

COMMENTS TO THE CITY PLANNING COMMISSION ON THE PROPOSED BAY STREET CORRIDOR REZONING

February 27, 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 and how to fix it. This is a concern that is borne out by looking at the numbers. The DEIS acknowledges that the Bay Street rezoning will bring in a higher income population than exists in the study area today. The DEIS further identifies a low-income population of renters in unprotected units who are vulnerable to the increase in rents the rezoning could bring. **But the DEIS 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. Mapping Option 2 and the Workforce Option would mean there's no guarantee that almost any housing below 80% AMI would be built, putting both the affordable and unregulated units out of their reach for over half the district. These numbers are even starker 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 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. In the technical memorandum for the A-text Application submitted by the City there are troubling indications that the Deep Affordability Option is not being proposed as part of this rezoning. This must be clarified and corrected.

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. Yet 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. But public land is exactly the place where the City can achieve the deepest and broadest affordability; it is entirely in their control what gets developed on these sites, as we've seen with HPD's commendable move to use the AIRS program to increase the number of affordable units being provided on the Jersey Street site. 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 that 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 CPC to heed the voices of the community and make this a rezoning that works for everyone.