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Draft Bay Street Corridor Housing Plan

Office of Neighborhood Strategies
NYC Department of Housing Preservation & Development

NYC
Department of
Housing Preservation
& Development

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This Housing Plan summarizes the goals, strategies, and actions that the NYC Department of Housing Preservation and Development (HPD) is proposing to undertake in response to a range of needs and priorities identified by North Shore residents during a multi-year planning process. It is part of the Bay Street Corridor Neighborhood Plan, which seeks to connect the existing mixed-use town centers of Saint George, Tompkinsville, and Stapleton by creating a walkable neighborhood with opportunities for housing, businesses, and jobs with access to existing public transportation.

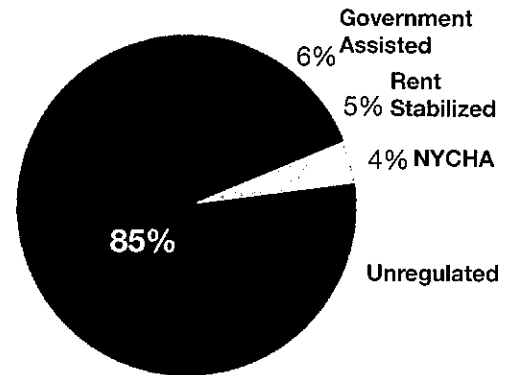
For more information, [visit nyc.gov/baystreetcorridor](https://www.nyc.gov/baystreetcorridor).

Introduction

The Bay Street corridor is located in Community District 1 (CD1) of Staten Island, which comprises Staten Island's North Shore. Bay Street is a major commercial artery connecting most of Staten Island's northeastern neighborhoods to Saint George, Staten Island's Downtown, and the Staten Island Ferry. While Bay Street currently is home to limited housing, it is surrounded by the residential neighborhoods of Tompkinsville, Stapleton, and Clifton. The vast majority of homes in Staten Island's North Shore are located in small, one- to four-family buildings. As a result, only a small proportion of the existing housing stock is subject to government regulations that control for affordability—approximately 15% of all homes are either rent stabilized, rent controlled, and/or receive some form of governmental assistance that limits the rents that can be charged.¹

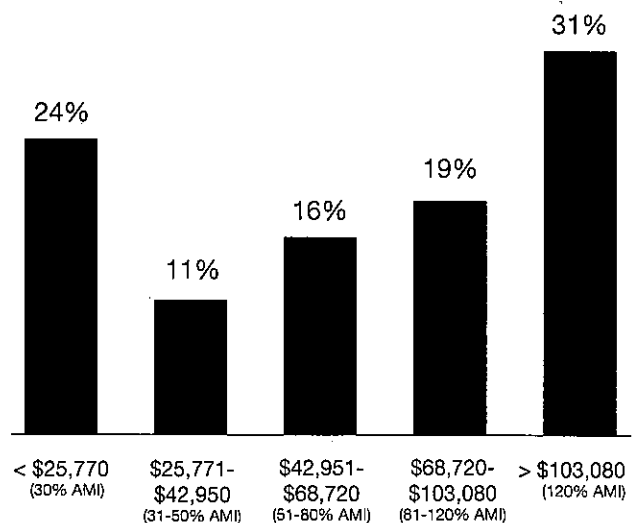
The median household income for CD1 is \$60,746², which is higher than the rest of NYC but considerably lower than the rest of Staten Island. Over half of all CD1 households are low-income, and nearly a quarter are extremely low-income (earning 30% of the Area Median Income or less). While the North Shore has seen slower growth in rents and home prices over the past 15 years than other parts of the city, nearly half of all renters are still rent burdened, meaning they spend more than a third of their income on rent. While CD1 and Staten Island as a whole have a higher proportion of homeowners than renters compared to NYC, CD1 has a higher proportion of renters compared to Staten Island overall.

Regulatory Status of Existing Homes (CD1)



HPD Research and Evaluation, 2016

Household Income Distribution (CD1)



Sample incomes are for a three-person household based on 2016 HUD Income Limits; ACS, 2012-16 for Sub-borough Area, which approximates CD1

¹ HPD Research and Evaluation, 2016

² U.S. Census Bureau, American Community Survey, 2012-2016

Under *Housing New York*, the City has made historic strides in building new affordable homes for low-, moderate-, and middle-income New Yorkers, but the North Shore has seen very little affordable housing created in recent years. In looking to create new opportunities for growth and investment in a transit-rich section of the borough, the City is proposing to implement the Mandatory Inclusionary Housing (MIH) program, which will ensure that any new development includes permanently affordable homes. Combined with the continued redevelopment of the Stapleton waterfront and other sites in and around the Downtown, these initiatives have the potential to create hundreds of new affordable apartments.

At the same time, we must ensure that existing residents are protected from displacement even as the neighborhood evolves. HPD has prioritized a number of critical resources to protect renters and support homeowners in the face of market changes and other challenges.

Affordable Housing Development and Preservation Activity in the North Shore (CD1)

Type	2003-13	2014-18	Total
New Construction	798	277	1,075
Preservation	1,063	1,452	2,515
Total Units	1,861	1,729	3,590

HPD Performance Management and Analytics, June 2018

01 Preserve Existing Affordable Housing

The Administration is working on multiple fronts to keep New Yorkers in their homes and make sure our housing stock is in good financial and physical shape.

Preservation is HPD's number one priority, and the agency has developed a coordinated strategy specifically for the Bay Street Corridor. The City preserves affordable housing by financing improvements to residential buildings in exchange for restrictions on the rents an owner can charge, enforcing the Housing Maintenance Code, and protecting tenants from deregulation and harassment. Under Housing New York, HPD has created new tools to achieve preservation goals in changing neighborhoods.

Finance and Safeguard Affordability

HPD administers loans and tax incentives to help building owners improve the quality, physical condition, and efficiency of their properties. In exchange for financial assistance, property owners are required to maintain rents at levels that are affordable to existing tenants, as well as limit rent increases. Additionally, HPD promotes homeownership opportunities through its down payment assistance program, offers homeowner repair loans and grants, provides foreclosure prevention and counseling in partnership with the Center for New York City Neighborhoods (CNYCN), and helps with mortgage servicing and refinancing. Since 2003, HPD has financed the preservation of about 2,515 homes in CD1.

**Strategy 1
Offer loans and tax incentives to building owners to keep homes affordable**

Only 15% of the existing homes within CD1 are rent stabilized, rent controlled, and/or receive some form of governmental assistance that limits the rents that can be charged. Privately owned housing that receives government assistance, whether through HPD, New York State Homes and Community Renewal (HCR), or the U.S. Department of Housing and Urban Development (HUD), comprise approximately six percent of the total housing stock in the area. These homes have affordability restrictions that are monitored closely by the respective agencies. Though a small percentage of the overall housing stock, they remain an important affordable housing resource.

HPD's goal is to keep the homes in its portfolio under regulatory protections that restrict rents, and it does so by proactively reaching out to owners to inform them about the financial incentives the City can provide to help them keep the apartments affordable. HPD offers loan and tax incentives to help building owners improve the quality, physical condition, and efficiency of their properties. In exchange for financial assistance, property owners are required to maintain rents at levels that are affordable to existing tenants, and to limit rent increases.

Since 2014, HPD has financed the preservation of 1,452 affordable homes in CD1. HPD will continue monitoring homes in CD1 with affordability restrictions in its portfolio, and use its various financing programs to preserve and invest in the neighborhood's existing affordable housing stock.

HPD welcomes all opportunities to speak with property owners interested in preserving the physical and financial health of their buildings. If you own property and want to know whether HPD's financing programs might be a good fit, please visit nyc.gov/letsinvest. For more information about HPD's financing programs, visit nyc.gov/letsinvest.

Strategy 2

Host outreach and marketing events to promote programs to preserve affordability

For buildings that are not currently assisted or monitored by a government agency, HPD is taking a more proactive and strategic approach to engage building owners who could benefit from our financing and tax incentives in exchange for maintaining affordable rents. Many property owners are either not aware of HPD's products or do not have experience working with a government agency, but HPD is piloting new tactics to reach and assist those owners. Approximately 85% of the homes in CD1 are unregulated, though many of the buildings in which those homes are located may have repair or financial needs that could be addressed using HPD's preservation finance tools.

HPD has developed an outreach strategy specifically targeting property owners throughout CD1. As of August 2018, HPD has reached out to 136 property owners representing a total of 3,745 homes. HPD has used different methods to communicate with both landlords and homeowners, including events, mailings, emails, calls, and the surveying of distressed properties, and we continue to explore creative ways to engage owners.

Community organizations and elected officials are encouraged to recommend buildings to be surveyed. Please send the building addresses and reason for referral to hpdprouactive@hpd.nyc.gov.

Strategy 3

Help community organizations acquire rent stabilized buildings through the Neighborhood Pillars Program

HPD is launching the Neighborhood Pillars program to finance the acquisition and rehabilitation of existing rent-regulated buildings to protect current tenants and stabilize communities. As part of this initiative, the City will double the capacity of the NYC Acquisition Loan Fund to \$275 million to enable non-profits and mission-based organizations to acquire buildings that are rent-regulated but not otherwise part of an existing affordable housing program.

Promote Safe and Healthy Housing

HPD's Office of Enforcement and Neighborhood Services (OENS) works closely with other HPD divisions and community partners to identify buildings that are in poor condition; assess and develop appropriate strategies to resolve those problems; and develop plans, with responsible owners, to return buildings to firm financial footing and good physical condition.

Strategy 4

Improve housing quality through rigorous enforcement of the Housing Maintenance Code

HPD responds to 311 calls, Housing Court requests, and building referrals by community groups and elected officials by sending inspectors to see if building conditions violate the City's Housing Maintenance Code. If inspectors find such conditions, they issue violations, which require that the owner correct the condition. The most serious conditions must be corrected immediately, while less serious conditions must be corrected within 30 to 90 days. If owners do not correct violations, buildings may enter into one of HPD's enforcement programs.

Between July 2017 and June 2018, HPD conducted 5,075 inspections and issued 5,450 new violations in CD1. The agency spent over \$500,000 to repair emergency conditions in the neighborhood.

If your landlord is neglecting repairs in your building or endangering the health and safety of you or your neighbors, please call 311.

Protect Tenants

Many low- and moderate-income renters, especially seniors, depend on rent regulation, and those who do are poorer and more likely to be Black or Hispanic than tenants in unregulated units³. Changes in the state rent regulation laws over the last few decades have resulted in a net loss of over 150,000 rent-regulated units citywide, which means landlords and owners can raise rents to market rates. The City has worked with tenants, advocates, and the State Assembly to achieve significant reforms in the laws, but more needs to be done to save critical rent-regulated housing.

Strategy 5

Provide free legal assistance to North Shore tenants

To support tenants who are facing eviction or harassment, the City has expanded funding for civil legal services for low-income New Yorkers at the Human Resources Administration's Office of Civil Justice (OCJ). In 2015, HRA took over responsibility for contracts providing legal assistance to low-income tenants and starting in 2016 substantially increased funding for these services. In August of 2017 New York City enacted Universal Access to Counsel, the nation's first law to provide access to legal services for every tenant facing eviction in Housing Court, to be implemented in phases through 2022. While only one in 100 tenants facing eviction in Housing Court had lawyers in 2013, one in four was represented as of 2016. Residential evictions by City marshals dropped by 27% from 2013 to 2017. In CD1, HRA enacted the first phase of the City's Universal Access to Counsel program initiative in Fiscal Year 2018 targeting the zip codes 10302, 10303 and 10314, and in Fiscal Year 2019, Universal Access to Counsel will expand to zip code 10310. OCJ's legal services programs for tenants have assisted over 2,900 households in CD1 since January of 2014, providing legal assistance to approximately 9,600 North Shore residents facing eviction, displacement, and harassment by unscrupulous landlords.

If you are a tenant facing eviction, harassment, or other displacement pressures and would like to consult with a legal services provider, please call the Tenant Protection Hotline at 917-661-4505 or visit one of the North Shore locations at:

³ HPD Research and Evaluation, 2016

*CAMBA Legal Services Inc.
120 Stuyvesant Place
(718) 282-6473*

*Legal Aid Society (LAS)
60 Bay Street
(347) 422-5333*

*Staten Island Legal Services/Legal
Services New York City (LSNYC)
36 Richmond Terrace, Suite 205
(718) 233-6480*

If you are falling behind on your rent and at risk of becoming homeless, please call 311 to be connected with a local HomeBase Center, which can provide emergency rental assistance. CAMBA operates a HomeBase center at 209 Bay Street, Staten Island, NY 10301.

Strategy 6

Educate tenants about their rights and resources to prevent displacement

The City's Tenant Support Unit (TSU), part of the Mayor's Public Engagement Unit, uses a data-driven approach to engage and provide assistance to New Yorkers who may be at risk of displacement or experiencing harassment. Outreach specialists conduct door-to-door outreach to inform tenants of their rights, identify any housing-related issues, and connect them with a range of resources, such as emergency repairs or free legal assistance. Since July 2015, TSU specialists have knocked on approximately 12,085 doors and assisted 1,370 tenants in the Bay Street area.

Strategy 7

Host tenant resource fairs to educate Staten Island residents about their rights and resources

HPD is committed to working with partner agencies, elected officials, and community groups to ensure tenants are aware of their rights and have access to important housing resources. HPD's Neighborhood Education and Outreach Unit hosts tenant fairs and coordinates HPD and other agency participation in community events, where they provide information about tenants' rights, legal services, rental assistance programs, the affordable housing application process, and other topics. The team also coordinates the distribution of multilingual housing resource materials.

Community-based organizations can request materials or discuss HPD participation in an event by contacting Pam Glaser at glaserp@hpd.nyc.gov.

Strategy 8

Establish a "Certification of No Harassment" (CONH) Pilot Program

If City-sponsored zoning changes are approved in the Bay Street corridor, CD1 will be included in the Certification of No Harassment (CONH) Pilot Program, the product of a collaborative, year-long working group between the Administration and City Council. It requires owners of certain covered buildings to obtain a certificate from HPD proving that they have not harassed tenants before they can apply for building permits to work in or demolish rent stabilized buildings.

Support Low-and Moderate-Income Homeowners

The majority of homes in the neighborhoods surrounding the Bay Street corridor are located in small, often owner-occupied buildings. Helping these owners improve the quality and financial stability of their homes is critical to stabilizing the housing stock of the neighborhood. HPD works with community groups, local elected officials, and sister agencies to provide homeownership opportunities in new construction, downpayment assistance for first-time homebuyers, home repair loans, and foreclosure counseling and education, among other strategies.

Strategy 9

Launch HomeFix to help low-income homeowners make critical repairs and stay in their homes

Funding for home repairs is often hard to find for low-income homeowners, especially for families struggling to make mortgage payments. Making repairs can contribute to the health and safety of one's home, as well as keep up property values. Often, aggressive speculators will barrage owners with cash offers, knowing that owners with significant maintenance issues will be tempted to accept – even if it means leaving the neighborhood they helped to build, and being left without a viable housing alternative. To meet these needs, HPD has announced the creation of HomeFix, a program to help low- and moderate-income homeowners in small, one- to four-family properties fund home repairs. Leveraging the services of multiple community and non-profit partners, the new program will pair financial counseling with financial assistance. HomeFix is expected to launch in Spring 2019.

Homeowners interested in HPD repair loans should visit nyc.gov/letsinvest.



Homeowner
Hotline

The Center for New York City Neighborhoods (CNYCN), an HPD partner, operates the Homeowner Hotline, which connects New York City homeowners at risk of foreclosure with free housing counseling and legal services.

The Center can also provide information about important tax programs and other resources, including HPD's home repair loans, which help low to moderate income homeowners make critical repairs to their buildings so they can avoid foreclosure and resist pressures to raise rents or sell. Homeowners in need of assistance can reach the Center by calling 311 or (646) 786-0888.

Strategy 10 Combat the Impact of Zombie Homes

The impact of the foreclosure crisis is still being felt across the city as homeowners, many of whom are victims of discriminatory lending practices, are forced to relocate, leaving behind so-called “zombie” homes, which are defined as vacant, physically distressed one- to four-family homes with delinquent mortgages.

In 2016, New York State passed new legislation to address the problem of foreclosures and vacancies of small homes. The Zombie Property and Foreclosure Prevention Act (“Zombie Law”) now requires banks and other lenders to identify and report vacant properties for which they hold the note, secure and maintain properties so that they are not a safety hazard for neighbors, and submit to penalties if they fail to maintain them.

HPD was awarded a grant from the Local Initiatives Support Corporation to aid in the implementation and enforcement of the Zombie Law by identifying and surveying potential zombie homes, creating a citywide database of zombie homes, exploring strategies to return zombie homes to productive use, and connecting at-risk homeowners to foreclosure prevention resources.

Since the launch of the Zombie Homes Initiative, HPD created New York City’s first comprehensive inventory of zombie homes; established a process to enforce the Zombie Law and referred 27 properties to the NYC Law Department; initiated City interventions on 65 properties (seal-ups, lot clean-ups, and demolitions); informed approximately 35,000 homeowners of foreclosure prevention resources; and led the coordination to develop an acquisition program for zombie homes.



HomeFirst Down
Payment Assistance

Many New Yorkers want to purchase a home but have difficulty saving enough money to make the down payment. HPD’s HomeFirst Down Payment Assistance Program provides qualified first-time homebuyers with up to \$40,000 toward the down payment or closing costs on a one- to four-family home, condominium, or cooperative in one of the five boroughs of New York City.

First-time homebuyers interested in HPD’s HomeFirst Down Payment Assistance Program should contact HomeFirst@hpd.nyc.gov or one of the following HPD-approved counseling agencies in the North Shore:

NHS of Staten Island, West Brighton
770 Castleton Avenue
(718) 442-8080

Northfield Community Local Development Corporation
160 Heberton Avenue
(718) 442-7351

In September 2018, the HPD in conjunction with the New York City Law Department filed five lawsuits against non-compliant mortgage holders, seeking more than \$1 million, for neglecting their properties. These cases were filed leveraging data collected by HPD's Zombie Homes Initiative, which works with the New York City Law Department to hold non-compliant banks and mortgage servicers accountable for failing to maintain vacant properties on the brink of foreclosure.

In CD1, HPD conducted 51 exterior surveys of zombie properties and referred seven properties to the Department of Buildings (DOB) for inspection, eight properties to HPD code enforcement for a seal-up, and eight properties to the Department of Sanitation for a lot clean-up. HPD is currently reviewing which of the surveyed properties warrant a notification to the servicer.

If a particular property presents an immediate danger or you suspect any illegal activity, please call 911. If the building appears unsecured or structurally unsound, please report it to 311 for a DOB inspection. If there is a public health risk (e.g., rodents, dirty sidewalk, or standing water that breeds mosquitoes), please report it to 311 for a lot clean-up.

Strategy 11

Host homeowner resource fairs to educate Staten Island residents about their rights and resources

HPD's Neighborhood Education and Outreach unit partners with local elected officials, community groups, and sister agencies to organize Landlord Fairs and Property Owner Clinics where homeowners can have one-on-one discussions with representatives of non-profits and government agencies and receive consultations, apply for services, resolve housing-related issues, and receive information

about HPD's loan repair and financing programs. HPD also offers free Property Management classes.

Community-based organizations can request materials or discuss HPD participation in an event by contacting Pam Glaser at glaserp@hpd.nyc.gov.

HPD hosts monthly Property Owner Clinics and Property Management Classes, as well as neighborhood-based events for property owners and tenants. For the full calendar of events, visit www1.nyc.gov/site/hpd/about/

02 Develop New Affordable Housing

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Providing resources to existing residents of the North Shore of Staten Island is HPD's number one priority. At the same time, we need to increase the supply of affordable housing to ensure that this neighborhood can continue to be home to an economically diverse community.

The City has made enormous progress in creating new affordable housing. Since 2014, we have financed the construction of 34,482 new affordable homes across the city. Yet despite this headway, as of June 2018, only 277 new affordable homes, or less than 1% of those citywide, have started construction in CD1 over the same five-year period.

The implementation of Mandatory Inclusionary Housing (MIH) along Bay Street and Canal Streets has the potential to facilitate the construction of up to approximately 450 permanently affordable homes on privately owned sites. HPD will continue to seek out partnerships with non-profit and for-profit developers interested in developing affordable housing that exceeds the minimum MIH requirements. Lastly, the agency will continue exploring the feasibility of redeveloping publicly-owned sites in the area, including the Jersey Street Garage and New Stapleton Waterfront, with affordable housing and other amenities.

Strategy 1

Implement Mandatory Inclusionary Housing (MIH) to require that all new residential development include permanently affordable homes

MIH requires developers to provide permanently affordable housing in new buildings whenever land is rezoned for increased or new residential development. By creating housing for people earning a range of incomes in every new building, MIH ensures that neighborhoods remain diverse as they grow. Through a rezoning and the implementation of the MIH program, there is potential to create approximately 450 permanently affordable homes along the Bay and Canal Street corridors.

Strategy 2

Offer financing to incentivize the development of affordable housing that exceeds minimum MIH requirements

HPD will work with property owners in and around the Bay Street Corridor to facilitate the creation of affordable housing that exceeds the minimum MIH affordability requirements. The agency's financing programs have options that provide for extremely low- to middle-income households, as well as for seniors and households with special needs. HPD also recently updated the terms of its financing programs to require that at least 10% of apartments be set aside for homeless families and individuals in virtually all of our housing programs, as well as more homes for extremely low- and very low-income households. In addition, any project in an MIH area receiving City subsidy must also now set aside an additional 15% of apartments as permanently affordable, on top of the baseline MIH requirements.



**Project Profile:
The Rail**

The Rail, completed in 2012, is a 92-unit mixed-use development along Bay Street. The development is affordable to families and individuals earning between \$56,340 and \$75,120 (60-80% AMI), and the monthly rent ranges between \$637 for a one-bedroom to \$1,322 for a two-bedroom.

HPD welcomes any opportunity to talk or meet with property owners interested in developing affordable housing. For more information about HPD's financing programs, including contact information for program managers, visit nyc.gov/development-programs.



Strategy 3

Prioritize the development of City-owned land with affordable housing

HPD will work with agency partners to advance affordable housing development on City-owned sites, including the Jersey Street Sanitation Garage and future phases of the New Stapleton Waterfront.

HPD will coordinate with the Department of Sanitation (DSNY) to begin planning for a mixed-use affordable housing development on the Jersey Street Sanitation Garage site. As DSNY relocates the garage to an expanded facility in Freshkills Park, HPD will conduct a community engagement process to understand local priorities for design, programming, and affordability prior to issuing an RFP to select a development partner. DSNY anticipates moving its garage operations to the new Freshkills facility in 2022.

In addition, HPD will work with its partners at EDC to explore affordability options for future phases of the New Stapleton Waterfront development. Future phases of this project will create a dynamic mix of uses supporting

the city's housing and economic development goals at the site of the former Navy Homeport. A portion of the first phase, which included 114 affordable apartments, has already been completed.

Strategy 4

Create New Affordable Homeownership Opportunities

Local stakeholders expressed interest in more homeownership opportunities in the North Shore. Owning a home can help households build the assets they need to put down roots in their community and stabilize neighborhoods. To meet these needs, HPD launched the Open Door Program, which finances the new construction of affordable homes for first time buyers earning a range of incomes.

First-time homebuyers interested in HPD's Open Door program should contact opendoor@hpd.nyc.gov.

Strategy 5 Explore and support community land trust models

In response to growing interest across the City, HPD recently issued a Request for Expressions of Interest (RFEI) to identify qualified groups who are interested in forming a community land trust (CLT). A CLT is a non-profit organization that maintains control and oversight of affordable housing through ownership of land, and whose primary purpose is the creation and/or maintenance of permanently affordable housing. The CLT's land ownership, paired with a governance structure that reflects the interests of residents and the broader neighborhood, can offer a unique housing model that empowers communities.

One outcome of the RFEI was the creation of a CLT Learning Exchange funded by Enterprise Community Partners. The goal of the Learning Exchange, which was launched in early 2018 by the New Economy Project, is to build the capacity of community-based organizations and affordable housing developers seeking to form CLTs. The program is providing foundational training in forming a CLT and more targeted technical assistance for groups at various stages of the CLT process. The Staten Island-based Northfield LDC is participating in the Learning Exchange.

Strategy 6 Support mission-driven groups interested in developing affordable housing on underutilized sites

Staten Island residents have expressed a desire to see more participation by mission-driven organizations in affordable housing development and preservation. To assist those interested in affordable housing, HPD will work with local faith-based organizations to explore development opportunities.

HPD maintains a Pre-Qualified List of Owner's Representatives to help mission-driven organizations who may have underutilized land but little to no real estate experience. In creating the list, HPD evaluated each organization's technical expertise, experience, and capacity to represent owners in the development of affordable housing.

Additionally, HPD will implement recent RFP reforms for future public site RFPs in Staten Island, including a new preference for community development plans and experience; recognition of development experience in rehabilitation; and the use of a remainder interest, which is a legal tool that gives the City ownership of the property at the end of the initial affordability period unless HPD and the owner agree on an extension.

Mandatory Inclusionary Housing Options

During the public review process, the City Council and the City Planning Commission (CPC) can choose to impose one or both of two basic options to apply to a rezoning:

25% Affordable Units
75% Market Rate

MIH Option 1: 25% of housing must serve households with incomes averaging to **\$56,000 (60% AMI)**

At least 10% of which must be at or below \$38,000 (40% AMI)

Examples:

# of Units ⁵	AMI	Maximum Annual Income ¹⁰	Sample Rent ¹⁰
10	40% ³	\$37,560	\$810
5	60% ³	\$56,340	\$1,280
10	80% ³	\$75,120	\$1,820

# of Units	AMI	Maximum Annual Income ¹⁰	Sample Rent ¹⁰
10	40% ³	\$37,560	\$810
7	60% ³	\$56,340	\$1,280
8	80% ³	\$75,120	\$1,820

30% Affordable Units
60% Market Rate

MIH Option 2: 30% of housing must serve households with incomes averaging to **\$75,000 (80% AMI)**

Examples:

# of Units ⁵	AMI	Maximum Annual Income ⁴	Sample Rent ⁴
10	30% ³	\$28,170	\$575
10	80% ³	\$75,120	\$1,820
10	130% ³	\$122,070	\$2,993

# of Units	AMI	Maximum Annual Income ⁴	Sample Rent ⁴
10	60% ³	\$56,340	\$1,280
10	80% ³	\$75,120	\$1,820
10	100% ³	\$93,900	\$2,289

In addition to the two basic options, City Council and CPC may add one or two other options:

20% Affordable Units
80% Market Rate

MIH Option 3: 20% of housing must serve households with incomes averaging to **\$38,000 (40% AMI)**

Subsidy is allowed only if more affordable housing is provided.

Examples:

# of Units ⁵	AMI	Maximum Annual Income ⁴	Sample Rent ⁴
5	30% ³	\$28,170	\$575
10	40% ³	\$37,560	\$810
5	50% ³	\$46,950	\$1,045

# of Units	AMI	Maximum Annual Income ⁴	Sample Rent ⁴
16	30% ³	\$28,170	\$575
4	80% ³	\$75,120	\$1,820

30% Affordable Units
60% Market Rate

MIH Option 4: 30% of housing must serve households with incomes averaging to **\$108,000 (115% AMI)**

At least 5% at 70% AMI and 5% at 90% AMI No subsidy, and has a 10-year sunset

Examples:

# of Units ⁵	AMI	Maximum Annual Income ⁴	Sample Rent ⁴
5	70% ³	\$63,730	\$1,602
5	90% ³	\$84,510	\$2,061
20	130% ³	\$122,070	\$2,993

³ Developers can provide a range of low to moderate income tiers, if rents of the affordable units achieve the required average AMI.

⁴ Rents and incomes are examples based on a three-person household, and two-bedroom sample rents and 2018 HUD Income Limits.

⁵ Sample unit distribution based on a 100-unit building

03 Increase Access to Affordable Housing

Over the last several years, HPD has worked with community partners to better understand the needs of affordable housing applicants and made improvements to the overall application process.

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HPD is committed to continually improving access to affordable housing, such as by making it easier for residents to complete the application process, better advertising open lotteries, and refining marketing guidelines to qualify a broader range of applicants.

Strategy 1

Make it easier for residents to understand, prepare for, and complete the affordable housing application process

HPD recognizes that the affordable housing application process can be time-consuming, and we continue to take steps to help residents become better prepared to submit complete and accurate applications. HPD already has several initiatives underway:

- HPD's Housing Ambassadors Program trains local community groups to provide free technical assistance to residents who wish to apply for affordable housing. HPD staff or Housing Ambassadors can also be available to participate in community events to assist residents with general questions about the affordable housing lottery and application process. The Housing Ambassador in Staten Island is CAMBA HomeBase. For more assistance with HPD Housing Connect applications, reach out to CAMBA HomeBase at 718-622-7323 or at their offices at 120 Stuyvesant Place, Suite 413, and 209 Bay Street.



Housing Ambassadors

Housing Ambassadors are community-based organizations and service providers, trained by HPD, who help people prepare and apply for affordable housing. HPD is recruiting more organizations to serve as Housing Ambassadors in Staten Island and throughout the city.

If you know of a group that might be interested in becoming a Housing Ambassador, please contact ambassadors@hpd.nyc.gov.

Visit nyc.gov/housing-ambassadors for a list of current Housing Ambassadors and their contact information.

- HPD also created an Affordable Housing Guide for Applicants with Disabilities, which is available in nine languages, including Braille.
- HPD is working with local groups to distribute a new brochure - Ready, Set, Apply! - to guide tenants on how to prepare for the affordable housing application process.
- HPD recently created a [Video Guide](#) on how to apply for affordable housing.

Strategy 2

Continue to refine marketing guidelines to reach New Yorkers most in need

HPD is working to remove barriers to qualifying for affordable housing. In June 2018, HPD updated the affordable housing Marketing Handbook to strengthen the City's policies and procedures for allocating affordable housing through NYC Housing Connect lotteries. These

policy changes make affordable housing more accessible to vulnerable New Yorkers who would have otherwise been previously disqualified, and include:

- **Limiting options to reject applicants based on credit history and debt and ensuring that applicants can no longer be punished for taking their landlords to court.**
- **Clarifying eligibility guidelines for a speedier review process by eliminating mandatory employment history requirement for self-employment and freelance income.**
- **Introducing additional protections for domestic violence survivors, such as ensuring applicants cannot be denied housing for adverse factors, such as poor credit or negative debt payment history, if those factors are a direct result of domestic violence, dating violence, sexual assault, or stalking.**

04 Promote Economic Opportunity

HPD shares the goal of leveraging affordable housing investment to promote economic opportunity in Staten Island. There are a number of local economic development initiatives that HPD has implemented under this Administration:

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Strategy 1 Expand local hiring incentives in HPD-financed developments

In all RFPs for the development of City-owned property, respondents must demonstrate a plan for outreach to North Shore residents related to employment opportunities generated by the project.

HPD is also connecting North Shore residents to good jobs in the building trades. The HireNYC program requires that any housing development receiving \$2 million or more in HPD subsidy post open positions with the Workforce1 system and consider qualified candidates. North Shore residents will be able to apply for jobs through the City's HireNYC program at NYC Business Solutions Staten Island Center Workforce1 Center located at 120 Stuyvesant Place and the Staten Island Workforce1 Industrial and Transportation Career Center located at 1972 Richmond Terrace.

Strategy 2 Expand opportunities for Minority and Women-Owned Business Enterprises (M/WBEs) in the affordable housing development industry

HPD is committed to promoting the participation of M/WBEs and non-profit organizations in the development and management of City-subsidized affordable housing.

Through the Building Opportunity Initiative, HPD seeks to:

- Build the capacity of M/WBE and non-profit developers through professional development, networking, and mentoring programs. The Building Capacity Workshop Series introduces M/WBE and non-profit developers to best practices in affordable housing development, from site selection and project financing to construction and property management.
- Expand the use of M/WBE construction contractors and professional service providers on HPD-financed development projects through the M/WBE Build Up Program. This new program requires developers of projects where HPD contributes \$2 million or more in subsidy to spend at least a quarter of all HPD-supported costs on certified M/WBE construction, design, or professional service firms.
- Improve access to capital for M/WBE developers with low-cost financing options for site acquisition and predevelopment costs through the New York City Acquisition Fund, which offers flexible bridge loans for the purchase of vacant sites or occupied buildings, predevelopment, and moderate rehabilitation.

Strategy 3

Ensure affordable housing development contributes to a healthy and diverse commercial environment on Bay Street

One strategy of Housing New York is to pursue zoning changes that induce a mix of uses, creating centers of employment, commerce, and services alongside housing that will expand economic opportunity for residents both within and beyond the neighborhood. To that end, proposed zoning for Bay Street will allow for office space in the corridor, as well as housing and retail.

Also, SBS worked in partnership with the Staten Island Chamber of Commerce to conduct a Neighborhood 360° Commercial District Needs Assessment (CDNA) of Downtown Staten Island.

The Neighborhood 360° CDNA includes analysis of the existing business landscape, consumer characteristics, physical environment, and the unique character of Downtown Staten Island to help SBS and its partners better understand the needs of the local commercial corridors and develop recommendations to foster a healthy retail mix. HPD will share the assessment with anyone proposing to develop affordable housing in the North Shore and ask that they consider the retail and community facility needs of the community in selecting tenants for groundfloor commercial or community space.

In addition, on March 13, 2017, SBS announced \$1.54 million in Neighborhood 360° grants to Staten Island Arts, the Staten Island Chamber of Commerce, and the 100 Gates Project to staff, plan, and implement customized commercial revitalization programs informed by the CDNA over the next three years. Initial projects will include sidewalk cleaning services, banner

installations, landscaping and beautification programs, a business marketing campaign, shop-local events, and cultural programming to promote small business growth and quality of life on the Bay Street corridor.

Track and Report

HPD is committed to regularly reviewing and reporting on the changing needs on the North Shore to test how our strategies are being implemented and evaluate whether the fine-tuning of programs and policies may be required. In coordination with the Mayor's Office of Operations, HPD will submit annual progress reports on the strategies outlined in the Bay Street Corridor Housing Plan, as well as overall housing development and preservation activity in the community.



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COMMENTS TO THE SUBCOMMITTEE ON ZONING & FRANCHISES ON THE PROPOSED BAY STREET CORRIDOR REZONING

May 14, 2019

Good morning and thank you for the opportunity to testify. My name is Chris Walters and I am the Rezoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a coalition of community groups across the city working to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers.

In offering my testimony today I want to echo the vital concerns raised by community members asking who this rezoning will actually serve. This is a concern that is borne out by looking at the numbers. The EIS acknowledges that the Bay Street rezoning will bring in a higher income population than exists in the study area today. The EIS further identifies a low-income population of 1,700 renters in unprotected units who are vulnerable to the increase in rents the rezoning could bring. But the EIS errs in assuming that the projected affordable housing this rezoning will bring will be enough to offset that displacement risk.

First and foremost, this assumption is wrong because DCP is currently proposing to map the highest income MIH options as part of this rezoning. This includes the Workforce Housing Option – which sets affordable rents at an average of 115% AMI, or over \$100,000 a year for a family of three. It also includes Option 2, which sets affordable rents at an average of 80% AMI, or over \$75,000 for a family of 3.

Yet currently 58% of households on the North Shore earn less than \$75,000 a year, while 43% earn under \$50,000 a year. Once an MIH option is mapped it's the developer's discretion as to which option to choose, and our analysis for the Bay Street corridor has shown that they are more likely to choose the higher income options. Mapping Option 2 and the Workforce Option would mean there's no guarantee that almost any housing below 80% AMI would be built; in this scenario over half the households in the district won't be served by this plan, with both the affordable and unregulated units out of their reach. These numbers are even more alarming when you consider race – 66% of Latinx households and 68% of Black households on the North Shore earn less than \$75,000. These are the very same households facing the highest rent burdens in the



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district – 70% of families earning less than \$75,000 pay more than a third of their income towards rent, as opposed to just 3% of families earning more than \$75,000 a year. These are the households that stand to gain the least, and lose the most, from this rezoning and these are the households that must be served.

This is especially true for an area like the North Shore where the vast majority of renters live in unregulated units without tenant protections. At the end of their current lease – if they even have a lease - most of these tenants can be displaced without cause. Unregulated tenants such as these are especially vulnerable to the changing rental markets that the rezoning might bring.

There are several steps that can and must be taken to remedy these problems. First is to ensure that only the deepest affordability options for MIH are made available as part of this rezoning. This means mapping only MIH Option 1 and the Deep Affordability Option – which would set aside 20-25% of new units as affordable for families earning \$37,000 to \$56,000 on average – with rents for a two-bedroom ranging from \$810 - \$1,280.

Second is to ensure that public land is used for maximum public good. As part of this rezoning, the City is taking steps to eventually transfer four public disposition sites to private developers, including the large Stapleton Phase 3 site along the waterfront. Only two of the four city disposition sites listed are currently committed to providing affordable units, and only one of those will be 100% affordable. We commend the City for using the AIRS program to bring affordable senior housing to Jersey Street but more must be done here to achieve the deepest and broadest affordability possible. If the Jersey Street, Central Street and – most importantly - Stapleton Phase III sites were all developed as 100% affordable housing, it could mean over 900 units of affordable housing for the North Shore, on top of MIH.

Taken together, these changes could help create a rezoning that would ensure close to 50% of new units are affordable, at levels that serve those households most in need. The City must not pass up this opportunity. We urge the Council to heed the voices of the community and make this a rezoning that works for the majority of residents on the North Shore.

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MAS Comments on the Bay Street Corridor Rezoning & Related Actions for the New York City Council, CEQR No. 16DCP156R

May 14, 2019

Position

The Municipal Art Society of New York (MAS) believes the Bay Street Corridor Rezoning poses several opportunities and many challenges for Staten Island's North Shore. On the one hand, the rezoning has the potential to foster a more vibrant downtown and add much needed affordable housing. However, concerns about flood resiliency and new development, transit capacity constraints, the unmet shortage of public school seats, and lack of open space resources to support new growth have yet to be fully addressed.

MAS cannot support the rezoning due to a lack of comprehensive planning and significant shortcomings in mitigating expected adverse impacts. We urge the City Council to address the critical deficiencies we have identified.

Background

The rezoning affects a 20-block, 45-acre area in Staten Island's Tompkinsville, Stapleton, and St. George neighborhoods in Community District 1. It will result in an incremental increase of 2,736 housing units, 25 to 32 percent of which will be affordable under the City's Mandatory Inclusionary Housing (MIH) Program. The rezoning would introduce 7,031 new residents to the area by 2030.

In addition to the 2.7 million square feet (sf) of new residential development, the project is expected to add 183,555 sf of commercial space and 105,700 sf of community facility uses. The rezoning also includes the disposition of three City-owned sites for future development.

MAS Recommendations and Comments

We have a number of recommendations for the rezoning based on information included in the Final Environmental Impact Statement (FEIS) and the subsequent amended zoning text (A-Text Application).¹

Public Policy

We urge the City Council to advocate for the MIH option that will produce the most affordable units aligned with the area's existing income levels. Approximately 30 percent of new residential floor area on projected development sites will be affordable under MIH. However, over 7,000 new residents will be introduced to an area in which the median household income (\$43,071) is significantly lower than Staten Island (\$74,021) and New York City (\$55,191). This raises concerns about indirect displacement of lower income residents as those with higher incomes move to the area, as well as concerns about indirect displacement of area businesses, as new residents may seek goods and services not affordable to lower income residents.

¹ Following the issuance of the Draft EIS and based on issues raised during the CEQR public comment period, the City released a subsequent amended zoning text application (A-Text Application) on February 12, 2019 that presented an alternative to the DEIS Reasonable Worst Case Development Scenario. It reflects additional development that would occur based on the waiver of certain zoning regulations regarding community facility floor area, additional dwelling units, community facility space on two City disposition sites, a reduction of commercial uses, and other permitted use considerations. The comments included herein address the development anticipated under the A-Text Application.

According to the U.S. Census (*American Community Survey 2016 5-year estimates*), 35 percent of households in the Project Area have incomes that are less than 30 percent of the Area Median Income (AMI), \$24,500 for a three-person household.² The deepest affordability option under MIH would require that 20 percent of the residential floor area be affordable to households earning 40 percent of AMI (\$32,640 for a three-person household). The MIH option at 60 percent of AMI (\$49,000 for a three-person household) would be above the neighborhood's median household income of \$43,071.

Socioeconomic Conditions

Indirect residential displacement

The rezoning could lead to the indirect displacement of 1,753 low-income residents within the Study Area who live in unprotected rental housing. It also leaves open the possibility that newly created affordable housing units could serve displaced low-income households. We urge the City Council to request a plan that prioritizes these residents.

Direct business displacement

The project has the potential to directly displace 244 employees in 30 local businesses, the majority of which are located within the Bay Street Corridor. Despite this, the FEIS concludes that the rezoning would not have adverse impacts on local businesses. It further assumes that any potential for commercial displacement would be offset by the ability of displaced businesses to relocate within the Study Area.

While we support the use of Development Site 5 for new housing, the direct displacement of the Western Beef Supermarket would leave the Bay Street Corridor without a large grocery store and current residents without affordable grocery options. The FEIS claims that the opportunity for new commercial development under the rezoning would alleviate the loss of the supermarket. MAS finds this conclusion to be unsubstantiated. Creating the opportunity for new commercial development does not directly lead to the creation of new stores. Even with the tax benefits offered through the FRESH program, there is no guarantee that new grocery stores would serve or continue to serve similar demographics. The FEIS further states that the presence of other grocery stores outside of the Project Area, such as the Key Food supermarket at 155 Bay Street, would offset the displacement of Western Beef. However, the Key Food in question is decidedly smaller in size and does not have a parking lot. To ensure that the Bay Street Corridor does not become a food desert, MAS recommends that the City explore and identify sites within the Project Area for the opening of a new grocery store before closing Western Beef. The City must also ensure that the corridor is not without a large grocery store during the 12-year project build-out period.

Community Facilities and Services

As proposed, the rezoning would greatly exacerbate the lack of seats currently plaguing Staten Island's North Shore public schools. With a total enrollment of 11,869 students, elementary schools in the study area are now at 119 percent capacity. The utilization rates for the Bay Street Corridor and Canal Street Corridor zoned schools range from 101 to 138 percent. Accordingly, the area would need an additional 1,906 elementary school seats to offset the current deficit and address severe overcrowding.

The rezoning would introduce an additional 766 elementary school students to the Study Area. This would bring the deficit to 4,049 seats and the utilization rate to a staggering 138 percent by 2030. Considering the size of existing and projected deficits, North Shore families need more than the identification of a potential school site. We recommend that the City Council work with the School Construction Authority and local officials to identify sites for the construction of new schools to address current and future capacity issues.

In addition to our questions about the data and methodology used in the DEIS to arrive at numbers on projected enrollment, neither the FEIS nor the A-Text Application disclose the updated school seat multipliers used to estimate the

² Based on the FEIS Socioeconomic Study Area, or Census Tracts 3, 7, 9, 11, 17, 21, 27, 29 (Richmond County, NY).

number of students generated by the rezoning.³ This blatant lack of transparency not only fails to follow the intent of CEQR as a disclosure process, it also impedes the public review process.

Open Space

The Rezoning Area is currently grossly underserved by open space. With the rezoning, open space within a half mile would decrease by 7 percent to 1.41 acres per 1,000 residents. This would put the area well below the citywide average of 2.5 acres of open space per 1,000 residents and significantly below the Department of City Planning's recommended goal of 1.5 acres. Under the rezoning, active open space would be nearly 75 percent lower than the total recommended by the city. MAS urges the City to create additional open space within the rezoning area to accommodate existing and future area residents.

Shadows

New development under the rezoning would cast incremental shadows of varying durations on six sunlight-sensitive resources in the Project Area, including the landmark-designated Lyons Pool Recreation Center, a valuable recreational facility for the neighborhood. Sunlight on the main pool would be reduced by 1.5 hours on the May/August and June analysis days. Despite this, the CEQR assessment concludes that the project would not result in significant adverse shadow impacts based on the expectation that "public enjoyment would not be significantly impacted."⁴ Given the scarcity of recreational and open spaces in the area as well as the high use of the pool during the summer months, we urge the City to examine design recommendations for new development that would eliminate or greatly reduce shadow impacts on the pool.

In addition, the shadow analysis for potential impacts on the Upper New York Bay shows incremental shadows of over two hours on the proposed Stapleton Waterfront Site III in the PM hours for all analysis months. This open space is planned as part of the proposed development on two Projected Development Sites, but the *CEQR Technical Manual* fails to recognize project-generated open space resources as sunlight sensitive. It is therefore not included in the shadow analysis. We find this to be a major procedural shortcoming, especially considering the persistent lack of open space resources available to the North Shore community.

Climate Change and Resiliency

Almost 38 percent of the Rezoning Area, including 12 Projected Development Sites, is within the 2015 100-year flood zone.⁵ Based on most recent sea level rise projections by the New York City Panel on Climate Change (NPCC), by 2050, 76 percent of the residential construction expected under the rezoning would happen within the 100-year flood zone, a 55 percent increase. The two Project Areas that will accommodate the greatest amount of development under the rezoning, Bay Street Corridor and Stapleton Waterfront, will have 72 percent and 100 percent of its new built floor area within the 2050 100-year flood plain, respectively. With the impacts of Superstorm Sandy in mind, we urge the City to develop an appropriate regulatory framework for new housing design and construction in flood-prone areas that goes beyond existing requirements within the Building Code.

We further recommend that the City consider using a land disposition agreement for the City-owned Stapleton Waterfront Phase III Sites, requiring a commitment to design new construction to accommodate potential flooding up to the future Base Flood Elevations per NPCC Sea Level Rise projections.

³ The Technical Memorandum indicates that new multipliers were developed by the Department of City Planning in consultation with the Mayor's Office of Environmental Coordination (MOEC) using 2012-2016 American Community Survey (ACS) – Public Use Microdata Sample (PUMS) data, but that the 2014 CEQR Technical Manual has not been updated to reflect these new thresholds. Technical Memorandum 001, p.3.

⁴ FEIS, p. 6-13.

⁵ The majority of the southern half of the Bay Street Corridor and all of the Stapleton Waterfront Phase III Sites are located in FEMA's 2015 preliminary FIRM 100-year floodplain zone AE. FEIS, p.16-13.

Transportation

Traffic

Currently, Bay Street functions as the area's main traffic corridor. It is a two-way street shared by cars, buses, and bicycles, and lacks the capacity to support the increase in traffic predicted under the rezoning proposal. The FEIS indicates significant adverse traffic impacts will occur during various peak hour evaluation times at 31 intersections in the project area, 21 of which would remain unmitigated during the weekday PM peak hour.

Other major nearby intersections would also be affected. For example, service levels would deteriorate at two consecutive major intersections along Victory Boulevard (at Cebra Avenue and Jersey Street) during the evening peak hour, and would no longer be mitigated during the Saturday midday peak hour and weekday AM peak hour, respectively. Combined wait times would more than double from just under a minute to almost two minutes.

Mitigation

As we have found with other CEQR evaluations for neighborhood rezonings, very few concrete mitigation measures have been identified to address the considerable adverse impacts the rezoning will have on school capacity, open space, and traffic. Before the rezoning is approved, the City must commit to more specific and significant mitigation measures and disclose the agencies responsible for monitoring and implementation. To ensure adequate infrastructure capacity, we recommend that no certificates of occupancy be issued for new development within the rezoned area unless mitigation commitments and conditions are met.

Conclusion

The Bay Street Corridor Rezoning has the potential to bring about major changes for the Staten Island North Shore community. With more than 7,000 new residents expected under the rezoning, the City must address the glaring deficiencies in open space, public school capacity, and transportation infrastructure to adequately support the growth. Furthermore, given the significance of the project and the increasing risk from storm surges and coastal flooding, it is incumbent upon the city to identify detailed resiliency measures as part of the rezoning.

MAS has many serious concerns that need to be addressed in the current proposal before we can support it. We urge the City to consider our recommendations to improve the plan.

Thank you for the opportunity to provide comments on this important project.

Howard Avenue Rezoning

Brooklyn Community District 3



New York City Council
Subcommittee on Zoning and Franchises
May 14, 2019

Proposed Actions

1. **Zoning Map Amendment** Rezone blockfront along Howard Avenue between Monroe Street and Madison Avenue (Block 1481, Lots 35, 39, and 43) from R6B/C2-4 to C4-4L

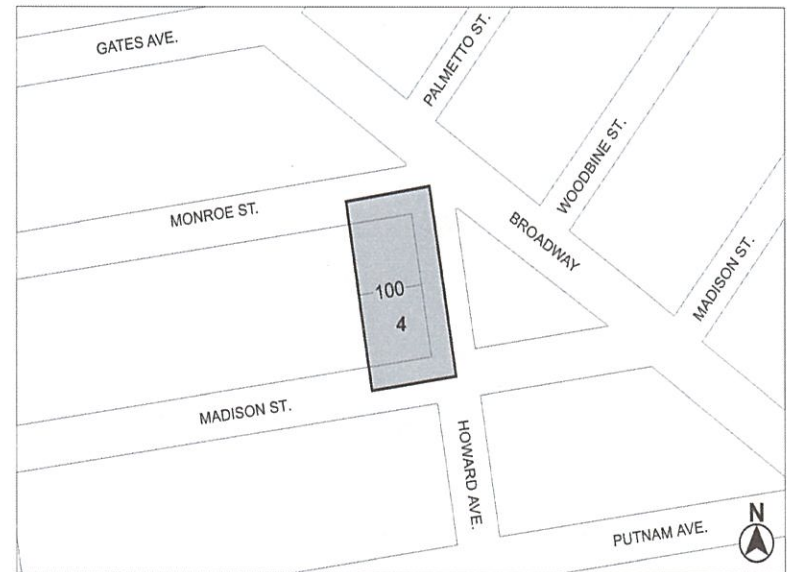
2. **Zoning Text Amendment** Designate a Mandatory Inclusionary Housing (MIH) Area with MIH Options 1 and 2



Current Zoning Map (17a)



Proposed Zoning Map (17a) - Area being rezoned is outlined with dotted line
Changing an R6B/C2-4 district to a C4-4L district



█ Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

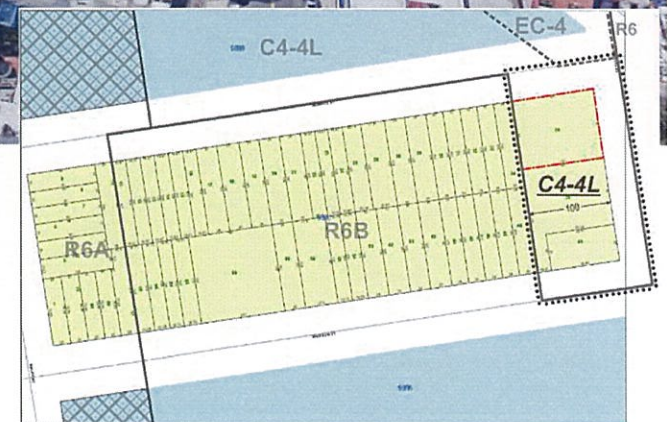
Area 4 — [date of adoption] — MIH Program Option 1 and Option 2

Project Overview – 2 Howard Avenue Rezoning

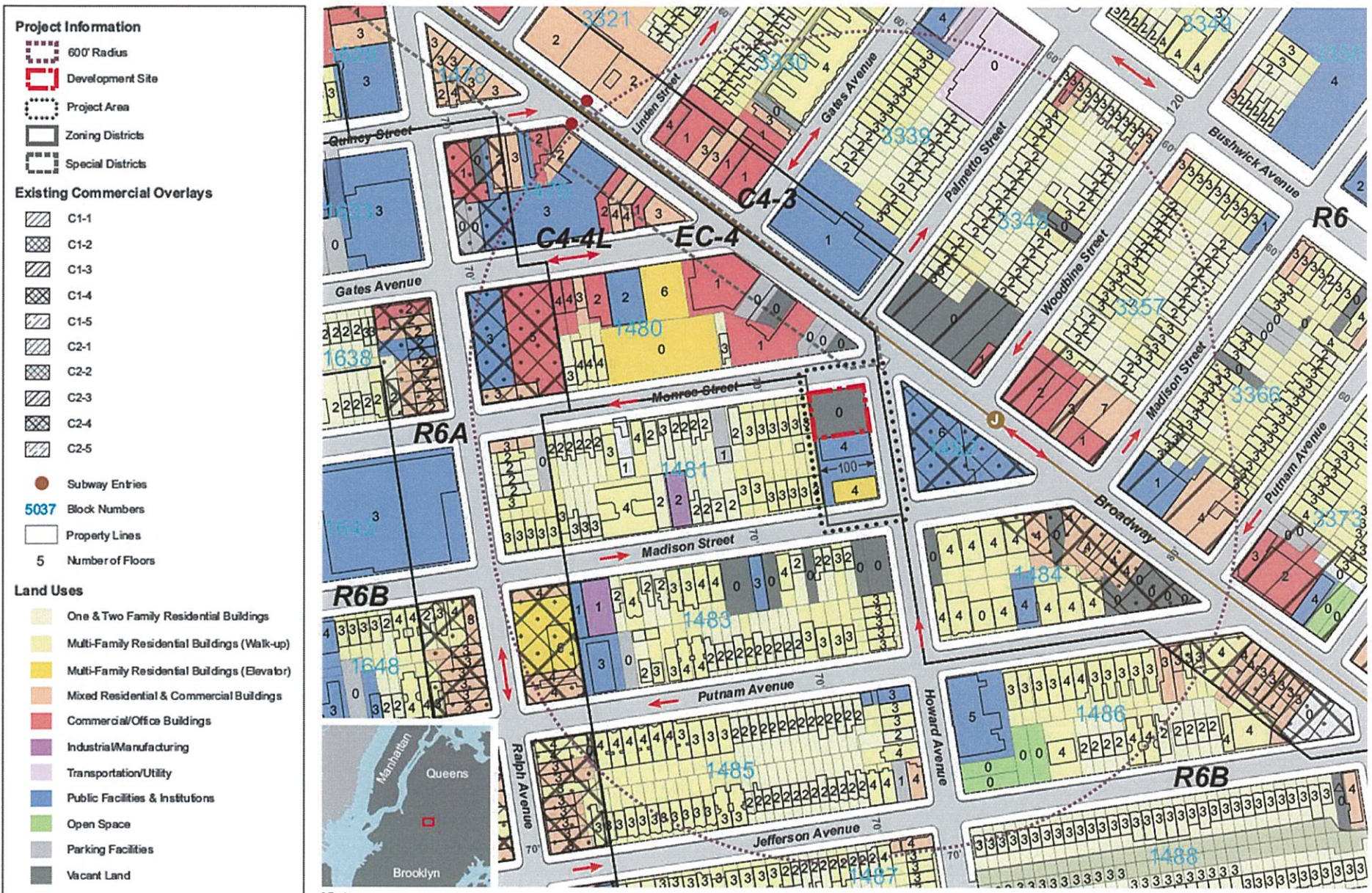


The proposed actions would facilitate the development of a new six-story, ~36,000-sq. ft. mixed-use building with 7,000 sq. ft. of commercial space and 30 residential units, including 9 permanently income-restricted units, at 2 Howard Avenue in the Bedford-Stuyvesant neighborhood of Brooklyn.

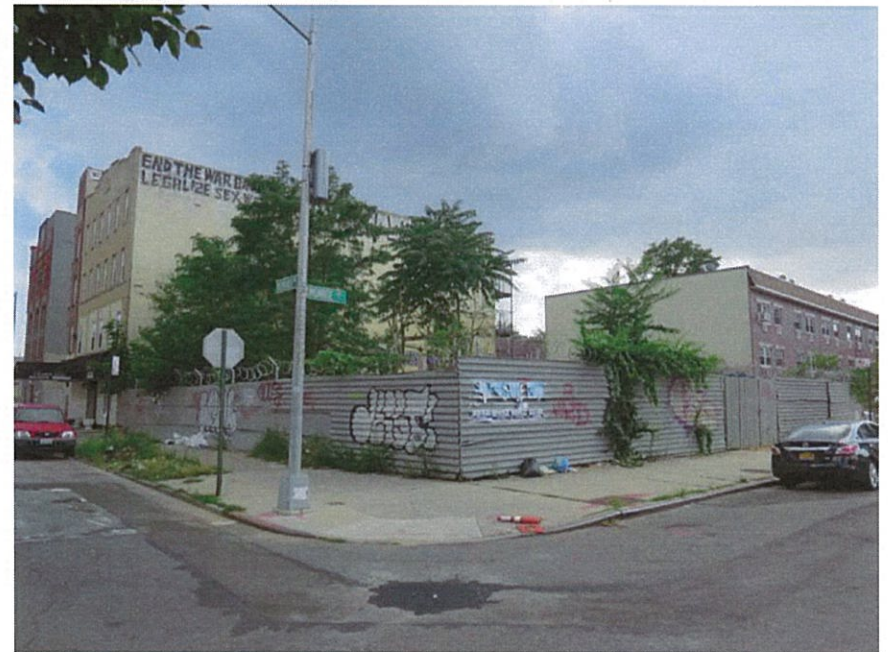
Area Context - Proposed Rezoning Area & Development Site



Area Context – Land Use Map



Area Context – Photographs of the Development Site from Howard Avenue



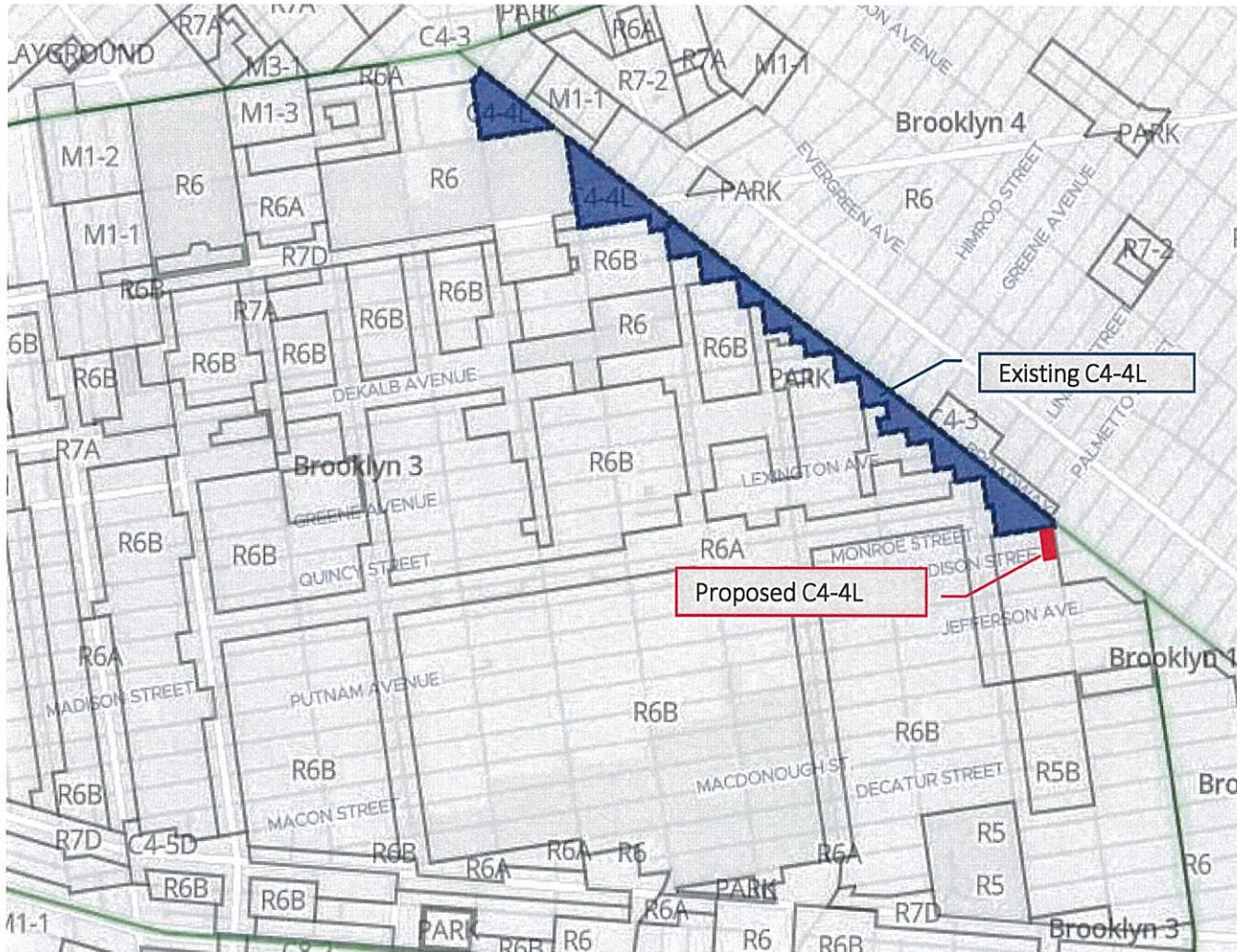
Area Context – Photographs of the Development Site from Monroe Street



Area Context – Photographs of the Rezoning Area from Howard Avenue



Proposed Rezoning – C4-4L Zoning District (extension from C4-4L along Broadway)



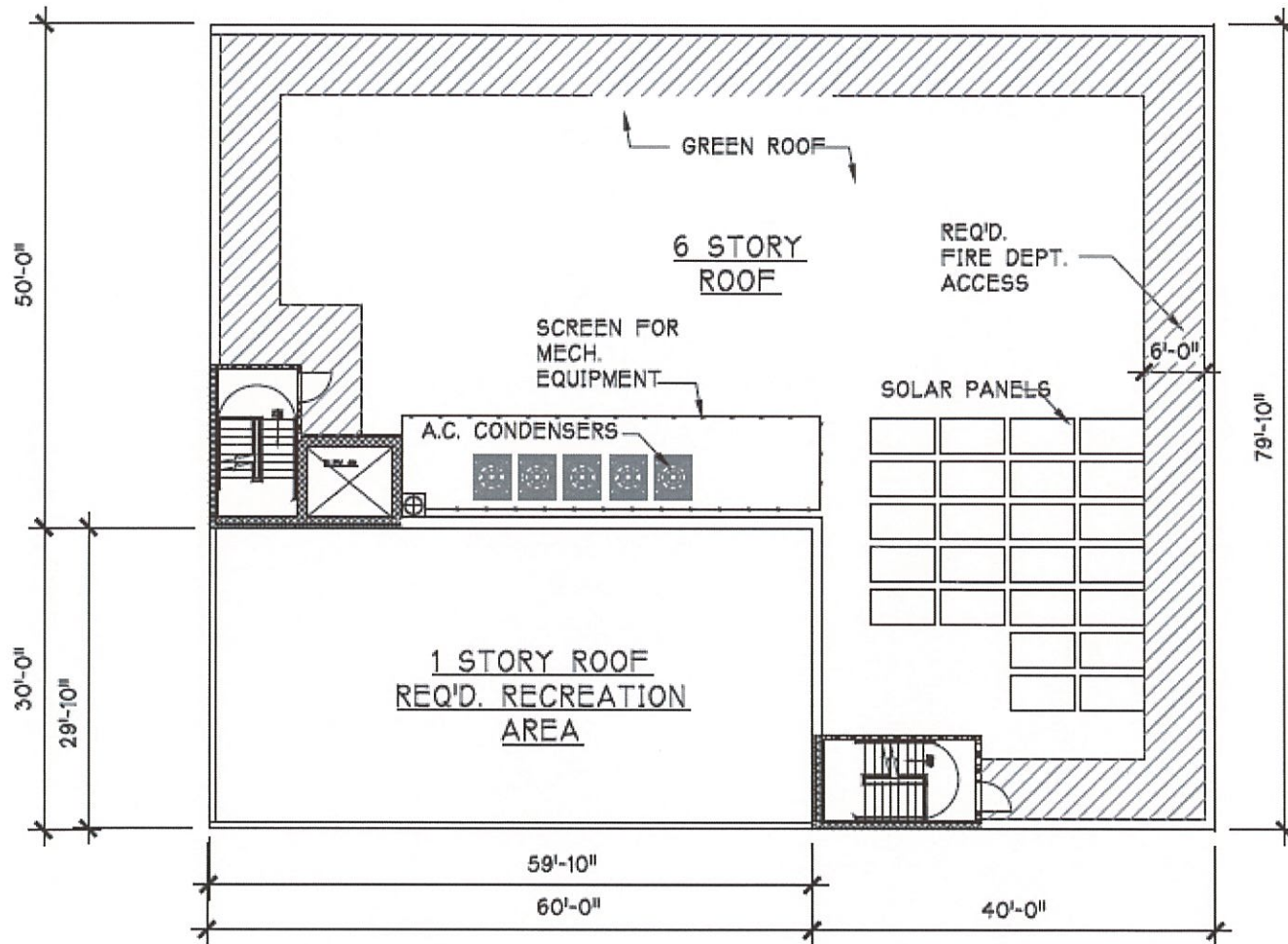
- A 17-block stretch of Broadway adjacent to the rezoning area is zoned C4-4L (shaded blue)
- Rezoning area conditions relate more to adjacent C4-4L than current R6B
- C4-4L allows transition from commercial and transit corridor to residential areas
- C4-4L will bring floor area on Lots 39 and 43 into compliance

Proposed Development – 2 Howard Avenue, Brooklyn (Block 1481, Lot 35)



- New 6-story mixed-use building with 30 units
- 65' tall, 36,000 sq. ft. (4.5 FAR)
- 7,000 sq. ft. ground floor commercial floor area
- 29,007 sq. ft. residential floor area – 30 units, including 9 permanently income-restricted units under MIH
- 5 studios (17%), 10 1-bdrm (33%), 10 2-bdrm (33%), 5 3-bdrm (17%)

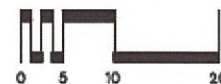
Proposed Development – Roof Plan/Sustainability Measures



NOTE: BUILDING TO HAVE THE FOLLOWING SUSTAINABLE FEATURES:

1. GREEN ROOF
2. SOLAR PANELS
3. STORM WATER RECOVERY
4. WATER CONSERVING PLUMBING
5. ENERGY EFFICIENT APPLIANCES
6. LOW ENERGY & DAYLIGHT SENSOR LIGHTS

ROOF PLAN
SCALE: 1/16" = 1'-0"



Proposed Development – View of Madison Avenue & Monroe Street façades



Proposed Development – View of Monroe Street façade



Project Overview – 2 Howard Avenue Rezoning



- Activates and revitalizes the underutilized Development Site, which has been vacant for 20 years, in a transit-oriented location adjacent to Broadway, a major neighborhood corridor
- 30 new residential units, including 9 permanently income-restricted units under MIH
- New locally-oriented commercial space in an area adjacent to a thriving commercial corridor.



c/o Staten Island Urban Center P.O. Box 10018, Staten Island NY 10301 347-674-7088 letsrebuildcromell@gmail.com

May 14, 2019

Honorable members of the Zoning Committee of NYC Council,

The Let's Rebuild Cromwell Community Coalition (LRCCC) which has convened and discussed the Bay Street Corridor Rezoning with hundreds of individuals and many community and church groups throughout the north shore since 2016, share with you our most urgent recommendations based on those discussions as you are all important actors in this ULURP process impacting the lives and livelihood of the people of Staten Island's north shore.

If we are to rezone, it must be worth it to the community that exists here now and be able to accommodate future residents and businesses. We believe that this rezoning, unlike no other in the city is set to deliver in one fell swoop, one of the most valuable waterfront communities to private development in the history of New York City development. That being said, the exchange of community benefits outside of affordable units being produced need to be of equal caliber. If we are giving up billions in waterfront value, then there should be billions in investment in the targeted and surrounding communities.

In summary, we recommend if this rezoning is to be approved, it needs to do so with the following conditions:

- 1. Deepest affordability to match neighborhood demographics of the BSC targeted area**
- 2. No private development on city-owned properties and reserve for projects that provide public good**
- 3. Create a plan for new economic industry like our MERC Corridor Proposal (Maritime Education, Recreation & Cultural corridor) with opportunities for an unprecedented number of new jobs and careers**
- 4. Build a state of the art public aquatic center in the footprint of the former Wheel**
- 5. Investments in existing and new schools serving the BSC area**
- 6. Substantial investments in transportation through and around the North Shore to include many options of travel and wayfinding**

Please see details in our Recommendations for the Bay Street Corridor Rezoning Attached.

Thank You,

Kelly Vilar and Nicholas Zvegintzov

Contact persons on behalf of the Let's Rebuild Cromwell Community Coalition and these recommendations henceforth.

Recommendations for the Bay Street Corridor Rezoning

From the Let's Rebuild Cromwell Community Coalition 2018

-Our district needs the deepest affordability. With a third of our residents of low income and rent burdened, it's the responsibility of government to ensure housing stabilization of affordable housing (25% at 60% AMI and 20% at 40% AMI). These formulas are more consistent with the economic demographics of existing residents in the Bay Street Corridor area. The homeless crisis affecting Staten islanders causes the worst hardships in the city as we have the least resources of affordable housing, rent controlled units or other tenant protections and subsidies.

While the MIH program is not our preferred means to achieve affordable housing, we realize that no matter the community voice, the city is committed to this program as the means for achieving affordable housing goals. We believe the city should look at developing community land trusts to build 100% affordable housing as a more viable opportunity.

In addition, we believe that any and all city properties should not be given up to private development but instead be used for affordable housing development or to create more programs like the federal ELLA Programs under HPD that offer the most diverse of incomes.

Also, since most affordable housing on Staten Island is provided through small homeowners and small property owners, we believe there should be more programs to protect homeowners from bad tenants. We even believe that there may be innovative ways to use small property owners in the aid of individuals and families who are homeless.

Finally, we believe achieving affordable housing through MIH or any mixed-income residential development will also require a public relations campaign. As evidenced with URBYP, the optics, negative press and the lack of leadership on how such programs should work has left a bad taste and fodder for those who do not support affordable housing. Negative rhetoric about low income tenants causes a bad reputation for Staten Island, thereby influencing a lull in the attraction of market rate tenants.

-We believe city-owned properties should not be used for private development. City-owned properties should be developed for public use such as public housing, schools, or parks. Staten Island has limited public spaces with limited opportunities for developing space and facilities for the public good. We recommend using Lots A and B1 of the Bay Street Corridor Rezoning as sorely needed open sports fields (much like Miller Field in mid-island). Creating a field would also help alleviate resiliency issues our community experienced during Hurricanes like Irene and Sandy. Overall we believe building housing on the shoreline would be irresponsible and quite conflicting with the city's own public policy on resiliency post-Hurricane Sandy. Our borough does not need another Build It Back program scenario.

In addition, we recommend that the 3 properties unattached to the continuous Bay Street Rezoning should be separated from the rezoning and treated as individual parcels in search of variances as needed as they have no relationship to the proposed rezoned corridor. These properties should be reviewed in the context of overall north shore development and should include a community driven disposition process.

-We believe that the rezoning should be in concert and directed by a viable plan for economic and community development such as the Maritime Education Recreation Culture corridor aka MERC. *"The MERC corridor provides an opportunity to have Staten Island define development, rather than to have development define Staten Island."* Kelly Vilar

With continuously delayed opening of the Empire Outlet that has gone from high end stores to anyone who will sign a lease; a failed observation wheel project and an already crumbling infrastructure with gentrification already creeping into the community, we believe the MERC offers a plan that cuts through many of these issues because it's responsible development with input from communities that are invested in its success because it benefits the existing communities of the north shore, Staten Island and the city overall. We propose the MERC Corridor plan--- Maritime Education, Recreation & Cultural Corridor. While the MERC is not a housing plan, we believe it could be a viable plan for community benefits that complement the Borough of Staten Island.

MERC is a plan to create and enhance our north shore waterfront as an enclave for Maritime uses for education, recreation and waterfront heritage cultural opportunities. The fact is our north shore has all the makings of MERC and simply needs incentives to further these opportunities which are already at the threshold of new maritime-related industries that offer promise for economic development. MERC fits in nicely with existing proposals and plans for the continuous walkable north shore waterfront, bike paths and destinations for tourists and residents with much-improved wayfinding and purposeful development. The north shore is primed to be a MERC corridor. Our need now is to be intentional in planning and attracting public and private funding support for such opportunities.

MARITIME EDUCATION: The north shore is home to several maritime education opportunities with programs at McKee High School, Harborview Elementary, and the coming of the Harbor middle school at Fort Wadsworth which could be the start of a Maritime Education Complex at Fort Wadsworth -a site where the U.S. Coast Guard is housed and includes underdeveloped federal property. Staten Island could easily become the maritime education capital for the northeast as there are various economic indicators pointing to a huge need to make up a very needed skilled workforce. For example, according to the NY Dept of Labor, New Yorkers only capture about 12% of the NY Harbor workforce. This is especially troubling as these are career-level jobs with multiple entry-level opportunities. We believe there is room for opportunity to expand SUNY Maritime, NY Harbor High School and others to train pilots, captains, deckhands, and others for maritime careers.

MARITIME RECREATION: The north shore is home to several existing opportunities for expansion of maritime recreation such as SI Kayaking, Lyons Pool, the potential of a new Parks

Department indoor pool, SI Sea Scouts, Gotham Whale, Citi Trek Tours, SI Fishing Association and many others.

We recommend the creation of open fields, hydroponic farms, boating and fishing piers throughout the north shore line to complement MERC related activities (improving the community uses for Pier 1 and other pier locations outside of the BSC area from Fort Wadsworth to Snug Harbor to Mariner's Harbor).

As for Cromwell Recreation Center, we recommend the city not view Cromwell as a community benefit, but as a straightforward responsibility of the city of New York and the replacement of a valuable city asset totally outside the purview of the Bay Street Corridor Rezoning. We believe Cromwell Recreation must be built as a state of the art facility regardless of the approval of this rezoning. (See more under Aquatic Center section of this recommendations report.)

We recommend Cromwell be complemented with sports fields, preferably lots A and B1 of the BSC as the community sorely lacks public space and programming outdoor sports for soccer, football, baseball, lacrosse, field hockey and others. We believe there is potential to become not only public facilities, but also locations for major sporting events for high school and college level games with easy public transportation and vehicle access.

We recommend the transitioning of Lyons Pool into a pool in the summer and hockey rink in the winter like Lasker Rink in Central Park-Manhattan or at least find a location for an outdoor rink as none exists for sports level competitions in the borough. There are limited numbers of youth from the north shore exposed to sports such as these as facilities and public programs for them do not exist on the north shore or are cost prohibitive.

Finally, on recreation, we recommend that both Tompkinsville and Tappen Park receive future planning enhanced by MERC related goals and significant community benefit investments for capital and programmatic needs as we view these parks as important centerpieces for community gatherings that will contribute greatly to both community and economic development uses.

MARITIME CULTURE: On the cultural front, we believe we are on the verge of creating a viable cultural maritime community corridor that promotes a beautiful and responsible waterfront heritage which could someday be an example for the rest of NYC waterfronts. We are surrounded by the National Lighthouse Museum, Noble Maritime, the gorgeous Snug Harbor, Staten Island Museum, Museum of Maritime Navigation and Communication, and so much more. We believe there is room for providing waterfront for historic ships that not only provide the training ground for maritime education but can also create a tourist attraction (at a much lower cost than the Observation Wheel).

Recent local events acknowledge unofficially that we are a MERC and are already attracting new opportunities such as the Billion Oyster Project's work in Staten Island public schools and the Urban Assembly NY Harbor Schools' display at the Ferry Terminal. There are also opportunities to attract local, state and federal funding as every level of government has a special interest in developing NY Harbor. From Snug Harbor to Fort Wadsworth, the shoreline is filled with all sorts of opportunities for development with a variety of funding source potentials such as

brownfield development opportunities to living breakwaters and untapped public and private environmental funding. There is room for restorative marine biology and infrastructural waterfront changes that could make the north shore a model for environmental clean up as we are home to one of the most contaminated shorelines on the east coast. Let's use this opportunity to clean up our waterfront.

-Build an Aquatic Center in the footprint of the Former Observation Wheel. With the failure of the Observation Wheel, we believe there is an opportunity to merge a negative development action with a positive one. In one of the last Mayor town hall, Mayor De Blasio promised the long-awaited indoor pool for Staten Island. We recommend the placement of the pool in the footprint of the Wheel as a major aquatic center. As the Borough President Oddo suggested, this pool could be a revenue generator much like Ocean Breeze sharing its time and space as a public facility for all. Moreover, it would be in a location consistent with the MERC, Cromwell and the potential of other recreational spaces along and adjacent to the waterfront. The aquatic center in this location as a state of the art facility with outdoor playgrounds could attract competitions nationally and at the college level. Additionally, if we are in fact aligning our land use to a MERC corridor- access to adequate swimming facilities will be tantamount. Additionally, investment in a state of the art aquatic and recreation centers with easy transportation access by virtue of being near the major transportation hub--the Staten Island Ferry and Bus Terminal, it becomes a location where all New Yorkers and out of town travelers could easily get to leaving room for revenue generation through competitive sports of all kinds.

-We recommend the deep investment into new and existing schools not just as of need and right for all to receive a quality education, but also in response to the economic development goals of the BSC plan. Promotion of good schools in areas where investments will be made by market-rate buyers is key. We believe through the rezoning, there is an opportunity to invest in existing schools; to create and continue the encouragement of partnerships for expansion with off-island schools such as the NY Harbor School, Women's Leadership Academy; and to develop the north shore as an educational model of schools attracting talented and diverse faculty, school administrators and resources. We believe if our schools are attractive, our communities will be attractive.

-We recommend unequivocally that infrastructural guarantees and commitments to Staten Island must be in place before any rezoning is approved. Transportation (to include adequate paths for biking and pedestrians and improved wayfinding), schools, libraries, public recreation, environmental protection, uniformed services, and other relevant city services must be committed with a guaranteed city commitment of adequate resources to adhere to the needs and results of the Bay Street Corridor Rezoning and the change in demographics it will cause.

Good afternoon,

My name is Ivan Garcia and I am the neighborhood rezoning coordinator for Make the Road and a member of the Housing Dignity Coalition. I have been doing outreach and informing tenants about this rezoning for over a year now. I have presented at different clubs, organizations and churches throughout Staten Island.

After every presentation, every tenant in the room is upset that this is the plan the city has presented. It is upsetting that the cities plan has not changed much since the draft scope.

The DEIS claims that over 1,700 people will be indirectly displaced and they have said that this is a worst case scenario. The sad reality is that this is already happening. There are tenants who have given up and believe that this rezoning is a done deal and the city will do whatever they want. They are looking to move out of state or risk being homeless. The displacement of these tenants is not a matter of whether it will happen. It is a matter of when it will happen.

43% of the district makes less than 50k a year. Of those 43%; 75% are either rent burdened or severely rent burdened. This means they are paying more than 30%-50% of their income on rent and are possibly one rent increase away from being homeless or displaced.

It also does not help that 85% of the housing stock on the North Shore is private: none of these tenants are protected by any laws. They do not have the right to a lease renewal and their rent increase does not have to follow the rent guidelines board.

According to NYC's human resource administration report on universal access to legal services:

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: 5-14

(PLEASE PRINT)

Name: Cpt. Joseph Matero

Address: _____

I represent: NYPD

Address: 1 Police Plaza NY, NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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Date: 05/14/2019

(PLEASE PRINT)

Name: KETHIA JOSEPH

Address: 110 WILLIAM STREET, 7TH FLOOR

I represent: NYC SMALL BUSINESS SERVICES

Address: 110 WILLIAM STREET, 7TH FL, NY, NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Lee Kallman

Address: 220 46th St

I represent: Iron Workers District Council

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Cecilia Kushner

Address: EDC, Senior Vice President for Development

I represent: EDC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Tom Cocola

Address: Staten Island Director

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: NICK Molinari

Address: Chief of Planning + Neighborhood Development

I represent: NYC Dept. of Parks + Recreation

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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Date: 5/14/19

(PLEASE PRINT)

Name: Angela Licata

Address: Deputy Commissioner, Bureau of Environmental
Planning

I represent: DEP

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Kethia Joseph

Address: Director of Neighborhood Planning

I represent: SBS

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Captain Joseph Notaro

Address: Commanding Officer, Facilities Management

I represent: NYPD

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

[]

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in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Michael Clarke

Address: Managing Attorney, Legislative Affairs

I represent: NYPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: TYNEQUA STEED

Address: _____

I represent: HOUSING & DIGNITY COALITION

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. _____

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Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

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Date: _____

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Name: _____

Address: _____

I represent: _____

Address: _____

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Date: _____

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Name: _____

Address: _____

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

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THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CHRIS WALTERS

Address: _____

I represent: AMHD

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Bay Street Res. No. _____

in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Rev. Faith Togba

Address: 402 Bay Street, ST, NY, 10301

I represent: BETHEL WORSHIP CENTER, HIC

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: May 14-19

(PLEASE PRINT)

Name: Rev. Gloria Lavine

Address: _____

I represent: S.I. Council of Churches

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Bay St Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kevin Michelus
Address: 220 Osgood Av #12 SINY 10304
I represent: Make The Road New York
Address: Richmond Av Staten Island NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 420-23 Res. No. _____
 in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Michael Harwood
Address: 103 St. Mark Pl ST, NY 10301
I represent: _____
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

BAY STREET

Appearance Card

I intend to appear and speak on Int. No. 3 Res. No. _____
 in favor in opposition

Date: 5/14/2019

(PLEASE PRINT)

Name: VEERLE ARTS
Address: 488 MADISON AVE
I represent: THE MUNICIPAL ART SOCIETY OF NEW YORK
Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

*Bay St Corridor
Rezoning*

Appearance Card

LU 420⁴²³~~213~~

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

Name: Kelly Villar (PLEASE PRINT)

Address: _____

I represent: Let's Rebuild CDMWELL COALITION
STATEN ISLAND URBAN CENTER

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

2 Howard Ave Rezoning Date: 5/14/19

(PLEASE PRINT)

Name: FRANK ST. JACQUES - AKERMAN LLP

Address: 666 FIFTH AVE NEW YORK, NY

I represent: MERRICK CAPITAL CORP. (APPLICANT)

Address: 2 HOWARD AVE, BROOKLYN, NY

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. LU 419
 in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: DAN EGGERS

Address: _____

I represent: Applicant

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 5/14

(PLEASE PRINT)

Name: Angela Licata

Address: _____

I represent: NYC DFP

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 20419
 in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Nick silvers

Address: _____

I represent: Self (Applicant)

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. BAY ST. Res. No. _____
 in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: SYLVIA SMITH

Address: _____

I represent: HOUSING DIGNITY COALITION

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: 5/14/19

(PLEASE PRINT)

Name: Larara Lawrence

Address: _____

I represent: HOUSING & DIGNITY COALITION

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: 5/14/2019

(PLEASE PRINT)

Name: Berilee Aveyne

Address: _____

I represent: Housing Dignity Coalition

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. BAY ST. Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DEACON MARY BOURNE

Address: _____

I represent: HOUSING & DIGNITY COALITION

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: REVEREND JAMET JONES

Address: _____

I represent: HOUSING DIGNITY COALITION

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARILYN MEGIBOW

Address: _____

I represent: HOUSING DIGNITY COALITION

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. BAY ST Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: IVAN GARCIA

Address: _____

I represent: HOUSING DIGNITY COALITION

Address: MAKE THE ROAD

Please complete this card and return to the Sergeant-at-Arms