

19 August 2004

On 18 August, 2004 the FGA-BAY Committee mailed a comprehensive letter detailing the position of the FGA on the development of the Brooklyn Atlantic Yards to the following recipients:

Mr. Ludlow Beckett  
Fulton Area Business (FAB) Association  
15 Greene Avenue  
Brooklyn, NY 11238

Senate Majority Leader Joseph L. Bruno  
Room 909 Legislative Office Building  
Albany, NY 12247

Mayor Michael R. Bloomberg  
City Hall  
New York, NY 10007

Senator Hillary Rodham Clinton  
476 Russell Senate Office Building  
Washington, DC 20510

Mr. David Chang  
Pratt Area Community Council  
201 Dekalb Avenue  
Brooklyn, NY 11205

Chairman Charles Gargano  
Empire State Development Corporation  
30 South Pearl Street  
Albany, NY 12245

Mr. Frank Gehry  
Frank O. Gehry and Associates, Inc.  
12541 Beatrice St.  
Los Angeles, CA 90066-7001

Public Advocate Betsy Gotbaum  
1 Centre Street, 15th Floor  
New York, NY 10007

Council Person Letitia James  
67 Hanson Place  
Brooklyn, NY, 11217

Mr. Peter Kalikow  
Chairman, MTA  
347 Madison Avenue  
New York, NY 10017-3739

Chairperson Shirley A. McRae  
Brooklyn Community Board 2  
350 Jay Street, 8th Floor  
Brooklyn, NY 11201

Brooklyn Borough President Marty Markowitz  
209 Joralemon Street  
Brooklyn, NY 11201

Council Member Gifford Miller  
City Hall  
New York, New York 10007

Ms. Shabnam Merchant  
Develop Don't Destroy Brooklyn  
44 Fifth Ave, PMB #342  
Brooklyn, NY 11217

Senator Velmanette Montgomery  
306 Legislative Office Building  
Albany, New York 12247

Representative Major R. Owens  
2309 Rayburn House Office Building  
Washington, D.C. 20515

Governor George E. Pataki  
State Capitol  
Albany, NY 12224

Senator Charles E. Schumer  
313 Hart Senate Building  
Washington, DC 20510

Dr. Thomas Schutte  
Myrtle Avenue Revitalization Project  
472 Myrtle Avenue, 2nd floor  
Brooklyn, NY 11205

Assemblyman Sheldon Silver  
Room 932 Legislative Office Building  
Albany, NY 12248

New York State Attorney General Eliot Spitzer  
120 Broadway  
New York City, NY 10271

New York City Comptroller William C. Thompson, Jr.  
1 Centre Street  
New York, NY 10007

Representative Edolphus Towns  
2232 Rayburn House Office Building  
Washington, DC 20515

Assemblyman Sheldon Silver  
Room 932 Legislative Office Building  
Albany, NY 12248

16 August 2004

Dear Speaker Silver,

This letter is to place on record the opposition of The Fort Greene Association, representing the community of Fort Greene, Brooklyn, to the Brooklyn Atlantic Yards Project as proposed by Forest City Ratner Companies (FCRC). While the Fort Greene community welcomes responsible development in the downtown Brooklyn area in general and of the MTA Atlantic Terminal in particular, we most ardently object to the use of City, State and Federal funds for the FCRC venture without review from the communities which it will directly affect.

**The Brooklyn Atlantic Yards proposal is monumental**

The Brooklyn Atlantic Yards is a private real estate development project conceived by Bruce Ratner of FCRC. It proposes: a 19,000 to 20,000-seat sports arena, 17 towers rising to 62 stories, including 5,500 units of residential development and 2.1 million square feet of commercial office space, including 300,000 square feet of retail space. This 24-acre plot of land between Atlantic Avenue and Dean Street from Flatbush Avenue to Vanderbilt Avenue is on the borders of Fort Greene, Prospect Heights, Clinton Hill, Boerum Hill, and Park Slope, near to and including the MTA rail yards at Atlantic Avenue. More than half of the land is held in private ownership. What Mr. Ratner cannot purchase he will apparently obtain via the right of eminent domain, an abuse of this right, as public interest is not involved: Existing, thriving homes and businesses would be condemned to ensure the profits of a private developer. The proposed site is also adjacent to Downtown Brooklyn, where recently approved new zoning detailed in the Downtown Brooklyn Development Plan will already permit voluminous new tower construction and increased density, bringing concomitant increased traffic congestion and air pollution.

**Bypassing careful ULURP scrutiny is not acceptable**

The Brooklyn Atlantic Yards project will reconfigure the face of Brooklyn and New York City, as well as involve extensive NYC and NYS financial, i.e. taxpayer, investment. Despite the magnitude of the project's impact, it appears that Mr. Ratner proposes to avoid the NYC Uniform Land Use Review Procedure [ULURP] and instead partner with the Empire State Development Corporation [ESDC] of New York State. The ESDC review process is significantly less stringent than ULURP. The Fort Greene Association asserts that bypassing ULURP is unacceptable. The impact of the proposed Atlantic Yards Project on the environment, as well as on businesses and residences of the affected communities must be subject to the most rigorous review. Councilmember Letitia James, (35<sup>th</sup> Council District), State Senator Velmanette Montgomery (18<sup>th</sup> Senate District), and Congressman Major Owens (11<sup>th</sup> Congressional District)—all of whom represent the affected districts-- amongst others, are demanding that the ULURP process be invoked in any action that involves eminent domain action in NYC (Assemblyman Gottfried's Bill A2835). We support this demand. Indeed, State Assembly Speaker Sheldon Silver has called for the ULURP process review for the West Side Stadium project in Manhattan. The Fort Greene Association demands the same respect and attention to review in Brooklyn.

### **The arena component will be a financial loss to taxpayers**

The proposed sports arena is simultaneously the financially weak and the core component of the project. Mr. Ratner commissioned a study of the BAY/arena proposal by a respected sports economist, Andrew Zimbalist of Smith College. Mr. Zimbalist himself states that the arena will lose money. In addition to national evidence that sports arenas are not good investments for the communities surrounding them, there is the local experience of Coney Island: The Keyspan Stadium, though successful in terms of attendance, has not sparked a revitalization of the neighborhood, as fans come for the games and leave without spending in the area. [“Ballpark Hums, but Not the Neighborhood”, *New York Times*, August 1, 2004, p. 25.] Additionally, consider the recent report of the respected and business friendly Regional Plan Association: “The experience in North America is that stadiums...have repelled commercial and residential development, not attracted it”. [“Report Suggests Forgetting about Stadium on West side”, *New York Times*, July 20, 2004, p. B3]. Why then is the arena the centerpiece of the proposal? We think the arena component is a device to try to create popular support for this private real estate venture among Brooklynites who would like to see a professional sports team again in Brooklyn. It is our opinion that any number of locations could be considered for an arena in Brooklyn, rather than the already congested Downtown area.

### **The arena will bring further congestion and pollution to an environmental “hot spot”**

The corridors of Atlantic Avenue, Flatbush Avenue, Fulton Street and Fourth Avenue are already dangerous environmental hotspots according to the Department of Environmental Protection. Further congestion leads to more air pollution with adverse health impacts, especially child and adult asthma. The environmental impact of the Atlantic Yards Project, especially the Arena component, needs stringent study in conjunction with the neighboring Downtown Development Plan. The Environmental Impact Statement for the Downtown Brooklyn Plan already points to unmitigatable traffic and congestion problems before the Atlantic Yards Project has even begun.

### **Why should one developer with a dubious track record of stewardship be permitted so much power?**

As owner of the New Jersey Nets, Bruce Ratner has just traded star player Kenyon Martin, thus downgrading the team’s attractiveness, creating even greater potential financial losses to the Arena. If this action is any indication of Mr. Ratner’s stewardship of the Nets, this does not bode well for the team or for the project.

Indeed, Mr. Ratner’s track record in downtown Brooklyn is a warning bell. Metrotech and the Atlantic Center have had problems keeping tenants, and the vacancies have been filled by government agencies, including the NYS Motor Vehicle Department, and the Empire State Development Agency. Metrotech has not become a 24/7 community, it is abandoned and isolated after office hours, and open space has been turned into Metrotech private space. The Atlantic Center building is reviled by the surrounding neighborhoods, because it has created a massive wall with its back to the Fort Greene community. There are no street level shops integrating the Center with the neighborhood, there is no ambience in the Center and hot, sterile glassed-in peripheral corridors connect stores. A recent cosmetic and supposedly corrective paint job on the exterior does not correct the inherently bad design of the mall itself. How can we give the power for such an enormous project as the Atlantic Yards to a developer who--on top of one of the best transportation hubs in the country--created Atlantic Center, a commercial failure and an insult to the neighborhood?

### **The FCRC financial analysis is at best questionable and incomplete**

According to the FCRC analysis, the Atlantic Yards Project will cost taxpayers some \$450 million in outright aid from the City and State. However, a no bid contract for state property in the form of the MTA rail yards will bypass the market at taxpayer expense, and at a time when the MTA is about to raise fares for New Yorkers and commuters because of serious financial shortfalls. The cost of

infrastructure improvements in the affected area, such as subway and rail systems, schools, police, and fire is not even considered in the FCRC report, and these hidden but essential expenses will raise the cost to the taxpayer to even higher levels. As the developer admits, the arena component will create losses, so it is the commercial and residential spaces, which will purportedly bring in revenues through tax dollars, and supposedly justify the aid. However, the earnings assumptions of the Zimbalist analysis have been questioned by an independent report created by Jung Kim [London school of Economics] and Gustav Peebles [Columbia University]. The Kim /Peebles report shows that over \$500 million could be lost as opposed to \$800 million gained [See report available at [www.developdontdestroy.org](http://www.developdontdestroy.org)].

**Development success has been achieved without taxpayer subsidy, and there are alternative development proposals to BAY**

The Fort Greene/ Prospect Heights area has rejuvenated itself successfully over the years with normal market incentives and procedures, and without any major influx of public funding. Given the housing shortage in NYC, and the success developers have experienced in real estate in the area, why should we subsidize a massive private real estate development in an area that would do well on the open market without tax subsidy? While New York City is desperate for funds for our schools, firehouses, and police, parks and infrastructure, why should our tax dollars support a massive real estate project of a single private developer?

Fort Greene is frequently cited as a unique, integrated community and a model of development. Recent private renovations have reclaimed abandoned buildings and knit connections to Prospect Heights and Park Slope. The Atlantic Yards Project, like Mr. Ratner's Atlantic Center, will erect a wall of structures between Fort Greene and surrounding areas. We do not want a gated community dividing Fort Greene and Prospect Heights from Park Slope and Boerum Hill.

The Fort Greene Association supports robust residential development, but in a scale that considers the well-being of the existing neighborhoods. The same considerations apply to commercial development. Big box stores drain profits away from the area. We need to include local businesses in the formula, and be sure that new commercial enterprises benefit the community. Both aspects have been considered in alternative planning for housing and business sponsored by Councilmember Letitia James.

**Conclusion**

For all the reasons cited above, The Fort Greene Association demands ULURP review for the Forest City Ratner Brooklyn Atlantic Yards Project. We call for independent study of the costs and benefits of the Atlantic Yards Project. We support investigation of alternate proposals to BAY for the development of Fort Greene, Prospect Heights and neighboring communities near Downtown Brooklyn. And given the evidence already on hand we oppose the FCRC proposal for the arena component in its entirety.

The Fort Greene Association thanks you for your time and earnest consideration of this important urban project for all the citizens of New York City and would appreciate a prompt reply to this statement.

Sincerely,

Susan S. Butler  
Chair- FGA Bay Committee

Paul J. Palazzo  
Chair- FGA Bay Committee