



# EAST NEW YORK NEIGHBORHOOD RE-ZONING | COMMUNITY PLAN

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

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

*REPORT PREPARED BY:*



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# EAST NEW YORK NEIGHBORHOOD RE-ZONING COMMUNITY PLAN | EXECUTIVE SUMMARY



East New York/Cypress Hills residents deeply understand the desperate need for affordable housing in our neighborhood. At the same time, the threat of displacement is real – evidenced by recent speculation and tenant harassment. We are not willing to trade an historic projected influx of new residents and the consequent impact on already inadequate local infrastructure for a small percentage of affordable units. East New York/Cypress Hills is our home – we have long advocated for better and more schools and community facilities, good, local jobs, transportation improvements, more open space, and increased access to fresh food. Those priorities must be proactively and concretely addressed in any rezoning. We look to the City to work with us to create a Neighborhood of Opportunity, where increased density results in increased affordability, living wage jobs, improved infrastructure, and essential amenities.

## HOUSING

The City has committed to 50% mandatory affordability for future housing development. HPD has set aside funding to build 1,200 subsidized units over the next two years. These are tremendous victories for our community, and evidence of the Administration's commitment to current East New York residents and the long-term development of our neighborhood. There is still more work to be done.

### CHALLENGES

The existing local need for affordable housing – evidenced by rent burden, homelessness, illegal conversions, and overcrowding – far outstrips the number of projected and potential affordable units generated by the rezoning.

Home values within the study area have risen by more than 150% since 2012. The result has been increased tenant harassment by landlords.

The AMI of East New York homeowners is significantly lower than the citywide average, making local homeowners and their tenants more vulnerable to housing market changes.

### SOLUTIONS

- Create a dedicated construction fund of \$525 million to finance the development of 5,000 new, permanently affordable units at \$105K/unit.
- Mandatory Inclusionary Zoning (MIZ) should provide for 50% of units in new developments to be permanently affordable and locked into current neighborhood incomes (up to \$50,340/year) without any additional bonus granted to the developers for MIZ units.
- Institute strong anti-displacement policies such as a Good Neighbor Tax Credit and an Investor Purchaser Transfer Tax to incentivize tenant protections by their landlords and discourage speculation.
- Fund both legal and organizing services to combat tenant harassment with a payment in lieu of taxes (PILOT).
- Create a fund for capital upgrades for low-income homeowners to finance roof replacements and energy efficiency measures to offset rising housing costs, improve health indicators associated with indoor air quality, and develop a retrofit and small home repair market for local contractors.

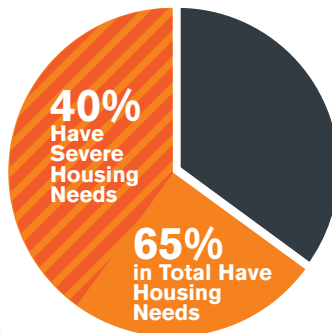
### Of the 13,053 Households within the DCP Rezoning Area:

#### Severe Housing Needs Include:

- 4,611 People with Housing costs that are > 50% of their income
- 243 People Entering Homeless shelters
- 392 People in Severely Overcrowded Residences

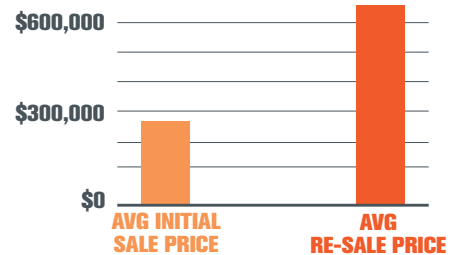
#### Total Housing Needs Also Include:

- 3,030 People with Housing costs that are between 30%-50% of their income
- 783 Overcrowded Residences
- 1,839 Severely Overcrowded Residences



Source: Association of Neighborhood and Housing Development, Inc. (ANHD)

### East New York Home Sales Prices Between Nov 2012 and Mar 2015



8 months average duration between sales  
Source: zillow.com

# ECONOMIC + WORKFORCE DEVELOPMENT

Unemployment in East New York is more than 3X that of NYC overall



## CHALLENGES

Existing small and local retail and services (mom and pop shops) are the commercial lifeblood of the Cypress Hills/East New York community and there is no protection for these businesses via commercial rent stabilization or other policies.

Evidence shows that MX zoning puts manufacturing businesses and future manufacturing development at risk and disproportionately favors future residential development.

At over 19%, East New York has one of the highest rates of unemployment in the City and in the country.



## SOLUTIONS

Develop a retail plan for the rezoning area, including set asides of discounted commercial rentals for Mom & Pop businesses in new developments, small business technical and legal assistance and tax breaks for owners of mixed-use buildings who maintain long-time small businesses.

Preserve portions of existing industrial zoning and strengthen the ENY Industrial Business Zone by not allowing non-industrial uses to be located there as-of-right. Research shows that MX zoning threatens manufacturers and manufacturing jobs by encouraging residential development. It does not belong in East New York.

Establish a Workforce 1 Satellite Center and a Youth Development Opportunity Center in East New York to prepare residents for local placements in construction, manufacturing, and service jobs.

Link mandatory local hiring requirements to government subsidy programs, including, but not limited to, housing and economic development subsidies.

# INFRASTRUCTURE - TRANSPORTATION + MOBILITY

## CHALLENGES

70% of ENY residents rely on public transportation to get to their jobs and commute times are very long (60 to 90 minutes). J/Z trains break down more often than average, and C trains break down more than any other in the MTA system.

The B12 bus route along Liberty Avenue was discontinued in 2010, removing an important public transportation route for local residents and workers.

North/south connectivity in the neighborhood is extremely challenging, with only four streets and one bus route that cross more than a 1.5 mile section of Atlantic Avenue. This results in frequent traffic jams, unsafe pedestrian conditions, noise and air pollution and elevated stress.

ConEd has determined that East New York infrastructure is inadequate to support current energy demand.



## SOLUTIONS

Increase frequency and improve quality and accessibility of A/C and J/Z service.

Re-institute the B12 bus line along Liberty Avenue.

Improve connectivity by increasing the number of north/south streets and bus routes that cross Atlantic Avenue.

Large-scale energy retrofits and upgrades of existing residential stock must be implemented. Stringent requirements for energy efficient, green, and healthy construction must be mandated for new developments.

# COMMUNITY FACILITIES + RESOURCES

Given the scarcity of large developable sites and the need to provide comprehensive community services for the current community and for any future population increase, the City must act now to pro-actively acquire sites for community facility development. The City must use all of the tools at its disposal, including eminent domain, to acquire sites before the rezoning is complete and land prices skyrocket.



Cypress Hills Community School/P.S. 89

## CHALLENGES

Currently, schools in and around the rezoning area are overcrowded and provide insufficient space for learning – evidenced by “temporary” trailers in parking lots.



There is no community center in the rezoning area that offers comprehensive services for children, young adults, parents and the elderly.



## SOLUTIONS

We applaud the City’s commitment to develop one new school on Atlantic Avenue as part of the rezoning effort. However, the population growth as projected by DCP will result in a projected deficit of more than 3,400 school seats – or anywhere between 4 and 7 new schools. Large development sites must be identified, aggregated, earmarked and included in the DOE’s Capital Plan for school construction now.

A community center development site must be identified and earmarked as part of the rezoning.

# ZONING + LAND USE

## CHALLENGES

Increased population density will increase demand on already overburdened community facilities and resources, including schools, health centers, grocery stores, police, fire, and sanitation services, among others.



Increased density should be encouraged in areas where it is most appropriate, including major east-west corridors and near subway stations.



## SOLUTIONS

Create and map a special area-wide zoning designation (a Special Purpose District or a Density Growth Management Area) onto the rezoning area to require set aside FAR for the provision of needed community facilities, services and/or infrastructure within or as an accessory to new developments now and well into the future supported by a payment in lieu of taxes (PILOT) to fund the construction of community facilities and resources.

Keep existing zoning designations on side streets in order to balance out significant increases in density on the major east-west corridors. R6A on side streets between Atlantic and Liberty Avenues is unacceptable.

# GOVERNANCE

East New York residents have invested many years into the growth and development of their neighborhood over the years. They also have put a lot of time and energy into gathering input from their neighbors and crafting recommendations preceding and throughout the most recent Neighborhood Plan process. ENY residents need to know that their input is taken seriously, how it will be incorporated into the rezoning plan to be approved by the City Planning Commission, and who they will work with in the future to ensure implementation meets clearly stated community needs and priorities.



## CHALLENGES

Currently, no mechanism exists to ensure that community input is incorporated into the final Neighborhood Plan and Rezoning action. Further, where the Plan lives after it is approved, how it is implemented, and how the impact of the zoning action and Plan is tracked remain open questions.



## SOLUTIONS

- Establish an Office of Neighborhood Development charged with ensuring the effective and timely implementation of the re-zoning plan, to serve as overall coordinator of all city agencies;
- Establish a Neighborhood Cabinet to serve as an empowered advisory board to work together with City agencies on neighborhood planning policies and initiatives;
- Create an Evaluation Tool based on changing demographic information - equity, health and well-being, just city and sustainability indicators to ensure ongoing accountability and to measure impact throughout implementation.

# NEXT STEPS

East New York/Cypress Hills has long been a **NEIGHBORHOOD OF OPPORTUNITY** – a place that welcomes immigrants and gives residents a “leg-up” to climb the economic ladder. New York City must preserve and invest in these kinds of communities to ensure that residents can advance out of poverty in greater numbers. That kind of proactive neighborhood development requires an integrated approach to change – planning not only for increased density for deeply affordable housing, but also for equitable economic development, excellent schools, and needed community resources.

**Our neighborhood is our home and we expect to enjoy the change that we have fought so long and hard for over the years.**







## INTRODUCTION

**The Coalition for Community Advancement: Progress for East New York/Cypress Hills** is a coalition of community and civic organizations, small businesses, houses of worship and local citizens working together to advocate for affordable housing, new and good jobs, and a voice in the future of our neighborhood.

East New York/Cypress Hills is undergoing major land use and policy changes that threaten to displace long-time residents and businesses unless strong and innovative anti-displacement policies are developed and implemented now. The City has proposed to rezone the northern part of the neighborhood to allow for major physical changes that, in turn, will facilitate a significant population increase. Anticipation of these changes has led to speculation that threatens the possibility of building affordable housing on key sites that have long been identified for affordable housing by the community. With the community's future at stake and the City's community engagement process found wanting, the Coalition for Community Advancement formed to lead a grassroots community planning process focused on developing a comprehensive neighborhood plan.

What follows is the Coalition's vision for the future of East New York/Cypress Hills based on four years of extensive, community-led visioning. The report consists of six sections focused on Housing, Economic and Workforce Development, Infrastructure, Community Facilities and Resources, Zoning and Land Use, and Governance. Key points include:

**Housing** – We provide framework to ensure that new affordable units meet the community's great need for housing and are tailored to the neighborhood's income levels. Innovative anti-displacement and harassment policies to preserve the existing affordable housing stock are laid out.

**Economic + Workforce Development** – Manufacturing is a crucial economic development tool that provides living wage careers for immigrants and people of color – a majority of East New York/Cypress Hills residents. In addition, small businesses are crucial to the fabric of our community and their protection must be a priority.

**Infrastructure** – Current infrastructure – from power to water to transportation – is inadequate and must be upgraded to improve connectivity and the basic functioning of the existing community and for any future population increase.

**Community Facilities + Resources** – The community has long advocated for a community center and other necessary community facilities. We must take advantage of zoning as a tool to meet these needs.

**Zoning + Land Use** – Through a special purpose district, zoning will ensure that future residential development is linked to the development of much needed community facilities.

**Governance** – The City must keep the community engaged throughout the implementation of the East New York Community Plan and proactively address alarming demographic shifts.

The Coalition has taken on the many challenges of rapid change and a massive projected increase in population in our neighborhood – more than twice the current population – and worked hard to develop innovative and implementable solutions to those challenges. We look forward to additional solutions that the City must provide.

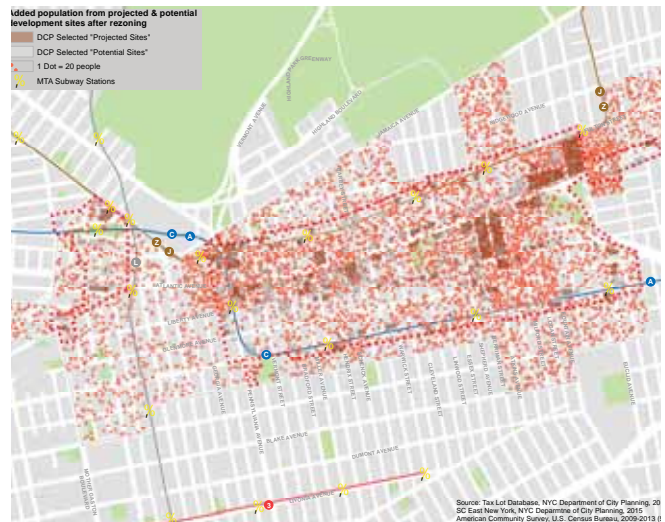
## Projected Population Density Increase in Proposed Rezoning



Population Density in East New York, 2010

**2010 Population in Study Area: 54,000**

source: 2010 Census, based on census tract



Population Density from projected and potential development sites after proposed rezoning

**Future Population Estimates After Rezoning: 82,000 to 123,000**

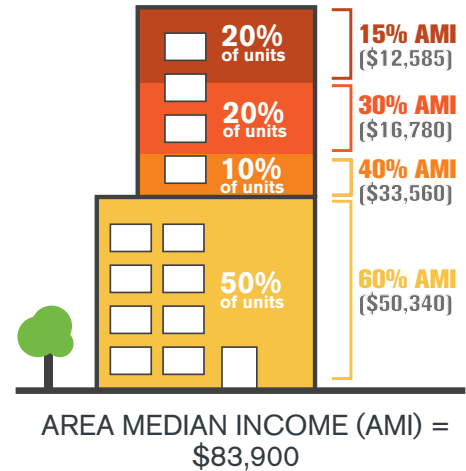
source: DCP Draft EIS for the rezoning. DCP identifies 9600 dwelling units from Projected Sites and 7,600 from Potential Sites. Assuming each household is 3.5 people and each unit is 1000 sq ft.

# 1. HOUSING

## CHALLENGES

- The existing local need for affordable housing -- evidenced by rent burden, homelessness, illegal conversions, and overcrowding -- far outstrips the number of projected and potential units generated by the rezoning.
- Two-thirds of residents within the zoning area are rent burdened, severely rent burdened, overcrowded or homeless.
- Increased land values are escalating the amount of City subsidy that will be needed to achieve the City's desired number of affordable units.
- There are approximately 40,000 rental units in CD 5: 22,000 rental units (54%) are NYCHA-owned, rent regulated or government assisted. The remaining 18,000 units (46%) are vulnerable to extreme rent fluctuations. Of the 22,000 of regulated units, an estimated 780 units are currently at risk of losing their affordability because of a government program or regulatory agreement that is set to expire in the next five years.
- Home values have risen by more than 150% since 2012. The result has been increased tenant harassment by landlords and a demographic shift between long-time and new homeowners.
- The average median income of homeowners in Cypress Hills/ East New York is significantly lower than the citywide average, making local homeowners more vulnerable to housing market changes.
- The foreclosure crisis is significant in East New York: between February 2011 and early 2015 there were over 3,500 *Lis Pendens* filings in zip codes 11207 and 11208.

### ENY Coalition AMI Proposal



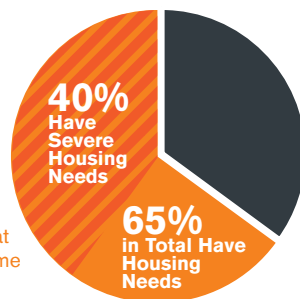
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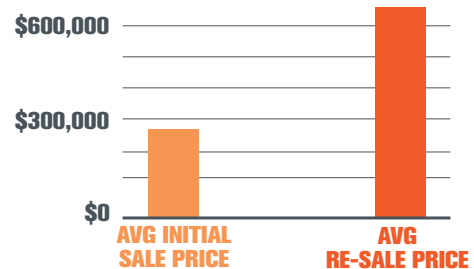
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Source: Association of Neighborhood and Housing Development, Inc. (ANHD)

### East New York Home Sales Prices Between Nov 2012 and Mar 2015



8 months average duration between sales

Source: zillow.com

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## **SOLUTIONS**

### ***Mandatory Inclusionary Zoning (MIZ)***

- Developers must not be allowed an additional buildable space bonus in exchange for building MIZ units, maintaining zoning heights.
- 50% of the units in each development must be set aside as affordable units.
- The levels of affordability of the MIZ units must be pegged to the neighborhood's AMI levels.
- The MIZ units must be permanently affordable, without any possibility for transition to market-rate units, and locked to current AMI levels up to 60% AMI or a family earning \$50,340/year.
- Developers using subsidies must either build more affordable housing or build at deeper affordability levels.
- No poor doors, equal apartment typologies across the development, and access to all public/building amenities.

### ***New construction of affordable housing***

- New housing development must reflect neighborhood AMI levels.
- Create a dedicated construction fund to be used as HPD subsidy to finance the development of new, permanently affordable, family-sized housing units (\$525 million for 5,000 units at \$105,000 each).
- Large potential development sites (over 50,000 sf) where the owner is not pursuing the development of affordable housing must be excluded from the re-zoning. By not utilizing these properties for much needed and City-sought affordable housing, we are forfeiting what amounts to a once in a lifetime opportunity to maximize limited developable land, and take advantage of true economies of scale to develop large amounts of affordable units, as well as difficult-to-develop community resources that require large footprints (e.g. schools, community centers and grocery stores).
- HPD must aggressively pursue owners that have acquired property in the last two years to incentivize affordable housing development and services.
- Exclude Arlington Village from the rezoning. At well over 300,000 sf, multiple community facilities and hundreds of deeply affordable units could be developed on this site alone. The poor condition of the buildings on this site have long been a blight both on the community at large and on Arlington Village residents themselves. Multiple elected officials and non-profit developers have tried over decades to purchase the site for affordable housing and community facility development. The rezoning should not offer the owner the ability to make a windfall profit in exchange for market rate housing after years of willful neglect.

### ***Anti-displacement and preservation of regulated and unregulated housing***

- Protect existing affordable multi-family housing by recapitalizing, restructuring, and requiring permanent affordability of 100% of the units coming out of their regulatory period.
- Create and implement tools to prevent speculation, tenant harassment, and displacement, including but not limited to:
  - Good Neighbor Tax Credit – property tax credit to incentivize modest tenant protections by providing an un-regulated, month-to-month tenant a one-year lease. In exchange, the landlord would receive a property tax credit equal to 50% of the difference between the market rent and the actual rent OR 50% of the tax bill, whichever is lower.
  - Investor Purchaser Transfer Tax -- increase the transfer tax on all transfers to non-owner occupied/investor-purchased units.
  - Investor Landlord Tax Classification – reclassify investment-purchased small homes (1 to 4 units) as Class 2 properties to increase property tax rates.
  - HPD must actively seek out responsible developers with strong ties to the community to implement new developments. HPD should not finance projects of landlords/owners and developers who have violated the Tenant Protection Act for at least 5 years.

- Citywide anti-harassment legislation based on the Special Clinton District, which requires owners of multiple-dwelling buildings to apply for a Certification of No Harassment from HPD prior to seeking a DOB permit to alter, demolish, or change the shape or layout of a building. (See the Appendix for more information.)

### **Support low-income homeowners (and their tenants)**

- Create a fund for capital upgrades for low-income homeowners to finance roof replacements and energy efficiency measures to offset rising housing costs. At the same time, develop the retrofit and small home repair market for local contractors.
- Explore ways that the City can lower the rates for water and sewer bills for long-term, low-income owner-occupants of 1 to 4-family homes.
- Extend the tax exemptions of homeowners who purchased subsidized homes through HPD in East New York through the Neighborhood Homes Program.
- Establish the Community Restoration Fund to initiative the mission-driven purchase of distressed mortgage notes in East New York (and other NYC neighborhoods), allowing homeowners to stay in their homes while keeping properties out of the hand of private investors and real estate speculators.
- Allocate \$4.5 million to fund both legal services AND community organizing to protect tenants AND homeowners from scams or abuse, fueled by speculation and explore tools such as a payment in lieu of taxes (PILOT) to fund the services long term. Explore the creation of a pilot program in East New York where the City provides financing to homeowners to pay for legalization of basement apartments in exchange for affordability requirements.
- Establish a moratorium on tax lien sales.

### **Foster homeownership**

- Fund and support a Homeownership Opportunity & Preservation Center with counseling services to help homeowners modify mortgages, apply for financing retrofits, access whole home retrofit programs, and home repair loans.
- Support the ability of long-time renters to achieve homeownership by expanding the HomeFirst Down Payment Assistance Program and targeting it to East New York.

## **CASE STUDY: HOUSING TRUST FUNDS**

Housing Trust Funds are established by city, county or state governments and funded by ongoing dedicated sources of public funding to support the preservation and production of affordable housing. Housing Trust Funds systemically shift the funding of affordable housing from annual budget allocations – which can vary due to changes in Administration – to the consistent commitment of dedicated public revenue. They are not public/private partnerships, nor are they endowed funds operating from interest and other earnings. Most housing trust funds award funds through a competitive application process, but have numerous priorities and requirements to ensure the funds are used as intended, including requirements that the funds be used to benefit those below a targeted income and often include continued affordability requirements.<sup>1</sup>

Philadelphia uses recording fee revenues to support housing production and preservation, home repair, and homelessness prevention.<sup>2</sup> Other innovative funding mechanisms include Developer Impact Fees (employed in New Jersey, Massachusetts and California)<sup>3</sup> + Transient Occupancy Taxes (California). Transient Occupancy Taxes are imposed on hotel and motel guests who stay for a period of thirty consecutive calendar days or less. This is possibly a tool to ensure that Air BnB rentals benefit the entire city, not just property owners in gentrified or gentrifying neighborhoods.

1 <http://housingtrustfundproject.org>

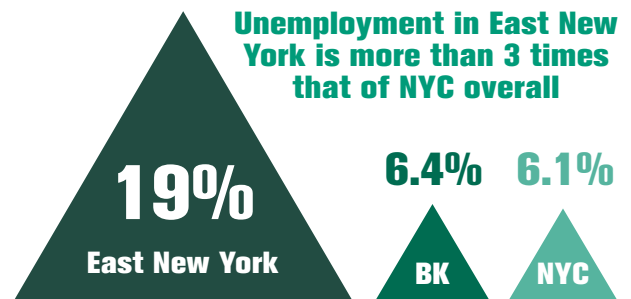
2 <http://philadelphiahousingtrustfund.org/>

3 City Housing Trust Funds, Dedicated Revenue Sources, 2013 Summary. <http://housingtrustfundproject.org/wp-content/uploads/2013/09/City-htfund-revenue-sources-final-wodollars-2013.pdf>

## 2. ECONOMIC + WORKFORCE DEVELOPMENT

### CHALLENGES

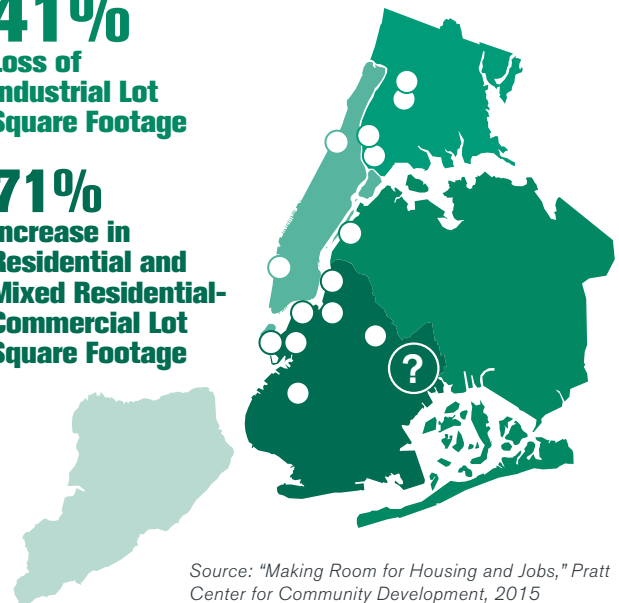
- Existing manufacturing/industrial businesses and the possibility for future manufacturers and manufacturing jobs are crucial to current and future equitable economic development in Cypress Hills and East New York.
- Evidence shows that MX zoning puts manufacturing businesses and future development at risk and disproportionately favors future residential development.
- At over 19%, East New York has one of the highest rates of unemployment in the City.
- Future development is likely to put pressure on real estate prices, which will threaten to displace existing small, independent businesses.
- Existing small and local retail and services (mom and pop shops) are the commercial lifeblood of the Cypress Hills/East New York community and there is no protection for these businesses via commercial rent stabilization or other policies.



**Within the 15 MX Districts Mapped Since 1997:**

**41%**  
Loss of Industrial Lot Square Footage

**71%**  
Increase in Residential and Mixed Residential-Commercial Lot Square Footage



### SOLUTIONS

#### **Preserve and expand industrial businesses**

- Preserve existing industrial zoning (M1 and C8 districts) – do not change to MX zones. We do not want to see residential development in current M-designated areas. Manufacturing plays far too important a role in the creation of living wage jobs for current residents, and for future populations of immigrants, people of color and low and moderate income newcomers to put those businesses at risk.<sup>4</sup>
- Increase the industrial capacity of the East New York Industrial Business Zone (IBZ) and strengthen it by not allowing non-industrial uses to be located there as-of-right.<sup>5</sup>
- Establish an industrial relocation fund to assist displaced companies to be reestablished in the East New York IBZ.

#### **Preserve existing and attract needed retail and other business types**

- Develop a retail retention and attraction plan for the rezoning area: survey local residents about their shopping preferences; develop strategies for attracting retail and services that match community needs while preserving existing, long-standing local businesses.
- Deploy commercial revitalization funding for local CDCs/LDCs/CBOs that can support merchant organizing and one-on-one business counseling and education, loan packaging, and legal advice and representation.

4 Cross-referenced with the Zoning + Land Use section.

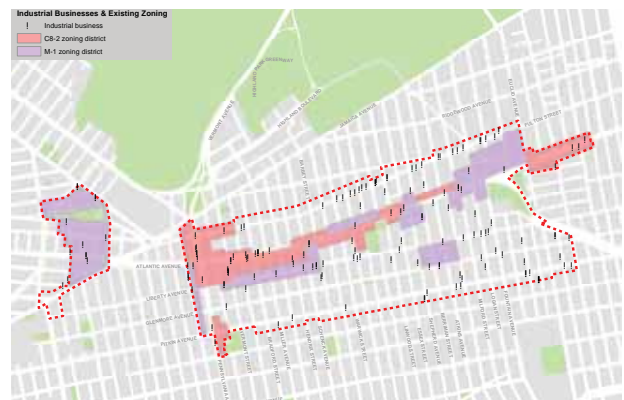
5 See above.

- Establish a “Good Neighbor” tax incentive for property owners who maintain commercial tenants at a currently affordable rent.
- Institute set-asides of 25% of commercial space in new mixed-use, City-subsidized developments for small Mom & Pop businesses at deeply affordable commercial rents.
- Expand anti-harassment legal services and organizing to include legal counsel for small businesses and merchant organizing.
- Fund renovation and rehabilitation of existing mixed-use buildings on Fulton Street, Atlantic Avenue, Liberty Avenue and Pitkin Avenue that benefit the tenancy of long-time commercial tenants.
- Provide grants and low- and no-interest loans for storefront renovations and small business expansion.
- Develop a down payment assistance program for merchants to help them purchase their mixed-use buildings. Provide a special homeownership education program tailored to purchasing and maintaining mixed-use buildings and provide low-cost legal counsel on mixed-use leases.
- Fund capital improvements on the commercial corridors for streetscape and lighting upgrades, façade work and pedestrian plazas.
- Provide help for child care businesses and child care agencies to expand the number of day care centers and licensed care in community – target HRA vouchers to licensed family day care providers and provide low interest loans for providers. Take advantage of the strong network of at home providers and set aside City capital funds for development of new UPK and child care centers and other start-up help for other home-based businesses.

### **Workforce development and local hiring**

- Establish a Workforce1 Satellite Center and a Youth Development Opportunity Center in East New York focused on local job placements, including construction.
- Increase the capacity of the Carpenters’ Union Building Works program and other similar programs to serve young adults from our community.
- Prepare residents for both union and non-union construction jobs and retail jobs by engaging with the largest developers/owners of affordable housing and retail establishments in the rezoning area -- before and during ULURP -- to assess their hiring and training needs and require commitments for local hiring, training and career advancement/living wage career paths.
- Provide technical assistance to support contractors, suppliers, and other construction related industries/businesses to take advantage of building boom that may occur in ENY post-rezoning, including help in licensing and securing MWBE status.
- Create legally enforceable standards that require developers to hire locally and provide training and career advancement/living wage career paths.
- Link mandatory local hiring requirements to government subsidy programs, including, but not limited to, housing and economic development subsidies.

### **Existing Industrial M1 & C8 Zoning with Locations of Industrial Businesses**



### **Proposed MX Zoning**



Source: National Establishment Time-Series (NETS), 2014. Types of industrial businesses are manufacturing, wholesale, transportation, and warehousing.

# 3. INFRASTRUCTURE

## CHALLENGES

### **Public Transportation**

- 70% of ENY residents rely on public transportation to get to their jobs and commute times are very long (60 to 90 minutes).
- J/Z trains break down more often than average, and C trains break down more than any other in the MTA system. <sup>6</sup>
- The B12 bus route along Liberty Avenue was discontinued, removing an important public transportation route for local residents and workers.
- The ENY LIRR station is dark, dirty, and unsafe and therefore, underutilized. It requires immediate renovation and upgrade so that community members may take advantage of this important resource.
- None of the subway stations within the study area are ADA accessible. This requires disabled residents to rely on the Access-A-Ride system, and presents challenges for seniors, pregnant women, parents with small children, and anyone who is carrying heavy loads (laundry, groceries, etc.).

### **Parking**

- Many car owners are burdened by the severe lack of parking spaces in ENY.

### **Bike Paths**

- Bicycle use is very limited in the neighborhood, due in part to unsafe routes and lack of safe storage options. There is only one designated bike path within the rezoning area and oftentimes apartment buildings do not allow tenant storage in basements or hallways.

### **Power and Broadband Network**

- The study area is part of the Brooklyn/Queens Demand Management Zone, an area whose infrastructure has been identified by Con Edison as inadequate to support current energy demand. ConEd has determined that the area will require a new substation in the next two years.
- Access to high speed internet facilitates connections to education, employment, culture, and commerce. Some consider the internet the fourth essential utility. Yet, almost one third of households (32%) in East New York do not have access to broadband internet at home.<sup>7</sup>

### **Sewage System**

- The neighborhood suffers flooding of subway stations, roads, and basements during rainstorms due to combined sewer overflow (CSO). Combined sewer overflow already contributes 63 million gallons of untreated sewage and stormwater to Fresh and Hendrix Creeks. Because the City's combined sewer system relies on gravity to convey flow, low-lying areas become more vulnerable to sewer backups and street flooding. ENY is located upland of already sewer-stressed communities such as Canarsie, East Flatbush and Flatlands. Therefore, an increase in the ENY population will exacerbate flooding issues not only in ENY, but also in adjacent, low-lying neighborhoods and increased contamination of nearby water bodies.



Sewage-Related Incidences in East New York/Cypress Hills 2012-2014



## SOLUTIONS

### Public Transportation

- Re-establish B12 bus route along Liberty Avenue.
- Public transportation improvements including increased frequency of J/Z and C trains and upgrading C train cars and also expanded north/south connectivity must be included in the rezoning action.
- Renovate and upgrade the ENY LIRR station immediately, so that community members may take advantage of this important resource.
- Invest in increased accessibility at key subway stations – elevators, escalators and/or ramps to expand accessibility to vulnerable populations (i.e. seniors, pregnant women, small children), improve the flow of commuter traffic, and increase station safety.

### Streets and connectivity

- Increase number of north/south streets that cross Atlantic Avenue to increase connectivity and decrease congestion on residential side streets.

### Parking

- Explore ways to address the lack of parking spots, including but not limited to reduce alternate side parking to once a week, allow parking in currently restricted spaces, and provide free parking near major transit hubs (i.e. ENY LIRR and Broadway Junction) to encourage use of public transportation.

### Bike Paths

- DOT's plans for 8.7 miles of new bike lanes in ENY do not include the northern part of the neighborhood.<sup>8</sup> In addition to creating new bike lanes north of Pitkin Ave, DOT, in conjunction with DOH should conduct a campaign to encourage bicycle use with helmet giveaways, bike riding lessons, and incentives for landlords who provide secure bike storage.

### Power Network

- Large-scale energy retrofits and upgrades of the existing residential stock must be implemented. Stringent requirements for energy efficient, green, and healthy construction must be mandated for new developments. Whole house retrofits have these added benefits: reducing housing costs, making homeownership more affordable and preventing foreclosure; improving health by repairing roofs, thereby eliminating leaks and mold – a common cause of asthma, and; creating a demand for construction skills training and placements for local residents.



Proposed DOT ENY Bike Lane Network



ENY green job training program participants analyzing local rooftop for solar installation.

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- Cypress Hills/East New York should be designated a Solar Empowerment Zone with a variety of incentive programs and new construction requirements that encourage the use of solar thermal and photovoltaic systems on large businesses and institutions and shared solar power systems on residential buildings.
  - Even as consumption is reduced through retrofits and increased use of solar energy, ensure that a new Con Ed substation is built to manage increased load due to increased population.

### ***Sewage System***

- Implement green infrastructure – green and blue roofs, rain gardens, permeable paving, and bioswales – on City-owned property (streets, sidewalks, schools, and public housing). Incentivize and mandate green infrastructure on new and existing housing and other developments.
- Designating the ENY rezoning area as a zero stormwater runoff zone would not only mitigate future impacts on the areas combined sewer system but would help stop current issues in the area such as sewer backups and street flooding. During a 1" storm event a zero stormwater runoff zone would stop more than 8 million gallons of water from ENY alone from entering the already burdened sewer system in the area.



Green roof on permanent affordable housing in Brownsville, Brooklyn.

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6 State of the Subway Report Card, NYPIRG Straphangers Campaign, Summer 2014. <http://www.straphangers.org/statesub14/Cprofile.pdf>

7 Internet Inequality: Broadband Access in NYC, Office of NYC Comptroller Scott M. Stringer, Bureau of Policy and Research; December 2014

8 Brownsville & East New York Community Bicycle Network Phase II, NYC Department of Transportation, June \ 2, 2014: <http://www.streetsblog.org/wp-content/uploads/2014/06/2014-06-brownsville-bk-cb16.pdf>

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## 4. COMMUNITY FACILITIES + RESOURCES

### CHALLENGES

- Currently, schools in and around the rezoning area are overcrowded and provide insufficient space for learning – evidenced by “temporary” trailers in parking lots, some of which have been there for more than 10 years.
- Population growth as projected by DCP will result in a projected deficit of more than 3,400 school seats – or anywhere between 4 to 6 new schools.
- The demand for vital city services – police, fire and sanitation – outstrips the capacity of existing infrastructure.
- There is no community center in the rezoning area that offers comprehensive services for children, young adults, parents and the elderly. The Beacon Youth Center at IS 302 – a crucial community resource for children and their families – is under threat of relocation because of overcrowding at the school.
- Health care services are at capacity for the current population.
- East New York is a qualified food desert – fresh, healthy food is very hard to come by.
- Local art is a crucial tool for protecting and preserving neighborhood culture in Cypress Hills/East New York.
- East New York suffers from a lack of accessible, green/open space. With only 1 very large park in the northernmost section of the neighborhood – Highland Park (140 acres) – and 2 playgrounds within the study area, Cypress Hills/East New York does NOT meet NYC neighborhood open space standards, according to the New Yorkers for Parks Open Space Index. Some sample standards not met in the study area include: 1 playground/1,250 children; 2.5 acres of open space/1,000 residents; 100% of residents within a 10 minute walk (1/2 mile).
- Open and green space that does exist is often difficult to access, or in need of regular maintenance. For example:
  - IS 302 basketball and handball courts on Liberty Avenue are in disrepair;
  - Ridgewood Reservoir – 50 acres of “accidental wilderness” on the northern border of the neighborhood, it is home to a broad diversity of plants insects, reptiles, and animals including 148 species of birds. Access to and within the reservoir is extremely limited, isolated, and unsafe. Though the Parks Department proposed further renovations last year, none of the plans have been funded to date.<sup>9</sup>

**Full Service Grocery Store Area per Person:**

**NEW YORK CITY**   
**1.5 SF**

**EAST NEW YORK**   
**0.2 SF**

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**Avg Full Service Grocery Store Size:**

**NYC: 15,860 SF**

**ENY: 5,800 SF**

Source: “NYC Full Service Grocery Store Analysis,” NYC DOHMH and AECOM, 2010

### SOLUTIONS

- A community center development site must be identified and earmarked as part of the rezoning.
- Given the scarcity of large developable sites and the need to provide comprehensive community services for the current community and for any future population increase, the City must act now to pro-actively acquire sites for community facility development. The City must use all of the tools at its disposal, including eminent domain, to acquire sites before the rezoning is complete and land prices skyrocket.
- Large development sites (over 50,000 sf footprint) must be identified, earmarked and included in the NYC Department of Education’s Capital Plan for school construction as part of the rezoning.

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9 New York City Audubon. <http://www.nycaudubon.org/issues-of-concern/keeping-ridgewood-reservoir-green>

- School and subsidized day care center construction must be incentivized as part of mixed-use development projects.
- Additional police, fire, sanitation, and health care facilities must be planned for, increasing capacity and improving current quality of services.
- Grocery store development must be encouraged and incentivized: require full-service grocery stores as part of City-owned mixed-use development sites; go beyond the FRESH program with subsidies and additional incentives to ensure grocery store development on private sites.
- Existing art and cultural sites and institutions must be preserved and community art space planned for and supported.
- Upgrade and increase access to existing school playgrounds.
- Require developers of new housing to include green and open space amenities like tenant gardens.
- Small, city-owned lots that are not conducive to affordable housing development at scale and are not suitable for aggregation must be earmarked for park, garden and urban farm development or other community use.

## ESSENTIAL COMMUNITY FACILITIES + RESOURCES

The following is a list of the community facilities and resources that must be included in any long-term East New York/Cypress Hills neighborhood plan to ensure comprehensive development and necessary services for long-term residents and newcomers. The development of these resources must be linked to both current and future community need.

### SCHOOLS/EDUCATION

Public Schools – Elementary, Middle School, and High School  
 Non-profit Technical School (satellite CUNY)  
 Higher Education

### CHILD CARE

Day Care – 0-3 years old  
 Pre-K – 4-5 years old

### MEDICAL/SAFETY

NYPD, Fire, EMS  
 Urgent Care Facility  
 Hospital

### COMMUNITY CENTER

*with the following uses:*  
 Youth recreation (indoor/outdoor)  
 Youth Training  
 Arts and Culture  
 Multi-service, multi-generational community service

### OUTDOOR/OPEN SPACES

Community Garden  
 Public Market/Farmers' Market  
 Urban Agriculture

### COMMUNITY RESOURCES

Library  
 Senior Center  
 Food Pantry  
 Informational/Service Centers (Health Benefits, SNAP, and Workforce, and SSI)

### COMMUNITY COMMERCIAL SPACES

Supermarkets/Fresh Food Store (affordable)  
 Commercial Space for Neighborhood Merchants at discounted rates  
 Small Business Incubator  
 Credit Union/Bank

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## 5. ZONING + LAND USE

### CHALLENGES

- Many of East New York’s community needs such as schools, pre-K programs, and health facilities are currently either unmet or functioning at or near capacity.
- Increased density should be encouraged in areas where it is most appropriate, including major east-west corridors and near subway stations, however, with a large influx of new population, complementary land uses and facilities – additional schools, community and cultural facilities, and retail uses, as well as transit, parks, and other infrastructure -- will be needed to meet community needs for all.
- Provisions should be established in the zoning to assure that commitments to build needed infrastructure, amenities, and space for community facilities and desired uses are binding and will be fulfilled over the multi-year course of the residential build-out.
- The MX zoning districts being proposed to replace portions of what is currently zoned as M1 have served as slippery slopes (that favor residential and/or commercial development) in other parts of the City and therefore will not create long-term stability for existing or future industrial businesses and those they employ.

### SOLUTIONS

- Create and map a special area-wide zoning designation (a Special Purpose District or a Density Growth Management Area) onto the rezoning area to require set aside FAR for the provision of needed community facilities, services and/or infrastructure within or as an accessory to new developments now and well into the future supported by a payment in lieu of taxes (PILOT) fund to fund the construction of much needed community needs. For new higher density residential development, prior to construction, require City Planning Commission certification that sufficient supporting community facilities, services and infrastructure already exist or that the project provides an easement or restrictive declaration allowing for the allocation of space for specific needed community facility, service and/or infrastructure.
- Specific sites would include, but not be limited to Arlington Village, Chestnut-Dinsmore/EDC site, and the former Chloe Foods site.
- In order not to penalize property owners when space is allocated for needed community facilities, it would not count in the calculation of permitted FAR.
- Promote sustainable development and a sustainable neighborhood by incorporating goals related to green/open space, access to fresh food, and public art;
- Map R5B on all side streets in order to balance out significant increases in density on the major east-west corridors. R6A on side streets between Atlantic and Liberty Avenues is unacceptable.
- Preserve portions of existing industrial zoning (M1 and C8 districts), and strengthen the East New York Industrial Business Zone.

### PROPOSED DEVELOPMENT SITES FOR COMMUNITY FACILITIES/RESOURCES

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**CHESTNUT/DINSMORE - 3269 Atlantic Ave**

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**CHLOE FOODS - 3301 Atlantic Ave**

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**ARLINGTON VILLAGE - 3100 + 3124 Atlantic Ave**

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**PITKIN + CLEVELAND - 2388-2400 Pitkin Ave**

# CH/ENY Coalition's Selected Comments on DCP Zoning Proposal

Zoning designations of City-owned and large parcels such as Arlington Village should guarantee future development of needed community facilities, resources and infrastructure, as well as affordable housing.

*Precedent: New Settlement Community Campus combines 2 public schools, a health clinic, outdoor play spaces, an aquatics center, dance studio, green roof, and cooking classroom.*

Manufacturing zones are essential for current and future businesses and the living wage jobs they provide and must be preserved. Research shows that MX zones lead to residential development at the cost of manufacturing. Manufacturing, community facilities, commercial and residential uses can and do co-exist.

*Precedent: Rotterdam RDM; Former shipyard that houses businesses, STEM and vocational training, arts + culture programming, and research adjacent to a mix of housing in Rotterdam.*



Higher density zones should be mapped on major commercial corridors near subway stops. The proposed density for current M-zones can be housed on large R-zoned sites (i.e. Arlington Village) and near transit hubs on Pitkin Avenue.

*Image: 830 N Milwaukee Avenue, a transit oriented development in Chicago, source bKL Architects*

Side streets should remain low-density to preserve the character of Cypress Hills as a small homes neighborhood.

*Image: Small, owner-occupied homes in Cypress Hills*

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## 6. GOVERNANCE

Long-time East New York residents have invested many years into the growth and development of their neighborhood. They also have put a lot of time and energy into gathering input from their neighbors and crafting recommendations preceding and throughout this most recent Neighborhood Plan process. ENY residents need to know that their input is meaningful -- how will it be incorporated into the rezoning plan to be approved by the City Planning Commission, and who will they work with in the future to ensure implementation meets clearly stated community needs and priorities.

### CHALLENGE

- Currently, no mechanism exists to ensure that community input is incorporated into the final Neighborhood Plan and Rezoning action. Further, where the Plan lives after it is approved, how it is implemented, and how the impact of the zoning action and Plan is tracked remain open questions.

### SOLUTIONS

- Establish an Office of Neighborhood Development (much like the Office of Recovery and Resiliency) charged with ensuring the effective and timely implementation of the re-zoning plan, to serve as overall coordinator of all city agencies in relation to the rezoning action and related neighborhood plan.
- Establish a Neighborhood Cabinet to serve as an empowered advisory board to work together with the City agencies on neighborhood planning policies and initiatives.
- Ensure meaningful and ongoing opportunities for community engagement throughout the rezoning process, led by community members in partnership with the City.
- Create a set of financing tools and incentives to encourage private developers to work with community-based organizations to meet local needs and priorities – similar to the Brownfield Tax Credit that kicks in for developers in State-designated Brownfield Opportunity Areas who “meet the goals and priorities” established by the community.
- Create an Evaluation Tool that tracks demographic data and is based on equity, health and well-being, and sustainability indicators to ensure ongoing accountability and to measure impact throughout implementation. Indicators spelled out in the One New York plan should be adjusted to include re-zoning specific indicators (e.g. community inclusion in major land use decision making processes) and used to evaluate progress alongside baseline demographic data.<sup>10</sup>

### CASE STUDY: PORTLAND, OREGON – THE PORTLAND PLAN

Created by the City of Portland, concerned with gentrification and displacement, The Portland Plan works to evaluate and better manage potential gentrification impacts of policies and programs in changing neighborhoods. An assessment tool created for the Plan includes three components: 1) a Vulnerability Analysis; 2) Gentrification + Displacement Study, and; 3) Gentrification Risk Assessment Maps. The Portland Plan “sets an expectation that an equitable city should be proactive about the inequitable impacts that neighborhood change and gentrification can have on vulnerable households.”<sup>11</sup>

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10 One New York: The Plan for a Strong and Just City, <http://www1.nyc.gov/html/onenyc/index.html>, pp. 262-265

11 The City of Portland Gentrification and Displacement Study, <https://www.portlandoregon.gov/bps/62635>

# NEXT STEPS

## *Neighborhood of Opportunity*

East New York/Cypress Hills has long been a NEIGHBORHOOD OF OPPORTUNITY – a place that welcomes immigrants and gives residents a “leg-up” to climb the economic ladder. New York City must preserve and invest in these kinds of communities to ensure that residents can advance out of poverty in greater numbers. That kind of proactive neighborhood development requires an integrated approach to change – planning not only for increased density for deeply affordable housing, but also for equitable economic development, excellent schools, and community resources.

The East New York/Cypress Hills rezoning offers an historic opportunity to ensure equitable development for community residents who have long worked to overcome the consequences of disinvestment – including redlining, high crime rates, substandard housing, overcrowded schools and a lack of green space and fresh food. **Our neighborhood is our home and we expect to enjoy the change that we have fought so long and hard for over the years.**



*Hundreds rally in East New York/Cypress Hills for deeply affordable housing and a community-based Neighborhood Plan.*