

**Community Board 9  
890 Nostrand Avenue  
Brooklyn, NY 11225**

**Minutes of the Land Use/ULURP Committee Meeting  
December 9, 2019**

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**Attendance:**

Committee members present:

Suwen Cheong, Resident Community Member

Nichola Cox, Resident Community Member

Esteban Giron, Resident Community Member

Patricia Moses, Chairperson

Rabbi Chanina Sperlin , CB9

Committee members absent:

Stuart Balberg, CB9

Warren Berke, CB9

Nolan Levenson, CB9

Guests:

Amy Pinkerton, CB9

Virginia Bechtold, CB9

Alicia Boyd, Community Resident

Jonathan Marable

Ben Verde, Brooklyn Paper

Janine Nichols, Community Resident

Community Board Staff: Khalid Nixon

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1. 7:10 pm – Chair Moses convened the meeting
2. Rules of Order –
  - a. Read the handout
  - b. Agree to disagree, respect one another
3. New business
  - a. 960 Franklin Avenue (Former Spice Factory site)
    - i. Community board has been notified that an application for rezoning was submitted to DCP on Nov 4, 2019 under the name 960 Franklin Avenue Acquisitions LLC. Previously, a rezoning application for the same address was submitted under the name Continuum LLP.
    - ii. Once the application is certified, then it will be referred for official action (i.e. the ULURP process will begin) and the community board can act, for example sending a letter to request more information.
    - iii. Application is requesting:

1. Up zoning from R6A to R9D/C-4 zoning. This would increase permitted height from 7 stories to almost unlimited.
  2. Special permit for large scale development
  3. Parking waiver to reduce required number of parking spaces
  - iv. Environmental Impact Study has not been submitted yet
  - v. Is Continuum LLC the same entity as 960 Franklin Acquisitions? (we do not know)
    1. Continuum made promises during the public hearings on the rezoning that there would be 50% affordable housing. Will 960 Franklin also keep to those promises? We should ask. (Alicia)
    2. Can the two LLC's – 960 Franklin and Continuum be linked, either through the names of the Representatives, or the filing history? (Amy, Virginia)
    3. Right now, Alicia Boyd and other area residents have a court case against Carmel/40-54 Crown street development, another site in the proposed Franklin avenue rezoning area. The developers have engaged in similar name changes during the court case, arguing they are not responsible for statements made by the previous entity on the rezoning application. Could 960 Franklin be doing the same thing? Can we intervene now so someone doesn't have to file litigation after the fact. (Esteban)
- b. DCP Storefront vacancy survey
- i. Study may be outdated (comparison of vacancies over a ten-year period from 2007-8 to 2018, on selected commercial corridors)
  - ii. Esteban says significant changes/store closures have occurred on Franklin Avenue within the last year due to the proposed rezoning/development projects
  - iii. Is there any information on the Hello Living condo project on the corner of Nostrand and Montgomery where the retail spaces have been vacant for years since it opened?
- c. 54 Crown Street
- i. Submitted application on Nov 7th 2019 for affordable housing (421a) program to NYC HPD
  - ii. The project is for Two Towers one for 17 and the Other for 16 stories. Approximately 25 percent (143) will be designated as affordable in accordance with mandatory Inclusionary housing program.
  - iii. Application is not currently available to the public, but the community board has it.
    1. Does the application go through DHCR (state) or HPD (city)?
  - iv. Open Discussion. MIH program
    1. It is “double dipping” on affordable housing where they are receiving a 35-year property tax exemption from the state in

- exchange for the 20% affordable housing, but also getting an up zoning from the city for the same units. (Nichola)
2. “affordable for who”? what is the AMI (Area Median Income) level for the affordable apartments? On some developments the affordable category can go up to \$174k a year in income (Alicia, Virginia)
  3. At the public hearing last year developers insisted they weren’t going to apply for 421a but now they’re doing it (Esteban)
    - v. Botanic Gardens had no objection to 54 Crown street even though they are opposing 960 Franklin
    - vi. We need more dialogue with elected officials about these developments/we need them to listen. What are our asks?
  4. Zoning Application Portal
    - a. Part of DCP website
    - b. Let’s you know exactly what a developer has submitted and when they have to submit the next document. 960 Franklin still has a good way to go.
    - c. Allows the community to follow an application themselves, as well as going to the community board for information
  5. On December 14th volunteers will join AG to canvass door to door to provide information to homeowners about Deed theft. Mr. Esteban Giron and Ms. Suki Cheong will attend. (\*\* subsequently rescheduled to Jan 11<sup>th</sup> by Senator Myrie’s office)
  6. Amy Pinkerton informed us that the Environment Committee is planning a public panel in March regarding the impact study for 960 Franklin. Would like to work with ULURP committee and econ development committee.
  7. Next scheduled meeting is Monday January 6<sup>th</sup>, 2020 at 7pm.
  8. Meeting adjourned at 8:25 PM.

Minutes Submitted by Suwen Cheong