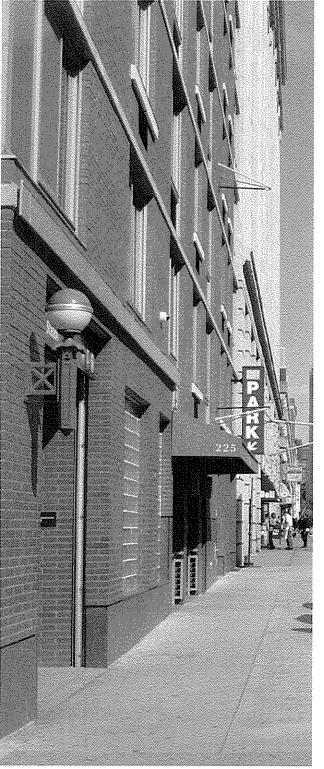
DOWNTOWN Brooklyn

OFF-STREET
PARKING
AMENDMENTS



ACMERICA TO TO





PROPOSAL

AMEND DOWNTOWN BROOKLYN'S PARKING REGULATIONS:

- 1. Match Residential Requirements to Residents' Use
- 2. Encourage Affordable Housing
- 3. Provide Additional Opportunities for Public Parking

EXISTING ZONING:

High-Density

Commercial

Districts

BROOKLYN QUEENS EXWY TILLARY ST FLATBUSH AV EX S MONTAGUEST Council District 35 ADAMS ST **C**5 TS NOT NATION ST MYRTLE AV C2ASHLAND PL WILLOUGHBY ST COURTST SCHERMERHORN ST FULTONST DE KALB AV LIVINGSTON ST S ELLIOTT PL S PORTLAND AV PACIFIC ST R6B ATLANTIC AV FLATBUSHA STATEST Council District 33 Note: no changes proposed for the R6B District or Atlantic Avenue Subdistrict

DOWNTOWN

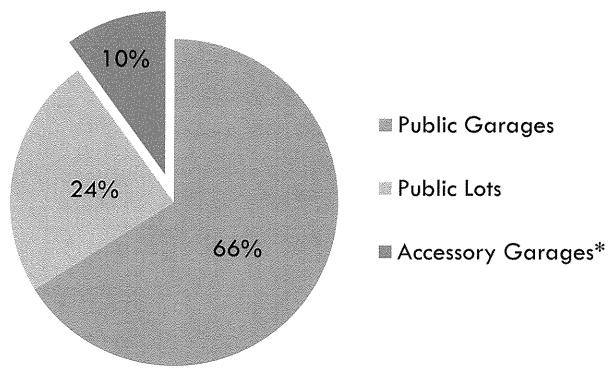
Brooklyn

PARKING

YORK ST **TRANSIT** HIGH ST A-C **ACCESS** FLUSHING AV **CLINTON ST** 2-3 BROOKLYN-QUEENS EXPWY CHERMONTAN MYRTLEAV **BOROUGH HALL** 2-3-4-5-R JAY ST-METROTECH A-C-F-R SCHERMERHORA **DEKALB AV** HOYT ST B-Q-R DE KALB AV **NEVINS ST** HOYT-SCHERMERHORN A-C-G 2-3-4-5 ATLANTICAV **FULTON ST** ATLANTIC AV-BARCLAYS BERGEN ST AFAYETTE AV F-G C **DOWNTOWN** Brooklyn **BERGEN ST CLINTON ST PARKING** 2-3 F-G

PARKING SUPPLY

Off-Street Parking Spaces: Total = 9,650 spaces 10%



PLANNED:

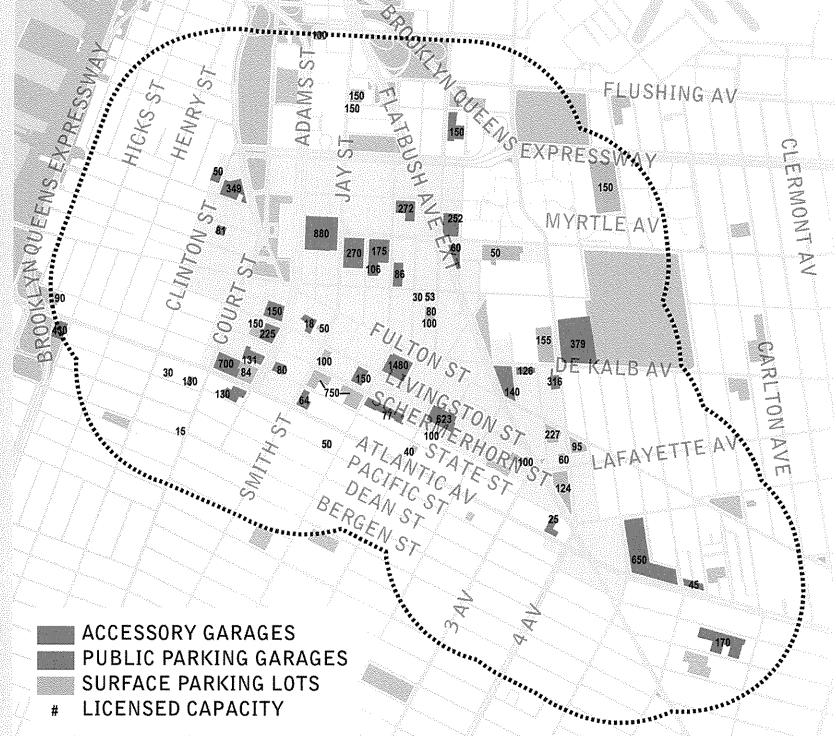
Up to 1,160 spaces for public garages in City projects:

Willoughby Square (up to 694 spaces) BAM Cultural District (up to 466 spaces)

DOWNTOWN Brooklyn **PARKING**

All of these garages have public parking licenses from the Department of Consumer Affairs

EXISTING PARKING SUPPLY



DOWNTOWN

Brooklyn

PARKING

1 Phillip Habib Associates/Downtown Brooklyn Partnership Existing On-Street and Off-Street Parking Inventory and Utilization Study, 2011; DCP, 2012

CURRENT

ACCESSORY PARKING REQUIREMENTS

CURRENT MINIMUM OFF-STREET ACCESSORY PARKING REQUIREMENTS:

Commercial Development: None

Community Facilities: None*

Residential Development: 40% of units**

Affordable Housing: 25% of "Government-

Assisted" units***

Brooklyn PARKING * Parking is required for hospitals.

** R7-1/C2-4: 50% of units

Reduced or waived for small lots (generally less than 15,000 sq. ft.)

Waived when a small number of spaces would have been required

*** R7-1/C2-4: 45% of units
Reductions and waivers apply

CURRENT

accessory and PUBLIC PARKING LIMITS

Brooklyn PARKING

CURRENT ACCESSORY PARKING RULES:

- 225* extra parking spaces allowed in addition to minimum requirement
- In C6 Districts, short-term parking by the public is allowed
- In C5 Districts, parking by public is limited to weekly or monthly

CURRENT PUBLIC PARKING RULES:

- Public parking garages require a special permit**
- Public parking lots up to 150 spaces are permitted as-of-right***
- 150-225 extra spaces allowed for non-Quality Housing buildings
 200-300 extra spaces allowed for Quality Housing buildings
- ** Up to 150 spaces in C2 districts as-of-right
- *** Lots require special permit in C5 districts

CURRENT

PARKING for other MODES

Brooklyn PARKING

BICYCLE PARKING:

- 1 bike space per 2 dwelling units
- 1 bike space per 10 public parking spaces
- 1 bike space per 7,500 square feet of office space
- 1 bike space per 10,000 square feet of retail space

CAR SHARING:

 Up to 5 spaces or 20% of total spaces, whichever is greater, can be used by car share cars when not needed by residents

USE OF OFF-STREET PARKING

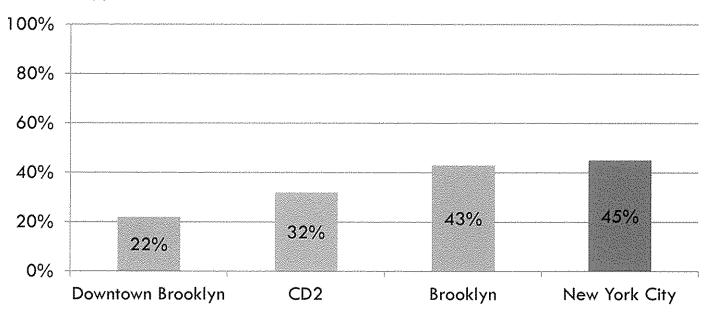
DOWNTOWN BROOKLYN'S PARKING IS LEAST USED AT TIMES WHEN RESIDENTS' PARKING DEMAND IS GREATEST:

- 40% of spaces are used in the evening
- 50% of spaces are used on weekends
- 80% of parking spaces are used during the day

VEHICLE OWNERSHIP

DOWNTOWN BROOKLYN'S RESIDENTS HAVE LOW RATES OF CAR OWNERSHIP:

% of households with one or more vehicles available



Accessory REQUIREMENTS

PROPOSAL:

 MATCH RESIDENTIAL PARKING REQUIREMENTS FOR NEW BUILDINGS TO USE OF PARKING BY RESIDENTS:

Reduce the minimum parking requirement for new buildings from 40% to 20% of residential units*

Brooklyn
PARKING

^{*} Reduced or waived for small lots (less than 15,000 sq. ft.)
Waived when a small number of spaces would have been required

Example



Avalon Fort
Greene
631 rental units

Currently required parking: 252 spaces

Evening use: 88 spaces

Requirement for a similar building under the proposal: 126 spaces

AFFORDABLE UNITS

Brooklyn PARKING

PROPOSAL:

- ENCOURAGE AFFORDABLE HOUSING:
 - Remove parking requirement for affordable units
 - Reflects lower auto-ownership among households in affordable housing
 - Reduces cost of development
 - Encourages use of Inclusionary Housing Program

PUBLIC Parking

Brooklyn PARKING

PROPOSAL:

- ESTABLISH CONSISTENT REGULATIONS TO PROVIDE ADDITIONAL
 OPPORTUNITIES FOR PUBLIC PARKING ACROSS THE DISTRICT
 - Allow accessory garages to be used for shortterm parking by the public in all districts
 - Allow accessory spaces off-site in new public garages
 - Allow below-grade public parking garages up to 225 spaces as-of-right*

^{*} Above grade public parking or public parking garages with more than 225 spaces would require a special permit.

ADDITIONAL Requirements

Brooklyn PARKING

PROPOSAL:

- REQUIRE FEATURES TO REDUCE CONFLICTS AT ENTRANCES AND EXITS:
 - Reservoir spaces to keep cars from backing up onto the street
 - Stop signs and speed bump at exits
- RECOGNIZE NEW TYPES OF PARKING GARAGES:
 - Count indoor stacker trays as floor area
 - Count trays in automated garages as parking spaces and as floor area

COMMUNITY BOARD 2 Recommendation

Community Board 2 Recommendation:

SUPPORT THE PROPOSAL WITH THE FOLLOWING CHANGES

- 1. Allow all existing buildings to use the reduced parking ratios
- Require that a building include affordable units in order to use the reduced parking ratios

BOROUGH PRESIDENT Recommendations

Accessory REQUIREMENTS

Brooklyn PARKING

Brooklyn Borough President Recommendation:

SUPPORT THE PROPOSAL WITH THE FOLLOWING CHANGES

- Increase bicycle parking requirement by 50%
- If bike parking requirement is increased, reduce accessory automobile parking requirement:

High-density districts (R9 and R10 equivalent):

30% of units or

20% of units with affordable housing

Other districts:

Keep current requirements (40%-50%) or 30% of units with affordable housing

Allow buildings built since 2001 to use these lower requirements

BOROUGH PRESIDENT Recommendation

ADDITIONAL Requirements

Brooklyn PARKING

Brooklyn Borough President Recommendation:

SUPPORT THE PROPOSAL WITH THE FOLLOWING CHANGES

- Allow off-site parking to be located anywhere within the Special Downtown Brooklyn District
- Review above-grade public parking through a Chair's certification rather than a Special Permit
- Simplify the reservoir space requirements

BOROUGH PRESIDENT Recommendation

FOLLOW-UP ACTIONS

Brooklyn Borough President Recommendation:

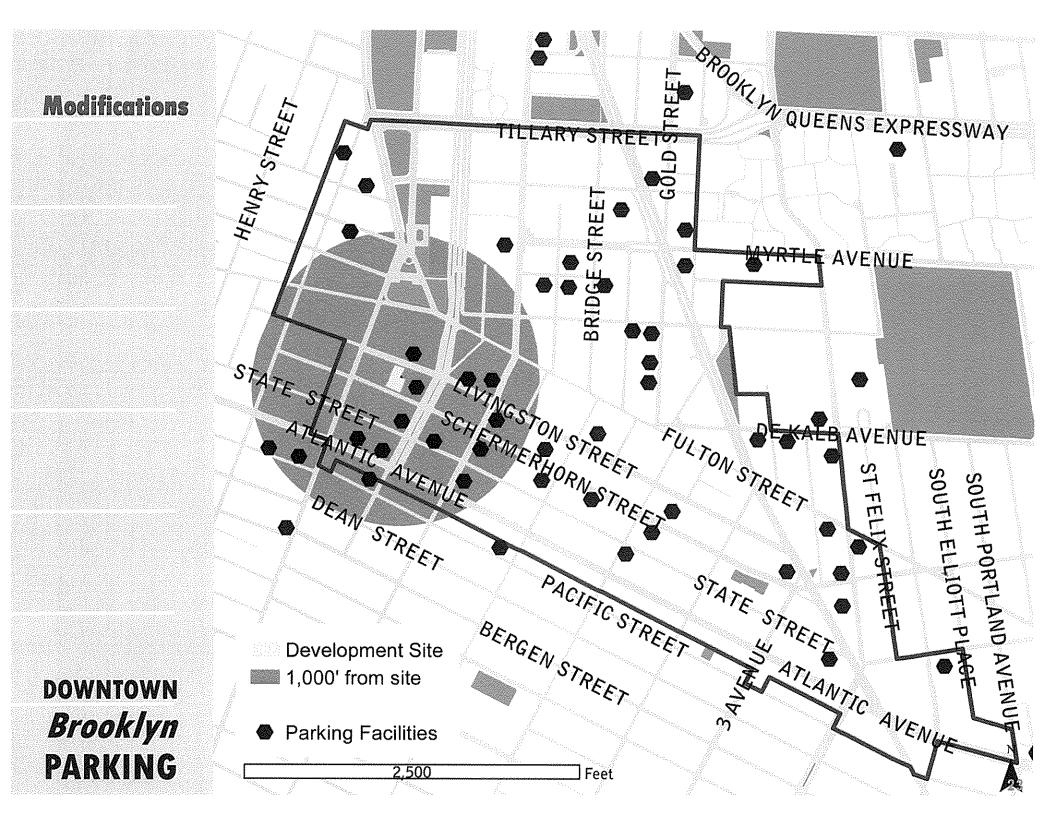
FOLLOW-UP ACTIONS

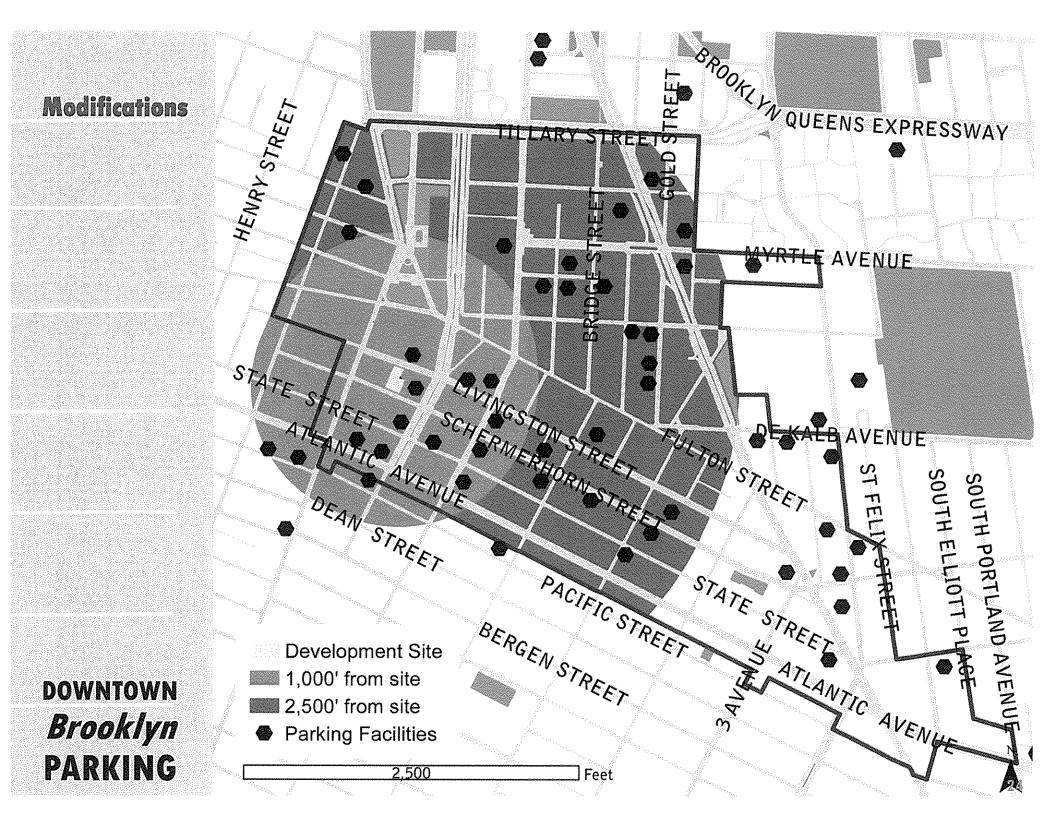
- Map a new inclusionary housing designated area in Downtown Brooklyn
- Establish a zoning bonus to encourage housing for persons over 55 years old

Modifications

MODIFIED ZONING TEXT AMENDMENT RESPONDS TO RECOMMENDATIONS FROM THE COMMUNITY BOARD AND BOROUGH PRESIDENT:

- Allows existing buildings to use new requirements
- Allows off-site parking within Special District within 2,500 feet





PROPOSAL

AMEND DOWNTOWN BROOKLYN'S PARKING REGULATIONS

1. Match Residential Requirements to Residents' Use:

 Reduce accessory residential parking requirement from 40% to 20% of units

2. Encourage Affordable Housing:

Remove parking requirements for affordable units

3. Provide Additional Opportunities for Public Parking:

- Allow short-term parking by the public
- Allow accessory spaces off-site in new public garages
- Allow below-grade public garages as-of-right

Testimony to New York City Council, Land Use Committee
City Planning Zoning Resolution for the Reduction of Accessory Parking
Requirements in the Downtown Brooklyn Re-Zoning Catchment Area
November 26, 2012

Good morning. My name is Caroline Pardo and I am a resident of 110 Livingston Street in Downtown Brooklyn. First of all, I would like to thank the New York City Council for reviewing this rezoning amendment which is extremely critical at a time of such unprecedented growth in the Downtown Brooklyn area. Thank you to Chairman Weprin and the entire subcommittee of zoning and franchises for allowing our input.

I am here to express my support for the Department of City Planning's proposal to modify the accessory residential parking requirements in Downtown Brooklyn. Anecdotally, I am aware of the low car ownership rate of Downtown Brooklyn residents. With only 22% of residents owning cars, we represent a community that is highly dependent on other modes of transportation. Whether through extensive transit network or the readily available bike lanes, there are other alternatives to personal vehicles.

By reducing the parking requirement from 40% to 20% for market rate units, and altogether eliminating the parking requirement for affordable housing, we can transform the environment to better reflect the needs of residents, workers, students and visitors. Downtown Brooklyn is home to an excess amount of parking which can otherwise be repurposed for retail and amenities. As a resident, I would like to see more green spaces, grocery stores and home goods stores—these are all potential opportunities if the parking requirement for developers is reduced. Investing in the commercial development of Downtown Brooklyn will yield positive effects on multiple levels, from improving the pedestrian experience and perceived notions of safety to promoting local development.

Ultimately to promote a thriving community, we must endeavor to make Downtown Brooklyn a 24/7 live-work-play environment. We must conceive of innovative ways to attract people to engage in Downtown Brooklyn, whose residential population has significantly grown over the years, but most importantly to stay in the area. There are a number of needs such as the lack of a community facility or green space for public use, but it is imperative that we proactively address such issues through effective land use policy. As a resident who understands the setbacks of the neighborhood, I also understand its strengths: the influx of residents, the 57,000 college students and the 150,000 daily shoppers—the majority of them travelling by the 13 subway lines and 15 bus lines.

I wholly support the modification of the accessory residential parking requirements, and believe it will promote flexibility in land use and a more seamless and vibrant pedestrian experience. I appreciate your time and attention to this very important matter. Thank you.



277 Park Avenue New York, NY 10172-0124 Tel: 212-826-7060 Fax: 212-223-4609

November 26, 2012

Testimony to City Council Land Use Committee
City Planning Zoning Resolution for the Reduction of Accessory Parking
Requirements in the Downtown Brooklyn Re-Zoning Catchment Area

Good morning, Councilmember Weprin and members of the Land Use Committee. My name is Roger Fortune and I represent The Stahl Organization, a New York City-based real estate investment and development firm. We are currently building the tallest building in Brooklyn, a 500,000 square foot, 53-story mixed –use building at 388 Bridge Street in the heart of Downtown Brooklyn. 388 Bridge Street will include 378-units comprising 48 affordable units, 186 market-rate rentals and 144 market-rate condominiums as well as 50,000 square feet of commercial space. Also, as required by the current Zoning Resolution, we will be providing parking spaces for 142 cars on 4 levels: the sub-cellar, cellar, 2nd and 3rd floors. Much of the 33,000 square feet of space currently dedicated to parking would be much better used for housing, retail, office, or community facility.

Currently Downtown Brooklyn – which is a mass transit hub – suffers from an over-supply of parking spaces. Residents of Downtown Brooklyn own cars at a far lower rate than most New Yorkers. In fact, one of the benefits of living in Downtown Brooklyn is the easy accessibility of a dozen train lines, City buses and the Long Island Railroad. Downtown Brooklyn may be the only high-density District in New York City with an accessory parking requirement.

The Stahl Organization strongly supports the adoption of the **DOWNTOWN BROOKLYN PARKING TEXT AMENDMENT** for the following reasons:

- Building parking that sits vacant just to meet zoning requirements adds an unnecessary cost to development and limits the space available for retail major on major streets.
- Reducing the parking requirements from 40% to 20% for market rate units and eliminating the
 parking requirement for affordable housing will reduce the cost of development and encourages
 the use of inclusionary housing programs.
- Given that the majority of parkers in Downtown Brooklyn are transient (non-residential), extending the flexibility to turn some accessory parking into public parking means fewer parking spaces will sit vacant during the day.
- Finally, reducing the accessory residential parking requirements will reduce curb cuts on sidewalks, increase streetscape retail continuity, encourage mass transit use, and improve the urban experience for pedestrians and bicyclists in Downtown Brooklyn.

To: Councilmember Weprin and New York City Council Land Use Committee From: Tory Lynford, Resident at Be@Schermerhorn

Good morning. To the subcommittee on zoning and franchise, thank you for allowing community stakeholders to speak in support of this timely and important policy. My name is Tory Lynford and I am a resident of Be@Schemerhorn at 189 Schemerhorn Street, a 248-unit residential building in Downtown Brooklyn.

I am honored to speak on behalf of residents in support of the City Planning Department's proposal to modify the accessory residential parking requirements in Downtown Brooklyn. Being a resident in the neighborhood truly has its benefits, from the walkability to the transit-rich network to the range of retail options. It is no wonder that Be@Schermerhorn, as well as other nearby residences, are fully occupied by young professionals and families seeking to live in exciting urban centers.

As you may know, Downtown Brooklyn is ever-transforming with new residential buildings and exciting developments in the pipeline, from City Point to Willoughby Square Park. I am personally invested in the quality of living and the ramifications that projects and policies will have on my community. The underlying issue of the parking minimum requirement at 40% of market-rate units is that it wrongly assumes that the residential demand of personal vehicle parking is higher than it truly is. Secondly, the current parking requirement hinders developments by asking developers to proportionally match the number of parking spaces with residential units. I think that we can see these development projects through much more quickly and efficiently if the requirements were reduced.

The third issue with the parking requirement as it now stands is its adverse effects for residents and visitors. When parking space is constructed just to meet zoning requirements, and sits vacant during nights and weekends, it deters those who live and visit from engaging with the neighborhood. On nights and weekends, I have found that parking garages are less than half full. In reality, local visitors access the neighborhood through one of its 13 subway lines or the Long Island Rail Road; and likewise, residents seeking weekend trips beyond New York City will access Zipcar or other car-sharing services. It is as much a quality of life issue as it is an economical issue that presents a clear case of costs and benefits. What parking garages could be are opportunities for retail or recreational purposes—real assets to the residential community that would benefit us in the short and long-term.

Again, I strongly support modifying the parking requirements, and think it necessary in a time and place where a transit-oriented (and walking-oriented) environment is extremely valued. Thank you, Chairman Weprin and subcommittee, for your time and consideration.



Albert Laboz Testimony to City Council Land Use Committee City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

Good morning, Councilmember Weprin and members of the Land Use Committee. My name is Albert Laboz and I am a principal of United American Land and a major property owner and developer in Downtown Brooklyn. We are currently developing and renovating several buildings in the area as part of the ongoing transformation of the fastest growing downtown in the country.

On behalf of United American Land, I am here today to express our unified support for the Department of City Planning's proposal to modify the accessory residential parking requirements in Downtown Brooklyn.

The issue of modifying accessory residential parking from 40% to 20% will better align zoning to meet current and future demands and allow for property owners such as myself to continue to invest in the area, which in turn assists in the ongoing success of Downtown Brooklyn.

From a developer's perspective and someone that knows Downtown Brooklyn very well, the requirement to build parking that sits vacant just to meet zoning requirements adds an unnecessary cost to development and often limits the amount of ground, basement and second floor retail on major retail streets. Limiting this type of development due to an antiquated regulation precludes the types of uses that further activate the pedestrian experience in Downtown Brooklyn which would enable more investment in the area.

Another reason to support the rezoning, which I consider very self-evident, is the fact that Downtown Brooklyn is home to 15 bus lines and 13 subway lines, some of the City's best and most robust public transportation infrastructure. The majority of residents, students and visitors to Downtown Brooklyn are clearly taking advantage of these local transit assets as evidenced by the lack of night time and weekend parking customers.

Finally on the concern of tying reduced parking requirements exclusively to buildings with affordable housing misses the larger policy picture that there is an unused supply of parking created by zoning. It will also preclude developers from considering including other much needed community facilities in their buildings, like schools, healthcare facilities and municipal offices.

To recap, I fully support the committee's passage of this re-zoning as it will continue the progress made from the 2004 rezoning, assist in the ongoing transformation of the area, activate the street level environment and potentially allow for additional facilities to support this dynamic community. Thank you for taking the time to consider my testimony.



Memorandum of Support City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

Good morning, Councilmember Weprin and the Subcommittee on Zoning and Franchise. My name is Elizabeth Lusskin and I am the Chief of Staff and Vice President of Strategic Initiatives for the Polytechnic Institute of NYU. Located in the heart of Downtown Brooklyn in the MetroTech Center, our institution is the nation's second-oldest private engineering school and prides itself as a high quality research institution for engineering, applied sciences, technology, research and innovation.

On behalf of NYU-Poly, I am in support of the text amendment that would reduce the parking requirements because of its positive implications for the college students and universities who call Downtown Brooklyn home. It is a college town that boasts of a very robust public transportation infrastructure, serving as both an asset and amenity to those who live, visit, work and study in the neighborhood. It is, however, a disadvantage to have near-empty parking lots that would better serve as dormitories, facilities, stores, coffee shops and more expansive dining options. But these are the opportunity costs when a dated policy stipulates that such a high proportion of space be allocated for parking. I believe that the amendment's approval by the City Council would improve the neighborhood's real estate outlook, granting developers and property owners greater flexibility to lease the repurposed space for more effective use.

To create a coherent sense of community—to build a college town for students—is to think holistically about community needs, and students are undoubtedly a priority. We are committed to developing a student-friendly environment that promotes activity, vibrancy and safety. While students would like to engage in the area for dining and leisurely activities, they often travel to and from Manhattan due to the lack of restaurants, bars and nightlife in the area. By being strategic about the use of space, we can leverage our existing resources, such as Downtown Brooklyn's 13 subway lines and proximity to Manhattan, to more effectively engage students, workers and visitors.

The current parking requirements do not aid, and in fact inhibit creating a successful college community here. Most students take transit or ride bikes or even walk. Parking lots that sit half-empty and unused are unsightly, disengaging students and visitors from the neighborhood. Rather than promote community-building, first and second floor parking garages are inactive spaces that do not contribute to an area's physical and economic activity.

I believe that the community as a whole can benefit from reducing the parking requirements for market-rate units and eliminating it altogether for affordable housing. The cost of development will be reduced and the process expedited as developers will meet a lower threshold for the parking requirement and they can replace the parking with better revenue-generating options. Residents, students and employees of the area will have enhanced amenities in the form of retail or community facilities or public space, ultimately uplifting the quality of life.

Thank you for your attention to this important matter, and thank you for your time.



Brooklyn Chamber of Commerce Testimony in Support of the Reduction of Accessory Parking

Good morning. My name is Andrew Steininger and I serve as Vice President of Economic Development for the Brooklyn Chamber of Commerce. I'm delivering this testimony on behalf of the Chamber's President & CEO Carlo A. Scissura. He sends his regards and regrets that he could not attend this hearing. Thank you to the New York City Council Subcommittee on Zoning and Franchises, and Committee Chair Mark Weprin for all of your great work.

The Brooklyn Chamber of Commerce is Brooklyn's leading business assistance and economic development organization. The Chamber has over 1,000 members and operates a vast array of business support and economic development services ranging from financing and recruitment and training to workforce development and neighborhood revitalization programs.

We are proud to support the Downtown Brooklyn Partnership and believe that reducing the parking requirements in Downtown Brooklyn will support a healthy and robust business climate in this neighborhood.

The current parking requirements result in a high number of vacant spaces in the downtown area. This limits the amount of ground, basement and second floor retail space on major streets. This space should not sit vacant just to meet zoning requirements. Instead, we should make this space a vibrant streetscape that allows for a 24/7 live/work environment.

Additionally, easing these requirements will encourage affordable housing development, and I don't have to tell you how important affordable housing is to the Brooklyn economy. Reducing the parking requirements from 40 percent to 20 percent for market rate units and eliminating the parking requirement for affordable housing will encourage developers to continue to build homes that Brooklynites can afford. This is critically important as the cost of real estate in Brooklyn continues to rise.

Simply put, there is a great deal of parking in Downtown Brooklyn that is underutilized. The majority of Downtown Brooklyn residents don't own a car and live in Downtown Brooklyn for its access to 15 bus lines, 13 Subway lines and numerous bike paths. This neighborhood has robust public transportation options and the current amount of parking is superfluous.

We believe easing these parking requirements will further this neighborhoods renaissance and revitalization and for this reason the Brooklyn Chamber of Commerce supports the reduction of accessory parking. Thank you for your time and consideration.



COMMUNITIES, INC. 275 7th Avenue, 25th Floor ▲ New York, New York 10001 ▲ P 212 370-9269

11/21/2012

New York City Council Committee on Zoning and Franchises Att: Council Member Mark Weprin, Chair 250 Broadway New York, NY

Dear Chairperson Weprin and Committee Members:

I am Martin Piazzola, Senior Vice President for AvalonBay Communities, Inc. We are a developer and manager of residential communities across the country, including six rental buildings in New York City. In Brooklyn, we own and manage the Avalon Fort Greene at the intersection of Myrtle Street and Gold Street. We are currently developing a new 823 -unit rental building in the heart of Downtown Brooklyn, on Willoughby Street between Duffield and Bridge Streets.

We urge you to support the proposed zoning text amendment to reduce accessory parking requirements in the Special Downtown Brooklyn District. Our experience with Avalon Fort Greene has taught us that people are moving to downtown Brooklyn for the neighborhood's easy access to transit and wide range of activities in walking distance. The current parking requirement of 1 space for every two-and-a-half apartments does not reflect the car ownership rates or parking needs of these new residents. It is our experience, for example, that only approximately 23% of the provided spaces at Avalon Fort Greene are actually used. Requiring extraneous parking spaces reduces retail frontage, and may encourage increased car ownership and thus increased traffic.

We support the recent proposal to retroactively apply reduced parking ratios to existing buildings. There simply is not a need for the number of parking spaces currently required in Downtown Brooklyn and the proposed reductions should be available to all buildings. Thank you for your support of the City's proposal.

Sincerely,

Martin Piazzola

AvalonBay Communities, Inc.

Mathy

Senior Vice President of Development

STEINER

STEINER NYG. LLC

15 WASHINGTON AVENUE BROOKLYN NAVY YARD NEW YORK 11205 T 718-858-1600 F 718-858-1690

WWW.STEINERNYC.COM

Douglas C. Steiner Testimony to City Council Land Use Committee City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

Good morning Councilman Weprin and other members of the Land Use Committee. My name is Doug Steiner and I am a Principal of Steiner Studios and Steiner NYC. Steiner NYC develops residential, commercial, retail, and special purpose real estate, focused primarily on Brooklyn. We strongly support the proposed parking amendment because it establishes realistic accessory parking requirements for Downtown Brooklyn, which will spur the development of additional market rate and affordable housing, and also significantly improve the quality of life in the neighborhood. This would further the cause of getting people out of their cars and instead using mass transit (whether subway, bus or ferry), or bikes, and their feet. This would enhance the transformation of Downtown Brooklyn into a desirable, dense, urban, 24/7 neighborhood as was originally envisioned when City Planning and the City Council voted to rezone this area in 2004.

Our current project in Downtown Brooklyn is a planned 50-plus story residential tower on a retail base. We named our project The Hub, both because it is at the nexus of 12 subway lines and the LIRR, and because it is at the confluence of so many great Brooklyn neighborhoods: Boerum Hill, Park Slope, Prospect Heights, Fort Greene, and others. Our site is bound by Flatbush, Third Avenue, Schermerhorn, Nevins and Livingston. Upon completion, The Hub will contain approximately 750 rental apartments, of which 80% will be market rate, and 20% affordable. That's 150 affordable units. Plus about 42,000 square feet of new retail. Under current zoning, our project would be required to provide 278 accessory parking spaces. This penalizes us in two ways. Firstly, it means we would have to excavate down another level, which is an expensive proposition. Secondly, digging deeper to create car parking spaces, when we literally sit on top of multiple subway lines, is problematic, difficult and very expensive. And profoundly ironic.

Our tenants are not expected to have cars. We expect their leasing decision to be driven by subway convenience and the quality of our building - not car parking. The excess parking as presently required will likely sit vacant. Studies by the Department of City Planning and the Downtown Brooklyn Partnership show that utilization rates for existing residential parking lots are typically below 50%, and that only 20% of residents own a car.

Steiner strongly supports the proposed zoning text amendment to lower accessory parking requirements. This amendment would reflect actual market demand. Further, we echo City Planning's argument that lower parking requirements would reduce construction costs and spur more projects like The Hub which contain a significant amount of affordable housing. We also urge a retroactive application of this action to give accessory parking lots the flexibility to operate as commercial parking facilities.

We urge the City Council to support the proposed zoning action. Thank you for your time.

Memorandum of Support City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

TESTIMONY

My name is Paul Travis. I am Managing Partner of Washington Square Partners and Project Executive for the City Point project on Fulton Street and Flatbush Avenue. I am appearing today to urge your approval of the proposed modification of the Downtown Brooklyn Special District parking regulations.

My company was involved in the rezoning that led to the creation of the Downtown Brooklyn Special District. At the time, the rezoning was fashioned to permit a wide range of uses, including residential which had been subject previously to a cap under 4 FAR. We thought perhaps 1 or 2 residential buildings would result. Instead, we have seen a wave of new rental and condominium buildings constructed. Downtown Brooklyn is emerging as a mixed use, 24 hour downtown at a pace none of us could have imagined. With the parallel development of new hotels, new cultural facilities. new public spaces, and a new Arena, Downtown Brooklyn has the potential to become one of Americas great downtowns.

However, the growth has also has a second, undesired consequence. Since we had not expected the growth in housing, the parking ratios were not addressed in the rezoning. The result has been construction of vastly more parking than is needed by residents, and the scourge of buildings that have no physical option building above grade parking garages, deadening street activity and creating blank walls.

I urge you to amend the District to allow lower ratios for all residential buildings. While I believe strongly in incentivizing affordable housing in our neighborhood, not changing the ratios for market rate housing will not solve any of the issues I have addressed.

Thank you for considering this important step forward for Downtown Brooklyn.



Two Trees Management Company LLC Memorandum of Support City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

Good morning, Councilmember Weprin and the Subcommittee on Zoning and Franchise. I'm Dave Lombino with Two Trees Management in DUMBO. We have developed several properties in and around Downtown Brooklyn, creating high-quality housing and affordable units, and we hope to continue to do so in the future. We're here this morning to enthusiastically support the text amendment proposed by the Department of City Planning to reduce the accessory residential parking requirements in the Downtown Brooklyn Special District. We're happy to see that this amendment will make this action retroactive and allow unused garages in the district to be reprogrammed to more productive uses, creating jobs and activating more foot-traffic through the neighborhood.

The reality is that the current requirements, while good-intentioned, have had the negative effect of generating too many parking spaces for the neighborhood and adding costs to developers that can make the creation of affordable housing units prohibitively expensive. In some cases such requirements, combined with weak market demand and the expense of below-grade construction, have resulted in some developments built with some parking at grade. This is not only unsightly but also inhibits the long-term development of neighborhood based retail uses which might otherwise provide amenities and a greater sense of safety for the community. The buildings along Flatbush Ave near the Manhattan Bridge, several projects along 4th Avenue and a building at Water and Adams Streets in DUMBO are examples of such developments.

Both data and anecdotal evidence suggest that developments built under the current requirements have created over-built parking garages. Because of a concentration of mass transit options, residents of Downtown Brooklyn have low car-ownership rates and less than half of the accessory residential spaces are used on nights and weekends when residential demand is at its highest.

Given that the majority of users of the district's 9,650 off-street parking are being used by non-residents- or transient users- flexibility should be added turn some accessory parking in C5 districts into public parking. We support reducing the parking requirements from 40% to 20% for market rate units and eliminating the parking requirement for affordable housing. For future developments, this will reduce cost of development and encourage the use of inclusionary housing programs. Furthermore, the construction of parking lots often limits the amount of ground, basement and second floor retail in areas of the district that are underserved.

Approving this action will allow residential parking garages that now sit vacant to be transformed into retail, housing or commercial office space. More retail will better activate the street, provide neighborhood services and fulfill the dream of transforming the neighborhood into a true 24/7 live and work community.

Thank you for your consideration.

Forest City Ratner Companies Testimony to City Council Land Use Committee City Planning Zoning Resolution for the Reduction of Accessory Parking Requirements in the Downtown Brooklyn Re-Zoning Catchment Area November 26, 2012

Good morning, Councilmember Weprin and members of the Land Use Committee. My name is Melissa Román Burch and I am a Senior Vice President for Residential & Commercial Development at Forest City Ratner Companies. As a developer with a diverse portfolio including residential developments in Downtown Brooklyn, I am here to speak in support of this important zoning initiative.

Downtown Brooklyn is one of the areas in the City best served by public transit with 13 subway lines and 15 bus routes ... you can get anywhere from here. It is precisely one of the reasons why Downtown Brooklyn is such a desirable place for people to live. I know this first hand through the development of our flagship Brooklyn residential rental building, 80 DeKalb Avenue, which opened for occupancy in late 2009.

80 DeKalb is comprised of 365 apartments – 292 market rate and 73 low income. 126 parking spaces were required to be built in order to meet zoning regulations. Despite the residential apartments being over 98% occupied, the 80 DeKalb parking garage is over 50% vacant. Simply put: Residential apartment construction in Downtown Brooklyn is not a significant demand generator for parking. Of the 126 parking spaces – only 45 spaces are rented to residents of the building – that's a meager 12%. This is not our problem alone – it is consistent with the experiences of the various new construction developments that have been built in Downtown Brooklyn over the last 5 years; and, consistent with a June 2012 study by NYC Planning which found that only 22% of Downtown Brooklyn residents own cars (our experience is even less than 22%).

The preponderance of mass transit in Downtown Brooklyn is attracting residents to the area, not the availability of parking. In 2010 we conducted a detailed survey filled out by residents of the building. Residents were asked to detail their decision-making process for living at 80 DeKalb. Proximity to subway was the 3rd most common reason for choosing to rent in the building. "Parking in the building" was the top response selected to the question: "Least Important Influencer in Decision to Rent"

The current 40% parking requirement is a burden on buildings: not only does it unnecessarily drive up the cost of construction but more importantly, it creates unproductive and underutilized space in buildings by creating parking spaces for car owners that do not exist.

Forest City supports a 20% parking requirement for Downtown Brooklyn Residential projects because we believe the requirements should match the actual demand for parking. Thank you for your time.

11/21/2012

New York City Council Committee on Zoning and Franchises Att: Council Member Mark Weprin, Chair 250 Broadway New York, NY

Dear Chairperson Weprin and Committee Members:

I am Martin Piazzola, Senior Vice President for AvalonBay Communities, Inc. We are a developer and manager of residential communities across the country, including six rental buildings in New York City. In Brooklyn, we own and manage the Avalon Fort Greene at the intersection of Myrtle Street and Gold Street. We are currently developing a new 823 -unit rental building in the heart of Downtown Brooklyn, on Willoughby Street between Duffield and Bridge Streets.

We urge you to support the proposed zoning text amendment to reduce accessory parking requirements in the Special Downtown Brooklyn District. Our experience with Avalon Fort Greene has taught us that people are moving to downtown Brooklyn for the neighborhood's easy access to transit and wide range of activities in walking distance. The current parking requirement of 1 space for every two-and-a-half apartments does not reflect the car ownership rates or parking needs of these new residents. It is our experience, for example, that only approximately 23% of the provided spaces at Avalon Fort Greene are actually used. Requiring extraneous parking spaces reduces retail frontage, and may encourage increased car ownership and thus increased traffic.

We support the recent proposal to retroactively apply reduced parking ratios to existing buildings. There simply is not a need for the number of parking spaces currently required in Downtown Brooklyn and the proposed reductions should be available to all buildings. Thank you for your support of the City's proposal.

Sincerely,

Martin Piazzola

AvalonBay Communities, Inc

Matho

Senior Vice President of Development

Testimony of the Real Estate Board of NY before the NYC Council in support of an amendment of the Zoning Resolution to modify the parking regulations of the Special Downtown Brooklyn District. (N 120384 (A) ZRK)

November 26, 2012

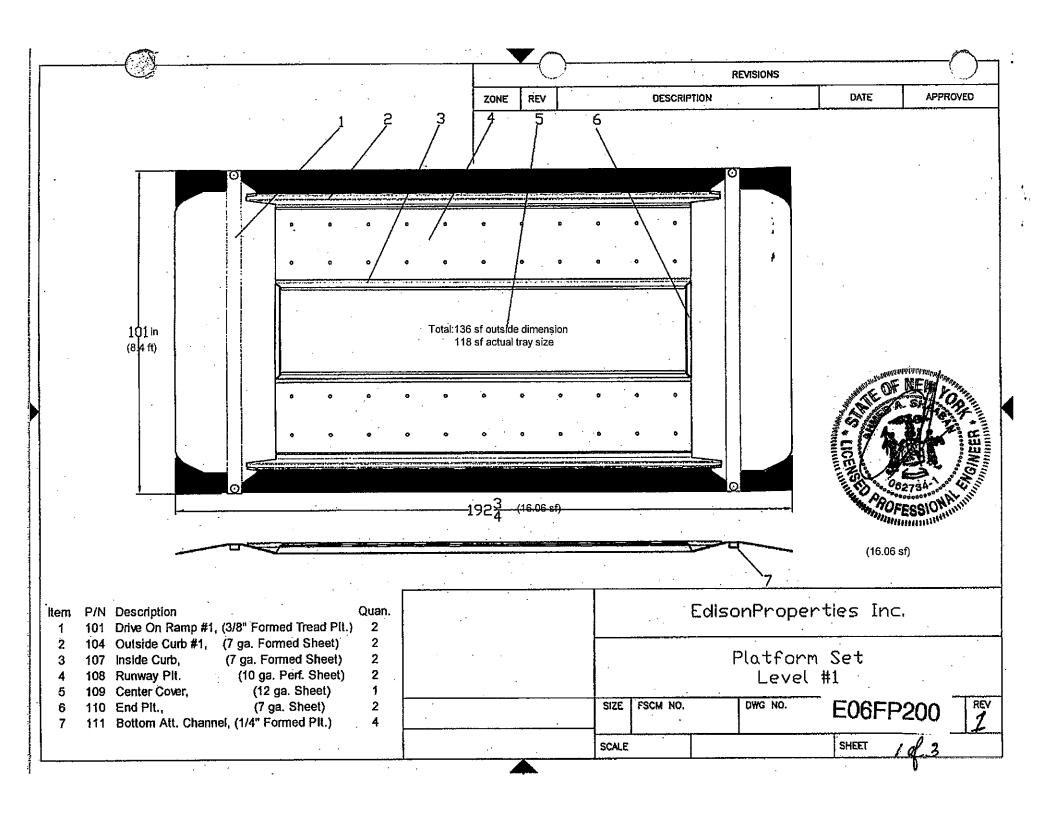
The Real Estate Board of New York, Inc. (REBNY) is a broadly based trade association of over 13,000 owners, developers, brokers, managers and other real estate professionals active throughout the five boroughs of New York City. We support the zoning amendments to the parking regulations of the Special Downtown Brooklyn District. We do recommend one modification relating to the regulations for automated garages.

The City has been undertaking a review of off-street parking regulations in several areas of the city. This zoning amendment in Downtown Brooklyn is the right policy for this transit-rich neighborhood since it reflects the actual parking needs and usage of the residents, workers and visitors to the area. The goal of the proposal is to make the best use of all the parking resources in the neighborhood while removing requirements that aren't needed. Zoning requirements for parking that isn't used is an added expense that makes housing development more expensive and that negatively impacts the finances of affordable housing. There will also be benefits in that the space not taken up by parking can be used for more active uses such as retail or community facilities.

This zoning plan is also innovative in that it addresses the development of automated garages. Automated garages use new and evolving technologies to park cars more efficiently in less space. The text in section 101-545 calls for each tray upon which a vehicle is stored shall be considered 153 square feet of floor area. We believe that the actual size of the tray should be measured. Our members who are familiar with automated garages tell us that the trays currently in use in the industry have an outside dimension of 8.5 feet x 16 feet, or 136 sq ft. And if only the actual surface area of the tray is counted—as the actual dimension of an elevator cab is counted in zoning—the true area is 118 sq ft. We are submitting an architectural drawing that shows this.

It's important that the zoning text counts floor area accurately and it's also important that the zoning text is consistent throughout. The Manhattan Core Parking text that will be coming to Council next year will also address automated garages. We believe that both the Downtown Brooklyn text and the Manhattan text should provide the same rules and that both should direct the Department of Buildings to use the actual measurement of the equipment.

Thank you.





NEW YORK STATE ASSOCIATION FOR AFFORDABLE HOUSING 242 W 36th Street 3rd Floor • New York, New York 10018
Phone: 646-473-1205 • info@nysafah.org • www.nysafah.org

Memo of Support

City Planning Zoning Resolution for the reduction of accessory parking requirements in the Downtown Brooklyn re-zoning catchment area

The New York State Association for Affordable Housing (NYSAFAH) strongly supports the City Planning Zoning Resolution related to the reduction of accessory parking requirements in the Downtown Brooklyn re-zoning catchment area and encourages the City Council to adopt the proposed changes. This resolution would enable developers to better serve New York City residents by lifting burdensome parking requirements that drive up costs and often go unused by residents, freeing up space and financial resources for uses that better reflect community needs.

NYSAFAH supports the proposed elimination of parking requirements for affordable housing in Downtown Brooklyn. Affordable housing is one of New York City's most pressing issues. Parking requirements draw valuable space and subsidy away from the production of affordable units and drive up development costs. These requirements are particularly inconsistent with the needs of low, moderate and middle income households that New York City's affordable housing seeks to serve, as is evidenced by the large number of spaces that regularly go unused in affordable developments throughout the city. NYSAFAH commends the City for its efforts to eliminate this unnecessary burden on affordable housing development in Downtown Brooklyn and encourages the Department of City Planning and the City Council to adopt similar measures throughout the city to ensure that limited affordable housing resources are used most effectively to address the urgent need for affordable housing.

In addition, NYSAFAH is committed to building strong communities throughout New York City and supports the parking requirement reduction from 40% to 20% for all dwelling units regardless of the inclusion of affordable housing. This reduction will bring parking requirements in line with current household car ownership rates in the Downtown Brooklyn area (22%) and will further its growth as a sustainable, walkable, and transit oriented neighborhood. Developers should be given the flexibility to design building uses such as ground floor retail, community facilities, or open green space that respond to community needs and positively impact the quality of life for residents of both market rate and affordable units in the neighborhood.

Formed in 1998, NYSAFAH is the trade association for New York's affordable housing industry statewide. Our 300 members include for-profit and nonprofit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSAFAH's members are responsible for most of the housing built in New York State with federal, state or local subsidies.

October 26, 2012

Contact: Alexandra Hanson, Policy Associate, NYSAFAH (646) 473-1209



Downtown Brooklyn Partnership Testimony to New York City Council Land Use Committee
City Planning Zoning Resolution for the Reduction of Accessory Parking
Requirements in the Downtown Brooklyn Re-Zoning Catchment Area
November 26, 2012

Good morning, Councilmember Weprin and members of the Land Use Committee. My name is Tucker Reed and I am the President of the Downtown Brooklyn Partnership. I first want to thank the Committee for taking the time to review this important rezoning. I also want to thank Brooklyn Community Board 2 and the Borough President for their valuable input into what I believe to be one of the most collaborative land use processes on earth. It is because of this nuanced public process that I believe we have arrived at the forward looking, yet balanced proposed action that we are discussing here today.

On behalf of the Downtown Brooklyn Partnership and the three Business Improvement Districts it manages, the Court Livingston Schermerhorn BID, Fulton Mall Improvement Association and MetroTech BID, I am here today to express our unified support for the Department of City Planning's proposal to modify the accessory residential parking requirements in Downtown Brooklyn. This action makes all the sense in the world for a number of reasons.

First, Downtown Brooklyn enjoys some of the best public transportation access in the world. Over the past few years we have seen a massive influx of residents. Many of them point to the area's rich mass transit system as a motivating factor in moving to the community. These residents largely do not own cars (the car ownership rate in Downtown Brooklyn is approximately 20%), and they do not use parking spaces (the DCP study cites a 50% utilization rate on nights and weekends).

The proposal today to reduce the parking requirement from 40% to 20% and eliminating the requirement for affordable housing will create rationale and inclusive public policy, by better aligning zoning to actual use. Its retroactive application will allow property owners to reclaim underutilized parking and repurpose it for higher and better uses like retail or office space for tech companies. And it will avoid the creation of additional parking in the future that will sit vacant.

Second, because of the area's rich public transit, the subterranean conditions in Downtown Brooklyn, preclude the development of underground parking. As a result developers are forced to build parking on their first few floors, resulting in deadened streets that create unsafe pedestrian conditions and prohibit the development of retail amenities that bring vibrancy and jobs to our community.

Third, building housing and specifically affordable housing in New York City is no small feat. When zoning requires parking for residents and the demand is not there, it becomes yet another unnecessary burden that increases the cost of housing. Efforts to bring down

construction costs will encourage the use of inclusionary housing programs. And while the encouragement of affordable housing development is a beneficial by-product of this action, it is not the sole intent. In our view, there is no need to mandate tying the parking reduction to affordable housing, any further than it already does. Today, virtually all of the developments in construction in Downtown Brooklyn have contributed to the development of affordable housing in NYC as a result of the 421-a tax incentive program or other government subsidy programs. The land use problem this action is addressing from our perspective is the unintended creation of a surplus of parking that detracts from street level activation and job attraction to the neighborhood.

If the goal is solely to create more affordable housing, surely there are more straight forward mechanisms to achieve this universally desirable outcome such as tax credits, public subsidies, or developer mandates tied to public approvals. Tying the reduced parking requirements exclusively to buildings with affordable housing confuses the larger policy reality that there is an unused supply of parking created by zoning that should be remedied. We should not confuse this action in the short-term with additional requirements to achieve ends better served by more thoughtful housing policy, or take an action that could unintentionally preclude developers from considering including other much needed community facilities in their buildings, like schools, healthcare facilities, municipal offices, etc. that they will be more apt to consider if they do not have to construct surplus vacant parking.

Finally, as a result of the increased parking supply from new residential buildings, parking rates have fallen in Downtown Brooklyn over the past five years. Cheaper parking rates will only encourage employees in the area to drive to work, as opposed to utilizing our rich public transit network. As Councilmember James aptly noted in her testimony to the planning commission, our community suffers from high rates of childhood asthma as a result of the high traffic. This action, if approved by the City Council, will mean fewer cars, less traffic, cleaner air and more public transportation use in Downtown Brooklyn. A future we can all be proud of.

We feel that this rezoning will further Downtown Brooklyn's position as vibrant 24/7 neighborhood, give property owners the flexibility to adapt to changes in the market, and ultimately benefit the public by providing new housing, retail, office space and cleaner air. Most importantly it will align zoning to actual parking usage by residents. We believe that this will help create a more active, healthy and vibrant Downtown Brooklyn.

Thank you for your time.

CHPC TESTIMONY BEFORE DCP REGARDING DOWNTOWN BROOKLYN PARKING NOV 26, 2012



Executive Director
Jerilyn Perine

CHAIRMAN Marvin Markus

PRESIDENT Mark Ginsberg

SECRETARY
Sander Lehrer

TREASURER
Mark Alexander

Testimony of
Sarah Watson
Senior Policy Analyst CHPC
On Behalf of the CHPC Zoning Committee
November 26, 2012

Proposed Text Amendments Regarding Downtown Brooklyn Parking

The Zoning Committee of the Citizens Housing & Planning Council (CHPC) has reviewed the proposed text submitted by the Department of City Planning (DCP) for an amendment of the Zoning Resolution of the City of New York to modify the parking requirements for portions of the Special Downtown Brooklyn District.

We fully support this revision and applaud the vision of the Department of City Planning to set a parking framework that: reflects the real needs of a 21st century New York City neighborhood; reduces the cost of residential construction; allows space to be used more efficiently; encourages affordable housing; and supports the wider sustainability goals of the city.

We are delighted that this amendment reduces residential minimum parking requirements from 40% to 20% of units.

Executive Committee
Frank J. Anelante
Robert Berne
Matthew Blesso
Robert S. Cook Jr.
Robert Ezrapour
Andrea Kretchmer
Henry Lanier
Mark A. Levine
Frances Magee
John McCarthy
Richard T. Roberts
Richard C. Singer
William Stein

Board Members Sandra Acosta

Debra C. Allee Alex Arker Carmi Bee Alan R. Bell Steven Bluestone Shirley Bresler Howard Chin James S. Davidson Nina DeMartini-Day Andy Ditton Martin Dunn Douglas D. Durst Erica Forman Paul Freitag William Frey Alexander Garvin James Gillespie Elliott M. Glass Alicia Glen Kirk Goodrich Jerry Gottesman Amle Gross David E. Gross Rosanne Haggerty Larry Hirschfield Kent Hiteshew William N. Hubbard Marcie Kesner Carol Lamberg Deborah Lamm Charles S. Laven Robert O. Lehrman Jeffrey E. Levine Kenneth Lowenstein Samantha Magistro Lucille L. McEwen David McGregor Felice L. Michetti Ron Moelis Jeff Needham Perry Notias David L. Picket **Edward Poteat** Vincent L. Riso Robert C. Rosenberg Carol Rosenthal Peter D. Salins Marian Sameth Denise Notice Scott **Avery Seavey** Paul Selver **Ethel Sheffer** Abby Sigai Jane Silverman Carole S. Slater Ann M. Soja Mark E. Strauss David I. Sweet William Traylor Daron Tubian Gerard Vasisko Adam Weinstein Alan H. Wiener Mark A. Willis David J. Wine

As the parking inventory and utilization study demonstrates, there is a significant oversupply and underutilization of accessory parking in downtown Brooklyn especially in evenings and weekends. By reducing the minimum requirements and allowing accessory residential garages to be used more flexibly, this change will better reflect the real parking demands of the Downtown Brooklyn population, and will allow valuable space to be used more efficiently and in a manner that supports the needs of a 24 hour city with differing needs throughout the day and the week.

These new minimum requirements do not mean that parking provision is unable to evolve with emerging needs in the future. Instead, it allows developers to better follow real market demand.

At the same time, the city has a number of crucial sustainability goals that must be reflected in the Zoning Resolution. Policy should be encouraging subway usage and the reduction of carbon emissions and air pollution associated with car use. In a neighborhood with seven subway stations that provide access to 13 subway lines, and a Long Island Railroad station at Atlantic Terminal, we believe that Downtown Brooklyn is a perfect neighborhood to reduce parking requirements.

In addition, the CHPC Zoning Committee fully approves of the elimination of minimum parking requirements for affordable housing. Again, developers can still provide spaces if they believe there is a market for them. But the high costs of building structured parking

cannot be easily passed on to the residents of affordable units, therefore minimum requirements act as a financial burden on affordable and mixed income buildings. Every attempt to facilitate the development of affordable housing units should be fully embraced.

This is also an imperative consideration for market rate housing; where additional construction costs can be passed on to the residents. Therefore, reducing the minimum parking requirements can also contribute toward lower market rent levels – again an objective that should always be considered in policy wherever possible.

Finally, we would add that the CHPC Zoning Committee believes that this approach should be applied more frequently throughout the city. Any effort to reduce the cost of construction of residential units, encourage public transportation use, and allow the housing industry to respond to market demand for parking in a more realistic way should be applied in the Zoning Resolution.

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