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**IN THE MATTER OF** an application submitted by Leemilt’s Petroleum, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 18a, by establishing within an existing R5 District a C2-4 District bounded by a line perpendicular to the easterly street line of Nichols Avenue distant 55 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Nichols Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet easterly of Nichols Avenue, a line perpendicular to the westerly street line of Grant Avenue distant 115 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Grant Avenue and the northwesterly street line of Atlantic Avenue, Grant Avenue, Atlantic Avenue and Nichols Avenue, as shown on a diagram (for illustrative purposes only) dated March 11, 2019, and subject to the conditions of CEQR Declaration E-529.

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The applicant, Leemilt’s Petroleum, filed this application for a zoning map amendment on November 30, 2018 to map a C2-4 commercial overlay on an existing R5 zoning district along the northern side of Atlantic Avenue between Nichols and Grant avenues. The proposed action would facilitate the construction of a new one-story commercial building with local retail and service uses at 3513 Atlantic Avenue in the East New York neighborhood of Brooklyn, Community District 5.

**BACKGROUND**

The applicant is requesting a zoning map amendment to map a C2-4 commercial overlay on an existing R5 district. The area to be rezoned (“Project Area”) is located one block west of the Queens Borough border, on the north side of Atlantic Avenue between Nichols and Grant avenues in the East New York neighborhood of Brooklyn, Community District 5. It includes three contiguous tax lots (Block 4151, Lots 1, 54 and 107), two of which (Lots 1 and 54) have frontage directly on Atlantic Avenue. The third lot (Lot 107) is a small lot without street frontage. The total area to be rezoned encompasses approximately 24,055 square feet, but development is limited to Lot 54 (“Development Site”), which has a lot area of 18,760 square feet.

Lot 1 is a 4,670-square-foot corner lot located at the intersection of Atlantic Avenue and Nichols Avenue. It is improved with a one-story building occupied by a non-conforming automobile sales business with an open sales lot.

Lot 54, the proposed development site, is located at the intersection formed by Atlantic Avenue and Grant Avenue. It is improved with two contiguous one-story buildings that contain a non-conforming gas station and convenience store.

Lot 107 is a 625 square-foot vacant, unimproved interior lot that has no street frontage.

The surrounding area is characterized by a mix of low-density residential uses, including two-story row houses, detached and semi-detached homes, and mixed-use buildings with residential and ground floor commercial uses. Atlantic Avenue, a major east/west thoroughfare in East New York, is predominately developed with one-story semi-industrial uses, such as gas stations, car washes and auto repairs shops, local retail shops and fast food restaurants. Some isolated residential buildings are interspersed between the semi-industrial uses. Commercial uses are concentrated along Atlantic Avenue and Fulton Street one block to the north. The project area is also proximate to public transportation. The Crescent Street J subway station is located four blocks northwest on Fulton Street. Local bus service within the area includes the Q24 bus (Jamaica - Bushwick line) that provides service along Atlantic Avenue.

The existing R5 district is a non-contextual residential zoning district that allows a variety of housing types at a medium density. R5 districts typically produce three- and four-story attached houses and small apartment buildings built to a maximum floor area ratio (FAR) of 1.25 with a required front yard of at least ten feet, or as deep as one of the adjacent front yards. The street wall for new buildings within R5 districts cannot exceed 30 feet, and the total building height is limited to 40 feet. Commercial uses are not permitted in R5 districts.

The applicant is proposing to establish a C2-4 commercial district, along the northern side of Atlantic Avenue between Nichols and Grant avenues, to facilitate the construction of a new commercial building on Lot 54. C2-4 commercial zoning districts allow for a variety of ground floor commercial uses, up to an FAR of 1.0, or up to an FAR of 2.0 if dwelling units are provided on the upper levels.

The proposed development would be a 9,856 square-foot (0.53 FAR), one-story building divided to accommodate two separate retail stores. One space would have entrances from Atlantic Avenue and Grant Avenue; the other would have an entrance on Grant Avenue. The building would rise to a height of 19 feet and provide six unenclosed accessory parking spaces accessed from two, 12-foot curb cuts; one on Atlantic Avenue and the other on Grant Avenue. The building would have an enclosed loading berth at the rear, accessed from Atlantic Avenue.

### **ENVIRONMENTAL REVIEW**

This application (C 190222 ZMK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 18DCP180K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on March 11, 2019. To support the Negative Declaration, an (E) Designation (E-529) related to air quality, noise and hazardous materials would be established in connection with the proposed action. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

### **UNIFORM LAND USE REVIEW**

This application (C 190222 ZMK) was certified as complete by the Department of City Planning (DCP) on March 11, 2019, and was duly referred to Brooklyn Community Board 5 and the Brooklyn Borough President in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Brooklyn Community Board 5 did not hold a public hearing on this application (C 190222 ZMK) and did not submit a recommendation.

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 190222 ZMK) on May 1, 2019, and on June 19, 2019, issued a recommendation approving the application with the following conditions:

1. “That prior to considering the application, the City Council obtain commitments in writing from the applicant, Leemilt’s petroleum, Inc, that clarify how it would:
  - a. Commit to Connecting Residences on Safer Streets (CROSS) Brooklyn coordination with the New York City Department of Transportation (DOT) and the New York Department of Environmental Protection (DEP) to implement a curb extension as part of a Builders Pavement Plan or as treated roadbed sidewalk extension, with a developer commitment to enter into a standard DOT maintenance agreement for the intersection of Atlantic and Grant avenues with the understanding that DOT implementation would not proceed prior to consultation with Brooklyn Community Board (CB 5) and local elected officials.
  - b. If applicable, enter into a standard DOT maintenance agreement for the northwest corner intersection of Atlantic and Gant avenues.
  - c. Explore additional resiliency and sustainability measures such as incorporating blue/green/white roof treatment, enhanced tree pits, rain gardens, and/or solar panels.
  - d. Coordinate with DEP, DOT, and New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens and enhanced tree pits, as part of a Builders Pavement Plan in consultation with CB 5 and local elected officials.
  - e. Retain Brooklyn-based contractors and subcontractors, especially those who are designated local business enterprises (LBEs), consistent with Section 6-108.1 of the City’s Administrative Code, and minority- and women-owned business enterprises (MWBES) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

### **City Planning Commission Public Hearing**

On July 10, 2019 (Calendar No. 1), the Commission scheduled July 31, 2019 for a public hearing on this application (C 190222 ZMK). The hearing was duly held on July 31, 2017 (Calendar No. 37). There was one speaker in favor of the application and none in opposition.

The applicant's representative described the project and the requested action, including a rationale for the proposed commercial overlay, stating that Atlantic Avenue is a commercial corridor and the rezoning would facilitate the development of commercial uses in the project area, strengthening the commercial nature of the corridor.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 190222 ZMK) is appropriate.

The requested actions would facilitate the development of a new one-story commercial building with local retail and service establishments uses. The Commission believes that the proposed zoning map changes would facilitate a new development appropriate for the location. Atlantic Avenue 120 feet wide street and is a major thoroughfare with a wide range of building heights and diverse mix of uses. The proposed C2-4 commercial district, along the northern side of Atlantic Avenue between Nichols and Grant avenues, will allow commercial uses, including local retail and service establishments. C2-4 commercial zoning districts allow for a variety of commercial uses on the ground floors of residential buildings and stand-alone commercial building. C2-4 districts are mapped one block west of the project area on both sides of Atlantic Avenue and provide local neighborhood services. The Commission believes that mapping a C2-4 overlay would be consistent with the existing land use pattern along the Atlantic Avenue corridor, one of East New York's major commercial corridors.

While the Commission recognizes that the application is for a zoning map amendment, and not for the review of a specific building or site plan, the Commission does note the general

recommendations of the Borough President for streetscape improvement and resiliency measures, though they are beyond the scope of this application.

**RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on March 8, 2019 with respect to this application (CEQR No. 18DCP180K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 18a, by establishing within an existing R5 district a C2-4 district bounded by Atlantic, Grant and Nichols avenues, Borough of Brooklyn, Community District 5, as shown on a diagram (for illustrative purposes only) dated on March 11, 2019, and subject to the conditions of the CEQR Declaration E-529.

The above resolution (C 190222 ZMK), duly adopted by the City Planning Commission on August 14, 2019 (Calendar No. 16), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO, CHAIR**  
**KENNETH J. KNUCKLES, ESQ., VICE CHAIRMAN**  
**DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO III,**  
**MICHELLE DE LA UZ, JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT,**  
**ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD,**  
**COMMISSIONERS**

**Brooklyn Borough President Recommendation**  
CITY PLANNING COMMISSION  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)



**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

**APPLICATION #: 3513 ATLANTIC AVENUE REZONING – 190222 ZMK**

An application submitted by Leemilt's Petroleum, Inc. for the following land use actions: Pursuant to Sections 197-c and 201 of the New York City Charter, requesting a zoning map amendment of the southern portion of a block fronting the north side of Atlantic Avenue between Grant and Nichols avenues by establishing within an existing R5 District a C2-4 District for a depth of 115 feet along Grant Avenue to a point 100 feet from Nichols Avenue, and 55 feet along Nichols Avenue to a point 100 feet from Nichols Avenue.

COMMUNITY DISTRICT NO. 5

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE  
WITH MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

June 19, 2019

DATE

**RECOMMENDATION FOR: 3513 ATLANTIC AVENUE REZONING – 190222 ZMK**

Leemilt's Petroleum, Inc. submitted an application for the following land use actions: Pursuant to Sections 197-c and 201 of the New York City Charter, requesting a zoning map amendment of the southern portion of a block fronting the north side of Atlantic Avenue between Grant and Nichols avenues by establishing within an existing R5 District a C2-4 District for a depth of 115 feet along Grant Avenue to a point 100 feet from Nichols Avenue, and 55 feet along Nichols Avenue to a point 100 feet from Nichols Avenue.

On May 1, 2019, Brooklyn Borough President Eric L. Adams held a public hearing on this acquisition request. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding future development on the site, and what would assure that subsurface conditions would be remediated to residential development standards should the gas station be removed, the applicant's representative noted that as part of the Negative Declaration issued for this application's Environmental Assessment Statement (EAS), three environmental (E) designations were mapped to this site relating to air quality, hazardous materials, and noise. The presence of hazardous materials requires that site remediation be performed under the administration of the Mayor's Office of Environmental Remediation (OER) prior to pulling a permit from the New York City Department of Buildings (DOB). The representative noted that OER's standards for remediation of commercial properties and residential properties may differ.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as blue, green, or white roof coverings, passive house design, permeable pavers, New York City Department of Environmental (DEP) rain gardens, and/or solar panels, the representative stated that the applicant has not made specific plans, but is open to ideas from the community board and the Office of the Brooklyn Borough President. The representative noted that four new street trees would be required as part of the redevelopment, which provides opportunities for DEP rain gardens.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and women-owned business enterprises (MWBEs) in the construction process, the representative expressed willingness to work with the community board and the Office of the Brooklyn Borough President to promote LBE/MWBE hiring.

**Consideration**

Brooklyn Community Board 5 (CB 5) has not yet taken a position on this application.

The requested action would facilitate the development of a one-story, approximately 9,850 square foot (sq. ft.), commercial building, intended to be occupied by local retail and service establishments. The proposal also includes six accessory unenclosed parking spaces. The project site consists of an 18,760 sq. ft. corner lot with approximately 150 feet of frontage on Atlantic Avenue and 115 feet along Grant Avenue. It contains two one-story buildings used as a gas station, an automobile laundry, and a convenience store. As this portion of Atlantic Avenue lacks a commercial overlay, these uses are considered non-conforming, though authorized in accordance with a special permit granted by the New York City Board of Standards and Appeals (BSA).

The proposed rezoning area includes two additional, non-applicant lots. These include a corner lot at 3485 Atlantic Avenue at Nichols Avenue, consisting of 4,670 sq. ft. that functions as an automobile sales lot, and a vacant, unimproved interior lot of approximately 600 sq. ft. The proposed development would be built to a Floor Area Ratio (FAR) of 0.53 and is intended to be occupied by two retail stores with separate entrances on Atlantic and Grant avenues.



The surrounding area is defined by low-density residential uses with two-story row homes, detached and semi-detached houses, and mixed-use residential with commercial stores. The existing one-story building on the applicant's property was originally configured as an automobile repair shop. However, in 2006, this portion of the building was converted to a convenience store. Since then, the site has been used as a car wash, convenience store, and filling station.

Currently, diesel fuel and gasoline for the filling station are stored in three 4,000 gallon underground storage tanks on the south side of the property. According to the project's EAS, three E-designations related to air quality, hazardous materials, and noise will be assigned to the rezoning area. The hazardous materials E-Designation would require the developer to file a sampling protocol with OER. Upon approval of such protocol, OER would require a Phase II site investigation and review its results to determine whether environmental remediation is required. If contamination is found at the site, the developer would be required to submit for approval a remedial action plan as well as a construction health and safety plan. The remedial plan would contain a community protection statement summarizing air monitoring, dust, noise, notice of hours of operation, odor control, as well as other measures to be implemented at the site. At this time, it is not known whether the standard of remediation for the proposed commercial development will be equal to that for a residential project.

Borough President Adams generally supports efforts to facilitate the creation and/or growth of Brooklyn-based businesses. This includes zoning actions that are consistent with the predominant land use patterns and provide opportunities for job creation and street activation.

Atlantic Avenue is a major retail corridor. This portion of Atlantic Avenue has a significant concentration of automotive uses, including the applicant's property. A C2-4 commercial overlay is mapped along Atlantic Avenue west of the site, from Euclid to Lincoln avenues.

Borough President Adams believes that the addition of a commercial overlay would provide local residents enhanced access to goods and services. He also believes that the requested zoning is appropriate based on the presence of existing commercial uses, and the opportunity to create new floor area for local retail purposes.

Borough President Adams is generally supportive of the proposed development. He calls on the applicant to advance Vision Zero policies to improve pedestrian safety; incorporate resilient and sustainable energy and stormwater practices, as well as achieve a high level of local hiring for the project's construction.

### **Advancing Vision Zero Policies**

Borough President Adams is a supporter of Vision Zero policies, which include extending sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, \$1 million was allocated to fund five dangerous intersections in Brooklyn. By installing more curb extensions, seniors will benefit because more of their commutes will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadways will benefit from safer streets.

Atlantic Avenue is a designated New York City through truck route with multiple intersections lacking traffic controls such as stop signs or traffic lights. Given the mixed commercial and residential

character of Atlantic Avenue, and anticipated foot traffic associated with development pursuant to the 2015 rezoning of the nearby section of Atlantic Avenue as part of the East New York Community Plan, it is important to promote pedestrian safety improvements along Atlantic Avenue.

Atlantic Avenue is one of the arterial streets designated for City funds as part of the New York City Department of Transportation (DOT) Vision Zero Capital Program. The proposed rezoning area is located along Vision Zero's Atlantic Avenue Phase II: Great Streets. Planned design improvements to Atlantic Avenue include reconstruction of the center median with plantings, extension of pedestrian refuge space in crosswalks, installation of raised median-side bicycle lanes and the addition of left turn bays/left turn signals to reduce pedestrian/traffic conflicts.

Per his CROSS Brooklyn initiative, Borough President Adams believes there is an opportunity to implement a curb extension at the northwest intersection of Atlantic and Grant avenues. In that regard, Leemilt's Petroleum, Inc. should consult with DEP and DOT.

Borough President Adams recognizes that the costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore the implementation of either protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of a Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable Leemilt's Petroleum, Inc. to undertake such improvements after consultation with CB 5, as well as local elected officials, as part of its Builders Pavement Plan. The implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. Borough President Adams would expect Leemilt's Petroleum, Inc. to commit to such maintenance as an ongoing obligation.

Therefore, prior to considering any rezoning, the City Council should seek a demonstration from Leemilt's Petroleum, Inc. of their implementation of CROSS Brooklyn in coordination with the DEP and DOT to install curb extensions either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of the developer's commitment to enter into a standard DOT maintenance agreement for the intersection of Atlantic and Grant avenues. Furthermore, DOT should confirm that implementation will not proceed prior to consultation with CB 5 and local elected officials.

### **Advancing Resilient and Sustainable Energy and Stormwater Management Policies**

It is Borough President Adams' sustainable energy policy to promote opportunities that utilize blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA) at each project site. Such modifications tend to increase energy efficiency and reduce a development's carbon footprint.

Furthermore, as part of his flood resiliency policy, Borough President Adams also encourages developers to incorporate permeable pavers and/or establish rain gardens that advance the DEP green infrastructure strategy. Blue/green roofs, permeable pavers, and rain gardens would deflect stormwater from the City's water pollution control plants. According to the "New York City Green Infrastructure 2017 Annual Report," green infrastructure plays a critical role in addressing water quality challenges and provides numerous economic, environmental, and social co-benefits.

Borough President Adams believes it is appropriate for the applicant to engage government agencies, such as the Mayor's Office of Sustainability, NYPA, and/or NYSERDA to give consideration to

government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per square-foot of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with the aforementioned agencies and further coordination on this matter.

The proposed development offers opportunities to explore resiliency and sustainability measures in the development such as incorporating blue/green/white roof finishes, passive house construction principles, and solar panels. The required Builders Pavement Plan provides an opportunity to incorporate a DEP rain garden along the development's Atlantic Avenue or Grant Avenue frontage. Such efforts could help advance DEP green water/stormwater strategies, enhancing the operation of the 26<sup>th</sup> Street Ward Waste Water Treatment Plant (WWTP) during wet weather. In addition to compensating for the loss of a large permeable surface, the installation of a rain garden would provide a significant streetscape improvement on Atlantic Avenue.

As noted by the applicant's representative, the proposed development would require the planting of new street trees along Atlantic Avenue. Borough President Adams believes that Leemilt's Petroleum, Inc. should consult with DEP, DOT, and the New York City Department of Parks and Recreation (NYC Parks) for consideration regarding the inclusion of a rain garden with integration of street trees, and enhanced tree pits as part of a Builders Pavement Plan. Where the agencies have interest in implementing an enhancement, consultation should be initiated with CB 5 and local elected officials prior to agreeing to take action.

Therefore, prior to considering the application, the City Council should obtain in writing from the applicant, Leemilt's Petroleum, Inc., commitments that clarify how it would memorialize integrating resiliency and sustainability features. The City Council should further seek demonstration of the applicant's commitment to coordinate with DEP, DOT, and NYC Parks regarding the installation of DEP rain gardens and/or enhanced tree pits as part of a Builders Pavement Plan in consultation with CB 5 and local elected officials.

### **Jobs**

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2015," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses—including those that qualify as LBEs and MWBEs is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those who are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments in writing from the applicant, Leemilt's Petroleum, Inc., that clarify its intent to memorialize retention of Brooklyn-based contractors and subcontractors, especially those who are designated LBE consistent with Section 6-108.1 of the City's Administrative Code and MWBE as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. That prior to considering the application, the City Council obtain commitments in writing from the applicant, Leemilt's Petroleum, Inc, that clarify how it would:
  - a. Commit to Connecting Residents on Safer Streets (CROSS) Brooklyn coordination with the New York City Department of Transportation (DOT) and the New York City Department of Environmental Protection (DEP) to implement a curb extension as part of a Builders Pavement Plan or as treated roadbed sidewalk extension, with a developer commitment to enter into a standard DOT maintenance agreement for the intersection of Atlantic and Grant avenues with the understanding that DOT implementation would not proceed prior to consultation with Brooklyn Community Board 5 (CB 5) and local elected officials
  - b. If applicable, enter into a standard DOT maintenance agreement for the northwest corner intersection of Atlantic and Grant avenues
  - c. Explore additional resiliency and sustainability measures such as incorporating blue/green/white roof treatment, enhanced tree pits, rain gardens, and/or solar panels
  - d. Coordinate with DEP, DOT, and New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens and enhanced tree pits, as part of a Builders Pavement Plan in consultation with CB 5 and local elected officials
  - e. Retain Brooklyn-based contractors and subcontractors, especially those who are designated local business enterprises (LBEs), consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency