

Hoping to Dictate City Rezoning and Stem Gentrification, Locals Put Forth Bushwick Community Plan

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photo via Bushwick Community Plan

A years-long endeavor to protect a Brooklyn neighborhood from unwanted development and plan for its future took a major step forward over the weekend: the [Bushwick Community Plan](#), an ambitious and collaborative effort, was formally released.

The creation of the plan has at times been contentious, indicative of the fraught nature of virtually any community planning process and the high stakes involved in addressing affordability, transportation and other crises facing many neighborhoods across New York City. The effort was organized by local City Council Members Antonio Reynoso and Rafael Espinal with Brooklyn Community Board 4 and a variety of other stakeholders.

At the release event on September 22, U.S. Rep. Nydia Velázquez told the more than 200 people who packed into the cafeteria of the Academy of Urban Planning to learn the details of the plan that the development of the community plan was an example of democracy in action.

“You will empower our member of the City Council, Reynoso, to go to the city and say, ‘This is a community-driven rezoning plan – and this is how it should be done,’” she said.

The Bushwick Community Plan includes a number of goals – including slowing displacement, preventing out of character development, and supporting both small- and large-scale manufacturing businesses – and is being presented from the community and its leaders to the Department of City Planning as it begins to evaluate the area for changes to land use rules and new city investments, similar to processes that have taken place in areas like East Harlem.

Like several others the de Blasio administration has rezoned already, including East New York and the Jerome Avenue corridor in the Bronx, Bushwick is home to many low-income people of color at risk of housing displacement. But more like East Harlem and Inwood, Bushwick has already seen significant gentrification and locals are concerned about how the pace has accelerated without a coherent plan.

The comprehensive 74-page community plan covers six areas: land use and zoning, housing, economic development, community health and resources, open space and transportation and infrastructure. Under land use and zoning, the key issue, recommendations include not allowing areas currently zoned for manufacturing to become residential unless certain requirements are met; allowing higher density development in some cases when it will increase the number of affordable housing units; and proposing historic districts as well as individual landmarks throughout the neighborhood. The plan also calls for increased funding for anti-displacement legal services, the creation of a program that would incentivize homeowners to keep rents affordable in their buildings, more sanitation funding for commercial corridors, and improving Maria Hernandez Park and Irving Square Park, the two largest parks in the neighborhood.

But at issue is how feasible the plan is, how the de Blasio administration approaches its efforts to rezone and invest in the area, and how far Reynoso, Espinal, and their partners can push the city to adopt the community’s vision. The Department of City Planning may use the community plan as something of a guide as it designs a rezoning proposal, but it remains to be seen to what extent the community proposals shape the process, which will ultimately come to a vote before the City Planning Commission and the City Council, where Reynoso and Espinal will have outsized sway. Bushwick residents, both for and against a rezoning, worry about how the city might mangle or ignore the plans altogether.

A democratically-designed rezoning plan

Under current land use rules, otherwise known as zoning, significant new development is allowed in Bushwick without consideration of affordable housing or the aesthetic character of the neighborhood. There are many properties that have extensive as-of-right powers, meaning developers can build taller buildings without any real negotiation with the city for community benefits.

One such property is near the Myrtle-Wyckoff transit corridor, where developers plan to build a 27-story tower with retail space, office space, and 400 apartments, according to the minutes from a February meeting of the community board's Housing and Land Use subcommittee. That particular high-rise wouldn't be allowed under the zoning rules that are being proposed as part of the Bushwick Community Plan, according to Community Board 4 District Manager Celeste Leon.

In 2013, concerned by overdevelopment happening in nearby neighborhoods, members of the community board wrote a letter to then-City Council Member Diana Reyna seeking to explore the idea of rezoning Bushwick. The goal was to preserve the character of the community. In particular, preventing taller buildings, which have been referred to as "middle finger buildings," from being wedged in between two- and three-family homes, according to current Reynoso, who succeeded Reyna in 2014.

"Affordable housing would have been icing on the cake," Reynoso said in a late August interview.

After his election, Reynoso, along with Espinal, who took office the same year after moving from the state Assembly, initiated the [Bushwick community planning process](#), an effort to allow residents to democratically design a rezoning plan that would best suit their needs. Over the course of the next several years, the steering committee – comprising of more than 200 participants, including the members of the community board, organizations like immigrant-advocacy group Make the Road New York, the RiseBoro Community Partnership, and Churches United for Fair Housing, as well as 21 individual Bushwick residents – held a dozen workshops, town halls, and other issue-specific meetings.

Planning this way is time-consuming and complicated, but the process allows for many voices to be heard, Reynoso said.

Shortly after Bill de Blasio was elected mayor, he put forth an agenda to rezone 15 different neighborhoods throughout the city in an effort to create more housing, especially affordable housing, and infuse communities with new resources, in part to handle an influx of new residents. His predecessor, too, [used rezoning to manage development in New York City](#), though with a somewhat different lens: during his three terms, Michael Bloomberg oversaw more than 100 rezonings. Before de Blasio began to move through his rezonings, he worked with the City Council to pass significant changes to the city's land use rules, including Mandatory Inclusionary Housing, which requires developers to include certain percentages of affordable housing in new buildings that receive a city variance to build denser.

Bushwick was not on de Blasio's original list of neighborhoods, but city officials have been closely involved as the community has crafted its plan and appears ready to move into its planning process.

The city will hold its own listening sessions and do its own studies, then release its own initial plan. Once the Department of City Planning certifies a Bushwick rezoning application, the Uniform Land Use Review Process, which takes roughly seven to ten months, begins. After the

community board offers its advisory vote, the plan moves to the borough president for review and additional nonbinding feedback, then the City Planning Commission for formal approval, followed by the City Council for final say. Throughout the process, local leaders, especially the City Council member(s), typically continue to negotiate with the mayoral administration to make tweaks to the city's proposal and secure additional investments.

Pushback against the plan

As in most rezonings, at issue in Bushwick is that the mayoral administration's interests may not be in line with the community's. One example is the neighborhood's manufacturing zones. Bushwick is known for its old factories and warehouses, which developers often eye as potential for new residential space. The community plan would oppose changing most manufacturing zones to residential zones unless special conditions are met. That is one point the city has tried to ignore, said Leon, the community board district manager.

Another example: at a February meeting, Winston Von Engel, the Brooklyn director of the Department of City Planning (DCP), reportedly told Bushwick residents that the city was interested in preserving the aesthetic character of the neighborhood, more so than preventing displacement, according to several residents who were present. Von Engel later told the Bushwick Daily that he had been misinterpreted and that there should be a balance between preservation and expansion.

In June, a group of activists shut down that month's Community Board 4 meeting so that the board could not discuss the rezoning plans at all. One of the activists, Pati Rodriguez, of the anti-gentrification group Mi Casa No Es Su Casa, stood up to plead with the board: "I want to continue to live in the neighborhood that raised me, and I wish I could keep raising my daughter here too, but if this goes to DCP, I don't think that is ever going to happen."

Activists like Rodriguez oppose the rezoning entirely.

"The community board has no veto vote," Rodriguez said in a later interview. "It makes the community powerless. That's why we have decided the only way we can stop anything from happening is to disrupt the process."

Michael Higgins, a member of the Brooklyn Anti-Gentrification Network, said that the plan itself could cause Bushwick residents to panic, from which landlords can then benefit.

"I think trying to address overdevelopment with rezoning is a backwards solution," he said. "It comes from the belief that we can meet market forces with government, and unfortunately that's just not the way the City of New York works in fundamental ways."

He said the community has more leverage when individual properties are rezoned, rather than whole swaths of a neighborhood, because residents have the opportunity to negotiate requests like more affordable housing and community space.

Tom Angotti, professor emeritus of Urban Policy and Planning at Hunter College and the author of “Zoned Out! Race, Displacement, and City Planning in New York City,” said he understands the skepticism over the rezoning.

There have been no citywide studies that explain the relationship between rezonings and gentrification, but individual case studies do show that zoning changes lead to displacement, particularly in low income communities and communities of color, Angotti said.

Reynoso acknowledges the community’s concerns, but said that Bushwick’s geography, as well as the way it is built out, leaves fewer opportunities for growth compared to other neighborhoods around the city, referencing the recently-passed Inwood rezoning, which drew criticism from local housing activists concerned about density, neighborhood character, and gentrification. But Inwood, Reynoso said, encompasses waterfront property that the city could capitalize upon.

New development of that nature just isn’t possible in Bushwick. The Bushwick plan envisions growth near transit hubs, but otherwise is mostly designed to downzone the neighborhood, Reynoso said, and disallow large new residential buildings.

“The basic principles of what’s happening in other locations don’t necessarily apply here,” Reynoso said in the interview. “The fears that people have are not necessarily apples to apples.”

That’s true, Angotti said, but that still doesn’t mean the Bushwick Community Plan will prevent displacement. He points not so much to the community plan itself, but to the Department of City Planning and the City Planning Commission.

Angotti said the city has rejected every community-based rezoning proposal of which he is aware over the last 25 years.

“In every instance that I know of, the community plans get ripped up and changed to the point of being unrecognizable to the people in the community,” he said. “The city planning department has its own way of looking at land use in the city, and it doesn’t include communities. It doesn’t include people.”

In a statement, the agency did confirm that rezoning applications, even those by city agencies, are usually changed during the public review process.

Jose Lopez, the co-director of organizing at Make the Road New York, has been heavily involved with the Bushwick Community Plan, serving on its steering committee. He recognizes that DCP will craft its own proposal for the ULURP process, but has some hope for the influence that the community plan may have.

“If there is a good rezoning where we can control growth, generate affordable housing, where we see effective tools that keep people in the homes they live in – if it’s a good rezoning, that is something we can get behind,” he said. “But our members believe that a bad rezoning is worse than no rezoning at all.”

Reynoso said that the discretion and authority to rezone really lies with the City Council, not with any city agency, and “the Council member’s job is to advocate on behalf of the community” – which he plans to do.

Typically, when the City Council votes on a rezoning plan, the expectation is that the Council will vote to support what the local City Council member(s) – in this case, Reynoso and Espinal – want. Yet, in May, City Council Speaker Corey Johnson said that his approach is “deference” but “no veto” for Council members on land use matters.

“Michael Bloomberg did 140 rezonings,” Angotti said. “Everyone of them passed. So the track record pretty much demonstrates how difficult it is, once something gets into ULURP, to derail it under the current system because of the overwhelming power of the mayor.”

Robert Camacho, the chair of Community Board 4, has been involved with the planning process since the beginning. He said he is satisfied with the final plan, but does worry for its future.

“If we don’t do anything, the city will do what it wants,” he said. “And if we submit something, the city can do what it wants anyway. I see it as a lose-lose situation. So why not do something? Something beats zip. If you don’t ask, you’re not getting anything.”

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