

The DEIS identifies OH-004 and OH-025 as the two CSO drainage sheds servicing the project but does not disclose the location of these outfall sites or a map of each drainage shed. It also does not report the gallons of CSO per year or the rain event volume that triggers an outfall.

- **This information should be added to the EIS in light of the determined increase in stormwater volume and runoff rate and the size and location of stormwater BMP’s in consideration.**
- **EIS should include a drainage plan to identify sites where stormwater BMPS are needed.**
- **If on-site retention is desired for mitigation of impacts from increased volume of combined stormwater (sanitary plus storm) runoff and increased peak stormwater runoff rates, the EIS must include more information and greater disclosure on the current state of CSOs in these drainage sheds.**

- Absent more clarity on the proposed BMPs and current allowable flow rates for existing buildings constructed prior to 2012, as well as a drainage plan and hydraulic analysis of the existing sewer system, the analysis of Water and Sewer System impacts remains flawed.

Please refer to Technical Addendum for more detail and analysis on Water and Sewer Infrastructure.

Chapter 10: Energy

Determination of no impact

The DEIS concludes that since the “Project would not result in any of these conditions [significantly affect the transmission or generation of energy or that cause substantial new consumption of energy], a detailed assessment of energy impacts is not necessary.”

- Applicant’s analysis does not document or account for localized impacts on transmission and demand/consumption. By the Applicant’s own calculations, With Action condition would increase Energy Demand in the Project Area by 114.2%, which clearly constitutes a significant impact to local energy demand.
- Applicant’s analysis fails to describe or account for new transmission lines and related infrastructure likely required to supply additional energy demand to new and retrofitted buildings.
- Applicant’s analysis fails to account for increased peaker power plant usage resulting from the Project, which could adversely impact energy use and supply, increase loads on peaker plants located within the neighborhood, increase local GHG emissions, and cause detrimental public health and air quality impacts.

Inadequate Analysis Framework

Assumptions and methodology used by Applicant either (a) do not comply with CEQR Technical Manual guidelines, or (b) use incomplete and inconsistent data.

- Existing Conditions: DEIS lists NYC energy conservation policies, with minimal mention of infrastructure upgrades, and no explanation of impact on project energy supply source breakdown, energy efficiency measures, or local/renewable energy production.
- Methodology/Existing Demand: DEIS does not use accurate energy demand figures, which could be derived from energy benchmarking data required by Local Law 84 for the majority of properties/lots considered in the Project Area, which can be found at benchmarking.cityofnewyork.us/. The results of this

brief analysis indicate approximately 565 million BTUs/year, over 5.7 million square feet of gross floor area, a much lower energy intensity and total energy consumption than represented by the Applicant in the Existing Conditions. DEIS instead utilizes CEQR table 15-1 to estimate current energy demand (DEIS tables 10-1, 10-2, and 10-3), assuming industrial uses with higher energy consumption for many existing uses. (See Technical Addendum.)

- Future With/Without Proposed Actions: Expected energy demand and consumption estimates for No Action and With Action scenarios are based on standard CEQR Table 15-1. This does not comply with CEQR methodology, which requires energy modeling or engineer estimates.

Mitigation not shown for Future With Proposed Action

- DEIS fails to address potential to use some of the lots and facilities in Project Area and neighboring properties as key properties in the development of NY State's renewable energy economy. **The opportunity to site manufacturing, assembly and/or workforce training for offshore wind energy infrastructure in Sunset Park, as outlined in the GRID alternative, would serve to mitigate and reverse Industry City's energy impacts.**

Please refer to Technical Addendum for more detail and analysis on Energy

Chapter 11: Transportation and Chapter 20: Mitigation

Transportation

"New economy" jobs and innovation districts depend on high quality public realm and an array of high quality active and sustainable modes. While every successful "Innovation District" or "Technology Hub" is predicated on these attributes, the Industry City DEIS is silent on the quality of pedestrian, bicycle and public realm infrastructure yet its transportation assessment rests on the assumption that a large number of trips will take place on these systems. If transportation systems are inadequate, unsafe, or incomplete, the DEIS is based on faulty assumptions and results in a flawed analysis. The omission of the effects of the Gowanus Expressway (and its reconstruction) and the inadequacy of the undercrossing and street environment are particularly egregious.

Significant amounts of development are happening in the wider Sunset Park community.

- **Transportation needs and impacts should be assessed at the district scale and mitigations assigned to the appropriate developments and development site based on their proportionate level of impact.**
- To understand impacts and the allocation of mitigation requirements, **City DOT should undertake a neighborhood traffic impact study to look at**

- the cumulative impacts of development in the study area, develop proposed mitigations and management measures and then assign mitigations to the responsible development/actor.**
- As with the East Midtown Rezoning, a series of transportation improvements can be identified and assigned to the developers in the study area to fund when they begin their development proposals.
 - In the IC study area, this would mean improving sidewalk conditions, intersection crossings, vertical circulation in the subways, etc.
- ADA is not mentioned in the transportation section at all.
 - **It should be studied and ADA compliant pathways from the subway to the project site and between the project areas and network improvements recommended as a part of the alternatives analysis.**
 - The DEIS should study the effect of capping parking rather than providing a market-based parking ratio. What strategies would be required to keep parking significantly lower to reduce traffic effects of the proposed action?
 - Parking should be capped or kept to minimum levels, with a travel demand management strategy to reduce overall car-related trips.
 - The DEIS should study the interaction between truck loading / unloading and pedestrian and bicycle access and circulation. The location of loading and unloading facilities as well as loading docks should not be on the main pedestrian paths to the site or within the project site.
 - High regional traffic generators such as destination and big box retail, hotel and entertainment uses are not beneficial from a transportation perspective.
 - The DEIS is silent on bicycle access, circulation and mitigation. **It should address the provision of bicycle infrastructure especially given the known relationships between innovation economy jobs and their dependence on cycling as a transportation mode.**

Mitigation

- The DEIS should evaluate different alternatives to understand the relative merits and trade offs between different development strategies and to understand the trade offs between different land use programs and their impacts on the local community and environment.
- The DEIS should look at the existing state of pedestrian, bicycle and transit infrastructure and assess its compliance with the Americans With Disabilities Act and its adequacy to accommodate the movement of people by foot, bicycle and transit.
 - **It must ensure that the project provides for sidewalks in a state of good repair, ADA compliant ramps at intersections, lighting sufficient to allow for safe movement at night, bicycle routes on**

local streets, sufficient on street bicycle parking is available in the study area, and passenger amenity is available at bus stops.

- **The DEIS should evaluate the benefit of a truck management plan that looks at delivery consolidations and delivery management, community pick up/drop off points for parcels, time bound delivery periods, and other best practices to keep overall truck activity to a minimum.**
- **The DEIS does not address the barrier effect created by the Gowanus Expressway yet it sits between the project site and 36th street station. Due to the important relationships between urban design and pedestrian / bicycle activity, public safety, and accessibility, the Gowanus should be addressed in the mitigation section.**
- **If the project depends on persons using the subway to travel to and from the site, the connections between the subway and the proposed project site need to be addressed.**
- **The need for additional vertical circulation at the 36th Street Station is not mitigated or addressed. It should be addressed in the study.**

Chapter 13: Air Quality

The DEIS compares emissions only from heating and hot water systems and project-generated traffic, and states that as there would be greater development in the proposed Action, the impacts would be greater than under the No Action. It relies on the (E) designation to address impacts, again implying that it is the only Alternative that would result in an E designation. There is no discussion of the potential positive impacts of the M1 performance standards peer the Proposed Action and the GRID alternative nor discussion of pollution prevention measures to reduce or eliminate industrial air emissions as called for in the GRID. There is furthermore no discussion or comparison of alternatives relating to provisions to foster electric vehicles and provide electric charging stations, or of incorporating innovative less energy demanding heating and hot water systems powered by passive energy production.

Chapter 14: Greenhouse Gas Emissions and Climate Change

The DEIS Chapter concludes (a) that the Proposed Project would be consistent with the City's GHG emissions reduction goals and (b) that potential for climate change to affect the Proposed Project has been considered and adaptive/mitigating/resiliency measures have been taken to account for climate change. This DEIS fails to clearly show Project's measures to reduce GHG emissions are consistent with the City's goals, provides inconsistent and incomplete the data and assumptions in determining the Project's GHG impacts, uses outdated Climate Change projections, and provides insufficient Climate Change adaptation and resilience measures.

Greenhouse Gas Emissions

Projected GHG Emissions - Inconsistent methodology, lack of source data and supporting documentation

- Building Operational Emissions: Source Uses are listed in a different manner than Uses in the Energy Chapter. **Source uses for Energy and GHG should match, with required areas clearly delineated for each RWCS shown in the DEIS.**
- Mobile Source Emissions: Calculations have not been presented in a way that clearly aligns to number of trips listed in Chapter 11 (Transportation). **The DEIS should be amended to show additional and clarifying information and documentation.**
- Construction Emissions: Quantity of materials, equipment usages not listed, only overall GHG contribution (CO₂e); calculations and emissions factors are not described or referenced. **The DEIS should be amended to show additional and clarifying information and documentation.**
- Inconsistent tables used for each Proposed Project Use: Tables for each type of emissions list different set of building uses, including Summary Table 14-6. **These tables should be synchronized with comparable uses.**

Projected GHG Emissions - Emissions from Solid Waste omitted from DEIS

- The Proposed Project is not expected to fundamentally change the City's solid waste management system, though adding 1.45 million ft² of Commercial, Hotel, and Light Industrial uses to the Project Area and neighborhood would generate additional solid waste. **The DEIS should account for the impacts of this potential increase and provide appropriate mitigation options.**

Elements to Reduce GHG Emissions - Insufficient detail and assessment of energy efficient measures and design elements

- Energy Efficient Buildings: DEIS briefly mentions strategies to be employed to meet minimum current energy efficiency Local Laws, Energy Efficiency Code, Construction Codes and other regulatory provisions. **The DEIS should specify the potential impact of efficiency strategies on GHG emissions.**
- DEIS does not provide specific and quantitative strategies for compliance with NYC's GHG goals and cumulative impact, beyond brief mentions of typical NYC Construction and Energy Efficiency Code current compliance measures. **DEIS needs more detail on compliance measures and their impacts.**

Assessment of Consistency with the GHG Reduction Goal

The following inconsistencies should be corrected:

- The Proposed Project does not describe any specific strategies to generate clean, renewable fuels, as mandated by CEQR Technical Manual. The DEIS briefly mentions natural gas as a “lower carbon fuel” for heat and hot water, without quantifying the impact of that strategy. **DEIS excludes potential for renewable energy production, including solar photovoltaics.**
- The DEIS lists various resource- and energy-efficient building regulations and codes, with no examples of federally and State accepted initiatives to improve efficiency. **There is no discussion of the potential impacts of rising temperatures on energy consumption and GHG emissions in the DEIS.**
- The Proposed Project does not encourage sustainable transportation; DEIS merely lists existing/ No Action proposals for bicycle transportation infrastructure.

Resilience to Climate Change

Projected Climate Conditions - DEIS does not refer to current official Climate Change projections

- The DEIS does not reference the latest climate change projections from the New York City Panel on Climate Change’s 2019 Report.
- The DEIS overstates the possibility of a reduction in flood zones as shown on the 2015 FEMA PFIRMs, given the effect of Sea Level Rise on flood risk.

Risks due to Sea Level Rise – Risk of discharge of hazardous materials identified, but not addressed in adaptive and resilient measures

- The risk of discharge of hazardous materials as a result of sea level rise and flooding in a Significant Maritime Industrial Area is identified within DEIS. However, strategies to remove contaminants and mitigate discharges due to climate change are not listed in this chapter.

Sea Level Rise resilience measures and adaptive strategies – Insufficient and vague list of measures

- Vague climate adaptive and resilience measures: The resilience and adaptive measures listed in the DEIS are vague and listed “[to] be determined at a later point in the design process and incorporated at the time of construction.” Applicant to show additional and clarifying information and documentation.
- Wet and dry flood-proofing measures are listed without explanation of impact on adjacent properties, land, and upland/adjacent neighborhoods.

Coastal Hazards and Resilience Measures– Insufficient and vague list of measures

- According to the NYC Flood Hazard Mapper, portions of Blocks 706, 691, 687, and 683 in the Project Area are currently subject to wave action. **The DEIS must describe measures to mitigate these hazards.**

Please refer to Technical Addendum for more detail and analysis on Greenhouse Gas Emissions and Climate Change

Chapter 15: Noise

See Chapter 16, Public Health

Chapter 16: Public Health

DEIS concludes that the sole unmitigated threshold adverse public health impacts stem from construction period noise at the academic uses in Industry City Buildings 9 and 10 and the residential building at 968 3rd Avenue. While it is critical to study the impacts of high decibel construction-related noise, it is not plausible that this is the only adverse public health impact that will be generated by the Proposed Action. The DEIS does not consider the connection between increased traffic volumes and adverse public health impacts in this densely trafficked, health-vulnerable neighborhood.

- The proposed Action would add 477,910 gross square feet (gsf) of parking, from between 1,684 and 1,984 parking spaces in Buildings 11 and 21, even though M2-4 districts require no additional parking.
- These additional parking spaces would encourage more car trips to the site; the DEIS states that significant adverse traffic impacts will occur to the northbound Gowanus Expressway during the weekday AM (along the segment between 40th Street and 49th Street) and midday (along the segment between 38th Street and 49th Street) peak hours (DEIS page 11-1).
- The DEIS projects increased hourly vehicle trips of 988 vehicles per hour (vph) during the weekday AM peak hour, 2,089 vph in the weekday midday peak hour, 2,408 vph in weekday PM peak hour, and 2,408 vph in the Saturday peak hour (DEIS page 11-10).
- A typical passenger vehicle emits 4.6 metric tons of carbon dioxide per year, and each gallon of gasoline burned creates over 8,880 grams of carbon dioxide.

- The release of carbon monoxide into the Sunset Park neighborhood from additional local-street and BQE traffic threatens public health.
- Increased air pollution will contribute to existing health impacts and asthma rates, heart disease, and lung disease. Sunset Park has some of the highest levels of fine particulate matter in the city, at 8.5 micrograms per cubic meter, higher than NYC as a whole at 7.5 or Brooklyn as a whole at 7.8 (NYC DOHMH, 2018 Community Health Profile).
- The increase in exposure pathways for fine particulate matter could lead to higher rates of asthma as an adverse health outcome.
- **At the very least, the DEIS should conduct an exposure assessment and epidemiologic modeling to ascertain potential impacts, particularly given that Sunset Park residents already experience high rates of health vulnerabilities and high rates of uninsured.**

Chapter 17: Neighborhood Character

The DEIS concludes that Proposed Actions would not substantially change neighborhood character. Claims that most significant adverse impacts would be fully mitigated: historic and cultural resources, traffic, air quality, noise (both operational and construction-related), except for some traffic related impacts.

This conclusion is implausible

- The addition of over 1.3 million square feet of Innovation Economy, retail, academic and hotel/conference space into an industrial zone and a working class neighborhood intrinsically affects neighborhood character.
- IC activities will attract a different workforce and clientele, generate traffic, and may be incompatible with the port and the working waterfront.
- Beyond Innovation Economy functions, hotels can change neighborhood character as destinations drawing clientele who do not relate to Sunset Park.

Chapter 19: Alternatives

The DEIS considers only two Alternatives – No Action Alternative and No Unmitigated Impact Alternative. Failure to review other alternatives is a major flaw.

The GRID proposal offers a feasible Alternative Special District Action that must also be evaluated.

- **A supplemental EIS should add the GRID to the full analysis framework. In particular, the following should be recognized:**
 - The CEQR Manual calls for analysis of feasible alternatives that “have the potential to reduce, eliminate, or avoid adverse impacts... while meeting some or all of the goals and objectives...” However, IC’s DEIS gauges alternatives’ ability to meet all of the goals and objectives.
 - The DEIS must consider the GRID’s potential for green business and job growth and explain why Industry City and Sunset Park would not be a likely location for such opportunities.
 - DEIS projections must also consider existing and future surrounding developments like South Brooklyn Marine Terminal, Brooklyn Army Terminal and current and future green industrial development.
 - In comparing No Action and Proposed Action scenarios the DEIS states that an (E) Designation would be placed on privately owned lots where soil disturbing activities are anticipated... to address potential hazardous materials impacts and risks. GRID also calls for (E) status.
 - The GRID alternative, unlike the Proposed Action, would reduce the number of square feet and jobs in retail, office, hotel and academic uses by limiting commercial to that accessory to industrial uses, eliminating hotels and reducing the maximum amount of educational space.
 - Unlike the Proposed Action, the GRID alternative includes blocks only partially in the waterfront area for purposes of waterfront Zoning Regulations. It calls for access to the shoreline and the existing waterfront park and supports the completion of the greenway.
 - The GRID alternative would reduce future traffic impacts by eliminating such high traffic generators as big box retail, hotels and entertainments, and reducing additional parking. Traffic impacts are lower than other alternatives owing to its focus on growth of existing industry and on local workforce development (with potentially increased walk to work opportunities which Sunset Park residents already enjoy).

Please refer to Technical Addendum for more detail and analysis on the GRID.

Chapter 20: Mitigation

Mitigation measures are evaluated within the reviews of relevant chapters. See in particular Chapter 11, Transportation.

Chapter 21: Growth-Inducing Aspects of the Proposed Actions

See Chapters 2 and 3

Chapter 22 Irreversible and Irretrievable Commitment of Resources

To quote the 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 barely touches on potentially significant negative impacts while ignoring some 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 economy² 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.]

² 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. The report highlights the vast scope to reduce greenhouse gas emissions by applying circular principles – notably re-use, re-manufacturing and re-cycling – to key sectors such as the built environment. Yet it notes that most governments barely consider circular economy measures in policies aimed at meeting the Paris Agreement target of limiting global warming to as close as possible to 1.5°C. quoted from the UN Climate Change News, 22 January 2019 “Circular Economy Crucial for Climate Change Goals.

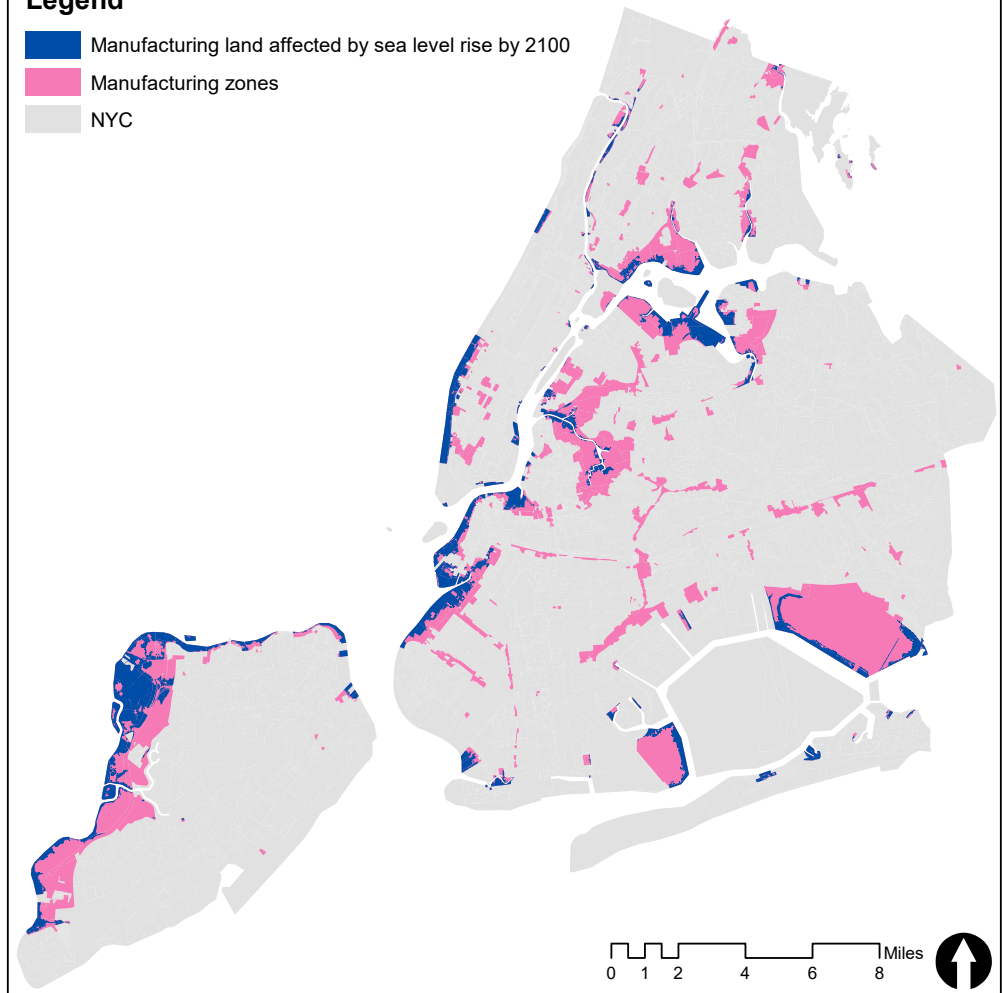
3. Industry City is NYC's largest privately owned industrial complex. The private and public sectors inherently respond differently to marketing, tenancing, background checks, etc. Industrial rents, absent government incentives, do not currently sustain new construction for manufacturing tenants.
4. Most importantly, climate change poses an existential threat to the city and especially its shoreline. Waterfront industrial land is needed to protect, adapt, and mitigate the impact of rising sea levels and increased heat.
 - 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, endure frequent flooding.

Manufacturing zones in NYC vulnerable to sea level rise by 2100

Almost 350 million sq. ft. (of the overall 1.3 billion sq.ft.) of industrially zoned land in the city will be under water by 2100. This translates to 25.9% of the overall manufacturing land in New York City

Legend

- Manufacturing land affected by sea level rise by 2100
- Manufacturing zones
- NYC



- Industrial land and buildings must be saved—once lost they are gone forever.

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

- **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 waterfront industrial areas.**

Chapter 23: Unavoidable Adverse Impacts

The DEIS concludes that any mitigation that would alter or not permit exactly what the Applicants are proposing is "infeasible". The DEIS states that in order to further mitigate the significant impacts in the identified areas, the size and scope of the proposal would have to be reduced or modified. Yet, the DEIS fails to adequately explain why in order to create an "Innovation District" virtually all of the proposed actions are required in exactly the way they propose. This fundamental inflexibility reflects an imperious attitude toward the entire ULURP and Environmental Review processes.

CONCLUSIONS AND RECOMMENDATIONS

Faulty Basis of No Action Scenario

The DEIS cites Industry City's current 25% vacancy rate to predict a static future trend without the proposed action. They claim to have reduced "underutilized" space, including 26% of the total in storage and warehousing, only 12% (despite the importance of storage and warehousing to a functioning industrial district).

The Jamestown Properties-Belvedere Capital team began to redevelop Industry City in 2013, less than 7 years ago. Given more time, along with a marketing effort towards manufacturing tenants, IC could well attract more industry. Accordingly, the No Action Scenario used in the CEQR review may be challenged.

Recommended Actions and Alterations to Industry City Plan

The completion and adoption of a long-term plan for addressing the NYC's industrial land in the context of climate change, land use pressures, industrial location patterns, etc. is a prerequisite for any development in the city's industrial waterfront areas (an Adaptation 2100++ NYC Vision Plan as proposed by Klaus Jacob, Geophysicist at Columbia University and a Mayoral appointee to NYC Panel on Climate Change).

- **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.**

Once the groundwork for responsible development in industrial areas, and particularly on the waterfront, the following recommendations for Industry City apply:

- 1. Amend the IC proposal to conform with GRID provisions.**
- 2. Remove the special permit for hotels in M2 districts.**
- 3. Limit new retail space to accessory stores and selected services supportive of industrial uses such as bodegas; no new “big box” stores.**
- 4. Limit amount of Industry City space devoted to “eating and drinking establishments” and entertainment uses.**
- 5. Limit office space at Industry City to offices accessory to manufacturing.³**
- 6. Eliminate the preference for community facility uses in current zoning by capping community facility FAR (floor area ratio) at same level as commercial and industrial uses.**
- 7. Industry City should market and support green industrial and tech uses.**
- 8. A specified minimum required percentage of Industry City space should be reserved for industrial use, akin to the San Francisco model.**
- 9. Establish and fund a program to protect and preserve existing industrial uses.**
- 10. Create short-and long-term affordable housing programs in Sunset Park.**

³ NYC Zoning Resolution definition of "accessory use":

(a) is a #use# conducted on the same #zoning lot# as the principal #use# to which it is related (whether located within the same or an #accessory building or other structure#, or as an #accessory use# of land), except that, where specifically provided in the applicable district regulations or elsewhere in this Resolution, #accessory# docks, off-street parking or off-street loading need not be located on the same #zoning lot#; and

(b) is a #use# which is clearly incidental to, and customarily found in connection with, such principal #use#; and

(c) is either in the same ownership as such principal #use#, or is operated and maintained on the same #zoning lot# substantially for the occupants, employees, customers, or visitors of the principal #use#.

- 11. Require applicants to provide or fund open space and waterfront access, including implementation of the Sunset Park Greenway plan, to help offset the inevitable neighborhood impacts.**
- 12. Any community benefits agreement must be binding, not voluntary, executed as a restrictive declaration, as a condition of land use approvals.**
- 13. Identify and design measures to include local residents in the Innovation Economy Hub workforce, such as job training and targeted recruitment for jobs with advancement ladders paying living wages.**



TECHNICAL ADDENDUM TO REVIEW OF INDUSTRY CITY DRAFT EIS Draft 12/3/19

Chapter 2: Land Use, Zoning & Public Policy

Inadequate Study Area

On October 24, 2017, DCP held a public hearing on a Draft Scope of Work for an EIS. UPROSE presented detailed comments suggesting additional content for the study, including substantive topics and data sources. Most significantly, UPROSE urged DCP to expand the EIS study area from 400 feet to a ½ mile radius for primary impacts, and the overall Sunset Park neighborhood (zip codes 11232 and 11220) for secondary impacts; and to evaluate the proposal in context of other important policy documents, notably the CB 7 Sunset Park 197-a Plan, the Waterfront Revitalization Program, the BOA Study and the Conceptual Plan for a Sunset Park Greenway.

UPROSE further called for analysis of the following subjects, which are critical to a true understanding of environmental impacts:

- Detailed inventory of proposed tenants at IC including their industry, projected employment, wages, local hiring/retention goals, and technical/educational requirements;
- Baseline analysis of existing land use, housing and cost of living trends within 1/2 mile of industry city and zip codes 11232 and 11220 over the past 10 years, to include rent-regulated housing, in addition to market-based housing, as rent stabilization does not protect residents from negative impacts of gentrification;
- Impacts that prospective tenants, particularly the technology, academic, and arts sectors, may have on housing demand;
- Evaluation of the additional strain that increased population density from hotel occupants would have on emergency response during an extreme weather event, as the proposed project lies within a floodplain;

- Impacts to Bush Terminal Park and bordering water bodies, including a shadow analysis, water pollution due to increased waste generation, and water pollution due to increased demand on combined sewer outfalls;
- Infrastructure needed to accommodate projected population growth and the impact of installing new water, sewer, and energy infrastructure on parking, traffic, noise, air quality, and water quality within 1/2 mile of Industry City;
- Thorough assessment of expected water usage by tenancy type and potential hazardous materials that proposed tenants may generate (i.e. toxic art materials);
- Project energy consumption by tenancy and business type, as well greenhouse gas and co-pollutant emissions from projected energy consumption, both direct and induced;
- Project consistency with City and State greenhouse gas reduction goals;
- Project impact on existing capacity of the energy grid in Sunset Park and impact local energy resilience in the event of an extreme weather event.

Cumulative Analysis Needed

The South Brooklyn waterfront is currently experiencing significant economic growth. Industry City may be incompatible with current and prospective development on the working waterfront, notably the South Brooklyn Marine Terminal and the Red Hook Container Terminal. The resurgent Brooklyn Army Terminal, prospective ferry service to Sunset Park, Sims Materials Recovery Facility expansion and the redevelopment of Sunset Industrial Park as an e-commerce center will also generate impacts. To evaluate the effects of these developments separately disregards the full picture, which also has regional economic impacts.

In particular, the significant traffic impacts to be generated by these projects must be incorporated into the Transportation analysis.

The SBMT port development will have significant space and resource needs, and is likely to spawn ancillary industrial businesses. **This nexus of activity must be studied integrally.**

Chapter 3: Socioeconomic Conditions

Innovation Districts

The Brookings Institution has been promoting Innovation Districts as “... geographic areas where leading-edge anchor institutions and companies cluster and connect with start-ups, business incubators and accelerators... physically compact, transit-accessible, and technically-wired and offer mixed-use housing, office, and retail.” Brookings cites three common models: 1) the anchor (research university or research oriented medical hospital) model representing innovation districts found in downtowns and midtowns that rely on major anchor institutions 2) the “re-imagined urban areas” model, innovation districts located along industrial waterfronts e.g. DUMBO and 3) the “urbanized science park” located in suburban areas and often isolated, self-sufficient campuses, such as Research Triangle Park in Raleigh-Durham, NC.¹

The Brookings description relates only tangentially to New York City, where interconnectivity and a strong market already exist. On the contrary, from a public policy perspective Brookings’ concern with an Innovation District is not the need to support industrial areas but to prevent them from displacing existing viable uses by so-called “higher value” uses. Furthermore, hotels and worker-supportive retail already exist nearby Industry City. The idea that New York City lacks conference, meeting or event space stretches reality. Perhaps such space would improve Industry City’s income stream, but this may not be best for Sunset Park. **While conference resources may be appropriate within academic premises, separate hotel and conference facilities are not necessary to the innovation district function and would negatively impact the Sunset Park industrial area. The Special District text should be modified to exclude hotels.**

Although Industry City is characterized as an Innovation District, there is no limit on the amount of retail or office space that could locate there. Sixteen percent of Sunset Park’s industrial land was converted to other uses between 2002 and 2015.

Measures are needed to ensure area does not become primarily a retail mall or office park.

San Francisco

Specific to the tech sector, San Francisco provides a useful example.

Demand for tech office space in San Francisco started to boom in the early 1990s. Tech offices began moving into the North East Mission Industrial Zone (NEMIZ), displacing industrial firms by calling themselves “businesses

¹ Brookings Institute, Bruce Katz and Julie Wagner, *The Rise of Innovation Districts*, 2017.

service industry” to circumvent a ban on office buildings in industrial areas. Between 1999 and 2004, Northeast Mission neighborhoods, which held almost 70% of SF’s PDR (production, distribution and repair) jobs, lost 21% of their manufacturing employment.² The City, realizing that its commercial businesses depend on many NEMIZ industrial businesses which were being displaced by higher paying tech office tenants, passed legislation further restricting non-manufacturing uses in industrial districts.

In 2004, the San Francisco Planning Department rezoned portions of the Eastern Neighborhoods as PDR Districts, restricting those areas to industrial use. In 2014, the City enacted an amendment to the Planning Code (originally a pilot project, later extended) creating a special permit to allow use of industrial land for office or institutional use development on vacant PDR District parcels 20,000 square feet or larger, provided that at least 33% of floor space in each project be for PDR uses.

In 2016, owing to the persistent ability of office tenants to price industrial (also community institutions and arts activities) out of the market, the City further amended the Planning Code to require dedicated replacement space and Conditional Use authorization for conversion of PDR, Institutional Community Use, and Arts use. San Francisco continues to implement new measures that protect manufacturing and limit the encroachment of non-industrial uses in PDR Districts. Nevertheless, the asking price for PDR (production, distribution and repair) space is now \$420 per square foot.

The tech boom also produced residential displacement in the Mission District, with high eviction rates and departure of working class residents. Over 25% of the Mission District’s Latino community (8,000 residents) has been displaced since 2000, while households earning 200% of AMI doubled between 2000 and 2014.³

Sunset Park Displacement Threat

Housing affordability is already an issue in Sunset Park. Rents grew far faster than household income between 2002 and 2014, increasing by 63% while income rose only 25%. In 2014, 52% of households paid over 30% of their income on rent, compared with 40% in 2002.⁴ Displacement contributes further to neighborhood

² San Francisco Planning Department.

³ San Francisco Planning Department, *Mission Action Plan*, 2017

⁴ New York State Comptroller, *An Economic Snapshot of the Greater Sunset Park Area*, 2017.

destabilization through public health impacts. As populations become more vulnerable, reduced access to medical services and increased stress lead to health disparities and higher suicide rates, to the detriment of neighborhood cohesion. (See data on housing and rents, indicating displacement risk, in GRID Report pp 30-31 and ANHD displacement risk charts.)

It is interesting to note that in public discussions of Amazon's erstwhile proposed headquarters in Long Island City, there has been a widespread assumption of indirect residential displacement owing to the influx of higher income employees. Sunset Park residents are justifiably concerned about the domino effect of demand from higher rent businesses and residents on the market. This area is too important to Brooklyn's working class population, and to its industrial base, to leave vulnerable to such pressures.

Displacement is a real concern of Sunset Park residents. Even though this project does not include housing development, it has already begun to stimulate land speculation, with likely rent pressures leading to displacement of local residents. The gentrification impacts of new development in Brooklyn are well known, notably in Williamsburg and DUMBO. Gentrification in Sunset Park would result in replacement of affordable local retail and services with businesses catering to a wealthier clientele. To the extent that these businesses relocate from elsewhere, they do not contribute to the economic base.

Demographic conditions

The DEIS does not adequately consider Sunset Park's demographic conditions. Sunset Park residents are primarily Hispanic/Latino (46.8%) and Asian (35.6%). Just 2.3% of the population identifies as Black/African American only.⁵ By contrast, Latinos, Asians and Blacks represent respectively 11%, 16% and 9% of New York City's tech industry employees overall.⁶ Low educational levels in the area may affect job mobility: 58% of adult residents lack a high school diploma and 79% completed high school or less.⁷ (See socioeconomic data for Sunset Park Data found in the GRID report pp. 29, 36-39.)

Sunset Park, a working class bastion, has traditionally embraced immigrant populations. Its local institutions, like UPROSE, recognize the importance of its economic base to the welfare of neighborhood residents as a source of jobs. The 197-a Plan noted that a remarkable 20.7% of the area's residents walk to work, compared with 7% citywide, 9% in Brooklyn and 14.2% in Community District 7.

⁵ American Community Survey, 2016.

⁶ Center for an Urban Future, *NYC's Tech Profile*, August 2015.

⁷ American Community Survey, 2016.

According to the NY State Comptroller’s office, manufacturing represented 11.3 percent of all private sector jobs in 2016, the highest concentration of any NY City neighborhood.⁸ **The preservation of businesses that employ local residents is essential to this neighborhood’s future.** (See GRID report pp 40-41 for recent ACS workforce data.)

Paula Luria Caplan

4: Open Space

METHODOLOGY

POPULATION CHANGE 2000-2010 SUNSET PARK CENSUS TRACTS 02, 18, 84

New York City Census Tracts, 2000 and 2010 in 2010 Census Tracts

Geographic Area: Industry City Rezoning Area				Total Population		Population Change, 2000 to 2010	
Borough	2010 Census FIPS County Code	2010 DCP Borough Code	2010 Census Tract	2000	2010	Number	Percent
Brooklyn	047	3	000200	1,303	1,470	167	12.8
Brooklyn	047	3	001800	1,442	2,105	663	46.0
Brooklyn	047	3	008400	3,229	3,299	70	2.2
				5,974	6,874	900	15.1

Data Source: NYC Department of City Planning, Census Information and Data, <https://www1.nyc.gov/site/planning/planning-level/nyc-population/census-2010.page> Downloaded 11/22/19

There is substantial residential population in the three census tracts that conform the Project Area, and the population has increased in a 10-year period.

ADEQUACY OF OPEN SPACE RESOURCES

Aerial View of Sunset Park Entrance to Greenwood Cemetery



⁸ Office 2016.

tember

The Sunset Park Entrance to Greenwood Cemetery is uninviting as a passive recreation space.

Aerial View of Sunset Park Bush Terminal Park



Source: Google Maps/Views. Downloaded 11/25/19

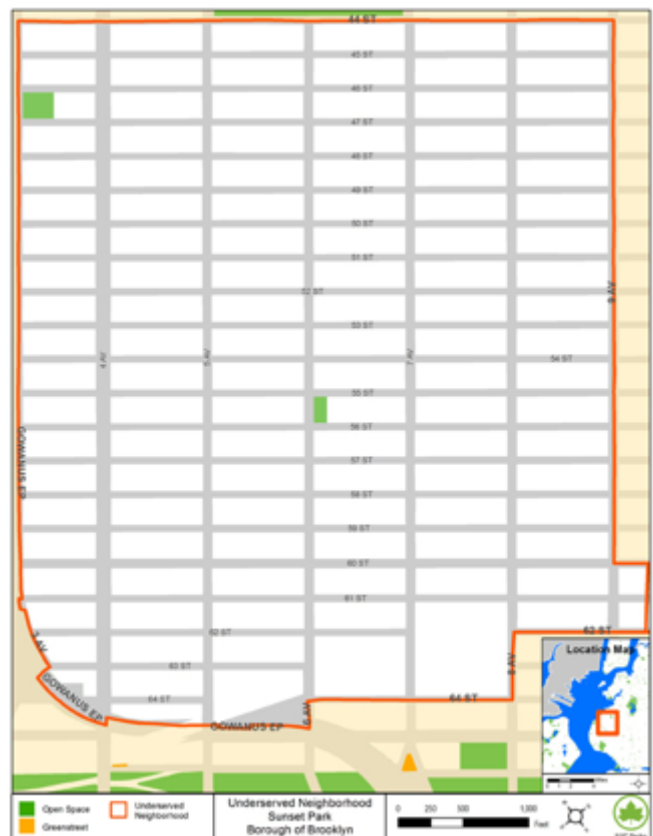
The Bush Terminal Park accessibility is currently unfriendly to pedestrians

PRINCIPAL CONCLUSIONS

Sunset Park Underserved Area

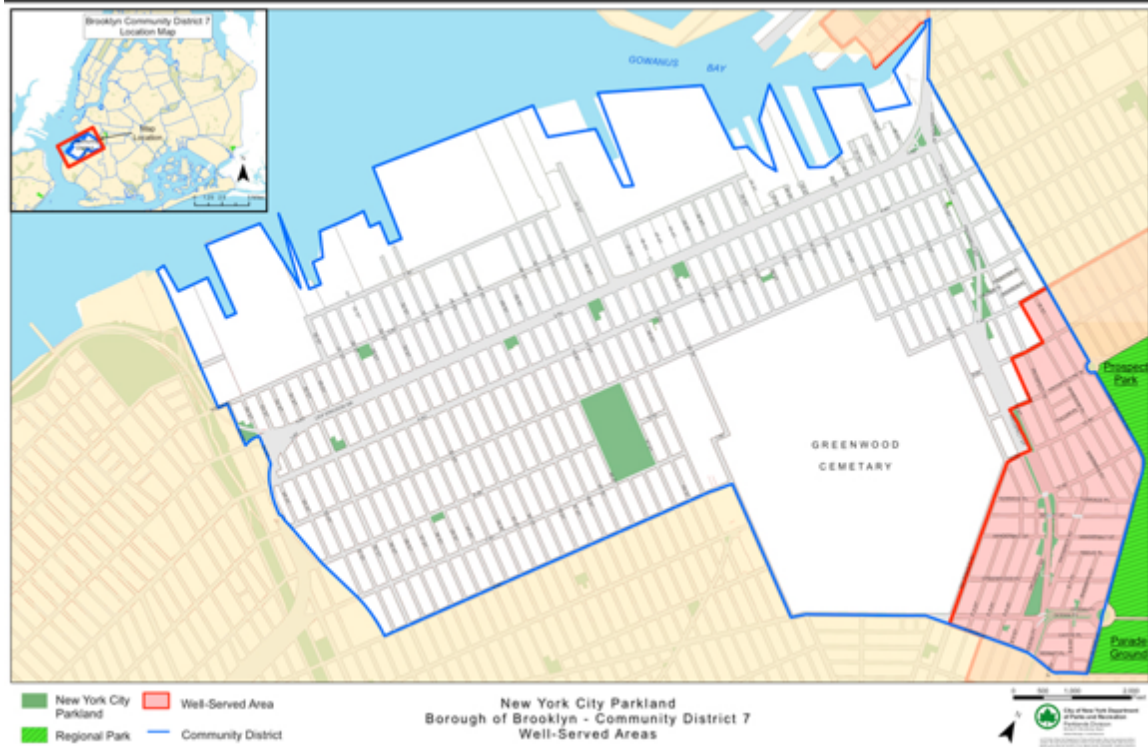
Source: CEQR Technical Manual Resources;
<https://www1.nyc.gov/site/oec/environmental-quality-review/open-space-maps-brooklyn.page>

Although east and outside of the IC DEIS Study Area, most of Sunset Park is underserved by open space



Sunset Park Well-Served Area

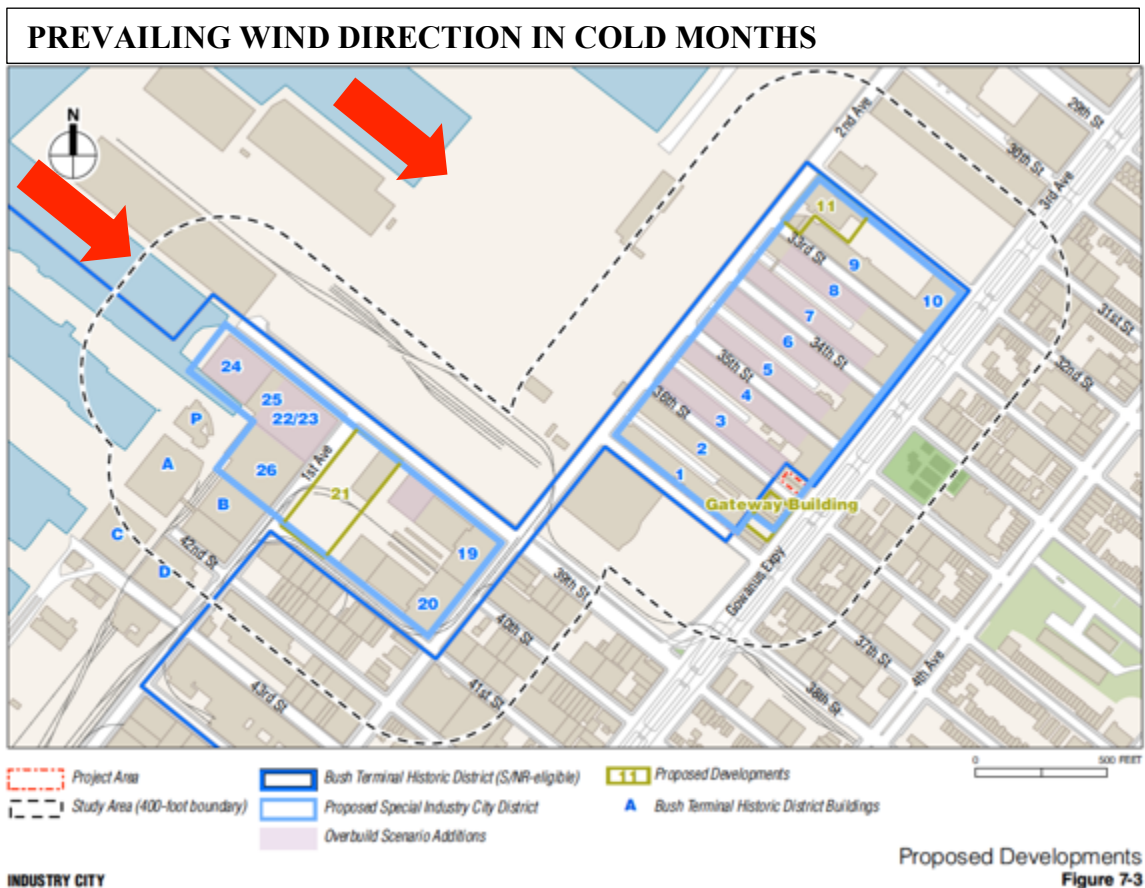
Source: CEQR Technical Manual Resources; <https://www1.nyc.gov/site/oc/environmental-quality-review/open-space-maps-brooklyn.page>



In Sunset Park, the only well-served area in terms of open space is located northeast of the Greenwood Cemetery far away from the waterfront.

Mercedes Narciso

Chapter 7: Urban Design and Visual Resources



Wind direction

See https://www.ncdc.noaa.gov/climate normals/clim60/states/Clim_NY_01.pdf and https://www.windfinder.com/windstatistics/new_york_brooklyn for more information on wind direction.

Mercedes Narciso

Chapter 6: Historic and Cultural Resources

Considers potential of the Baseline and Overbuild Scenario to affect historic and cultural resources (both archaeological and architectural). Project area includes portions of Bush Terminal Historic District eligible for listing on the State and National Registers of Historic Places (determined in 1986).

CEQR Technical Manual identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural and

archaeological importance, and a full analysis is required because Proposed Actions are expected to generate any of the following actions: in-ground disturbance; new construction; physical alteration of any building, the change in scale, visual context, or visual setting of any building, structure, object, or landscape feature; or the screening or elimination of publicly accessible views.

Baseline Scenario

The applicants propose to:

- Acquire properties on Block 695 Lots 37-42 (not controlled by Industry City) and build the Gateway Building.
- Construct Building 11 on the sites of the former Bush Terminal power plant on the northwest corner of 32nd Street and 2nd Avenue and the one-story addition west of Building 9 on Block 679, Lot 1 (882 3rd Avenue).
- Construct Building 21 on Block 706, Lots 101 and 20, which requires the demolition of a three-story factory (116 39th Street which IC does not own yet according to ACRIS although DEIS does not mention that IC does not control this building).
- Buildings would include a mix of permitted use groups of various sizes with amount of space dedicated to each use fluctuating among the scenarios – mixture of Innovation Economy, the Brooklyn Nets training facility, academic, hospitality, retail, and event uses.

Overbuild Scenario

- IC does not acquire properties on Block 695 Lots 37-42, Gateway Building not built.
- Buildings 11 and 21 would still be built.
- Rooftop additions to Buildings 3-8, Building 19, and Buildings 22 through 24.
- The buildings would continue to include a mixture of Innovation Economy, academic, hospitality, retail, and event uses, and a Brooklyn Nets training facility but with an overall increase in Innovation Economy and hospitality space as compared to No Action and Baseline scenarios.

Principal Conclusions

Archaeological Resources

Landmarks Preservation Commission (LPC) determined that the sites to be redeveloped do not possess archeological sensitivity and proposed project would have no significant adverse impact on archeological resources.

Architectural Resources

Project area includes portions of the State and National Landmark Registers of Historic Places (S/NR)-eligible Bush Terminal Historic District.

- LPC provided significance determinations for potential architectural resources based on potential effect for construction period impacts as well as the larger area in which there may be visual or contextual impacts.

Impacts on architectural resources can include both direct physical impacts (e.g., damage from vibration) and indirect impacts (contextual or visual impacts) that result from project construction or operation. Indirect impacts could result from blocking significant public views of a resource.

- Possible impact on view of upper New York harbor from Sunset Park.
- Possible obstruction of view line from Minerva statue in Greenwood Cemetery to Statue of Liberty.

Baseline Scenario

- Gateway Building would replace small-scale mixed use buildings on Block 695, Lots 37-42 that are neither historic nor included within boundaries of S/NR-eligible Bush Terminal Historic District.

Overbuild Scenario

- No Gateway Building, as Block 695 Lots 37-42 are not acquired
- New rooftop additions on Buildings 3-8, Building 19, and Buildings 22-24 are not expected to have adverse impacts; however LPC recommended such additions be set back as far as possible from the building facades in order to reduce their visibility from the street.

Both Baseline and Overbuild scenarios identify the three-story factory (116 39 Street, Block 706, Lot 20) as contributing to the S/NR-eligible Bush Terminal Historic District and therefore would constitute a significant adverse impact, **requiring Applicant to develop appropriate measures to partially mitigate the adverse impact with LPC.**

LPC determined the location of new Buildings 11 and 21 and the Gateway Building are acceptable but **the scale of the proposed Gateway Building and Building 11 appear out of context with neighboring Finger Buildings** within the Bush Terminal Historic District.

To conform to the Secretary's Standards and Guidelines for new construction in historic district, LPC recommended maximum height of new buildings match or be within 1-2 stories higher than the Finger Buildings. LPC also recommended the proposed Gateway Building and Building 11 be compatible with significant design features of the Finger Buildings by reducing uneven bulk and massing at roof levels and including reference to existing rhythm, size, and shape of the pedimented roofs. **IC will consult with LPC to develop/implement appropriate mitigation measures.**

Construction-related activities in connection with Baseline and Overbuild Scenarios for Buildings 11 and 21, and Gateway Building, as well as the construction of rooftop additions on Buildings 3-8, 19, 22-24 would occur w/in 90 feet of architectural resources in the Project area and study area. **Therefore, a Construction Protection Plan should be prepared in coordination with licensed professional engineer to avoid inadvertent construction-related impacts.**

No significant adverse impacts to historic and cultural resources due to shadows. Neither Baseline Scenario nor the Overbuild Scenario would significantly impact publicly accessible views to, or significantly alter, the historic setting of the architectural resources **located in the study area.**

- **The DEIS should provide architectural sketches indicating the additional floors on the buildings with a viewpoint from Sunset Park**

Four types of landmarks: individual landmarks, interior landmarks, scenic landmarks, and historic districts. Architectural resources in the Project area and study area were identified and then assessed for both direct physical impacts and indirect contextual impacts on architectural resources caused by the proposed project.

- **Project area and study area definition is an issue, as views from Sunset Park (which could be considered scenic landmarks) should be considered. View obstruction would negatively impact a park that is heavily utilized by Sunset Park residents.**

Future without Proposed Actions

Without proposed actions, no new development will take place w/in the project area, and based on current leasing rates and tenant roster, it is anticipated that reduction in vacancy will coincide with 10% increase in Innovation Economy that will be accommodated by existing IC building stock, and vacant spaces in Finger Buildings and Buildings 19-23, 25, 26 will be re-tenanted and repurposed for storage/warehousing or Innovation Economy uses. And it is also assumed that Industry City will continue to be upgraded. IC has already replaced 7,250 windows and will continue to replace windows. And one story building (Block 679, Lot 1) and former Bush Terminal power plant at 2nd Avenue and 32nd Street will be demolished to accommodate new parking spaces.

Future with Proposed Actions

Baseline Scenario could have potential adverse impacts on historic resources from direct physical impacts

- Demolition or alteration of architectural resources
 - Three story factory building on Block 706, Lot 20 would be demolished and site would be developed with Building 21, 10 stories tall while surrounding buildings are predominately 8 stories
- Higher buildings
 - Former Bush Terminal power plant and one-story addition developed with Building 11 (retail and academic use as well as parking along 2nd Avenue between 32 and 33 Streets) and will be 13 stories tall.
 - Gateway Building, 12 stories, to replace surface parking lot and existing mixed use buildings.
- Altered uses
 - Buildings 1-8, 10, 19-23, and 26 would be re-tenanted with retail uses not currently permitted.
 - Building 9 (Block 679, Lot 1) would be re-tenanted and repurposed for academic use while Building 25 (Lot 706, Lot 24) would be re-tenanted and repurposed for event space.
 - Building 24 (Block 706, Lot 24) would be redeveloped with mixed retail and innovation Economy uses - predominately industrial uses (UG 16, 17, 18).

Potential Impacts

- Accidental damage to architectural resources from construction.
- Indirect impacts to architectural resources by blocking significant public views of a resource, isolating a resource from its setting or relationship to the streetscape.
 - “In a comment letter dated December 13, 2018, LPC determined that the scale of the proposed Gateway Building and Building 11 appear out of context with the neighboring Finger Buildings within the S/NR-eligible Bush Terminal Historic District” (DEIS 6-15).
 - Altering the setting of a resource
 - Introducing incompatible visual, audible, or atmospheric elements to a resource’s setting
 - Introducing shadows over an architectural resource with sun-sensitive features.

Tarry Hum

Chapter 8: Hazardous Materials

The DEIS concludes that the project is subject to a hazardous materials evaluation, pursuant of chapter 12 of the CEQR manual. The applicant documents the existence of potential contamination and risk of exposure from the disruption of contaminated soil during excavation. As the primary mitigation strategy, the DEIS concludes that it will be sufficient to establish E-Designations to be placed on key properties of concern, and follow standard OSHA and construction guidelines to prevent further exposure. A preliminary review of “Chapter 8: Hazardous Materials” and “Appendix D: Hazardous Materials” of the DEIS reveal several areas of concern that conflict with requirements of the CEQR manual, and relevant City and State policies affecting redevelopment in/near the waterfront.

The DEIS includes a review of regulatory environmental databases that was performed with data outside of the 6-month requirement:

The Phase I Environmental Site Assessment (ESA) completed by AKRF on behalf of the applicant was completed with 2012 and 2017 data, which for the purposes of CEQR hazardous materials review is considered a period outside the required 6-month requirement:

- CEQR manual requires this type of analysis to be no older than 6 months: “(...) Phase I ESAs should be no more than six months old when submitted as part of CEQR documentation. If more than six months old, the Phase I ESA should be updated with current regulatory database and site reconnaissance information”⁹.
- While the applicant reports there has been a review of several City, State and federal environmental databases, it fails to report on the date of this revision -- or any detailed documentation illustrating the date and protocols used for site reconnaissance.
- Sanborn insurance map review was also performed for dates outside the allowed period: “(...) historical and recent Sanborn maps from circa 1888 through 2007 were reviewed to assess site and nearby activities and operations listed in Hazardous Materials Appendix 1 of the CEQR Technical Manual”¹⁰.
- The DEIS does not recognize the Sunset Park Brownfield Opportunity Area (BOA) that establishes the need for a Phase II Site assessment for certain properties in Industry City, like the AM Cosmetics Building (Building 26) which is currently within the project area¹¹.

⁹ NYC Mayor’s Office of Environmental Coordination. (2014). New York City Environmental Quality Review Technical Manual.

¹⁰ Industry City. (2019a). Industry City DEIS: APPENDIX D - Hazardous Materials. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

¹¹ UPROSE. (2016). Sunset Park Brownfield Opportunity Area (BOA) - Final Step II Nomination Report. Retrieved from https://issuu.com/wxy_studio/docs/sunset_park_boa_study_2013

The DEIS uses an insufficient geographic extent for Phase I Environmental Site Assessment (ESA):

The Phase I Environmental Site Assessment (ESA) is limited to a minimum of 400 feet around the project area. While this complies with the minimum requirement defined by the CEQR manual, the history and existing conditions of the area located immediately outside the 400 feet buffer, requires a larger examination for all lots at least within the half-mile buffer -- including areas outside of the half-mile buffer located within the SMIA boundaries and the Coastal Zone Boundaries (see Map 1).

- The applicant acknowledges a significant amount of recognized environmental contamination as a function of the history of the SMIA, which applies for areas outside the 400 feet buffer: “Historical uses of the northern portion of the Project Area have been industrial since at least 1926 and included paint manufacturing, printing, and a power plant. The southern portion of the Project Area has been used for industrial purposes since at least 1888 and included oil refining, chemical manufacturing, asbestos manufacturing, auto repair, a filling station, printing, and rail yard operations. The historical uses were associated with storage of acids, paints and petroleum. The Project Area was served by railroads starting in 1888, with railroad access further expanded by 1951. Railroads no longer serve the Project Area buildings”¹².
- Some of these legacy industrial uses are known to potentially create spills beyond the lot line, which suggest the need for a larger study area in order to fully document and mitigate potential contamination.

The DEIS does not provide detailed documentation or analysis of potential pathways for chemical exposure:

The CEQR manual requires a detailed examination to evaluate and measure possible exposure pathways. While the applicant acknowledges the potential increase of human exposure, it does not include sufficient documentation on the nature or extent on the potential pathways for exposure:

- The CEQR manual requires further examination of sites where there is a presence of historical hazardous substances: “Sites that have been potentially affected by the presence of existing or historical land uses involving hazardous materials, including those not contained in the Appendix, should be examined further to evaluate possible exposure pathways and potential impacts on public health or the environment”¹³.
- The applicant acknowledges potential increases in pathways for human exposure but doesn’t provide any documentation illustrating the nature and extent of potential exposure pathways, nor the corresponding risk

¹² Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

¹³ NYC Mayor’s Office of Environmental Coordination. (2014). *New York City Environmental Quality Review Technical Manual*.

assessment: “In the future with the Proposed Actions, existing buildings in the project area would be renovated and retenanted as well as the development of new buildings, which could increase pathways for human exposure”.¹⁴

- Even though the NYC Waterfront Revitalization Program (WRP) establishes the location of a Recognized Ecological Complex (REC) at Bush Terminal Piers Park¹⁵ (which is located outside of the project area but within the half-mile buffer of the project area – see Map 1), the DEIS does not present any documentation regarding the impact of potential exposure pathways on humans, ecological resources or wildlife.

The DEIS contains limited information regarding the remediation of existing chemical contamination:

The applicant recognizes the existence of soil contamination from legacy industrial uses but does not present any information related to the characteristics of baseline chemical/contamination information:

- According to the DEIS, “Previous studies of the Project Area indicate that urban fill materials consisting of mixed soils, ash, and construction debris are known to be present under the Project Area at thicknesses of up to 8 feet. This urban fill has previously exhibited elevated levels of metal and other contaminants”¹⁶.
- In more detail, “Historical uses of potential of environmental concern (uses requiring assessment as noted in Hazardous Materials Appendix 1 of the CEQR Technical Manual) are principally associated with the following uses and activities on the Project Area or an adjacent site:
 - Auto-related uses (including auto repair and a filling station) or industrial uses (including paint manufacturing, printing, oil refining, chemical manufacturing, asbestos manufacturing, rail yards, and a printing plant) or utility uses;
 - USTs or leaking USTs;
 - Spills of petroleum or chemicals; and
 - Aboveground storage tanks (ASTs)”¹⁷
- According to the DEIS, “Based on the age of the majority of structures on the Project Area, building materials are likely to include ACM, LBP, and/or PCBs. At currently vacant sites, such materials and/or buried petroleum storage

¹⁴ Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

¹⁵ 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>

¹⁶ Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

¹⁷ Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

tanks may also remain from the debris of former structures in the subsurface”¹⁸.

- However, the identification of PCBs requires the collection and analysis of samples under requirement in the CEQR manual: “Visible signs of staining, pooling, or discharge of waste material inside structures should be sampled based on the suspected material. For example, suspected PCB-containing surface stains are usually assessed by collecting wipe samples, which are then analyzed in a laboratory”.¹⁹
- Per requirements of the CEQR manual, the identification of contamination solicits the completion of additional steps toward a Phase II ESA: “(If) Contamination may exist or is known to exist. (Then) More work is required to determine the nature and extent of the contamination so that the potential for significant adverse impacts can be fully disclosed and mitigation developed, as appropriate. A Phase II ESA (described in Section 330) should be performed to determine the nature and extent of any contamination. At this point, it is strongly recommended that DEP be contacted”²⁰
- The applicant claims the review of State and City brownfield documentation but does not recognize the existence or recommendations for remediation and redevelopment of the Sunset Park Brownfield Opportunity Area (BOA)²¹ designated by the NYS Department of State -- which includes the entire project area (see Map 1).
- The applicant’s site reconnaissance documents the existence of lead paint in existing buildings but does not specify protocols to quantify potential exposure pathways nor any documentation on steps for remediation.

Prevention of future contamination, including chemical dislodgement from climate change impacts and severe weather:

While the applicant recognizes the potential for contamination generated by disturbance of contaminated soils during excavation and construction, it doesn’t specify the type or amounts of such contamination, nor any details regarding specific mechanisms required for containment or remediation:

- The Project Area lots with soil disturbance under the Proposed Action are as follows:
 - Building 11 (Block 679, Lot 1);
 - Building 21 (Block 706, Lots 1 and 20); and

¹⁸ Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

¹⁹ NYC Mayor’s Office of Environmental Coordination. (2014). *New York City Environmental Quality Review Technical Manual*.

²⁰ Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

²¹ UPROSE. (2016). *Sunset Park Brownfield Opportunity Area (BOA) - Final Step II Nomination Report*. Retrieved from https://issuu.com/wxy_studio/docs/sunset_park_boa_study_2013

- The Gateway Building (Block 695, Lots 37 to 43)
- The document does not mention any potential strategies to reduce the amount of chemicals that are currently used on site – which include several petroleum bulk storage facilities.
- The only mitigation strategy that is specified includes the creation of E-designations on critical buildings: “The Proposed Actions would include the placement of hazardous materials (E) Designations for all privately owned projected development sites with soil disturbance, as listed in Table 8-2. The implementation of these measures would preclude the potential for significant adverse impacts associated with the Proposed Actions”.²²
- Given the magnitude of the project and nature of the project, the applicant should be required to expand its assessment of potential exposure pathways created during excavation, including potential exposure as a result of climate change and severe weather (as required by the WRP).

Juan Camilo Osorio

Chapter 9: Water and Sewer Infrastructure

Principal Conclusions

The project site (approximately 32 acres) is divided over 3 sewer systems:

- A separately sewered system (39th St West of 1st Ave) approx. 4 acr. This area’s stormwater is conveyed directly into the adjacent waterbody by recently built high level storm sewers.
- Owls Head Wastewater Treatment Plant, Sewershed 004 (OH-004) approximately 8.5 acres. This drainage shed services the 39th street buildings west of 1st Avenue.
- Owls Head Wastewater Treatment Plant, Sewershed 025 (OH-025) approximately 20 acres. This drainage shed services the “Finger Buildings”.

Stormwater

There is a finding that the “overall volume of stormwater runoff and the peak stormwater runoff rate” would increase. The DEIS mentions the integration of stormwater BMP’s to manage this but for which sites? Note language on page 9-9 (also referenced below in section E comments). **Requesting a drainage plan will help to bring clarity on where stormwater BMPS are needed.** (See section E comments.)

²² Industry City. (2019d). *Industry City DEIS: Chapter 8 - Hazardous Materials*. 1–10. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

Existing Conveyance System: Stormwater Flows

This section comments on the regulators and interceptors which service the project. They do not present any data on the maintenance and current condition of this infrastructure. This infrastructure regulates flows to the OH WWTP and would normally only function during wet weather (minimizing combined sewer flow to the WWTP and forcing excess flow to outfalls). Sometimes there are operational upsets (not due to wet weather) and a performance report for this infrastructure might be useful. This notion is also mentioned on page 9-10 in the context of a hydraulic analysis of the existing sewer system “ at the time of the site connection proposal application”...This timing seems too late to determine impacts or capacity of the existing sewer system.

The DEIS mentions OH-004 and OH-025 as the two CSO drainage sheds that service the project but does not disclose the location of the outfall sites or a map of each drainage shed. Nor does it report the gallons of CSO per year or the rain event volume that triggers an outfall. This information is important in light of the determined increase in stormwater volume and runoff rate and the size and location of stormwater BMP's in consideration.

The Open Sewer Atlas (OSA) <https://openseweratlas.tumblr.com/wetweathermap> that would normally be consulted for this data seems to have an error, as OH-025 is not on the OSA map. Therefore we cannot see data like that which are available for OH-004 (see below). The OH-004 drainage shed is:

- 623 acres with 3 million gallons of CSO per year (2016 model).
- An outfall at the end of 43rd Street, triggered by 0.8 inches of rain.
- 1 inch of rainfall over OH-004 constitutes roughly 16.9 million gallons of stormwater.
- Water consumption in OH-004 (2016) was 2,184,000 gallons per day.
- OH-004 services the 39th street buildings west of 1st Ave.

OSA uses data from DEP's 2016 rainfall model. Rainfall calculations are not average volumes and do not account for projected more frequent and more intense rainfall with Climate Change. Rain events in the NYC area are becoming larger and more frequent, see NYC Panel on Climate Change's 2019 report:

<https://nyaspubs.onlinelibrary.wiley.com/doi/10.1111/nyas.14008>

As per National Weather Services Annual Climatological Report for Central Park <https://forecast.weather.gov/product.php?site=NWS&issuedby=NYC&product=CLA&format=CI&version=6&glossary=1&highlight=off> the average daily rainfall in 2016 was 0.11 inches the average daily rainfall for 2018 was 0.18 inches.

It is important to note that there are limitations to how data are collected and summarized. Each rain event is unique and will have unique local impacts.

The Future With The Proposed Actions: Stormwater Flows

Language in this section which references DEP's 2012 Stormwater Performance Standard ("Stormwater Release Rate will be the greater of 0.25 cfs or 10% of the Allowable Flow") is problematic. The previous standard was 2.5 cubic feet per second (cfs)).

Page 9-9*"Per DEP, existing buildings constructed prior to 2012—where there is neither an increase in roof area nor a change to impervious surfaces within the tax lot and do not require a new/upsized sewer connection(s)—are not required to meet the required stormwater release rate."* The new required release rate calls for on site stormwater detention to lower the release rate into the combined sewer system; if this is not required, there will be no additional stormwater detention on site.

Reference Chapter 11 of the Inwood Rezoning Proposal DEIS.....last paragraph page 11-6..... *" Since 2012, NYCDEP has required stormwater detention, to ensure that the stormwater flows to the sewer are limited to a very restrictive flow rate, to minimize stormwater's effect on the combined sewer system. Since many of the buildings in the rezoning area most likely pre-date the recent NYCDEP requirements, it is expected that there is little or no on-site detention of stormwater on any of the projected development sites."*

https://edc.nyc/sites/default/files/filemanager/Projects/Inwood_NYC/EIS/17DME007M_DEIS_11_Water_and_Sewer_Infrastructure.pdf

If on-site retention is desired for mitigation of impacts from increased volume of stormwater runoff and increased peak stormwater runoff rates, there needs to be more information and greater disclosure on the current state of CSO's in these drainage sheds. We also need more clarity on the proposed BMP's and current allowable flow rates for existing buildings constructed prior to 2012 as well as a drainage plan and hydraulic analysis of the existing sewer system.

Clarification is needed on the following:

- **To which buildings the DEIS references on page 9-9; what year were they built? What is their current allowable flow rate?**
- **What sites are referenced on page 9-2 discussing BMP integration?**

Additionally, on page 9-10 the DEIS mentions a potential hydraulic analysis of the existing sewer system due to increased sanitary flow. Chapter 11 of the Inwood Rezoning Proposal DEIS includes more clear actions on this by including a “Drainage Management” section and a “Drainage Plan”.

Jaime Lynn Stein

Chapter 10: Energy

The DEIS Chapter concludes “the Proposed Project would not result in any significant adverse energy impacts.” While the impact on the City’s and Zone’s energy demand is stated to be comparatively small, the DEIS bases its conclusion on inconsistent documentation and data, and does not account for the impacts on local infrastructure, peak loads, and the impacts of the GHG Emissions analysis on Energy usage and necessary reductions. Therefore, any determination of compliance with Energy provisions of the CEQR Technical Manual cannot be made prior to the provision of a revised Environmental Impact Statement.

Insufficient evidence presented for “no impact” conclusion: DEIS concludes that the “Project would not result in any of these conditions [significantly affect the transmission or generation of energy or that cause substantial new consumption of energy], a detailed assessment of energy impacts is not necessary.” The conclusion of “no impact” lacks rationale or corroborating evidence:

- The DEIS rationale for “no impact” compares the Project Area’s demand with the entire New York City and Westchester County service area’s Demand, and subsequently to Zone J. This does not document or account for localized impacts. While there may be no impact on supply, clearly the Project would significantly impact transmission and demand/consumption.
- By the Applicant’s own calculations in tables 10-1, 10-2, and 10-3, the With Action condition would increase Energy Demand in the Project lots by 114.2% (2,516 Billion BTU/yr), whereas the No Action condition would increase energy demand by 10.8% (1,174 Billion BTU/yr to 1,302 Billion BTU/yr). **This increase of over 100% energy demand between No Action and With Action scenarios clearly constitutes a significant impact that should be recognized.**
- The DEIS analysis fails to account for new transmission lines and related infrastructure that will likely be required to supply this additional energy to new and retrofitted buildings.
- The DEIS analysis fails to account for peaker power plant usage increase as a result of the development, which could adversely impact energy use and supply, increase the loads on peaker plants located within the Project Area

increase local GHG emissions, and detrimentally impact public health and air quality.

Inadequate Analysis Framework: Additionally, assumptions made and methodology used by Applicant either (a) do not comply with CEQR Technical Manual guidelines, or (b) use incomplete and inconsistent data:

- Existing Conditions: DEIS lists NYC energy conservation policies, with minimal mention of infrastructural upgrades, and no explanation of impact on project energy supply source breakdown, energy efficiency measures, or local/renewable energy production.
- Existing Demand: DEIS does not use accurate energy demand figures, which could be derived from energy benchmarking data that is required under Local Law 84 for the majority of properties/lots considered in the Project Area. Current energy usage of existing buildings to be retrofitted/expanded as part of Project Proposal can be found at benchmarking.cityofnewyork.us/. An illustrative sampling of data found at this publicly available website follows:

Existing Energy Usage, Project Area, 2017				
BLOCK	LOT	Energy Use Intensity (kBTU//ft²)	Gross Floor Area (ft²)	Total Energy Use (kBTU)
679	1	146.7	623,000	91,394,100
683	1	118.1	703,914	83,132,243
687	1	114.2	727,832	83,118,414
691	1	120.5	689,803	83,121,262
695	1	126.8	283,605	35,961,114
695	20	140.7	265,775	37,394,543
706	1	65.9	1,357,968	89,490,091
706	20	27.8	43,750	1,216,250
706	24	58.8	650,000	38,220,000
710	1	63.1	350,000	22,085,000
			5,695,647	565,133,017

Note: Smaller buildings in Blocks 691, 695, 706 not included.

The results of this brief analysis account for approximately 565 million BTUs/year, over 5.7 million square feet of gross floor area. These numbers represent a much lower energy intensity and total energy consumption than represented by the Applicant in the Existing Conditions, and accounts for an area more than twice as large as what is accounted for in the DEIS calculations. **A comprehensive accounting of the energy usage for the Existing Conditions, with a more detailed narrative to account for actual energy usage and demand, must be conducted prior to any conclusions.**

- Methodology/Existing Demand: DEIS instead utilizes CEQR table 15-1 to estimate current/existing energy demand. The figures, as applied to DEIS tables 10-1, 10-2, and 10-3, assume that “the energy demand for Innovation Economy uses, including Innovation Economy office space, is conservatively based on the energy consumption factor for industrial uses.” This assumption assigns a higher energy demand to the great majority of floor area based on the current Zoning, rather than Use categories. **A more granular and detailed analysis, inclusive of actual and proposed uses and benchmarking data, is required.**
- Future With/Without Proposed Actions: Expected energy demand and consumption estimates for No Action and With Action scenarios are based on standard CEQR Table 15-1. This does not comply with CEQR methodology, which requires energy modeling or engineer estimates. According to CEQR Technical Manual, section 15-310, “for any projected development on a site within the rezoned area that is controlled by the applicant, whether a private applicant or the City, the annual projected energy consumption should be estimated using the tools above [energy modeling or engineer estimates].”

Mitigation not shown for Future With Proposed Action:

- As NY State engages in a process to fund, permit, design, construct, assemble, operate, and regulate off-shore aeolic/wind energy production off the coast of New York Harbor, Sunset Park is presented with an opportunity to site manufacturing, assembly and/or workforce training for this emergent technology and project in the City and region’s Significant Maritime Industrial Areas. **This potential future use, as outlined in the recent GRID proposal, would help incentivize the local economy into the coming decades and provide a pathway for local energy production that can help minimize transmission costs for the overall New York City electricity grid. The GRID hinges on the maintenance and enhancement of current industrial uses, which the re-zoning and siting of the Future With Proposed Action would impede.**

Leonel Ponce

Chapter 14: Greenhouse Gas Emissions/Climate Change

The DEIS Chapter concludes (a) that the Proposed Project would be consistent with the City's GHG emissions reduction goals and (b) that "potential for climate change to affect the Proposed Project has been considered and measures and adaptive management strategies have been incorporated to increase climate resilience and to account for potential changes in environmental conditions resulting from climate change."

This statement misrepresents the assessment carried out by the Applicant as (a) it is unclear from the Applicant's vague description of measures to reduce GHG emissions that these initiatives are consistent with the City's goals (b) the data and underlying assumptions used in determining the GHG impacts of the Proposed Project are inconsistent and insufficient to make such a determination (c) the DEIS uses outdated Climate Change projections in its analysis and (d) proposed Climate Change adaptation and resilience measures under the With Action Alternative are vague and do not respond to all identified risks and hazards.

Therefore, no determination of compliance with Greenhouse Gas Emissions and Climate Change Adaptation and Resilience provisions of the CEQR Technical Manual can be made prior to the provision of a revised Environmental Impact Statement.

GREENHOUSE GAS EMISSIONS

Projected GHG Emissions - Inconsistent methodology, lack of source data and supporting documentation

Data in listed in this DEIS chapter is either (a) inconsistent with data and parameters used in related chapters and/or (b) missing source data, detail, and clarity:

- Building Operational Emissions: Source Uses are listed in a different manner than Uses in the Energy Chapter. These Uses and areas should match. **For clarity, information should also be broken down by building, as required areas are clearly delineated for each RWCS in the DEIS.**
- Mobile Source Emissions: Calculations have not been presented in a way that clearly aligns to number of trips listed in Chapter 11 (Transportation). Applicant must show further tables, VMT Calculator, to clearly delineate the connection between number of trips shown on Transportation Chapter, and Vehicle Miles Traveled per CEQR Table 18-6, 18-7, and 18-8. **A narrative explaining the rationale and source of materials should be completed.**
- Construction Emissions: Quantity of materials, equipment usages not listed, only overall GHG contribution (CO₂e). Materials in addition to concrete and

steel could have significant impact on GHG emissions from material production, and should be included in calculations. Source of data must be listed, and calculations clearly and explicitly laid out for proper assessment.

- Construction Emissions: Calculations and emissions factors mentioned in narrative not shown in Chapter. No reference (e.g. table number) of source calculations in Construction Chapter referenced and listed in this Chapter.
- Inconsistency in tables used for each Proposed Project Use: Tables for each type of Emissions list different building uses, including Summary Table 14-6.

Projected GHG Emissions - Emissions from Solid Waste Management not included in DEIS

- The Proposed Project is not expected to fundamentally change the City's solid waste management system, though adding 1.45 million ft² of Commercial, Hotel, and Light Industrial uses to the Project Area and neighborhood would generate additional solid waste. **The DEIS must account for the impacts of this potential increase, specifically as the City switches to Commercial Waste Zones with limited catchment areas and with the intent of reducing associated GHG emissions from carting and trucking, and provide appropriate mitigation options.**

Elements that would Reduce GHG Emissions - Insufficient detail and assessment of energy efficient measures and design elements

The regulatory compliance, energy efficiency measures, and design proposals listed by Applicant in the DEIS are insufficient to provide an accurate assessment of the Proposed Project's projected Greenhouse Gas Emissions and Climate Change impacts.

- Energy Efficient Buildings: The DEIS makes passing mention of strategies to be undertaken to meet minimum current energy efficiency Local Laws, Energy Efficiency Code, Construction Codes and other regulatory provisions, and does not list their potential impact on GHG emissions.
 - DEIS does not provide specific strategies for how the Proposed Project would comply with the City's GHG goals (and its own Carbon Challenge and other GHG goals), beyond briefly noting the Project's "proximity to public transportation, commitment to construction air quality controls, the reuse of existing buildings, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements." and a general list of building energy efficiency improvements.
 - **Accurate assessment of said impacts requires a quantitative, project-specific set of strategies, with an accounting of their cumulative impacts.**

Assessment of Consistency with the GHG Reduction Goal

The DEIS lists the minimum possible required goals for GHG reduction, which would only ensure basic compliance with current regulations and codes. No overarching set of reduction goals or strategies is listed as part of the Proposed Project.

- The Proposed Project does not describe any specific strategies to “generate clean, renewable power through replacement of inefficient power plants with state-of-the-art technology and expanding the use of clean distributed generation”, as stated in CEQR Technical Manual, section 18-312. The DEIS mentions using natural gas as a “lower carbon fuel” for heat and hot water, without consideration of the existing infrastructure’s capacity or GHG impact of extraction of this source fuel. The Study Area comprises concrete framed industrial buildings; these buildings, and/or any proposed new buildings, have the potential to receive rooftop solar PV installations.
- The DEIS lists various regulations and codes the Applicant expects to observe that will lead to “...new resource- and energy-efficient buildings”, as stated in CEQR section 18-312. However, the document does not list any tangible examples of initiatives to achieve these results, as listed under the NYS DEC’s “Building Design and Operation Measures and Site Selection and Design Measures” or commit to pursuing an EPA Energy Star rating, resigning the Proposed Project to the minimum GHG reduction legally allowed under relevant codes. There is no discussion of the potential impacts of rising temperatures on energy consumption and GHG emissions in the DEIS.
- The Proposed Project does not “encourage sustainable transportation through improving public transit, improving the efficiency of private vehicles, and decreasing the carbon intensity of fuels.” Instead, the DEIS merely lists existing proposals for bicycle transportation infrastructure that would fall under a No Action Scenario.

RESILIENCE TO CLIMATE CHANGE

Projected Climate Conditions - DEIS does not refer to current official Climate Change projections

- The DEIS does not reference the latest climate change projections, using the New York City Panel on Climate Change’s 2015 report as its latest projection document. The New York City Panel on Climate Change has issued an updated Report in 2019, which is reflected in the NYC Department of City Planning’s Flood Hazard Mapper.
- While not accounting for revised Sea Level Rise projections, the DEIS overstates the possibility of a change in the FEMA flood maps to reduce flood

zones shown on the 2015 PFIRMs, especially given the compounding effect of Sea Level Rise on storm surges and flood zones.

Risks due to Sea Level Rise – Risk of discharge of hazardous materials identified, but not addressed in adaptive and resilient measures

- The risk of discharge of hazardous materials as a result of sea level rise and flooding in a Significant Maritime Industrial Area with historic industrial uses, chemical storage, contaminated soil, and other hazards is identified within DEIS. However, strategies to remove contaminants and mitigate discharges due to climate change are not listed in this chapter, nor is any other DEIS chapter referenced.

Sea Level Rise resilience measures and adaptive strategies – Insufficient and vague list of measures

- Vague climate adaptive and resilience measures: The resilience and adaptive measures listed in the DEIS are vague and are typically listed as “flood gates at entryways within the floodplain, and/or other appropriate methods that would be determined at a later point in the design process and incorporated at the time of construction.” **More specific typologies of flood protection, or listing of regulations with which such measures would comply, would provide some clarity as to the nature and efficacy of these measures.**
- Wet and dry flood-proofing measures are listed and briefly described for the redevelopment of existing buildings and development of proposed buildings only, without explanation of impact on adjacent properties, land, and upland/adjacent neighborhoods.

Coastal Hazards and Resilience Measures– Insufficient and vague list of measures:

- According to the NYC Department of City Planning’s NYC Flood Hazard Mapper, portions of Blocks 706, 691, 687, and 683 in the Project Area are currently subject to wave action (per LIMWA on 2015 pFIRM maps.) The DEIS acknowledges the risk of floating debris and high-velocity flow within the Coastal A Zone and the LIMWA, but does not describe any measures to mitigate these hazards.

Leonel Ponce

Chapter 19: Alternatives

Chapter 19 evaluates alternatives to the Proposed Project. According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, Alternatives selected for consideration in an Environmental Impact Statement (EIS) are those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action.

The DEIS evaluates only two Alternatives – a No Action Alternative and a No Unmitigated Impact Alternative.

The GRID proposal offers a feasible alternative Special Zoning District for its Subarea C (Industry City).

- **The No Action, the No Unmitigated Impact Alternative and the GRID Subarea C Special District Alternative should be analyzed on their potential to reduce adverse impacts while meeting some of the goals and objectives of the Proposed Action consistent with the CEQR mandate.**

Land Use, Zoning And Public Policy

The analyses, excepting Unmitigated Significant Impact, are qualitative and subjective, not quantitative. The qualitative analysis cites undocumented claims, for example that “Under the No Action Alternative, no new development would take place”. While it covers land use and zoning it fails to discuss public policy.

- **The DEIS must present evidence of why substantial new office, retail, hospitality and academic facilities are needed to support an “Innovative Economy District” in a community with proximate an transit access to these same uses.**

The DEIS bases development and occupancy projections on IC’s own leasing rates and tenancy, without explaining how current land use trends and general development patterns in both the Directly Affected Area and the Primary Study Area would continue in the No Action Alternative. It assumes that none of the Industrial Green Businesses projected by the NYC Climate Mobilization Act and the NY State Climate Leadership and Community Preservation Act would locate in Sunset Park or in Industry City. It also ignores new port development at the South Brooklyn Marine Terminal plus other recent and future developments that will surely affect land use trends and generate industrial needs and opportunities.

- **DEIS projections for each Alternative need to also consider existing and future surrounding developments, including but not limited to the South Brooklyn Marine Terminal, the Brooklyn Army Terminal and current and future green industrial development opportunities.**

- The GRID alternative, contrasted with the proposed action, would reduce the number of square feet and jobs in retail, offices, hotels and academics by limiting retail and commercial to those accessory to industrial uses, eliminating hotels and reducing educational space.
 - The GRID’s proposed special district zoning text would protect and grow existing businesses, and foster green industry consistent with many goals and objectives of an innovation district.
 - Sunset Park could host a significant portion of the 150,000 green jobs projected to result from NY State’s Climate Leadership and Protection Act (CLPA)-- 40% or 60,000 jobs if proportional to NYC’s percent of State population-- if adequate appropriate industrial space is available.

Industry City’s location in the Sunset Park Industrial Business Zone (with a strong presence of construction uses) and its Significant Maritime and Industrial Area designation makes it ideally suited for the GRID. It offers the potential for innovation economy research, green design and technology businesses relating to green industrial development, energy efficiency, retrofit, reuse, passive energy and other circular economy uses - a potential of 30,000 jobs as compared to the Proposed Action’s projected 15,000 jobs.

- **The DEIS must consider the GRID Alternative and the potential for green economy growth and evaluate Industry City and Sunset Park as a location for green business and job opportunities.**

Socioeconomic Conditions

The DEIS states “Under the No Action Alternative, no new development would take place in the Project Area. The buildings to be demolished in the No Action Alternative are currently vacant; therefore, the No Action Alternative would not result in significant adverse impacts due to direct residential or business displacement.”

The DEIS claims that the Proposed Action “would not introduce new economic activities that would substantially alter existing economic patterns in the study area, nor would it alter the land use character of the study area” or “substantially alter commercial real estate trends in the area” that would “significantly affect business conditions in any industry or any category of business within or outside of the study area”.

- **The DEIS must explain why introducing hotels and significantly increased retail, office, entertainment and other commercial uses that are able to pay higher rentals will not alter the land use and real estate character and trends affecting any industry sector or business in the study and surrounding areas.**

In the GRID alternative, up to half of NYC's projected green jobs would locate in the project area, largely in the energy retrofit sectors. Many green jobs do not require higher education or skills and thus reflect Sunset Park's current labor force. Green employment sector wages are significantly higher than those of retail or hospitality service jobs.

While the GRID alternative would also introduce new economic activities, by retaining M3 zoning and limiting the primary use to industry, it would less likely trigger rent raises high enough to price out existing businesses. Rather than displacing existing businesses, by building on the strong presence of construction, resource recovery, food production and other industrial uses, and providing financial assistance and training, the GRID would create growth opportunities.

Open Space

The DEIS admits that the impact on open space ratios would be greater under the Proposed Action than the No Action alternative, but denies its significance. Under the Proposed Action, for example, blocks that are partially outside the waterfront area would be exempt from Waterfront Zoning and waterfront access requirements.

- Conversely, the GRID alternative considers blocks only partially in the waterfront area as waterfront blocks to meet the provisions of Zoning Resolution Article 6, Chapter 2 Special Regulations Applying in the Waterfront Area. The GRID calls for access to the waterfront and the park and supporting greenway completion.
- **The DEIS should evaluate the impacts on the Waterfront Park and the proposed Sunset Park Greenway of the new construction and the lack of provisions of waterfront access**

Shadows

The DEIS states that with No Action there would be no new development and thus no significant adverse impacts on light sensitive receptors. It does not, however, compare this to the Proposed Action that, by constructing new buildings and increasing heights, would result in increased shadows.

- The GRID alternative would require new development to meet findings relating to heights and minimizing shadows prior to the granting of special permits for increased floor area in the special district.

Hazardous Materials

In comparing the No Action and the Proposed Action Alternatives, the DEIS states that an (E) designation²³ would be placed on all privately owned lots where soil

²³ An E designation on the NYC zoning map indicates that a property has environmental requirements relating to air, noise or hazardous materials that must be investigated and addressed before an owner can obtain a building permit for the property's redevelopment.

disturbing activities are anticipated under the Proposed Actions to address potential hazardous materials impacts and risks. There is no discussion about the requirement for M1 performance standards or pollution prevention incentives under the Proposed Action.

- The GRID alternative also calls for (E) designation and adoption of M1 performance standards. It would, however, make the M1 performance standards subject to the availability of technical and financial assistance to ensure that the many businesses unable to afford the required improvements would not be at risk.

➤ **The DEIS should be expanded to explain how the Proposed Action with its call for M-1 performance standards would address the risk of displacing heavy industry.**

Water and Sewer Infrastructure

The DEIS, acknowledges that No Action would generate less demand on water supply and wastewater infrastructure than the Proposed Action, but claims that DEP regulations require best management practices for new construction.

- The GRID alternative focusing on the circular economy would require best management and water conservation measures throughout the special district, with technical and financial assistance and green infrastructure measures incorporated into the findings for any special permits or FAR bonuses.
- **The DEIS should disclose the water conservation and best practices measures to be incorporated for all development in the proposed Special District, and compare these with the GRID Alternative.**

Energy

The DEIS states that neither the Proposed Project nor the No Action Alternative would result in significant adverse impacts with respect to the transmission or generation of energy. It claims that, while both would generate increased demands on New York City's energy services (No Action producing considerably less), under both scenarios the annual increase in demand would represent a negligible amount of the City's forecasted 2027 annual energy requirements. There is no discussion of passive or alternative energy generation such as wind or solar or of demand reduction through energy efficiency measures.

- The GRID would prioritize solar, wind and other passive or renewable energy and require best management and energy conservation measures, incorporating further measures into special permit findings for FAR bonus.

- **The DEIS must include a comparative analysis of the energy provisions in all 3 alternatives including passive or non-fossil fuel energy generation and demand reduction.**

Transportation

- The GRID alternative would reduce future traffic impacts by eliminating high traffic generators like big box retail, hotels and entertainment uses and eliminating the proposed additional parking and by emphasizing growth of existing local industry and local workforce development.
- **The DEIS should evaluate all three alternatives, considering aggregate and cumulative traffic impacts from new developments in the study area and explain how the Proposed Action mitigations address them.**
- **The DEIS should evaluate the impact of reducing certain traffic generating uses under the alternative actions.**
- **The DEIS should consider opportunities for reduced truck traffic in all alternatives as a result of potential waterborne delivery of goods via the South Brooklyn Marine Terminal.**
- **The Transportation section should also compare mass transit impacts under all alternatives, not only in the No Unmitigated Impacts section.**

Air Quality

- The GRID alternative promotes best practices in passive energy generation and in heating and hot water systems. In addition the GRID backs technical and financial assistance to businesses to meet M1 performance standards and adopt pollution prevention measures. The GRID alternative further requires space set aside for electric charging stations and fosters the adoption of passive energy production for them and best practices and management innovations for heating and hot water management systems.
- **The DEIS must compare the approaches to air quality under all of the alternatives with the understanding that (E) designation need not be limited to the Proposed Action alternative.**

Greenhouse Gas Emissions And Climate Change

Industry City lies in the storm surge risk zone and is accordingly vulnerable to extreme weather impacts like Hurricane Sandy. Yet, while acknowledging that the Proposed Action would have greater impacts on greenhouse gas emissions and climate change than No Action, this chapter offers no detail beyond noting that land uses in the Proposed Action would generate more greenhouse gas emissions than with No Action. It provides no comparison of alternative approaches to reducing greenhouse gas emissions and no discussion of climate change or the potential

mitigating role of a green industrial innovation economy. Resilience, addressed under both No Action and Proposed Action, is limited to the structural changes to all IC buildings, both new and existing, now required by the NYC Zoning Resolution.

- A primary GRID goal would address the climate change crisis by promoting land use, zoning and other best practice measures that can serve as a model for green industrial development and innovation. By reducing or eliminating many of the land uses that the DEIS acknowledges contribute to greater greenhouse gas emissions, the GRID alternative reduces these potential impacts and allows for greater resilience. The GRID also addresses alternative transportation, energy production, resource recovery, food production practices that represent the development of a green and circular economy and would reduce climate change impacts.
- **The DEIS should compare the alternatives' measures to address greenhouse gas emissions and climate change.**
- **The DEIS should explain how the Proposed Action would contribute to a city-wide reduction in greenhouse gas emissions and climate change preparedness beyond simply listing NYC's Building and Zoning code requirements.**

Noise

The DEIS acknowledges that the Proposed Action would create greater noise impacts than No Action, owing primarily to additional traffic using the proposed parking garage. Nevertheless, the DEIS claims that this is already common near highways and industrial areas and would thus not represent a significant increase.

- The GRID alternative would retain zoning for industrial uses, which generate noise impacts. The elimination of retail, offices and secondary schools would however, lessen the number of sensitive receptors. The GRID would also provide technical and financial assistance to businesses to adopt noise pollution prevention measures and to meet the more stringent M1 zoning standards for noise. A potential noise reduction measure cited in the GRID alternative would introduce and support more electric vehicles.
- **The DEIS should compare noise mitigation measures in all Alternatives, including the GRID, beyond the (E) designation.**

Public Health

The discussion of Public Health in this Chapter disregards the implications of cumulative exposure to air quality, noise, hazardous materials, traffic, and construction dust impacts from existing and proposed uses and new development under the Proposed Action. The assumption of no significant adverse public health impacts with either No Action or Proposed Action denies actual

current public health challenges. There is no discussion of needed measures to protect workers and residents under normal operations and during severe weather events. The dangers to public health of extreme weather that results in flooding, exposure to hazardous materials, mold growth, high winds and/or extreme heat require an analysis of which alternative would best address these risks.

Moreover, well paying, secure jobs contribute to good mental health. Anxiety over potential displacement resulting from rent hikes induced by land use changes can adversely impact mental and physical health of residents and workers.

- Under the GRID alternative, the reduction of traffic generating uses, adoption of pollution prevention measures and the opportunity for well paying stable jobs would lessen negative physical and mental health impacts.
- **The DEIS should provide a comparative analysis of the public health (including mental health) benefits and protections in each of the Alternatives including the GRID.**
- The GRID incorporates recommendations from the NYC-EJA Waterfront Justice Project.

Neighborhood Character

The DEIS limits discussion and analysis to a comparison impacts of the No Action and the Proposed Action alternatives on neighborhood character as defined by the physical built form. According to the CEQR Manual neighborhood character can include technical areas that contribute to the existing sense of a place including Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows, Transportation; and/or Noise. The discussion in the DEIS is limited to evaluating the No Action alternative but does not compare it to the Proposed Action or the No Unmitigated Impacts Alternative. By ignoring impacts on other factors the DEIS underestimates the potential impact on neighborhood character.

- The GRID treats both physical and social factors as elements in neighborhood character. The GRID zoning proposal includes impact on neighborhood character among the special permit findings for increased floor area.
- **The DEIS needs a broader definition of Neighborhood Character to encompass all types of significant impacts. The cumulative effect of more moderate impacts, as discussed in the CEQR Manual should be applied in evaluating the different alternatives, including the GRID.**

Construction

The DEIS compares No Action to the Proposed Action and determines that, while there would be construction impacts associated with the demolition projected in the No Action alternative, there would be considerably more construction and impacts

under the Proposed Action. Construction noise, however, would still have an unmitigated impact on at least one residential sensitive receptor under the Proposed Action.

- Although any development generates some construction, the GRID alternative would consider such impacts under the findings required to grant a special permit for an increase in floor area.
- **The DEIS must include a comparison of construction impacts in all of the Alternatives including the GRID.**

No Unmitigated Significant Impact Alternative

The DEIS evaluates only those significant impacts it deems to be unmitigatable without compromising any of the stated goals and objectives. Thus it discounts any modifications that would not allow all of the proposed actions. However, the CEQR Manual stipulates that feasible Alternatives need only have the “potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action”.

Historic And Cultural Resources

The Landmarks Preservation Commission has proposed reductions and modifications in the heights of the proposed developments. The DEIS determines that the project would not be feasible under the No Unmitigated Impacts Alternative although it does leave open the possibility of consideration of some modifications when construction occurs.

- The GRID alternative would require approval by the Landmarks Commission of any new developments or expansions in order to meet the findings required for a special permit for increased floor area.
- **The DEIS needs to better explain the necessity and justification for the higher heights requested in the Proposed Action to the development of the academic and other facilities.**

Traffic

The DEIS analysis of the No Unmitigated Impact Alternative indicates the need for significant reduced size of the proposed use.

- The GRID alternative would restrict retail, office and academic uses allowing only those necessary to industrial uses, and eliminate hotels, thus reducing traffic impacts.

Transit and Pedestrian Impacts

The DEIS identifies an unmitigated impact on the stairwell into one of the subway stops. As the uses in the Proposed actions will generate considerable travel from other areas of the City, the DEIS suggests that amount of projected uses would have to be significantly reduced and would thus not achieve the goals of the Project.

- The GRID alternative would reduce both transit demand and pedestrian congestion by limiting the size of the retail, hotel, office, academic and entertainment uses. Local workforce development would also reduce transit demand. In addition, the findings required for a special permit for increased floor area would be required to consider transit and pedestrian capacity.

Construction Period Noise

Given the size and multi-year build out of the Proposed Actions, construction noise, even with some mitigation will remain an unmitigated impact.

- Under the GRID alternative, although rehabilitation of existing space would generate some construction noise, continued M3 zoning would allow fewer sensitive receptors. Noise mitigation measures would be required under the findings for an FAR bonus for new construction.

Eva Hanhardt

Appendix A-1: WRP 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”²⁴

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

²⁴ 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>

uses in Significant Maritime and Industrial Areas”, or Policy 2.4 “provide infrastructure improvements necessary to support working waterfront uses”.²⁵

- 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)”²⁶ in this section of the SMIA.

Policy Four: Ecological Resources

- The WRP Consistency Assessment Form indicates that consistency to policy 4 is not applicable²⁷. 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”.²⁸
- Policy 4.4a requires that “Projects located within a Recognized Ecological Complex should consider the following:
 - 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.”²⁹

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”³⁰.
- 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,

²⁵ NYC Department of City Planning. (2016). The New York City Waterfront Revitalization Program.

²⁶ NYC Department of City Planning. (2011). Vision 2020: New York City Comprehensive Waterfront Plan. neighborhood strategies: Reach 14S, Brooklyn Upper Bay South.

²⁷ 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>

²⁸ 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>

²⁹ 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>

³⁰ 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>

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”³¹. 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%.³² 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 39th 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 of 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).
- 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”³³ but it doesn’t provide sufficient documentation

³¹ 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>

³² 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>

³³ 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>

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 applicable³⁴. 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-policies³⁵:
 - 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 7.2.a: “Minimize negative impacts from potential oil spills by the appropriate siting of petroleum off-loading facilities and use of best practices” (DCP, 2016)
 - Policy 7.2.b: “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 7.2.c: “Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products.”

³⁴ 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>

³⁵ 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>

- 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”.³⁶
- 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 DEIS³⁷.
- 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 SMIA³⁸.

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”³⁹.
- 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

³⁶ 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>

³⁷ Industry City. (2019b). Industry City DEIS: Chapter - Project Description. Retrieved from <https://www1.nyc.gov/site/planning/applicants/env-review/industry-city.page>

³⁸ NYC Department of City Planning. (2011). Vision 2020: New York City Comprehensive Waterfront Plan. neighborhood strategies: Reach 14S, Brooklyn Upper Bay South.

³⁹ 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>

cultural legacy of the New York City coastal area”⁴⁰. 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”⁴¹. This is particularly important as this relates to the historic legacy of maritime dependent uses and land use dynamics of this industrial waterfront community.

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- Juan Camilo Osorio

⁴⁰ 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>

⁴¹ 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>

Comments on Lessons of COVID19 and IC's Application – Prepared by City Planner Eva Hanhardt

NYC has been changed dramatically by COVID 19 ...now and for the future.... but you wouldn't know it by the Industry City rezoning application. Their development proposal remains essentially unchanged.

1) Despite what IC has said in public hearings and written to the Councilman and others, their actual application and EIS have not really changed since it was discussed in 2017 and submitted in 2019.

- Hotels and big box retail are still there with Industry City betting that their application can get approved without taking them out. If they actually intend to eliminate these uses as they claim, they could amend their application now - especially considering COVID's impact on market conditions in these sectors.

2) The FEIS has made few changes from the DEIS. While reducing the time projection for construction generated greenhouse gas emissions, expanding free subway bus shuttle service and adding 2 bus shelters, the only other changes are IC's ultimate acknowledgement of **unavoidable unmitigated adverse impacts:**

- on Subway Transit relating to the capacity of the 36th St subway station platform and stairs and
- on Historic and Cultural Resources should Landmarks determine that IC's designs for the Gateway Building and /or Building 11 are out of context with the Bush Terminal Historic District.

3) The **FEIS** Analysis Framework states “ ...the technical analyses and consideration of alternatives first assess existing conditions and then forecast these conditions to 2027 for the future without the Proposed Action ...and for the purposes of determining potential impacts in the future with the Proposed Actions”

However, the current **FEIS** is based on information and assumptions that are not the “existing conditions” given COVID's impacts on NYC and its economy.

- Clearly, the **FEIS** is no longer valid. To correctly assess current existing conditions, forecast future conditions and accurately analyze the impacts of IC's proposed action there is an obvious need for a new updated **FEIS that considers the implications of COVID** with re-analyses of the **No Action Scenario** and **all 3 With Action Reasonable Worst Case Scenarios - Baseline, Density Dependent and Overbuild**

4) Most importantly - Having hollowed out our production capacity and perpetuated the vulnerabilities and inequities of NYC's population, we were unprepared for the COVID 19 crisis. NYC must learn the lessons of COVID 19 and commit to decisions that prepare it for present and future crises including climate change.

Comparison of Industry City Final EIS with Draft EIS

The Final EIS does not indicate any changes to the development/tenanting program.

Citing Unavoidable Adverse Impacts (in this case regarding historic preservation and subways) can serve to evade the responsibility of mitigation, not always good policy (my opinion).

The FEIS indicates changes to the Draft EIS by crossing out eliminated text and adding double-underlined new text. In addition to changing the nomenclature from DEIS to FEIS, the Final includes changes to the sections on Landmarks and Historic Preservation, transit, greenhouse gas emissions.

Landmarks and Historic Preservation

- Change “will” to “has” consulted with LPC and change from a commitment to *implementing* appropriate mitigation measures to just *developing* such measures. Pages S-29 (Architectural Resources), S-36 (Neighborhood Character)
- Adds language specifying that if LPD determines that specific designs for the proposed Gateway Building and/or Building 11, when advanced, are out of context with the neighboring Finger Buildings within the Bush Terminal Historic District remain out of context, the impact would remain unmitigated. Page S-41 (Mitigation)

Greenhouse Gas Emissions

- Changes comparability estimate for 54,000 additional metric tons of carbon dioxide equivalent associated with renovation and construction (beyond the approximately 184,000 metric tons from proposed project building operation) under the Density-Dependent Scenario from approximately 3 to 4 years to less than 1 year of operational emissions. Page S-35 (Green House Gas Emissions and Climate Change)

Subway Improvements

- Further study identified significant adverse impacts at the 36th Street station during weekday PM peaks, which determined that the S3 stairway would need widening when 245,000 sf of proposed academic use would be built. Pages 43-44 (Subway Transit)
- Other recommended station improvements to connections among platforms, mezzanine and street. ADA Access.
- However, owing to high cost (\$5-12 million), FEIS determined that these improvements are not feasible and thus subway platform and stairway congestion are considered unavoidable adverse impacts. Pages 47-48 (Unavoidable Adverse Impacts)

Bus Stations

- 2 new bus stations. (Page 44, Bus Transit)

From: [Anna Harsanyi](#)
To: [Land Use Testimony](#)
Subject: Vote NO on Industry City Rezoning
Date: Wednesday, September 16, 2020 12:18:44 PM

Hello,

My name is Anna Harsanyi and I am a resident of the Lower East Side. **I am asking you to vote “NO” on Industry City’s rezoning application.** Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels.

The jobs they have promised are highly dubious. **Most often, when corporate retailers and luxury developers propose "jobs" they translate into minimum wage, low skilled jobs that offer no job training or opportunity for growth in any industry.** We don't need more dead-end, low paid jobs at sweetgreens and Sephoras. What communities across New York need are stable, well paid jobs that offer chances for workers to expand their skills as they gain experience. **The jobs proposed in this plan do not cut it.**

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

Sincerely,

Anna Harsanyi

From: [Mala Kumar](#)
To: [Land Use Testimony](#); [Moya, Francisco](#); [District2](#); [Grodenschik, Barry S.](#); [Lancman, Rory](#); [Richards, Donovan](#); [Levin, Stephen](#); [Reynoso, Antonio](#)
Subject: VOTE NO on Industry City Rezoning
Date: Tuesday, September 15, 2020 2:20:49 PM

My name is Mala Kumar and I am a resident of Brooklyn. I am asking you to vote “NO” on Industry City’s rezoning application.

Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. The sale of the 67,000 square feet of land to Belvedere Capital is extremely upsetting, considering there was zero notice given to the community. Residents of Sunset Park don’t want luxury real estate developers and investors in our neighborhood, further displacing our neighbors. The 3,000+ petitions gathered by Sunset Park Organized Neighbors and other community activists are proof of our disapproval of this gross IC expansion.

You really want to add more luxury retail while our neighbors struggle to afford food for their families? This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

Councilmember Carlos Menchaca has already said that he will vote NO to the rezoning, noting that "Scant evidence exists showing that Sunset Park working class families have benefited from the jobs at IC" and "Finally, the notion that IC is a 'good neighbor' is wrong on two counts. First, they are not a good neighbor. As reported, during the pandemic, IC ignored please from essential workers to make their campus safe and appears to have retaliated against those who spoke up." Councilmember Menchaca is speaking on behalf of his constituents, who have held him accountable for this decision since talks of rezoning began.

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan.

You can see the full letter about our rejection of Industry City’s plan here:
<https://www.protectsunsetpark.org/endorsements>

I hope the working class communities and immigrant families of Sunset Park can count on you to vote NO on this rezoning as well. This city cannot just belong to the rich – working class folks are the backbone of this city and our elected officials must represent the needs of all.

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

Thank you,

Mala Kumar

454A Jefferson Ave.,
Brooklyn, NY 11221

From: [Yue Wang](#)
To: [Land Use Testimony](#)
Subject: VOTE NO on Industry City Rezoning
Date: Monday, September 14, 2020 3:35:57 PM

My name is Bruce Wang and I am a resident of Chinatown, 10002. I am asking you to vote “NO” on Industry City’s rezoning application. Right now, a small group of private landlords are trying to transform the largest working-class industrial waterfront into a destination for large luxury stores, corporate tenants, and hotels. The jobs they have promised are highly dubious. This project will cause speculation and a decrease in affordability in Sunset Park, displacing long-term tenants and small businesses. They already own 16 buildings and 35 acres of space. Why do they need more?

I stand with the residents of Sunset Park and I urge you to say NO to this private waterfront plan and that you instead support us in our work for a community-led process to plan the future of Brooklyn’s waterfront communities. You’ll be supporting the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their opposition to the Industry City plan. You can see the full letter about our rejection of Industry City’s plan here: <https://www.protectsunsetpark.org/endorsements>

The fate and future of our waterfront is in your hands. Please act to protect Sunset Park and the working people of Brooklyn for 2030 and beyond.

From: [Sean J Patrick Carney](#)
To: [Land Use Testimony](#)
Subject: Vote No on Industry City's Rezoning Application
Date: Tuesday, September 15, 2020 1:03:43 PM

Dear Land Use Zoning Subcommittee members,

My name is Sean Carney and between 2013 and 2018, I worked full-time at an arts nonprofit in Sunset Park at what ultimately became the Industry City complex. I am asking that you vote "NO" on Industry City's rezoning application. The arrival of Industry City quickly (and negatively) impacted the residents of Sunset Park, and the literal dividing line of the freeway made this division ever more apparent. The myth that jobs for neighborhood residents would arrive with Industry City seem to have proven dubious at best, and during my time working in the complex I did not perceive the landlords as having any agenda other than massive redevelopment of the largest working class industrial waterfront into a generic SoHo Part II.

The landlords of Sunset Park have frequently used arts nonprofits and artists as wallpaper for their broader designs on hypergentrification, and I watched with dismay as they radically raised rents on the creatives who brought life to the buildings only to replace them with cookie cutter startups and corporate administrative offices. Mini golf courses and craft beer yards are not worth the displacement of Sunset Park locals and local businesses.

Do not betray the working class people of Sunset Park just to line the already bloated pockets of some bloodthirsty capitalists. You should instead support the work of community-led processes to plan a sustainable and equitable future for Brooklyn's waterfront communities. The last thing Sunset Park needs is to become the next Williamsburg.

Listen to the voices of more than 5,000 members of the Sunset Park community, Congresswoman Nydia Velazquez, State Senator Zellnor Myrie, and Council Member Carlos Menchaca who have voiced their firm opposition to the Industry City plan.

You can see the full letter about the rejection of Industry City's plan here:
<https://www.protectsunsetpark.org/endorsements>

Do not let the carpetbaggers steal another piece of Brooklyn from the generations of families who have made it the beautiful borough that it is today. New York City is watching.

Sean J Patrick Carney
sjpc.work

From: [Orion Martin](#)
To: [Land Use Testimony](#)
Subject: Vote No on Rezoning
Date: Tuesday, September 15, 2020 2:42:04 PM

Dear City Council Members,

I urge you to vote no on the proposal before you. The developer's attempt to steamroll this process after years of disingenuous engagement with community leaders has proven that they are putting their profits first.

How can any public institution trust this developer given their history of working with the USPS? USPS is now being forced to relocate at significant expense because of predatory rent hikes by the developer. It's insulting that the developer could not fathom a guess at how much public tax benefits their project has received, after saying these are an essential part of the viability of this program.

Sincerely,
Orion Martin

From: [Gina V](#)
To: [Land Use Testimony](#)
Subject: Vote No on Rezoning Sunset Park
Date: Thursday, September 17, 2020 12:22:13 PM

Dear City Council,

In the midst of a deadly pandemic, the rezoning of Sunset Park and Industry City is not the right way to proceed; the waterfront is a community resource that needs to be respected and protected. The area is a flood zone and with the rising effects of climate change we should be utilizing these natural resources in ways that will uplift the community which is already facing extreme hardship. Privatizing the waterfront is a mistake, climate change is steadily on the rise and destroying much of the West Coast. These landlords and developers have no real intentions to create equitable space for the people of Sunset Park, and even if they did, what they have proposed will destroy the already struggling local community which is facing major hardship, lack of resources and jobs due to this pandemic. The proposed workforce these developers are trying to “create” will not be truly accessible to the lifelong residents and community that exists in Sunset Park, and I refuse to let displacement be an option for a community that has already suffered so much in 2020.

As a Brooklyn native I can promise that the last thing we need in Sunset Park is an inequitable disaster like the 2005 rezoning of Williamsburg which has displaced thousands of native New Yorkers and locals out of their community, destroying the community to put in its place a gentrified luxury playground for the wealthy. All indicators show that the kind of uses that Industry City is proposing is a gentrification and displacement plan that will further cause suffering. The city should be concerned with the local community needs and organizations, like the comprehensive community waterfront plans of the Uprose, Climate Justice Alliance, [350.org](#), etc, and not prioritizing the desires of private developers during a global pandemic. No More Luxury Rezoning! Sunset Park is Not For Sale!

Please Vote No of the Rezoning of Sunset Park!

Best,
Gina Varroney

Members of City Council,

I am testifying today from a dual position. First, I am a resident of Sunset Park. I live a few blocks from Industry City and as a white person with a PhD, I am likely in their target demographic. Second, I am an assistant professor of anthropology, researching racism, placemaking, and displacement. I am speaking in opposition to this rezoning.

There has been enough discussion on the false promises of IC, how they rely heavily on subsidies, how job creation numbers come from creative accounting, and so on. There has been less focus on the inaccuracies of the Environmental Impact Assessment, in which basic information about the characteristics of Sunset Park are incorrect and in which they suggest that, regardless, their changes won't negatively impact the neighborhood.

They state, for example, that it could have some negative impact on existing manufacturing jobs but that these would be replaced by "Innovation Economy" jobs. However, Winifred Curran has shown that industrial rezoning in New York City displace jobs communities rely on, slowly driving those communities away.¹ We've already seen this in Sunset Park, with a textile manufacturer moving to New Jersey and it's mostly immigrant staff being forced to decide to move with it and leave the neighborhood, or stay and find lowering paying, less stable work. The promised jobs are consistently not made available to those facing displacement.

They state that because they are not building housing, the rezoning will not have an impact on the housing market. Even though the potential for the rezoning has already had an impact on the housing market making this a false statement, Filip Stabrowski has shown that if housing issues don't directly displace people, it nevertheless significantly restricts their ability to make place, slowly forcing them out of the area as they are considered a less desirable part of the neighborhood, as was the case in Greenpoint.²

Finally, Bethany Li shows how these types of rezoning and the gentrification they bring resegregate cities, including New York.³ Given the recent reporting on segregation in New York City's schools, and especially in District 15, in which Sunset Park is located, it is not clear how the city plans to address this if this rezoning is approved. IC sidesteps this question entirely and uses inaccurate demographic data to downplay any potential issues.

What this rezoning shows is that it's okay for private developers to harm our communities and displace our neighbors so long as they donate to the electoral campaigns of the appropriate careerist politicians in City Hall.

Sincerely,

Joshua Mullenite

¹ Curran, W. 2007. 'From the Frying Pan to the Oven': Gentrification and the Experience of Industrial Displacement in Williamsburg, Brooklyn. *Urban Studies* 44: 1427-1440.; Curran, W. 2010. In Defense of Old Industrial Spaces: Manufacturing, Creativity, and Innovation in Williamsburg, Brooklyn. *International Journal of Urban and Regional Research* 34: 871-85.

² Stabrowski, F. 2014. "New-Build Gentrification and the Everyday Displacement of Polish Immigrants in Greenpoint, Brooklyn. *Antipode* 46(3): 794-815

³ Li, B.Y. 2016. Now Is the Time!: Challenging Resegregation and Displacement in the Age of Hypergentrification. *Fordham Law Review* 85(3): Article 11.

From: [Aiyana Masla](#)
To: [Land Use Testimony](#)
Subject: Written testimony
Date: Monday, September 14, 2020 5:59:39 PM

September 12, 2020

Honorable Corey Johnson, Speaker,

For me, living in Sunset park is living in the best neighborhood I have ever lived in. The reason it is such a great neighborhood is because it is a real community, where people care about each other and care about making sure people can stay. It remains a strong community after many many years of coming together again and again. There aren't so many of those kinds of communities left in this city.

I would not be able to afford to continue living here if the taxes went up & the rent was raised. I would hate for my working class neighbors to be displaced and have to leave because real estate developers and the lawmakers are trying to rezone over **a million square feet** of Industry City without community agreement and support. We know this will only hike up rents and cause more displacement in Sunset Park.

The Sunset Park waterfront, New York City's largest maritime manufacturing area, embodies not only New York's industrial past but also the neighborhood's history as a community of recently-arrived immigrants and working-class families. Industry City envisions transforming the historic waterfront into a destination for big-box retail, corporate tenants and luxury hotels, in an economic transformation that would raise property values and bring a healthy return on the investment made by Industry City's private owners and foreign investors. This approach to development, already in force in other formerly industrial waterfront Brooklyn neighborhoods, is the legacy of the Bloomberg era and a lure for the type of speculative real-estate capital that has been a key driver of New York City's affordability crisis and incentive for landlords to oust long-time tenants.

Our council member Carlos Menchaca took a long time making the decision to say no to this private rezoning plan because he wanted to try to work with Industry City developers for the benefit of the community. It is only when he realized that the developers weren't acting in good faith that he made his decision. It is very

upsetting for those of us to have been invested in working on behalf of Sunset Park over the last few years to realize that the decision made by the council member we elected and we trust is not being backed by the rest of the council and particularly by it's speaker.

I am emphatically calling on the City Council to vote NO on rezoning Industry City. Thankyou.

Sincerely,

Aiyana Masla

From: [Yung-En Chen](#)
To: [Land Use Testimony](#)
Subject: Written Testimony AGAINST REZONING APPLICATION Industry City L.U. 674, 675, 676, & 677 - Industry City
Date: Wednesday, September 16, 2020 12:38:56 AM

Written Testimony
L.U. 674, 675, 676, & 677 - Industry City

City Council / Land Use Committee,

I'm a resident of Sunset Park and am writing to testify against Industry City's Zoning Application. Their vision of waterfront luxury hotels, high end retail, and tech offices are incompatible with the needs of Sunset Park. City Council should recognize that Sunset park is composed of immigrants. The businesses that serve our residents are along 5th and 8th avenue. The shop owners speak Spanish and Chinese. The prices of goods and services are well within our means. Some of our residents even own the businesses there because it serves people that they know. It is what we want.

But it's not just a matter of taste but the real gentrification and real estate speculation that IC brings with them. Design Within Reach, Premium Sake, fine Liquors, creative spaces for Amazon or Netflix. These are amenities that appeal to the top end. Industry City's 1 Billion dollar investment on the waterfront will vastly increase rental and home prices even if this is not a residential rezoning. Developers build for the top of the market just as IC serves goods and services for the top of market. The city rarely plans for needs of bottom end housing. CPC floats these plans with developers because they are the most profitable for investors and developers. But residents who live here now are the ones who will suffer. The Department of City Planning (<https://communityprofiles.planning.nyc.gov/brooklyn/7>) describes our neighborhood population as 48% rent burdened. 48% have limited English proficiency. Only 29% of residents have bachelors degree or higher. 27% live below poverty. Our residents are not the well healed New Yorkers with disposable incomes. Our residents do not move into a neighborhood because it is an adventure. Families move here because it is still cheap enough to raise a family. Industry City creates the incentive for residential prices to surge.

All of this has been expressed through the advisory vote of our Community Board 7. It has been clearly expressed by our City Council Member, Carlos Menchaca, who stated his opposition to the zoning application and what it will bring to our community. It has been documented in the previous hearings locally. Respect the voice of our elected representative. And respect the process where traditionally the other City Council Members defer to the locally elected representative.

ULURP is a travesty and is made worse during the pandemic. Assigned by Deblasio, our current CPC is largely developers or those tied to real estate. They have an interest in advancing the interests of builders and developers. Some of them directly benefit from these plans. City Council members and borough presidents received huge sums of money to run their campaigns. (Donovan Richards got 100k last year from real estate PAC and Laurie Cumbo 80k in 2013 run as just two examples). It's an entire unfair process. Residents are lucky if they get a sympathetic council member. The residents of Sunset Park have had to spend countless hours learning about the process of ULURP and the application. We then have had to attend numerous meetings at the community board. This is all done on our own time. And then we have to spread the word to residents on our own. No funding and no disinterested

official or lawyer on our side to assist us. Meanwhile Industry City which has money to hire PR and lobbyists to go after unions, nonprofits, and council members to endorse their proposal. It's a process that entirely benefits the wealthy real estate interests. Now with the pandemic everything is done as a virtual meeting. So those who want to be able to attend have to have high speed internet and sit through a meeting that lasts 10 hours. Do you really think it's a fair process for our community ?!!! Remember the demographics of 48% having limited English proficiency? Our city's Public Advocate, Jumaane Williams, has recommended a racial impact analysis of rezonings (<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3963886&GUID=D2C9A25B-0036-416E-87CD-C3AED208AE1B&Options=&Search=>). We need to start changing this process to consider its affect on communities. We need to start planning with the goal of what our community needs first. Under the existing process we start with a developer's plan and valedate it with some concessions to local residents in the form of nonprofit funding or small parks. We've seen Chelsea Market and Hudson Yards. It has been the same process. We don't want that here.

Our City Council and those who set up the hearing don't even give people the opportunity to question Andrew Kimball's presentation at the hearing. He can present his PR deck as facts. At one point he had the audacity to say that 20% of the the population already work at Industry City. How absurdly inaccurate when our community population is roughly 140k. That means 28k residents work there?!

The IC plan will still cost the city money millions in infrastructure improvements. These are millions of dollars that are badly needed in public schools, social services, and transportation. We should not be spending this money on a luxury waterfront development. IC purchased this property as industrial property. They still have lots of options for using it "as of right". We as a city are not responsible nor should incentivise their decision to repurpose it into a luxury mall.

Yung-En Chen
605 41 Street

September 15, 2020

Written testimony submitted by Cynthia J Felix on Industry City (L.U. 674, 675, 676, & 677)

My name is Cynthia Felix, I am long life resident of Sunset Park and member of the Sunset Park Community Coalition. Thank you for the opportunity to speak today. I am here to share the concerns that I and the Sunset Park Community Coalition have about the Industry City rezoning application as-is, and the modifications necessary as the Council consider this application. I have lived in Sunset Park my entire life. I have seen the good, the bad and the ugly. The good (and my great neighbors!) are what keeps me here, the bad and the ugly inspire me to do all I can to make my community better. My parents immigrated to Sunset Park in the 1950s from the Dominican Republic. My mother worked tirelessly as seamstresses at a factory on 2nd Avenue. I experienced first-hand the struggles my parents had as immigrants and I am grateful that every struggle just made us stronger. To me my Sunset Park is like my family every struggle has made us stronger as a community. Today we are struggling with the Industry City rezoning application, as approved by the City Planning Commission as the current application does not ensure necessary protections and does not address Sunset Park's fundamental challenges.

Our community needs a development that has economic growth and improves the lives of our residents many who are immigrants like my parents and are struggling to make a better life for themselves and their families as well as those who have low educational attainment, who are underemployed, or working a low wage job. Industry City needs to follow through on public commitments to modify their application and address the impacts their initially proposed actions would create in an IBZ and in the broader Sunset Park community, which has long been a working-class immigrant community. Such modifications must include, for example, scaling down the proposed retail to the community board's recommended 350k sq feet, eliminating the hotel special permit from the application, and establishing an irreducible minimum of 1/3 of the campus for manufacturing and industrial uses.

These modifications should work in tandem to support a platform of investments in the community that include investing in, educating, training and hiring the local workforce for quality jobs, especially those with barriers to employment. The zoning modifications outlined are the absolute minimum that must be done and are baseline to work from. They serve as a foundation for investments - including from the City of New York - that have long been required and have only grown during the time of the pandemic. If equity is a central value in this process and in the City's economic recovery, the outlined zoning modifications and further community investment must be non-negotiables as the Council considers this application.

I care deeply about the impact this rezoning may have and without those modifications, the City Council should request that Industry City withdraw their application or vote against it should it continue towards a vote.

Thank you,
Cynthia J Felix

From: [Patrick Robbins](#)
To: [Land Use Testimony](#)
Subject: Written testimony on the Industry City Rezoning
Date: Thursday, September 17, 2020 12:16:53 PM

See below for my testimony. Many thanks,

Patrick Robbins
(917) 364 7461

Good Afternoon, my name is Patrick Robbins and I am here on behalf of the New York City DSA Ecosocialist Working Group. We oppose the Industry City rezoning for several reasons. This proposal will displace long-time residents. Currently, Sunset Park is a hub of manufacturing in New York City, and as of 2014 had the highest concentration of manufacturing jobs of any neighborhood in the city. Industry City claims that rezoning this area will create jobs, but we know that it will worsen gentrification, as many have pointed out before. Countless studies as well as our own lived experience in NYC has shown that a neighborhood's social cohesion determines how prepared it is for climate disaster. Today, we have heard from Industry City's tenants, their workers, and urban planners who have seen their record. We have no reason to trust them, and it is insulting to hand them a nonbinding community benefits agreement. Instead, we are in support of UPROSE's proposal for the GRID: The Green Resilient Industrial District. This proposal would create workforce training, reduce carbon emissions, and ensure that people who already live in Sunset Park benefit from development that they control. Thank you.

From: [Eric Fretz](#)
To: [Land Use Testimony](#)
Subject: Written Testimony on the Industry City Sunset Park Waterfront Rezoning Proposal
Date: Thursday, September 17, 2020 4:02:20 PM
Attachments: [Written Submission Eric Fretz .pdf](#)

My name is Eric Fretz, I am 60 years old and I live on 41st Street on Sunset Park in a community with long ties to the waterfront, where many walked there to work. I was horrified when I read through the Industry City plans and proposal, and **strongly urge you to listen to the community and elected officials representing us, and vote No to Industry City's proposal for Sunset Park waterfront rezoning.**

The Area is Zoned M3 industrial for a reason, and has long supported an ethnically mixed working class community.

Testimony has tended to falsely pit a) stability of residents and protection against displacement against b) job creation. But this is false, the kind of jobs the rezoning would eliminate are those which make a stable working community, vs the temporary construction and low paid retail and hotel cleaner jobs that still don't pay the rent.

We now have a unique large maritime manufacturing area for the industry of the future, as discussed (for example) in the 197-A and the GRID proposals, and in Equinor looking to build wind turbines at the South Brooklyn Marine Terminal. That would bring in \$500 million in economic activity and create permanent, essential, union jobs that can not be done from home via e-mail and Zoom. It could also be an anchor for future maintenance work and other green jobs for years to come, but only under the current zoning and with the space available now. However, the IC proposal states, "heavier, [M] uses will be restricted from locating in proximity to the hotels and lighter uses."

Elsewhere the plan states it seeks to "protect sensitive uses in the district, such as hotels and academic uses, from the potentially adverse effects of manufacturing uses in the district," and that the "flexibility" granted "would protect more sensitive land uses from potentially heavier industrial uses within the special permit area." In other words the needs of their hotels and upscale retail would keep the jobs we need from being established, in a rare location where it would be possible now. (Despite several verbal assurances from Kimble that he could take out Hotels if needed, they are still in the plan being voted on.) Industry City's private commercial pressures would decimate badly-needed manufacturing in the city.

Present M3 zoning is what we need, but even if changes needed to be made, they should be made with the interests of the community in mind, and as part of plans for the entire NYC waterfront – not carving a private luxury island out of it.

If you have read the IC proposal you will have noticed it ignores the waterfront access and uses. If you look up the relevant parts of the Industrial Action Plan, or Vision 2020, or the Waterfront Revitalization Plan, and other city documents, you will see them calling for preserving and developing waterfront planning, strengthening the City's core industrial areas, and limiting hotels, etc.

Luxury tourist hotels bring in more profit for developers, but prevailing wages are half that of manufacturing, and they have repeatedly been shown to raise rent in the surrounding area—a neighborhood already rent burdened. (The accelerating effect of this project on surrounding residential displacement is alone a reason not to approve the rezoning, but is covered by others). Sunset Park already had too many hotels, and now luxury hotels in Manhattan sit almost empty, as does office space. The plan relies on a substantial increase in retail (retail that is obviously not geared towards the existing community—please come and look around) in a time where retail is shedding jobs throughout the city. Their promises of job numbers were hard to believe from the start, and never evidence-based, but now are laughable.

Several small businesses spoke of how they appreciated being in Industry City. That's fine, but they did so under the current zoning. I wish them well, but worry about how long they can stay once

Industry City's well-funded pre-decision charm offensive is over, and the promised "re-tenanting" begins. This worry was reinforced by IC's unsuccessful offer to Amazon.

Jamestown and Industry City can make a profit on what they have already. Of course, their expensive PR and lobbyists will promise anything to get more. They are a private for-profit entity and have the legal right to maximize profit at the expense of the community within existing legal constraints. But the IC plan worked against the spirit and the letter of existing zoning from the beginning, and now they say, "you have to change the zoning to fit our plan." That's not the way it goes. **It is not up to the City Council to sacrifice the community & disregard the long-term needs of NYC by changing existing zoning so these developers can make mega profits when they then flip the property.**

Any council person interested in doing the right thing for residents of New York City will follow the local council person and other elected officials and vote **No** on this proposal. If you don't care about the right thing, please at least know people are watching and will remember come election time.

Sincerely,

Eric Fretz

(the above testimony is also included as PDF, attached.)

My name is Eric Fretz, I am 60 years old and I live on 41st Street on Sunset Park in a community with long ties to the waterfront, where many walked there to work. I was horrified when I read through the Industry City plans and proposal, and **strongly urge you to listen to the community and elected officials representing us, and vote No to Industry Cities proposal for Sunset Park waterfront rezoning.**

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Testimony has tended to falsely pit a) stability of residents and protection against displacement against b) job creation. But this is false, the kind of jobs the rezoning would eliminate are those which make a stable working community, vs the temporary construction and low paid retail and hotel cleaner jobs that still don't pay the rent.

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Elsewhere the plan states it seeks to "protect sensitive uses in the district, such as hotels and academic uses, from the potentially adverse effects of manufacturing uses in the district," and that the "flexibility" granted "would protect more sensitive land uses from potentially heavier industrial uses within the special permit area." In other words, the needs of their hotels and upscale retail would keep the jobs we need from being established, in a rare location where it would be possible now. (Despite several verbal assurances from Kimble that he could take out Hotels if needed, they are still in the plan being voted on.) Industry City's private commercial pressures would decimate badly needed manufacturing in the city.

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If you have read the IC proposal you will have noticed it ignores the waterfront access and uses. If you look up the relevant parts of the Industrial Action Plan, or Vision 2020, or the Waterfront Revitalization Plan, and other city documents, you will see them rightly calling for preserving and developing waterfront planning, strengthening the City's core industrial areas, and limiting hotels, etc.

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the city. Their promises of job numbers were hard to believe from the start, and never evidence-based, but now are laughable.

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Jamestown and Industry City can make a profit on what they have already. Of course, their expensive PR and lobbyists will promise anything to get more. They are a private for-profit entity and have the legal right to maximize profit at the expense of the community within existing legal constraints. But the IC plan worked against the spirit and the letter of existing zoning from the beginning, and now they say, 'you have to change the zoning to fit our plan.' That's not the way it goes. **It is not up to city council to sacrifice the community & disregard the long-term needs of NYC by changing existing zoning so these developers can make mega profits when they later flip the property.**

Any councilperson interested in doing the right thing for residents of New York City will follow the local councilperson and other elected officials and vote **No** on this proposal. If any of you don't care about the right thing, please at least know people are watching and will remember come election time.

Sincerely,

Eric Fretz,
Sunset Park, Brooklyn

From: [Dan Marks](#)
To: [Land Use Testimony](#)
Subject: Written Testimony re: Industry City ULURP application
Date: Wednesday, September 9, 2020 1:16:04 PM

To whom it may concern,

I hope this letter finds you doing well. I'm writing to express my support for Industry City's comprehensive redevelopment and rezoning plan. Sunset Park has a long history rooted in the working class that keeps NYC running. I strongly believe that Industry City has represented this tradition in their work over the last seven years to grow jobs and opportunity, as well as in their plan for the future. They already have proven that they are good neighbors and are active and engaged members of this community. This is also an opportunity to show the world that New York City, and more importantly Brooklyn are open for business (more job growth).

Industry City's redevelopment plan has created 6,000 jobs since 2013. With rezoning, jobs will grow to 15,000 on-site with another 8,250 created off-site by 2027. Services offered by the Innovation Lab are providing Sunset Park residents with opportunities never offered to us before, from job training and placement to ESOL classes and summer internships for our community's youth. Community programming, green open space, as well as retail and food options at Industry City have improved our quality of life. In short, Industry City has overwhelmingly improved our neighborhood and local economy.

Industry City's proposal is an opportunity to bring thousands of new jobs and new opportunities to Sunset Park. I urge you to join me in support of this proposal and help bring opportunity to our neighborhood.

If you have any questions for me or would like to discuss further please let me know and I'd be happy to speak.

Thank you,
Dan Marks

Dan Marks | Partner | TerraCRG | 634 Dean Street | Brooklyn, NY 11238

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Please consider the environment before printing this email.

From: pecoraropost@yahoo.com
To: [Land Use Testimony](#)
Subject: Written testimony re: L.U. 674, 675, 676, & 677
Date: Tuesday, September 15, 2020 10:24:27 AM

I am writing against L.U. 674, 675, 676, & 677, the planned rezoning of Industry City in Sunset Park, Brooklyn. I urge the Council -- particularly my representative, Justin Brannan -- to vote down this plan.

The proposed rezoning would be a juggernaut for gentrification (above and beyond what Industry City has been able to do as-of-right), and of pushing poor and working class residents out of the neighborhood and in all likelihood out of the city altogether. Furthermore, as we have seen with the public spaces planned for 300 Ashland, any purported civic gains -- under L.U. 674, 675, 676, & 677, the school, the job training, what have you -- all stand to be delayed and the components for Jamestown's gain -- the hotels, the office buildings -- prioritized. We've seen this play over and over again over the course of the last two decades -- since the rezoning of Greenpoint and Williamsburg eviscerated anything left of a working class neighborhood -- and now's the time to stop.

Jamestown will continue to operate the space no matter what and should be left to their as-of-right restrictions, or come back to the bargaining table with CM Menchaca, the Community Board, community organizations such as Uprose and El Grito de Sunset Park (which have been doing such critical work on this issue), and other stakeholders to create a plan where they continue to profit but the community gets greater dividends, too.

Best regards,
Daniel Pecoraro
Bay Ridge, Brooklyn, NY

From: [Chris Barker](#)
To: [Land Use Testimony](#)
Cc: [Speaker Corey Johnson](#); [info38](#); [prosunsetpark@gmail.com](#)
Subject: Written testimony: Please vote NO on Industry City rezoning plans
Date: Thursday, September 17, 2020 10:18:54 AM

Dear Land Use Committee,

I am writing to urge you to vote NO on the proposed Industry City rezoning. I have lived with my family in Sunset Park for over 6 years, and I am very worried about the impact that such a large-scale project would have on the community. I am also very concerned that Industry City will not be able to deliver on its promises, and that it won't prioritize the interests of the community over profits.

Even before the pandemic, the implementation of such a plan would have caused strain on the small businesses, working class residents, and families that make up a huge proportion of the neighborhood. For example, as of 2018, data from NYU's Furman Center shows that 31.7% of renter households in Sunset Park were severely rent burdened (spent more than 50% of household income on rent). Even with Industry City at its current scale, we have already witnessed a rise in local rents, a change in demographics, and a change in the types of businesses being opened. Many existing residents do not feel welcome in such spaces, and even when they do, cannot afford the rents or items being sold. The proposed plan would lead to an even greater influx of higher income residents, businesses, and speculative landlords and developers, thereby intensifying the burden that residents and commercial tenants are already feeling. On top of all of that, we are now dealing with a pandemic that has resulted in a drastic increase in local unemployment, food insecurity, and housing insecurity. We must prioritize plans that support and protect the people and businesses that are already here, and already facing hardships, rather than providing new opportunities to external wealthy investors. Industry City has already received millions of dollars of tax breaks and investments, with very little to show for it, while local residents and businesses have been excluded from decision-making, benefits, and investment.

Based on what we've seen in the past, we are also very concerned about Industry City's willingness to work with community groups or deliver on promises. At both Industry City and other similar developments (such as the Navy Yard), initial waves of artists and small businesses have been pushed out in order to make room for larger and wealthier companies and corporations. Industry City also insisted on pushing this process forward as soon as possible, even during the pandemic, despite community members and elected officials asking them to wait, listen, and come to an agreement. Meanwhile, the number of jobs offered to local residents in recent years never been as high as promised, and the local residents that receive jobs often only work in service or entry-level jobs with minimum wages or few chances for advancement.

I urge you to vote NO on the Industry City rezoning plan. We need a community planning process that centers and empowers local residents to determine the future of their own neighborhood and waterfront. Sunset Park is filled with innovative and resilient residents, small businesses, community organizations, and cultural institutions. We should invest in them, protect them, and trust them to lead the way.

Sincerely,
Chris Barker

From: [Tyndall Arrasmith](#)
To: [Land Use Testimony](#)
Cc: [Menchaca, Carlos](#); [Council Member Lander](#); bdeblasio@cityhall.nyc.gov; askeric@brooklynbp.nyc.gov; [Johnson, Corey](#)
Subject: Zoning and Franchising of IC in Sunset Park-vote yes!a note from a SP resident
Date: Tuesday, September 15, 2020 11:39:00 PM
Attachments: [IC Yes rezoning letter from Sunset Park residentv1.pdf](#)

Dear Speaker Johnson, the Land Use Committee & all of the NY City Council:

I am sorry I was not able to register to testify as I had a conflict.

However, please submit the letter below into the records and let it reflect I strongly support the rezoning of IC.

Sincerely,

Tyndall Arrasmith

15 year Sunset Park resident, 30 year New Yorker

D15 Public school parent

Local 829 Film Production Designer

Tyndall Arrasmith
Production Designer 829
Design Consultant for NBA
917.543.8037
tarrasmith@mac.com
tarrasmith.design

LETTER:

September 15th, 2020

Speaker Corey Johnson & members of The New York City Council:

I have resided in Sunset Park for over 15 years. I've raised 2 kids here. I love my neighborhood and everything about it: my neighbors, the food, the park, the playgrounds, the pool, the waterfront. The fabric and the culture are rich. It's the home to many first generation immigrants and their families. It's a wonderful community and I have no interest in harming it in any way. In fact, I love it so much I want to make it better. In my opinion, Industry City will do that.

I respectfully request that the council vote YES in favor of rezoning Industry City.

I do not want rents or housing to go up and I do not want people to be displaced. I want things to stay affordable. I want the job opportunities of IC to be accessible to Sunset Parkers.

That said, I fail to see what is bad about IC. Aren't 20,000+ jobs better than no jobs at all? Jobs are jobs. Isn't a developed IC better than abandoned warehouses & an area of distress? Wouldn't more support businesses pop up as more was developed in IC?

Just because the waterfront becomes developed, its residents do not have to be displaced. The neighborhood doesn't just gentrify.

I simply do not get the logic in being against IC. I fail to understand how the people who are against the development of IC propose to get what they want. I don't disagree with their wants. I actually admire their protection of the underserved and those in need. But how do you fund those proposals? It seems pretty clear there are no forthcoming monies coming from public funds, as there are none. At a time when budgets are being dramatically cut and the city is in crisis, why would you strike this down? We need this now more than ever. Let's create a some sort of oversight committee that holds all accountable and let IC continue to grow. Don't let what happened in Queens happen here in Brooklyn.

Further, I do not want developers to come in and take advantage when the city is weak. But Kimball and Jamestown have been here awhile now and have proven to be good neighbors. I truly feel they have an obligation to the neighborhood and want to partner with the community.

Why not create some sort of partnership with public & private? Work on a CBA. Request and get guarantees for schools, parks, green energy, affordable housing or social services in conjunction with development? Create partnerships to look at leases and make sure rents and leases are structured fairly. Try and retain the artists. Maybe offer a few residencies? Hold IC accountable.

(*It is my understanding that some of these the items I listed above- IC has been willing to do-and has put on the table.)

I'll admit, how to do all of this, well, it is definitely above my pay grade. Yet, it all seems possible. Why shut down a development that could bring good? The alternative seems like years and possibly decades of stalled development and stagnant growth. That cannot be good for our community.

In conclusion, I'll say it again, The City Council should vote YES to approve IC rezoning. City Council should also leverage its power to make sure IC holds up its part of the deal and works with and helps the community. It does not have to be one or the other.

Please don't ignore MY voice as a Sunset Park resident. Please don't let the loud voices eliminate mine. Please allow IC to rezone. I think we will all benefit.

Sincerely,

Tyndall Arrasmith

15 year Sunset Park resident, 30 year New Yorker

D15 Public school parent

Local 829 Film Production Designer

cc: Councilman C. Menchacha, Councilman B. Lander, Borough President, E.Adams, Mayor Bill DiBlasio

September 15th, 2020

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Please don't ignore MY voice as a Sunset Park resident. Please don't let the loud voices eliminate mine. Please allow IC to rezone. I think we will all benefit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyndall Arrasmith', with a long horizontal flourish extending to the right.

Tyndall Arrasmith
15 year Sunset Park resident, 30 year New Yorker
D15 Public school parent
Local 829 Film Production Designer

cc: Councilman C. Menchacha, Councilman B. Lander, Borough President, E.Adams, Mayor Bill DiBlasio

From: [Martin](#)
To: [Land Use Testimony](#)
Subject: +Industry City Rezoning
Date: Wednesday, September 16, 2020 11:57:55 AM

Hello,

I am generally supportive of the Industry City rezoning. The development group has taken what was previously abandoned warehouses, restored them, which allowed businesses to move in that provide jobs. It has also provided a place for community members to congregate pre-COVID and enjoy both outdoor and indoor space with frequent programming. Rezoning should allow this effort to continue and be more positive than negative. They have agreed to address many community concerns of which they should be held contractually accountable.

I have also read the UPROSE GRID plan, and while it provides ambitious and admirable goals, it isn't likely to move forward without substantial government aid. Perhaps it would fit better on city property within Brooklyn Bush Terminal? I agree we need to support green manufacturing in some form. It would be nice to have the UPROSE plan looked at more closely by the city, but mandating this for privately owned property is likely a non-starter.

Issues around housing and gentrification need to be addressed at many other levels of city, state, and federal government. This should not be overlooked. That said, pointing the finger at one developer that has made positive progress in a previously dilapidated area of the city, isn't the answer.

Best,
Martin Englert

848 43rd St, Apt 23
Brooklyn, NY 11232

From: [R. Thibault](#)
To: [Land Use Testimony](#)
Cc: [Speaker Corey Johnson](#)
Subject: 9/15 Hearing on Industry City - Subcommittee on Zoning and Franchises
Date: Tuesday, September 15, 2020 12:59:23 PM

Statement regarding Industry City

The policies of the Department of City Planning are policies that uphold white supremacy, destroy the environment, and result in human rights violations that violate international law and the federal Fair Housing Act. The 13 members of the City Planning Commission are all part of the Real Estate Industrial Complex and NONE have a background in comprehensive community planning. All have a conflict-of-interest in that they have their hands in real estate development in some fashion. That's why they always approve rezonings which creates gentrification in low-income neighborhoods, creates trauma and homelessness via displacement and is essentially **ethnic cleansing**. Industry City is no different.

Jamestown has a 50% stake in Industry City and aims to destroy the culture and community of Sunset Park just as they did with Chelsea Market which was the catalyst for hyper-gentrification in the Meatpacking District in Manhattan. You can **thank Michael Phillips, President of Jamestown**, who is the architect of these evil endeavors. After a total investment of \$790 million, Jamestown later sold Chelsea Market to Google's parent company, Alphabet Inc. in 2018 for **\$2.4 billion!**

While massive fires rage on the west coast, Jamestown wants to add glitzy hotels and retail instead of protecting Sunset Park from climate change. The city and planning commission must **reject Jamestown's rezoning plan** and instead implement the community-based Green Resilient Industrial District (GRID) which will create a green industrial economy that benefits all.

It is no surprise that **all of Jamestown's Partners and Managing directors are white**. It is this white power structure that aims to drown out the rich immigrant culture of Sunset Park. Their endgame is to break down the human bonds between people through gentrification, displacement and ethnic cleansing. Their racism and disregard of human life has no place on what is stolen Lenape land!

Robert Thibault

New York City

September 15, 2020

Sent with [ProtonMail](#) Secure Email.



City Council Zoning Subcommittee Testimony In Support of Industry City Rezoning

32BJ Member Mellissia Marshall

September 15, 2020

Good morning Chair Moya and members of the committee. My name is Mellissia Marshall. I am a security guard, a 32BJ member, and a long-time resident of South Brooklyn.

I am speaking this morning on behalf of my union in support of the rezoning at Industry City, and especially about the good building service jobs this proposal will bring.

In my job at the 9-11 memorial, I earn the prevailing wage. Because of this good standard, I am paid a living wage that has allowed me to continue to live in the City I love. I also have access to full family healthcare, retirement, and training paid for by my employer—all covered by the prevailing wage.

As an essential worker, I know that simply creating jobs is not enough. Jobs that give workers the kinds of protections I have are in short supply, and we need more of them in my community, and in our City, especially now.

Industry City has made a formal commitment that the many new building service jobs this rezoning will create will be prevailing wage, just like mine. This is an investment in frontline workers and our neighborhood that residents of Sunset Park and the surrounding neighborhoods need and deserve. It would also give someone like me a chance to have a building service job that pays family sustaining wages right near where I live.

Having a prevailing wage building service job has changed my life, and I know the impact would be the same for many of neighbors.

I urge you to vote yes for creating good jobs in Sunset Park by approving this rezoning. Thank you.



City Council Zoning Subcommittee Testimony in Support of Industry City Rezoning

Deputy Political Director David Cohen

September 15, 2020

Good morning and thank you for the opportunity to speak today. My name is David Cohen and I am the Deputy Political Director of 32BJ. I am here to talk about jobs – and particularly how rezoning at Industry City in Brooklyn stands to impact building service workers.

32BJ is the largest property services union in the country. We represent more than 85,000 workers in New York City, including 21,000 in Brooklyn, and more than 1,100 32BJ members who live or work in Sunset Park. Moreover, we represent approximately 100 cleaner, elevator operators, and demolition specialists currently employed at Industry City.

32BJ members support responsible rezoning for Industry City, that will create a path to raise standards for existing workers and creates good new jobs, in a moment both are desperately needed.

More than 25,000 cleaners in New York’s commercial buildings are 32BJ members. We know intimately the challenges they are facing. Thousands have lost their jobs due to the pandemic, and others have been hard hit by reductions in hours. Workers like our members are the backbone of their communities, and we believe the City Council should be doing all it can to help preserve and create good jobs like theirs. Approving this rezoning is one important step towards this goal.

The proposed rezoning will allow new uses at the Industry City site, and activate spaces that are currently sitting vacant. In doing so, it will facilitate new investment that will help maintain existing building service jobs, and create an opportunity to raise standards for current workers over the long-term. Many of the building service workers at Industry City are long-time employees, and live and support families in the Sunset Park Community. They need and deserve the security and economic gains will be made possible by the rezoning.

Additionally, the redevelopment of the Industry City site will generate many new building service jobs at the prevailing wage rates. These jobs could be life-changing for members of the Sunset Park community, where per capita income is substantially less than the prevailing wage. To make sure that these jobs benefit Sunset Park residents, we fully support plans for local hire and workforce development.

As we face the harsh realities of the COVID-19 pandemic, it is crucial to advance projects that will create jobs with good salaries, that bring employment opportunities to communities of color, and generate

hundreds of millions of dollars in taxes—especially when they do not require public subsidies. With this rezoning, you have a chance to do so. We respectfully urge you to approve it.



City Council Zoning Subcommittee Testimony In Support of Industry City Rezoning

32BJ Member Humberto Rodriguez

September 15, 2020

My name is Humberto Rodriguez. I've worked as cleaner at Industry City for 3 years. I am also a member of 32BJ and a resident of Sunset Park. I support the proposed rezoning for Industry City, and I will tell you why.

The past 6 months have been extremely difficult for essential workers like me and my co-workers. We've continued to do our jobs through the COVID pandemic. The work we do keeps Industry City sanitary and safe. My colleagues and I have been organizing to improve our wages and benefits. In the midst of the pandemic, we were able to secure high quality health benefits that guarantee we can see the doctor and get the care we need.

But for us to improve our jobs for the long-term, we need the conditions this rezoning will enable, especially now. All around New York City, commercial projects like Industry City are struggling. Every day, we read about empty buildings, businesses shutting down, and tenants packing up and going elsewhere.

So, I want to see new investment at Industry City. More resources coming into Industry City would mean more resources to improve conditions to benefit working families like mine. And new investment would also create new jobs that are desperately needed in our community. The rezoning is a way to make this happen.

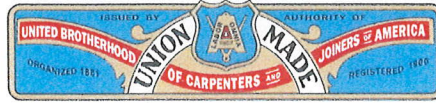
You have a chance to vote yes on a project that create opportunities we need at Industry City. I urge you to support it. Thank you.

United Brotherhood of Carpenters and Joiners OF AMERICA

1682 86th Street, 2nd Floor
Brooklyn, NY 11214

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LOCAL UNION 926

ANTHONY BELISARIO
Recording Secretary

MARTIN TUOZZO
President

VINCENT ALAIMO
Financial Secretary

NYC Council
Subcommittee on Zoning & Franchises
250 Broadway New York, NY 10007

September 15th, 2020

Re: L.U. 674, 675, 676, & 677 - Industry City

Honorable Members of the Subcommittee:

I am Martin Tuozzo, President of **Brooklyn Carpenters Local #926**, with a membership of approximately two-thousand (2000) Brooklyn Union Carpenters; many of which live in Brooklyn, have familial and/or close ties to the Borough. **I was born in Sunset Park Brooklyn**, and was raised in neighboring Park Slope. I wish to emphasize what the rezoning of **Industry City** means for my members.

A vote In-Favor of the Rezoning means potentially hundreds of Union jobs, lasting years for our Carpenter members. Such jobs provide wages on which our families can be raised, rent and mortgages can be met, and local purchases can be made. A favorable vote can bring much needed comfort in a time of uncertainty given the ramifications of the health crisis we all face. The well being of thousands of families, many from Brooklyn, lays in your hands. Our very livelihoods depend upon your decision.

On behalf of these families I must therefore urge the Subcommittee to recommend a vote **In-Favor of the Industry City Rezoning** with no further delay.

Sincerely,

Martin Tuozzo: President
Carpenters Local #926

From: [Erkan Emre](#)
To: [Land Use Testimony](#)
Subject: Business Owner Written Testimony in Favor of Industry City
Date: Thursday, September 17, 2020 9:35:41 PM

Dear Chair Francisco Moya,

Thank you for the opportunity to send my testimonial via email in favor of the rezoning of Industry City.

My name is Erkan Emre and I am the owner of a small restaurant inside Industry City that started to serve its Sunset Park community since February 2017 and I hope very much to remain in business past Covid to be there for our community.

I am also a Brooklyn resident and a father of two young public elementary school students.

Allow me to say a few words about Industry City and what it means to me:

- Industry City response to a fire in Sunset Park:

On April 3rd, 2019 a fire broke out and destructed a series of Sunset Park homes. I recall the sad mood inside Industry City and my guests were speaking about the families who had lost everything to the fire. These families had just lost all of their belongings and moreover, they lost a roof over their heads.

When I learned that Industry City's leadership under Andrew Kimball had started a fundraiser to I was so moved and inspired by his actions that I decided to donate to the cause from the proceeds of the restaurant to help the families who needed it the most. I know first hand that other young start-ups who have offices at industry City were also inspired and made a donation to this good cause.

- Industry City is much more than a collection of buildings.
- Industry City is a place where families come together and enjoy weekdays and weekends and connect and reconnect with each other.
- Industry City is a place where children play in courtyards, attend events and celebrate birthdays, including my own kids.
- Industry City is where artists showcase there amazing work and where creative people do what they love.

Allow me also to mention how strong our community is in Sunset Park and Industry City by highlighting our actions during the peak of the pandemic and how Industry City tenants support their community:

- On April 10th I have received a call from a Brooklyn resident to reopen our

restaurant doors to feed healthcare professionals who were giving their all to care for the sick.

- Although our restaurant had been closed to the public since March 21st 2020 as mandated by Governor Cuomo and Mayor DeBlasio, I decided to reopen our restaurant to support our healthcare warriors.
- April and May 2020 were two of the most humbling, scary, yet meaningful months for me. During these dark Covid-Days, I have seen light and goodness all over Sunset Park and beyond. Everyone from MTA personnel- who have helped essential worker to get to their workplace; to the grocery store workers- who helped to nourish our seemingly lost hopes for a better tomorrow; all the way to the restaurant workers- who fed the poor and all frontline workers, who have risked their lives for us all.
- I was so honored to have had the opportunity to serve over 3000 meals across 5 hospitals in Brooklyn, including NYU Langone in Sunset Park. These meals were served to our healthcare professionals who have given their all to save our community from this vicious virus day in and day out. The food hall at Industry City came together in support of their community in Sunset Park to feed the needy and our healthcare workers. Restaurants, like mine, Avocaderia, Renegade, Ends Meat, Taza, Taco Mix, and others all reopened their door to support what was dear to them. We were all willing to expose ourselves for the greater good of our Industry City community.
- There were days when we all helped each other when others did not have enough staff. I will never forget Day 12 when I had unexpected support from other business owners, like Avocaderia, Jim Somoza, a leader at Industry City, a friend, and others who wanted to help. These are all people from our community that we are so proud to be part of. To help you visualize this special day I am including this Instagram highlight to give you an insight of the strong community that Industry City has fostered over the many years that I have witnessed and that I am proud to be part of.
- Instagram Highlight Day
1: <https://www.instagram.com/stories/highlights/17870279557684168/>
- Instagram Highlight Day
12: <https://www.instagram.com/stories/highlights/17855503402960686/>





NEW YORK POST

LIVING

Here's how you can help feed front line heroes amid COVID-19

By Perri Ormont Blumberg

May 6, 2020 | 3:37pm



Erkan Emre(right), Founder of Kotti Berliner Döner Kebab preparing meals for Operation Feed Brooklyn.

- I also invite you to read a Thank You letter addressed to me by NYU Langone Engineering Department for feeding them out of our Industry City location: https://www.instagram.com/p/B_0mOwCDw-a/
- As a business owner who loves his community dearly, I look forward to hire people from our community as I have previously done with the help of WorkForce 1.

I believe- in my heart that Industry City is an extension of the community at Sunset Park.

I also believe, now- more than ever, a rezoning would allow the next generation of Sunset Park youth to use Industry City as its backyard to create amazing things for our young Sunset-Park-Generations in the future.

But more importantly, we need to get our community back on their feet and rezoning would provide for much-needed infrastructure to hire, train, and build a stronger community for us all.

I am happy to meet you in person to talk in more detail. In the meantime, thank you for taking the time to read my terribly long email, view my memorable

Instagram highlight, and read a the letter I send.

If I can be of further assistance to you or your staff please let me know.

--

Best,

Erkan Emre
Founder
Kotti Berliner Döner Kebab
[+1 \(646\) 641-1779](tel:+16466411779)
www.kottidoner.com
[@kottidoner](https://www.instagram.com/kottidoner)

New video out now by “Pro Home Cook” on Kotti and Döner Kebab with over 1.5 Million Subscribers on Youtube:

"How am I JUST finding out about this sandwich?", Michael Greenfield.

<https://youtu.be/0nNr8MEg4Sc>

From: [christopher bajana](#)
To: [Land Use Testimony](#)
Subject: Christopher Bajaña Written Testimony
Date: Tuesday, September 15, 2020 7:33:46 PM

My name is Christopher Bajaña, a lifelong resident of Sunset Park speaking in vehement opposition of the rezoning of Industry City. Industry City’s rezoning plan is the same “hero mentality” no different than a colonizer mentality acting as if they have all the solutions using entrepreneurial endeavors under the guise of public interest. Kimball speaks about bringing 2020 jobs to Sunset, pushing options such as retail as a remedy while Brick and mortar retail shops are a dying industry. This man speaks of bringing innovation, and uses T.j. Maxx as an example? Mr. Kimball You keep pushing a CBA. This sounds a lot like do first, “apologize later” dynamic synonymous with any large developer. We the people of sunset park are telling you no. Just because you have the only proposal doesn’t mean it is the best. Thank you-the cause- for this platform and everyone standing in solidarity.

In the spirit of the Young Lords whose legacy is weaved in the fabric of Sunset Park, ¡Pa'lante, Siempre Pa'late! and Industry City’s seems anything but progressive.

To the City Council regarding the rezoning application submitted by Industry City:

Good afternoon, Council. My name is Shay O'Reilly, and I am a Senior Organizing Representative for the Sierra Club. I am proud to be here in solidarity with the people of Sunset Park and particularly UPROSE as they oppose this rezoning that would have deeply harmful effects on their community.

The Sierra Club is the nation's oldest grassroots environmental organization, founded in 1892. Locally, we have organized for years to support our state's clean energy goals and a green economy that pays family-sustaining wages and embraces union labor. We were major supporters of offshore wind long before our state's first commitment, and we continue to advocate, alongside our community partners, for strong community benefits and labor standards as these projects move forward.

The City of New York has been vocal in acknowledging that our climate is changing due to human activity. We know that our power plants, automobiles, land-use policies, and boilers are leading to a destabilizing of our planet's weather patterns. In this pressing crisis, I am calling upon the City Council to reject Industry City's rezoning application.

There is a model of development based on luxury real estate, with the general notion that as property values rise, the city's coffers swell. This model of development has failed: It has resulted in displacement of our city's people, the conversion of neighborhoods into corporate monoculture, and a particular fiscal vulnerability to natural disasters like COVID-19. Hudson Yards is perhaps the ur-example of this development: a bloated project promising tax revenues and needing one - and now perhaps two - city-funded bailouts, all to benefit its billionaire developer. As the crisis of climate change worsens, this model will only fail more wretchedly - the yawning gap between rich and poor in gentrified neighborhoods tears the social fabric that allows people to weather disasters; it leads to individual lifeboat politics instead of civic responsibility and the mustering of shared resources.

This failed model also decimates our ability to pivot, to maintain the industrial facilities that can build the technologies we need for our energy transition. Sunset Park's working waterfront is a crucial resource for our city and state, and perhaps even our region -- not one that simply extracts labor and wealth from the existing communities, but that builds upon the strengths of Sunset Park's residents and invests in the future. UPROSE's Green Resilient Industrial District rightly identifies that the state and city's climate goals necessitate an expansion of the state's industrial sector, and it lays out a roadmap from Sunset Park's own residents -- those most hard-hit by COVID and most in danger of displacement and impoverishment -- to put their neighborhood resources to work. Critical here is the ability to expand offshore wind jobs beyond simply the operations & maintenance jobs mentioned by industry City - to allow for local supply chain manufacturing as the industry comes to fruition.

There is no more time for failed development that creates new playgrounds for the rich and low-level service jobs for everyone else. We are on the cusp of a green industrial economy. Let's retain the flexibility and community of Sunset Park's working waterfront. I urge you to vote no. Thank you for your time.

Shay O'Reilly
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Hello,

My name is Darryle Hawes, I am an employee at MFactory located in Industry City and a resident of Bedstuy Brooklyn. I wanted to share my experience and thoughts on the I.C Re-Zoning proposal.

I've worked in Sunset Park for the last 7 years and at I.C. for the past 3 years. I was one of the first employees at my company when we first started 3 years ago. I found my job through the Innovation Lab job recruitment center after driving past the buildings along 3rd Ave when I saw a sign that said "This is the place where makers make". I thought to myself that sounds like the place that I need to be and went there the next day for an informal interview and skills assessment. A few weeks later they called me with an opportunity to work with a company producing eyewear made in America.

Fast forward to 2020 and our company has grown from 5 employees to over 50. Many of our current employees are from Sunset Park and can walk to work. We have intensive re-skilling initiatives to help workers from other industries learn the eyewear manufacturing trade. We have also adopted many advanced manufacturing techniques and equipment to allow us to compete with foreign manufacturers and help bring jobs back to the USA.

I credit Industry City for taking the steps to help businesses like ours survive and even thrive in the new global economy and help introduce industry 4.0 to small and medium sized businesses. I do not believe the manufacturing jobs of old are coming back and have taken steps to make sure my skill set is up to date with current advances in manufacturing tech. Industry city has also provided a space to explore these techniques and equipment by opening in partnership with NYU, a maker space for Veterans and tenants of Industry City.

I vote yes for re-zoning which will give greater access to education and workspace to residents of Sunset Park and the city of NY.

Sincerely,

Darryle Hawes
MFactory – Machines Operations Manager