

To: Mr. Robert Dobruskin
City Planning Commission
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Hon. Brooklyn Borough President Eric L. Adams
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Hon. Chairperson Shirley McRae
Community Board 2, Brooklyn
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Date: February 12, 2018

Re: **ULURP Land Use Review Application 180096ZMK and N180097ZRK by South Portland LLC/aka MDG for Development Site 142-150 South Portland Avenue**

Dear Mr. Dobruskin, Hon. Borough President Adams, and Hon. Community Board Chairperson Shirley McRae:

Members of our respective organizations are aware of the recent ULURP Land Use Review Application ("Application") 180096ZMK and N180097ZRK, by South Portland LLC/aka MDG, on behalf of development site owner Randolph Haig Day Care Center. Our members have reviewed the material included in the Application as well as the CEQR report, and have attended Community Board 2 Land Use and Executive Board meetings at which this matter was addressed.

We oppose the ratification of the Application on the following grounds:

- 1) The block in question is contained in the 2007 Contextual Zoning of Clinton Hill and Fort Greene. But if this application is approved, it will impose non-contextual height and density on a heretofore protected block, and open the door to further such applications in the area, based on the new "context" established by the buildings permitted under the Application, negating the height and density limits established under the City Council's 2007 rezoning, which was hard won by neighborhood groups that fought to win this protection. The applicant's contention that "the character of the Project Area is more akin to the character of the Special District to the West" is self serving verbiage, which must be juxtaposed with the years of community work and

advocacy that produced the 2007 contextual rezoning. Moreover, the applicant in its ULURP application did not state WHY it could not develop its project under the current contextual zoning. The answer is obvious: such a project would not yield as high a profit. But that is not a reason to start rewriting the 2007 Contextual Zoning of Fort Greene and Clinton Hill.

- 2) The Application does not limit itself solely to the development lot(s) in question; on the contrary, it includes a larger footprint, and represents a clear effort to re-designate parts of Fort Greene as a “Special Downtown District,” as follows:
 - a) Zoning changes: i) from R7A to R8A; ii) from R7A to R8A/C2-4; and iii) from “No Special District” to “Special Downtown District,” and
 - b) Zoning Text Amendment: Appendix F: Inclusionary Housing/MIH Areas; ZR 101-22: Special Height and Setback Regulations (Spec. Downtown Business District); Art X Ch1 App. E: Special Downtown Brooklyn District Maps
 - c) The initiative is not limited to the proposed development site (Lots 30-33 and 37); the amendment also requests rezoning of the frontage on Hanson Place between South Portland and South Elliot Pl. This wider footprint would invite additional non-contextual development; for future applications would undoubtedly cite to the new “context” of those structures built under the instant Application and amendment - thus further undermining the hard-won contextual zoning of 2007.
- 3) The CEQR report (CEQR No. 18DCP0044K Land Use Application and Negative Declaration attached) does not address the following:
 - a. The fact that multiple newly constructed high rise buildings in the immediate area have high vacancy rates (see DNA.info article of 11/2/2017 on the apartments offered for those earning \$74,606 to \$173,415/yr at 535 Carlton Avenue, *‘Affordable’ Apartments End Up on Streeteasy After Housing Lottery Flops*), while many others are currently being proposed;
 - b. The impact of additional construction in this area on its insufficient school and transportation infrastructure, with traffic choking the Fort Greene and Clinton Hill corridors of Fulton and Lafayette Avenues and construction subjecting local residents to years of rodent infestation and dust.

Once again, this is a proposal claiming to provide “affordable housing.” But as we have seen time and again, given the way AMI is calculated, that housing will certainly not be affordable to those who need it most. The assertion in the CEQR attempting to justify this Text and Map Amendment rezoning proposal by citing to Mandatory Inclusionary Housing recalls Simeon Bankoff’s comments (in the Historic District Council’s position paper) on the 2015 “Zoning for Quality and Affordability” initiative: “it takes the context out of contextual rezoning. It arbitrarily raises height limits...not based in the actual built fabric of our city’s neighborhoods...the proposal incentivizes all development, without any guarantee that it will actually house New Yorkers who are rent-burdened...bigger buildings do not equal lower rents.”

The proposed Application, while cloaked as "affordable housing," would in fact provide housing for those earning \$70,000 to \$134,000 (who are qualified to rent or purchase elsewhere); grant increased profits to developers by driving up local rents (displacing longtime residents) while overburdening local infrastructure; and introduce a self-fulfilling prophecy by creating a new "context" that would facilitate a continued march of overdevelopment for the benefit of the wealthy, causing displacement, congestion, and infrastructure stress in areas that were theoretically protected by contextual zoning.

To quote Borough President Eric L. Adams, in his prescient 2014 *A Decade Later in Downtown Brooklyn: A Review of the 2004 Rezoning*: "Downtown Brooklyn is bearing a burden of unanticipated new residential development without a comparable level of infrastructure to sustainably support a growing 24-hour community....over 11,000 housing units have been developed or are in the pipeline....there were few, if any, disclosed mitigation strategies to accommodate new development...the additional strain on community resources and infrastructure is an issue that, regardless of your position on the aforementioned development, should be a concern to all."


We therefore urge our elected representatives, the City Planning Commission, and Brooklyn Community Board 2 to oppose this Application, which masquerades as a benefit but would have significant negative impacts on Fort Greene and Clinton Hill.

Sincerely,



Anne Bush

President, Society for Clinton Hill



Naomi Dickerson

Chair, Fort Greene Association



Rosaria Sinisi

Vice President

Citizens for Responsible Neighborhood Planning of Clinton Hill and Fort Greene, Inc.

Cc: Hon. Velmanette Montgomery
Representative Hakeem Jeffries
Hon. Walter T. Mosley
Majority Leader and Council Member Laurie A. Cumbo
District Leader, 57th A.D., Olanike Olabi
Public Advocate Letitia James