



IN THE MATTER OF an application submitted by 1529-33 60th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d:

1. changing from an M1-1 District to an R7A District property bounded by 15th Avenue, a line midway between 59th Street and 60th Street, a line 460 feet southeasterly of 15th Avenue, 60th Street, and the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division);
2. establishing within the proposed R7A District a C2-4 District bounded by 15th Avenue, a line midway between 59th Street and 60th Street, a line 460 feet southeasterly of 15th Avenue, 60th Street, and the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division);

Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 6, 2020, and subject to the conditions of CEQR Declaration E-556.

This application for a zoning map amendment was filed by 1529-33 60th Street LLC on September 3, 2019 to change an M1-1 zoning district to an R7A/C2-4 zoning district. This application, in conjunction with the related action (N 200087 ZRK), would facilitate the construction of three mixed-use buildings containing a total of approximately 102 residential dwelling units and 32,219 square feet of ground floor commercial space on 60th Street in the Borough Park neighborhood of Brooklyn Community District 12.

RELATED ACTIONS

In addition to the zoning map amendment (C 200086 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 200087 ZRK Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

BACKGROUND

The applicant is requesting a zoning map amendment to change an M1-1 district to an R7A/C2-4 district and a zoning text amendment to designate a new MIH area coterminous with the project area. The project area is located on portions of two blocks (Block 5509 and 5516) on 60th Street between 15th and 16th avenues and includes a total of twenty tax lots. Ten lots on Block 5509 (Lots 1, 58, 62, 64, 65, 68, 70, 71, 72, 73) have frontage on the northern side of 60th Street. Ten lots on Block 5516 (Lots 4, 9, 10, 11, 12, 13, 14, 17, 20, 21) have frontage on the southern side of 60th Street and on 15th Avenue. The development site is comprised of nine of the affected tax lots. Eleven of the tax lots are non-applicant owned and are not part of the proposed development. Existing uses in the project area include residential, commercial, auto repair, industrial, and community facilities, in addition to vacant lots.

Prior land use actions in the project area and the surrounding area include the Dyker Heights/Fort Hamilton rezoning (C 070387 ZMK), the Maple Lane Views rezoning (C 090154 ZMK), and a number of Board of Standards and Appeals (BSA) variances. In 2007, a 160-block area was rezoned in the Dyker Heights/Fort Hamilton rezoning, approximately one block to the west of the project area bordered by 60th Street to the north and 14th Avenue to the east. The rezoning mapped lower density and contextual zoning districts to preserve the existing scale and character of Dyker Heights and Fort Hamilton's low-rise blocks. The Maple Lane Views Rezoning was adopted in 2013, which rezoned an M1-1 district to an R6A district to facilitate the construction of a mixed-use development with residential buildings and a community facility on a site bounded by 60th Street to the north, 16th Avenue to the east, 61st Street to the south and the Long Island Railroad Right-of-Way (LIRR ROW) to the west. Within the project area, a BSA variance (375-04-BZ) was granted in 2005 for three lots (Block 5509, Lots 64, 65 and 68) to permit the expansion of an existing jewelry manufacturer and wholesaler establishment in an M1-1 district. This expansion was not implemented. Two BSA variances were granted in 2013 to permit the construction and enlargement of houses of worship to the southeast of the project area on Block 5517, Lots 85 and 39 in an M1-1 district (242-12-BZ and 55-13-BZ).

The development site is comprised of nine tax lots owned by the applicant (Block 5509, Lots 58, 64, 65, 68, 70; Block 5516, Lots 14, 17, 20, 21). On Block 5509, Lots 58, 64, 65, 68, and 70 are

improved with commercial, industrial, residential, and community facility uses. Lot 58 is an 8,000-square-foot lot that contains a one-story automotive repair building built to a floor area ratio (FAR) of 1.0. Lots 64 and 65 are 3,617 and 4,846 adjacent square-foot lots that contain a two-story jewelry manufacturing establishment, built to 3.7 and 1.7 FAR, respectively. Lot 68 is a 3,264-square-foot lot that contains a three-story medical office building built to 1.74 FAR. Prior to formally initiating this application, permits were filed with the Department of Buildings (DOB) for an as-of-right building on Lot 68, pursuant to the underlying M1-1 zoning district. An as-of-right building was subsequently constructed in 2016, with the understanding that it would be demolished, contingent on the approval of the proposed actions. Lot 70 is a 2,220-square-foot lot containing a two-story residential building with four dwelling units built to 1.38 FAR.

On Block 5516, Lots 14, 17, 20, and 21 are improved with industrial and automotive uses and a vacant lot. Lots 14 and 17 are 6,236- and 3,800-square-foot adjacent lots that contain a one-story HVAC supply warehouse building, built to 0.9 FAR on each lot. Lot 20 is a 1,137-square-foot lot with a one-story automotive repair building built to a 1.0 FAR. Lot 21 is a 2,377-square-foot lot used for accessory parking for the adjacent automotive use on Lot 20.

The project area also includes 11 non-applicant-owned tax lots that are not part of the proposed development. On Block 5509, Lots 1, 62, 71, 72, and 73 are improved with commercial, industrial, and residential uses. Lots 1 and 73 are 14,525-square-foot and 2,000-square-foot adjacent tax lots that contain a two-story furniture showroom and warehouse built to 1.45 FAR and 1.5 FAR, respectively. Lot 62 is a 4,000-square-foot tax lot containing a vacant, one-story warehouse built to 1.0 FAR that was vacant at the time of the application filing, but has since become occupied by a medical supply company. Lots 71 and 72 are approximately 2,000-square-foot adjacent tax lots that each contain a two-story multi-family, residential building with four dwelling units each, built to 1.54 and 1.52 FAR, respectively.

The project area is located within an M1-1 zoning district that extends from Fourth Avenue to 17th Avenue roughly between 59th Street and 63rd Street. This M1-1 district includes an open rail cut containing tracks for the Bay Ridge Branch of the LIRR, used for freight traffic. This area is characterized by a mix of one-story buildings with manufacturing, warehousing and auto-

related uses, two- to three-story community facilities, and some non-conforming residential buildings. M1-1 zoning districts allow a wide range of commercial and industrial uses at a maximum FAR of 1.0 and select community facility uses up to a maximum FAR of 2.4. The maximum base height in an M1-1 district is 30 feet or two stories, with a sky exposure plane governing maximum building height. To the north and east of the project area is an R5 zoning district, comprised of two- to three-story residential buildings and community facilities. R5 zoning districts permit residential buildings with a maximum FAR of 1.25 and community facility buildings with a maximum FAR of 2.0. Buildings have a maximum base height of 30 feet, and a maximum building height of 40 feet above a 15-foot required setback. South of the project area bordered by the southern boundary of the LIRR ROW, 60th Street, 16th Avenue, and 61st Street, is an R6A district mapped as a result of the 2013 Maple Lane Views rezoning. This site is currently under construction with 13 six-story apartment buildings. R6A districts permit a maximum FAR of 3.0 for residential uses. Buildings have a maximum base height of 65 feet and a maximum building height of 75 feet above a required setback.

60th Street is a local east-west arterial street that is 80 feet wide. 15th and 16th avenues are local north-south arterial streets that are also 80 feet wide. Community facilities in the surrounding area include the New York Police Department's 66th precinct, located at the corner of 16th Avenue and 59th Street, and a number of houses of worship and religious schools.

The project area is served by two subway lines. The 62nd Street station, providing service to the D train, is located approximately one block west at the intersection of New Utrecht Avenue and 61st Street. The New Utrecht station, providing service to the N train, is located approximately two blocks southwest at New Utrecht Avenue and 63rd Street. The B9 bus connects Bay Ridge to Kings Plaza and runs along 60th Street in the project area, including stops at both 15th and 16th avenues.

The applicant proposes to change the M1-1 district across the project area to an R7A/C2-4 district in order to develop three mixed-use buildings containing a total of approximately 129,238 square feet of residential use (102 residential dwelling units) and 32,219 square feet of

commercial space on the ground floor. All buildings would comply with Option 2 of the MIH Program, serving households at an average of 80 percent of the Area Median Income (AMI).

Building A would be constructed on Block 5509, Lot 58, and would consist of a seven-story mixed-use building containing approximately 8,014 square feet of ground-floor commercial retail space (1.0 FAR) and 28,851 square feet of residential space (3.6 FAR) on the upper floors, for a total of 36,866 square feet of floor area (4.6 FAR). The building would contain approximately 23 dwelling units, seven of which would be affordable pursuant to MIH. The building would rise to a height of 75 feet. Building B would be constructed on Block 5509, Lots 64, 65, 68 and 70, and would consist of a seven-story mixed-use building on a 13,499-square-foot zoning lot. The building would contain approximately 10,619 square feet of ground floor retail space (0.8 FAR) and 51,475 square feet of residential space (3.8 FAR) on the upper floors, for a total of 62,095 square feet of floor area (4.6 FAR). The building would contain 39 dwelling units, 13 of which would be affordable pursuant to MIH. The building would rise to a height of 75 feet. Fifteen accessory parking spaces would be located on the cellar level. Building C would be constructed on Block 5516, Lots 14, 17, 20 and 21, and would consist of an eight-story mixed-use building on a 13,586-square-foot zoning lot. The building would contain approximately 13,586 square feet of ground floor commercial retail space (1.0 FAR) and 48,912 square feet of residential space (3.6 FAR) on the upper floors, for a total of 62,499 square feet of floor area (4.6 FAR). The building would contain 40 dwelling units, 12 of which would be affordable pursuant to MIH. The building would rise to a height of 85 feet. Sixteen accessory parking spaces would be located in the cellar level.

To facilitate the proposed development, the applicant proposes a zoning map amendment and a zoning text amendment. The applicant proposes a zoning map amendment to change an M1-1 zoning district to an R7A/C2-4 zoning district. The proposed R7A district would permit residential uses up to a maximum FAR of 4.6 within an MIH area and community facility uses up to a maximum FAR of 4.0. Above a base height of 40 to 75 feet, the building must set back to a depth of 10 feet on a wide street, before rising to a maximum of 95 feet or nine stories. Outside of the Transit Zone, parking is required for 15 percent of the affordable residential units and 50 percent of all other residential units. The C2-4 commercial overlay permits a range of

commercial uses on the first and second floors at a maximum FAR of 2.0. Parking requirements vary by use.

The applicant also proposes a zoning text amendment to designate an MIH area coterminous with the project area. The proposed text amendment would map MIH Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 60 percent of the AMI, with 10 percent of the residential floor area set aside for residents with incomes averaging 40 percent of the AMI. Option 2 requires that 30 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 80 percent of the AMI. No more than three income bands can be used to average out to 80 percent, and no income band can exceed 130 percent of the AMI.

ENVIRONMENTAL REVIEW

This application (C 200086 ZMK), in conjunction with the application for the related action (N 200087 ZRK), 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 18DCP038K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on January 6, 2020. The Negative Declaration included an (E) designation (E-556) to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

In response to the COVID-19 pandemic, the Mayor issued Emergency Executive Order No. 100 on March 16, 2020 that suspended certain time requirements relating to the Uniform Land Use Review Procedure (ULURP) and other land use processes as of March 12, 2020. The suspension included portions of sections 195, 197-c and 197-d of the New York City Charter, as well as

sections of the Administrative Code and the Rules of the City of New York, pertaining to time limitations. The CPC ceased meeting immediately after issuance of the Executive Order until August 3, 2020, when the regular schedule of meetings was resumed. The ULURP time requirements suspended by Emergency Executive Order No. 100 began running on September 14, 2020.

This application (C 200086 ZMK) was certified as complete by the Department of City Planning on January 6, 2020 and duly referred to Brooklyn Community Board 12 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 200087 ZRK), which was referred in accordance with the procedures for non-ULURP actions.

Community Board Public Hearing

On February 12, 2020, Brooklyn Community Board 12 held a public hearing on this application (C 200086 ZMK) and on that date, by a vote of 24 in favor, 2 opposed, and no abstentions, adopted a resolution recommending approval of the application with the following modifications:

“Buildings A & B would go from 7 stories to 6 story residential buildings. The parking spaces will be increased from the proposed 31 spots to 71. Broken down by 15 in Building A, 31 in Building B, and 25 in Building C.”

Borough President Recommendation

This application (C 200086 ZMK) was considered by the Brooklyn Borough President, who on October 13, 2020 issued a recommendation to approve the application with the following conditions:

“1. That, for the north side of 60th Street, the City Council modify the proposed R7A MIH district to R6A MIH.

2. The prior to considering the application, the City Council obtain commitments in writing from the applicant 1529-33 60th Street LLC, clarifying how it would:

- a. memorialize a reduced height of five stories for sites on the north side of 60th Street, in tandem with the represented 71 parking spaces for the sites on both sides of 60th Street, via a legally binding mechanism.
- b. Memorialize the following commitments with regard to the combined envisioned parking facilities:
 - i. Provide the revised increased number of 71 residential parking spaces
OR, in addition
 - ii. Set aside a portion of the non-residential ground-floor space within the buildings on all sides of 60th Street, for parking, in tandem with the allowance of six stories for sites north of 60th Street
 - iii. Engage with car-sharing companies to lease multiple spaces within the garages
- c. Retain one or more locally based affordable housing non-profits to serve as the administering agent, and play a role in promoting affordable housing lottery readiness
- d. 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 oversight of such participation by an appropriate monitoring agency
- e. Memorialize the incorporation of resiliency and sustainability measures such as blue roofs, passive house design, and/or wind-turbines
- f. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of the required Builders Pavement Plan along on one

or both sides of 60th Street fronting the development in consultation with CB12 and local elected officials

Be it further resolved:

1. That DEP conducts a camera investigation of sewer capacity in this section of Borough Park to identify the causes of reported ponding along 60th Street between 15th and 16th avenues and other intersections of concern. Such action should be undertaken with the consultation of CB12 and local elected officials.
2. That the Metropolitan Transportation Authority (MTA) advance its feasibility study of the Triboro Line to improve public transportation for underserved communities in Brooklyn and Queens.”

City Planning Commission Public Hearing

On October 7, 2020 (Calendar No. 1), the City Planning Commission scheduled October 21, 2020 for a public hearing on this application (C 200086 ZMK) and the application for the related action (N 200087 ZRK). The hearing was duly held on October 21, 2020 (Calendar No. 6). Two speakers testified in favor of the application and none in opposition.

An applicant representative stated that the proposed actions would facilitate three new buildings with approximately 102 dwelling units, including 32 permanently affordable housing units. These buildings would be located on 60th Street, a local arterial street in the neighborhood. He explained that the applicant had attempted to accommodate requests from residential neighbors to reduce the size of the development by considering lowering the heights of Buildings A and B, providing a 40-foot rear yard, and increasing the number of parking spaces in Building C. Collectively, these potential modifications had been intended to mitigate the impact of the proposed development on the residential neighbors to the north through reductions in height of Buildings A and B, providing more distance between the proposed development and the residential buildings to the north, and increasing the number of off-street parking spaces. In response to the Borough President’s recommendation to modify the proposed R7A district on the north side of 60th Street to an R6A district, the applicant representative stated that this would result in a 20 percent loss in the number of residential units, including six MIH units. Further, because the Borough President informed the applicant that the potential modifications described

above were not accepted by the community members who expressed concerns with the proposed development, the applicant representative stated it would pursue the originally proposed actions and proposed development without modifications. The applicant representative also stated that the project area was an appropriate location for ground floor commercial space as the nearest commercial corridors on New Utrecht Avenue and 18th Avenue had very few local commercial uses in between them.

The applicant's architect described the design of the buildings, noting a "townhouse feel" in order to relate better to the surrounding context. He also described the outdoor recreation space on the roof of Buildings A and B, and stated that Building C's southern facade facing the LIRR ROW would have sound attenuating windows. He noted that a fence would be located on the property line of Building C to prevent debris from falling on the railroad tracks, per a request from the Metropolitan Transportation Authority. The architect also stated that the proposed development would be phased, using reinforced concrete to expedite construction times.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 200086 ZMK), in conjunction with the related application for a zoning text amendment (N 200087 ZRK), is appropriate.

Together, these actions will facilitate the development of three mixed-use buildings with new housing, a portion of which will be permanently affordable, and approximately 32,000 square feet of ground floor commercial space. The Commission believes that this proposal will help support development of affordable housing, as outlined in *Housing New York*, including creating a substantial number of new homes, including permanently affordable homes and creating additional commercial space in an area that contains a mix of uses and is well-served by transit.

The proposed zoning map amendment is appropriate. While the existing M1-1 zoning district does not allow new residential uses, the proposed R7A/C2-4 zoning district will allow residential uses up to a maximum FAR of 4.6 with MIH, as well as commercial uses to a maximum FAR of 2.0, and a contextual building envelope with a height of 95 feet or nine stories. The Commission

notes that the project area is located in close proximity to several transit options, including access to multiple subway lines and buses. 60th Street serves as a local east-west corridor, carrying heavier foot and vehicular traffic than the streets to the north and south. In addition, the two blocks that comprise the project area are bounded by 60th Street, 15th Avenue, and 16th Avenue, all of which are “wide” streets mapped at a width of 80 feet. The proposed C2-4 commercial overlay will allow for mixed-use buildings with ground floor retail along 60th Street, which carries heavier foot traffic than the surrounding east-west streets. While commercial uses are appropriate along this section of the 60th street, the Commission notes that the R7A/C2-4 district will permit flexibility for the ground floor, allowing residential uses or community facility uses, as well as commercial uses. The proposed actions will also bring the existing legal, non-conforming residential buildings within the project area into conformance.

While the Commission recognizes that the tax lot located between proposed Buildings A and B (Block 5509, Lot 62) is not applicant-owned, it notes that should the applicant acquire that site, an assemblage would foster a more cohesive development.

In response to the Community Board’s recommendation to reduce the height of Buildings A and B and the Borough President’s recommendation to map an R6A district north of 60th Street, the Commission believes that the density and bulk provisions allowed by the proposed R7A district are appropriate throughout the entire project area due to the characteristics of the surrounding streets and the proximity to transit. All bounding streets are 80 feet wide and 60th Street serves as a local east-west corridor in the neighborhood. The Commission also notes that there are a number of existing buildings in the surrounding area with densities of 4.0 or greater along 15th Avenue, located north of 58th Street and south of 62nd Street.

In response to the Community Board’s and the Borough President’s modifications to increase the provision of parking spaces throughout the proposed development, the Commission notes that the underlying zoning regulations require a minimum number of parking spaces, but allow for the flexibility of providing more parking spaces based on the anticipated needs of tenants.

The Commission believes that the proposed zoning text amendment (N 200087 ZRK) is appropriate. The action will designate a new MIH area coterminous with the project area. The MIH area will be mapped with Option 1 and Option 2. The Commission notes that 60 percent of

households in Community District 12 are rent-burdened, compared to 45 percent for the borough, and that 27 percent of residents live under the poverty threshold, compared to 21 percent for the borough. The Commission believes that the proposed development is located in an area where it is particularly desirable to support transit-oriented development and new opportunities to provide permanently affordable housing.

The Commission acknowledges the Borough President's recommendations regarding the affordable housing administering agent, Brooklyn-based contractors, resiliency and sustainability measures, and the recommendations directed to the NYC Department of Environmental Protection and the MTA, but notes that these recommendations are outside the scope of this application.

RESOLUTION

RESOLVED, that 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. 22d:

1. changing from an M1-1 District to an R7A District property bounded by 15th Avenue, a line midway between 59th Street and 60th Street, a line 460 feet southeasterly of 15th Avenue, 60th Street, and the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division);
2. establishing within the proposed R7A District a C2-4 District bounded by 15th Avenue, a line midway between 59th Street and 60th Street, a line 460 feet southeasterly of 15th Avenue, 60th Street, and the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division);

Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 6, 2020, and subject to the conditions of CEQR Declaration E-556.

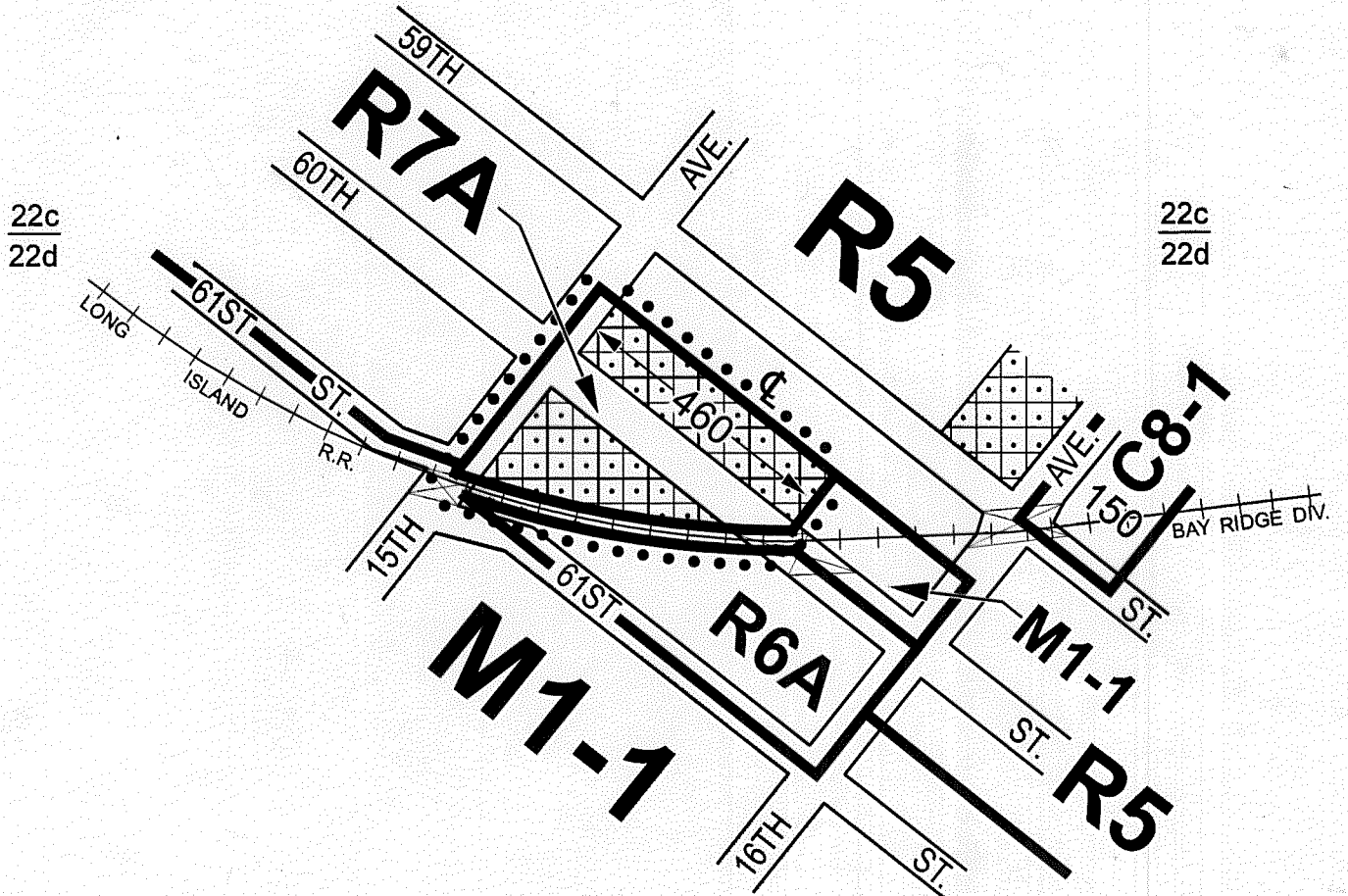
The above resolution (C 200086 ZMK), duly adopted by the City Planning Commission on November 18, 2020 (Calendar No. 5), is filed with the Office of the Speaker, City Council, and

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 Chair*

**DAVID J. 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*



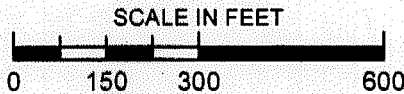
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

22d
 BOROUGH OF
BROOKLYN





S. Lenard
 S. Lenard, Director
 Technical Review Division



New York, Certification Date:
 January 6, 2020



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is proposed to be rezoned by changing from an M1-1 District to an R7A District and establishing a C2-4 district within the proposed R7A District.
-  Indicates a C2-2 District
-  Indicates a C2-4 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #:	Project Name:
CEQR Number:	Borough(s):
	Community District Number(s):

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):	Applicant's Representative:	
Recommendation submitted by:		
Date of public hearing:	Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>	<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote:	Location:	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting # In Favor: # Against: # Abstaining: Total members appointed to the board:		
Name of CB/BB officer completing this form	Title	Date

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, NY 10271

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 #: 1501-1555 60TH STREET REZONING – 200086 ZMK, 200087 ZRK

An application submitted by 1529-33 60th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment to change from M1-1 to R7A/C2-4 a project area of 20 tax lots fronting 60th Street and 15th Avenue, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area over the entire rezoning area. Such actions would facilitate the development of three separate mixed-use buildings of seven to eight stories, with a total of 102 dwelling units, of which 32 would be affordable pursuant to MIH, 32,219 square feet (sq. ft.) of ground-floor retail, and 31 accessory parking spaces in Brooklyn Community District 12 (CD 12).

BROOKLYN COMMUNITY DISTRICT NO. 12

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITION

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

October 13, 2020

DATE

RECOMMENDATION FOR 1501-1555 60TH STREET REZONING – 200086 ZMK, 200087 ZRK

1529-33 60th Street LLC submitted an application pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment to change from M1-1 to R7A/C2-4 a project area of 20 tax lots fronting 60th Street and 15th Avenue, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area over the entire rezoning area. Such actions were initially represented to facilitate the development of three separate mixed-use buildings of seven to eight stories, with a total of 102 dwelling units, of which approximately 32 would be affordable pursuant to MIH, 32,219 square feet (sq. ft.) of ground-floor retail, and 31 accessory parking spaces in Brooklyn Community District 12 (CD 12).

Brooklyn Borough President Eric Adams held a remote public hearing on this application on June 30, 2020. There were seven speakers on this item, all in opposition, who cited the development's height, which would block light for small homes on 59th Street; the substantial number of dwelling units; pervasive sanitation issues on the block; vehicular congestion along 60th Street; the lack of street parking in the area, and the proposed affordable housing rents. Speakers questioned the rationale for the project, given that an adjacent new development has been vacant for more than a year, and reiterated their preference for the existing zoning and businesses on 60th Street.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the applicant's representative stated that under MIH Option 2, the proposed development would provide 31 affordable units, including five one-bedrooms, seven two-bedrooms, nine three-bedrooms, and 10 four-bedrooms. The apartments would be offered as follows: 12 at 60 percent Area Median Income (AMI), with qualifying incomes of \$44,820 for a single-person household to \$84,540 for an eight-person household, nine at 80 percent AMI, with eligible incomes ranging from \$45,840 for a household of one and \$112,720 for a household of eight, and 11 at 100 percent AMI, with qualifying incomes of \$57,300 for a one-person household to \$140,900 for an eight-person household, based on 2019 New York City area AMIs. Rents would range from \$1,121 for a one-bedroom unit at 60 percent AMI to \$2,991 for a four-bedroom unit at 100 percent AMI.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process in order to ensure the highest level of participation from CD 12 residents, and whether the applicant's marketing strategy would include a financial literacy campaign to assist local residents in becoming lottery-eligible, the representative stated that the developer has initiated discussions with non-profit organizations and would be willing to do further local outreach via the community board.

In response to Borough President Adams' inquiry regarding what consideration has been given to reducing the represented commercial floor area, in order to accommodate more space for car parking, given community concerns about lack of overnight parking and anticipation that new households' car ownership would exceed what has been proposed, the representative stated that the revised proposal would eliminate commercial and residential space on the ground floor to accommodate additional parking. The number of market-rate units would be reduced from 70 to 65, while the affordable unit count would go down from 32 to 27. Such redistribution would achieve an additional 40 accessory parking spaces for a total of 71 among the three buildings. Moreover, the envisioned small retail uses are not expected to generate substantial traffic from outside the community.

In response to Borough President Adams' inquiry as to what mechanism would ensure the proposed elimination of the top floor on the development's northern sites, given that the requested zoning allows a height of nine stories, the representative stated that the developer would be willing to file a restrictive declaration outside of the Uniform Land Use Review Procedure (ULURP) process, limiting the permitted height on these sites.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, and/or New York City Department of Environmental Protection (DEP) rain gardens, the representative stated that the buildings would have high-efficiency heating and cooling systems, insulated windows, as well as white roofs. The developer also intends to incorporate rain gardens integrated with tree pits to reduce the project's impact on the local sewershed.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated that the developer has reached out to local organizations to help source qualified MWBE contractors, and would also be interested in recruiting the construction workforce from local trade schools.

Prior to the hearing, Borough President Adams received written testimony from a Borough Park resident in opposition to the proposed development. The letter enumerated several concerns that were initially expressed at the Brooklyn Community Board 12 (CB 12)'s land use hearing, such as diminishing light, invasion of privacy, problematic parking, and a challenging trash situation. It also cited the Maple Lanes condominium at 1560 60th Street, which remains empty due to very high asking prices.

Subsequently, Borough President Adams received written testimony from five local residents reiterating concerns expressed at the hearing.

Consideration

CB 12 voted to approve this application on January 28, 2020 on the condition that the developer provide additional parking.

The proposed actions would affect 20 tax lots on two blocks fronting the north and south sides of 60th Street, between 15th and 16th avenues, which comprise the project area to be rezoned. 1501-1555 60th Street would be constructed on nine applicant-owned properties, which are divided into three cluster sites. Site A is an approximately 8,000 sq. ft. lot with 80 feet of frontage on the north side of 60th Street, improved with a one-story automotive use. Site B is an approximately 13,500 sq. ft. assemblage of four lots, with 135 feet of frontage on the north side of 60th Street, occupied by an industrial business, a medical office, and a multi-family residential building. Site C is a 13,586 sq. ft. triangular assemblage of four lots with 218 feet of frontage on the south side of 60th Street, improved with automotive and warehouse uses. According to the application, the businesses on these sites employ a total of 51 workers.

The 11 non-applicant sites, on either side of 60th Street include commercial, mixed-use, and residential properties. 1501-1519 60th Street consists of a two-story, 21,000 sq. ft. building with an office and showroom that also fronts on 15th Avenue, and a 3,000 sq. ft. warehouse on an adjacent lot. It is occupied by a furniture store with approximately 25 employees. 1541 60th Street is a one-story, 4,000 sq. ft. warehouse that appears to be vacant. 6013 15th Avenue is an irregular lot that does not have frontage on 60th Street. It is occupied by an approximately 1,800 sq. ft. single-story automotive use. 1502 and 1504 60th Street are three-story mixed-use buildings, with a total of four dwelling units. Their ground floors house a convenience store and a computer repair shop that jointly employ 10 workers. The remaining five lots (1506, 1510, 1512, 1521, and 1523 60th Street) are improved with legal-non-conforming two-story homes constructed prior to 1961.

The project area falls within an M1-1 zone, a high parking manufacturing district that does not allow residential use. In order to enable the proposed development, the applicant is seeking an R7A MIH district with a C2-4 commercial overlay, which would permit a total Floor Area Ratio (FAR) of 4.6,

including residential use, ground-floor retail, and accessory commercial and residential parking. However, commercial parking requirements could be waived pursuant to the New York City Zoning Resolution (ZR).

According to the application, 1501-1555 60th Street would consist of three mixed-use properties, each built to 4.6 FAR. Building A would contain 36,856 sq. ft. of floor area, including 25,581 sq. ft. of residential use and 8,014 sq. ft. of commercial use, and rise to a height of seven stories. Building B would contain 62,094 sq. ft. of floor area, also within seven stories, with 51,475 sq. ft. of residential space, and a 10,619 sq. ft. commercial ground floor. Building C would contain 62,499 sq. ft. of floor area, including 48,912 sq. ft. of residential use, 13,586 sq. ft. of ground-floor commercial use, with a maximum height of eight stories. Parking would be provided within the cellar of each building.

The surrounding context includes a mix of uses and housing types, owing to the diversity of zoning districts north and south of the site. The aforementioned M1-1 district is mapped between 59th and 66th streets, spanning Fourth Avenue to 17th Avenue. It contains the Bay Ridge Branch of the Long Island Rail Road (LIRR), which commences at the 65th Street Rail Yard, and cuts across the southern portion of the project area. The manufacturing zone hosts a variety of automotive, light industrial, and warehouse uses.

The residential areas are zoned primarily R5 and R6, with pockets of lower-density contextual zoning such as R5B. Housing types include two-family homes, multi-story walkups, and elevator apartment buildings, which are concentrated north of 57th Street. Immediately east of the site is the six-story 1560 60th Street ("Maple Lanes"), constructed in 2016 pursuant to a 2013 rezoning of the property from M1-1 to R6A. Commercial overlays are mapped along the northern stretch of 16th Avenue, portions of 18th Avenue, and continuously along New Utrecht Avenue, the major commercial corridor west of the site. Notable community facility uses include the New York City Police Department (NYPD)'s 66th Precinct, as well as houses of worship and schools.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017.

The MIH program targets affordable housing units to a broad range of incomes, consistent with Borough President Adams' objective to extend such opportunities to households at various AMI tiers. Borough President Adams supports developments that allow low-, moderate-, and middle-income households to qualify for the City's affordable housing lottery. The proposed development would gear apartments to households at multiple income tiers, which would remain permanently affordable, according to MIH.

The affordability program at 1501-1555 60th Street would be pursuant to MIH Option 2, which stipulates that 30 percent of the residential floor area be affordable, to households earning an average of 80 percent AMI. According to the applicant, the project would include one-bedroom, two-bedroom, three-bedroom, and four-bedroom apartments. This family-oriented bedroom mix is consistent with Borough President Adams' goal to maximize affordable family-sized units in new developments.

It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible. Development adhering to the MIH program is consistent with his policy for new residential developments to produce housing that remains affordable in perpetuity. According to the application, the development rights generated on

the site would yield approximately 32 permanently affordable units. However, as suggested at the June 30th public hearing, the revised proposal would yield 27 MIH units.

Borough President Adams believes that it is appropriate to zone for increased density in proximity to public transportation. The proposed development would be accessible via multiple buses and subways. There are two subway stops southwest of the site, along Utrecht Avenue: 62nd Street, served by the Sixth Avenue Express D train, and New Utrecht Avenue, served by the Broadway Express N train. The two stations are connected by a free transfer. The B9 bus travels along 60th Street, stopping at 15th Avenue.

In addition, the site is located near an existing 24-mile freight right-of-way that runs from Bay Ridge to Co-op City. The Regional Plan Association (RPA) has long advocated restoring passenger service along this route to improve connectivity across central Brooklyn, Queens, and the Bronx. The Triboro Rx would link more than 20 commuter and subway lines, and result in the development of several new stops. The RPA estimates that this connector would serve more than 100,000 customers. In January 2020, the Metropolitan Transit Authority (MTA) launched a feasibility study for the Bay Ridge Branch, a 16-mile portion of the Triboro Rx spanning Bay Ridge to Astoria.

Borough President Adams is generally supportive of the proposed development at 1501-1555 60th Street. However, he is concerned that the rezoning would enable excessive height on the project's northern sites, potentially more so for other properties within the rezoning area. Borough President Adams is also concerned that the represented amended parking is restricted to applicant-controlled sites. As such, he believes that the proposed overall bulk should be reduced, with the revised building height and number of parking spaces memorialized through a legally binding mechanism. Consistent with his policies, he also seeks opportunities for car-share, maximum community participation in the affordable housing, integration of resiliency and sustainability measures, including rain gardens, as well as a high level of local hiring and procurement. Finally, Borough President Adams seeks a DEP investigation of reported stormwater drainage issues in the neighborhood.

Appropriate Zoning

Borough President Adams has heard community concerns regarding the appropriateness of establishing an R7A district on the north side of 60th Street, considering the low-rise commercial uses along 60th Street and the residential character of the surrounding area, as exemplified by one- and two-family homes on 59th Street. He concurs that the proposed zoning district would result in unprecedented building height on the north side of 60th Street and that the projected residential density based on the minimum parking requirement would likely exacerbate local residents' difficulties in securing street parking, though proximity to the subway station supports the R7A proposal for the southside of 60th Street.

At Borough President Adams June 30th hearing, the applicant provided updated renderings of 1501-1555 60th Street showing reduced heights for the buildings on the north side of 60th Street. One building would rise to six stories instead while the other would have a partial seventh story, with a top-floor setback that would shift the massing from the rear yard to 60th Street. The revised massing illustrations attempted to mitigate diminished light and air, as well as increased shadows for residents of the abutting houses on 59th Street. However, such representation is non-binding, as the proposed zoning controls allow for greater height. Moreover, any restrictive declaration would apply solely to the applicant's properties.

The requested R7A MIH district has a height limit of 95 feet or approximately nine stories. The project's Environmental Assessment Statement (EAS) identified only one non-applicant lot as a projected development site that would be permitted to achieve such height. Borough President Adams believes that the assumption of no future development on other sites ignores that a number of the properties built

under a 1.72 FAR (based on subtracting 1.15 typical MIH FAR from the 4.6 allowable FAR, divided by 50 percent of market-rate floor area) that could be developed to the permitted nine stories. In addition, it is likely that most such new buildings would have fewer than 30 market-rate units and would therefore be permitted to waive parking. Such development would diminish light and air for 59th Street homes that share rear yards with development sites. It would also exacerbate daytime and overnight parking challenges in the neighborhood. Borough President Adams believes that, in aggregate, such potential development would burden current residents with adverse quality-of-life impacts, and that such outcome would be inappropriate for the community.

In order to understand how these conditions would manifest, it is important to clarify the difference between what is currently allowed and what would be permitted along this section of 60th Street. The rezoning should be considered in totality, beyond the three component buildings of the proposed development.

The affected non-applicant properties on the north side of 60th Street, including the corner lot on 15th Avenue, and other lots between the corner and the applicant sites were not disclosed as projected development scenarios in the EAS. If all such properties were redeveloped under the proposed R7A zoning, the resulting bulk would substantially diminish light and air for the low-rise homes on 59th Street, while casting prolonged shadows on those properties. Moreover, there is no guarantee that more than 50 percent of the developed market-rate units would have parking because of the ability to waive parking for developments not exceeding 30 market rate apartments.

As an alternative, R6A with an MIH obligation would likely minimize any inducement to redevelop the corner property. The two substandard zoning lots with dwellings, if redeveloped, would be legally restricted to two units. However, under R6A, buildings on these sites could still achieve a height of up to 70 feet, while R7A would permit an additional 10 feet. Such development would not trigger MIH obligations unless the lots were combined with other properties to produce a building of more than 10 units.

The EAS likewise excluded multiple small properties on the south side of 60th Street between the applicant's property and the corner of 15th Avenue, from its analysis. These underbuilt lots pose similar challenges, and would likely result in tall, narrow buildings with one apartment on each floor — unless assembled into a development large enough to trigger MIH. However, it is not certain that the owners of the non-applicant properties would pursue assemblage, as this process can be time-consuming and is dependent on the willingness of property owners to sell. More likely, if granted R7A zoning, properties would eventually be redeveloped to the allowable bulk and possible height. Such new construction, being as-of-right, could occur relatively quickly. Therefore, the inclusion of these lots in the rezoning area could exacerbate the community-stated quality-of-life projected impacts following the adoption of the proposed rezoning. However, this has to be considered in balance with public policy to promote development in proximity to subway stations.

Borough President Adams acknowledges that the latest representation of the proposed development provides a degree of public benefit in the form of family-sized affordable housing. It is not sufficient, however, to overlook the manifold increase in bulk, which would affect the entire project area. Rezoning that convert manufacturing districts to residential ones unlock tremendous land value by permitting substantial floor area for new residential development — even with an obligation to build permanently affordable housing according to MIH. Permitting a change of use in tandem with increased floor area tends to incentivize higher-rise residential construction. Increased development opportunity within the rezoning area would be expected to displace longtime businesses and residents, as smaller, older structures are replaced.

As such requests have become increasingly common across Brooklyn, Borough President Adams has called on developers to go beyond the MIH program options, by exceeding the required affordable housing floor area and/or providing more deeply affordable units. Whenever possible, he has also sought additional benefits through the inclusion of car-share, affordable space for cultural/non-profit uses, and/or local retail. In this case, given the stated position of potentially affected neighbors, the putative benefit of rezoning must be balanced with potential impacts to quality-of-life. In his view, this would be best achieved by designating the north side of 60th Street as R6A MIH (though this district permits eight-story bulk and 85-foot height). For the applicant's northern sites, it would be optimal to ensure a respectful height of five stories, which would require an additional restriction in tandem with R6A

MIH zoning to memorialize the revised increased number of parking spaces. R6A would also minimize what might develop on the smaller, non-applicant lots, which are unlikely to trigger MIH or parking obligations, unless assembled into larger sites. As noted above, the corner property would not be expected to redevelop according to R6A.

Borough President Adams believes that the City Planning Commission (CPC) and/or the City Council should adopt R6A MIH on the north side of 60th Street, and that such modification should further restrict the allowable height north of 60th Street to five stories, with a commitment to provide a total of 71 parking spaces among the three buildings. Prior to considering the application, the City Council should obtain commitments in writing from the applicant, 1529-33 60th Street LLC, clarifying how it would memorialize a reduced height on the northern sites, including 71 parking spaces for the development's three component buildings, via a legally binding mechanism.

Ensuring the Proposed Number of Spaces and Converting a Portion of the Proposed Commercial Floor Area to Residential Parking

If the proposed rezoning is approved, 1501-1555 60th Street was represented as providing a combined 32,219 sq. ft. of commercial floor area. Local residents have expressed concerns about the difficulty of parking in the area and the limited number of spaces proposed as part of this development. Due to the mix of uses on these blocks, street parking is utilized by businesses, residents, and the nearby police precinct. Borough President Adams acknowledges that the car-ownership preferences of future occupants could potentially exacerbate a reportedly challenging parking situation. Though the proposed development would be located in a Transit Zone, it is likely that the revised estimated 65 market-rate units, as well as some of the affordable apartments, would nevertheless generate some demand for automobile parking. It is likely that a percentage of the eventual residents will already own or acquire vehicles upon occupancy, especially in consideration of the projected high number of three- and four-bedroom units that would attract large families, which tend to be car-dependent.

Since this proposal came before CB 12 in February, the applicant has presented several changes in response to community feedback. As expressed during Borough President Adams' hearing, the total parking has been increased from 31 to 71 spaces and made fully accessory residential (though such representation is not binding). The revised Building A was represented with 15 residential parking spots, whereas the initial proposal included eight commercial spots and no residential parking. In tandem with accommodating the seven added spaces, the total number of units would be reduced from 23 to 18. As modified, Building B was represented as containing 31 accessory residential parking spots, where 15 residential spaces and 11 commercial ones were initially proposed. The total unit count would be revised from 39 to 34 apartments. The modified Building C would provide 30 accessory residential parking spaces, instead of 16 residential spots and 14 commercial ones. The number of units (40) would remain unchanged. Overall, these revisions were represented as resulting in the loss of five market-rate units and five MIH units, with very little reduction in the commercial FAR. It should be noted that the development's parking would not be for the exclusive

use of the buildings' tenants. Based on ZR regulations for rental of accessory parking, such spaces could also accommodate car-sharing vehicles and members of the public, including local residents.

As stated earlier, Borough President Adams believes that the proposed height on the north side of 60th Street should be restricted through a combination of R6A MIH zoning and an enforceable mechanism on the applicant's northern properties that limits buildable height to five-stories. The R6A district would also provide some assurance of the promised additional parking, as a waiver would not be permitted when required parking calculations exceed five spaces. Whereas R7A zoning would allow up to 30 market-rate units without parking provision, the R6A district would reduce the number of spaces that could be waived to no more than 10 market-rate units. This would ensure a higher ratio of provided parking for the cumulative development of sites, subsequent to rezoning. Borough President Adams believes that if the applicant prefers to retain the proposed commercial floor area, it should memorialize intent to achieve the revised number of parking spaces, in tandem with a legally binding reduced height of five stories for Buildings A and B.

While this section of 60th Street is unlikely to generate sufficient foot traffic to support a combined 30,000 sq. ft. of retail, it would almost certainly induce additional demand for parking. As Borough President Adams seeks to maximize permanently affordable residential floor area, he believes that in lieu of the represented retail coverage, a portion of the non-residential ground floor could be utilized to accommodate more vehicles. In return, the developer should be permitted to recapture the displaced commercial zoning floor area by constructing a sixth residential story that would include permanently affordable housing floor area. Such allowances would also help mitigate the reduction in permanently affordable floor area that results from modifying R7A MIH to R6A MIH. Borough President Adams believes that it is acceptable to make such height tradeoffs to maximize both the amount of parking and the number of affordable units.

Under R6A, and the aforementioned height restriction options, the sites on the north side could be developed with five or six stories. In a five-story scenario, Site A, a 8,000 sq. ft. lot, could yield up to 2.6 residential FAR, or 20,800 sq. ft. encompassing approximately 13 units (based on the applicant's bedroom mix). With a parking ramp to the cellar, the development could achieve an addition of nearly 0.75 FAR of 6,000 sq. ft. of ground-floor commercial use, offset by space for residential lobby and vertical circulation. According to the revised proposal, the ramp would facilitate 15 spaces in the cellar, resulting in exceeding a one-to-one ratio of dwelling units to parking spots. A five-story limitation would reduce the achievable FAR to approximately 3.35, in lieu of the permissible 3.6 FAR. In a six-story scenario, the developer would partly eliminate commercial floor area to prioritize the ground floor for rear lot parking. In exchange, the development would be permitted to achieve an extra floor of housing through the provision of driveways along both ends of the building. This would yield eight to 12 additional spaces while retaining some retail use to a limited depth of approximately 40 to 60 feet. Attaining the full 3.6 FAR becomes possible with a few additional housing units, while greatly increasing parking capacity.

Site B, a 13,500 sq. ft. lot would yield 48,600 sq. ft. at 3.6 FAR. With five stories and parking in the cellar, Building B would require extensive retail to achieve approximately 3.4 FAR of the allowable R6A FAR. The applicant's ground-floor plan indicates a ramp to the cellar on one side. Adding a driveway to the other might result in an additional 14 to 22 spaces at grade, beyond the intended 31 underground. At six stories, the building could accommodate approximately 3,500 to 5,500 sq. ft. of retail and/or front-loaded ground-floor apartments, with elevator and stair placement, while realizing more units on the top floor.

Site C is an irregular 13,586 sq. ft. lot that angles sharply toward the middle of the block, so the actual buildable area is approximately 7,000 sq. ft. though this would result in 30 accessory cellar parking spaces for the expressed 40 units, of which 13-14 might be affordable and exempt from

parking requirements. The applicant's revised proposal does not indicate intent to reduce Building C's height or bulk, cutting retail space by 50 percent, and redeploying the zoning floor area residential use via a permitted partial ninth floor would enable approximately 20 additional parking spots and five apartments.

Collectively, such reductions in commercial floor area provide an opportunity to realize an extra 40 to 50 parking spaces, and approximately 10 more housing units. The possibility of achieving such additional parking on the applicant's sites would more than offset possible development on non-applicant sites that would likely be permitted to waive parking, as well as those that would be developed to the minimum ratio of one space per every two apartments.

Therefore, prior to considering the application, the City Council should obtain commitments in writing from the applicant, 1529-33 60th Street LLC, clarifying how it would memorialize a reduced height of five stories on sites fronting the north side of 60th Street, based on the 71 parking spaces represented at the June 30th hearing, and/or not more than six stories, based on the conversion of commercial floor area to area for additional parking space, via a legally binding mechanism.

Promoting Access to Car-Share Vehicles

Another way to address parking capacity is to take advantage of the growing trend of users who rely on access to car-sharing vehicles for their driving needs. A rental car can provide mobility in certain use cases, though it is not as flexible as having direct access to a car for a set amount of time and can be expensive for longer trips. Car rental requires, at minimum, a full day reservation as well as time and effort to access such facilities. However, there can be times when affordable access to automobiles would be considered a quality-of-life enhancement, even for households with higher discretionary income. Furthermore, research suggests that car-share availability reduces automobile use for individuals who already own cars, creating environmental benefits and reducing congestion.

According to ZR Section 36-46(a)(1), a car-sharing entity is permitted to occupy up to five parking spaces, though no more than 20 percent of all spaces in group parking facilities. Borough President Adams believes one or more of the 1501-1555 60th Street buildings could accommodate rentals by car-share operators within their garages, based on reasonable pricing. Borough President Adams believes that a portion of the development's combined parking spaces should be set aside for a limited number of car-share vehicles, through dialogue with car-sharing companies.

The incorporation of car-sharing vehicles within the building's garage would require the developer to provide visible signage, per ZR Section 36-523, and state the total number of parking spaces as well as the maximum number of car-sharing vehicles.

Therefore, prior to considering this application, the City Council should obtain commitments, in writing, from the developer, 1529-33 60th Street LLC, clarifying how it would engage car-sharing companies to lease multiple spaces within the garages.

Maximizing Community Participation in the Affordable Housing

The ZR requires inclusionary housing units to be overseen by a non-profit administering agent, unaffiliated with the for-profit developing entity, except when otherwise approved by the New York City Department of Housing Preservation and Development (HPD). Such administering non-profit becomes responsible for ensuring that the affordable housing remains in accordance with its regulatory agreement, which governs the development's affordable housing plan. These tasks include verifying a prospective tenant household's qualifying income and approving the rents of such affordable housing units. The administering non-profit is responsible for submitting an affidavit to

HPD attesting that the initial lease-up of the affordable housing units is consistent with the income requirements, as well as following up with annual affidavits to ensure compliance.

It is Borough President Adams' policy for housing non-profits to play a role in maximizing community participation in neighborhood affordable housing opportunities. He encourages developers of new buildings that include affordable housing units to partner with local non-profit administering agents. Borough President Adams calls on the developer to seek out organizations with proven track records of marketing affordable housing units and promoting housing lottery readiness, in consultation with his office, CB 12, and/or local elected officials.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments in writing from the applicant, 1529-33 60th Street LLC, clarifying how it would memorialize retaining one or more locally-based affordable housing development non-profits to serve as the administering agent, and/or play a role in promoting affordable housing lottery readiness.

Promoting Local Hiring and MWBE Participation for Construction and Procurement 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 2017," 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 20 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 who 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, 1529-33 60th Street LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those who are designated LBEs 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.

Advancing Resilient Stormwater and Sustainable Energy Management Policies

It is Borough President Adams' policy to advocate for the use of environmentally sustainable development that integrates blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. Such measures tend to increase energy efficiency and reduce a building's carbon footprint.

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as existing roofs undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and the expansion of the City's highly reflective (white) roof mandate. Borough President Adams believes that developers should seek to exceed this mandate by integrating blue roofs with green roof systems.

With regard to solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building

materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings, and those in proximity to the waterfront, micro-wind turbines can provide effective sustainable energy generation. Finally, passive house design achieves energy efficiency while promoting locally-based construction and procurement.

Borough President Adams believes it is appropriate for 1529-33 60th Street LLC to engage the Mayor's Office of Sustainability, NYSEDA, and/or NYPA, and consider 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's Office is available to facilitate dialogue between the applicant and the aforementioned agencies and provide further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces can be transformed through the incorporation of rain gardens, which provide environmental benefits such as improved air quality and streetscape beautification through efficient rainwater collection. Moreover, tree plantings can be consolidated with rain gardens as part of a comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, street tree pit enhancements can realize enhanced stormwater retention benefits while infiltration and making a site more pleasant for pedestrians. The incorporation of blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would also help divert stormwater from the City's water pollution control plants.

The required Builders Pavement Plan for the proposed development provides an opportunity to install DEP rain gardens along the development's frontages on both sides of 60th Street. The ZR requirement to plant street trees results in the provision of shade on days of excessive heat, as well as other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption. However, the implementation of rain gardens could help advance DEP green water/stormwater strategies, enhancing the operation of the Owls Head Wastewater Treatment Plant during wet weather. Such rain gardens have the added benefit of serving as a streetscape improvement.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from the developer, 1529-33 60th Street LLC clarifying how it would memorialize integrating resiliency and sustainability features at 1501-1555 60th Street.

Addressing Drainage and Storm Sewer Capacity

Borough President Adams has heard concerns about interrelated drainage and refuse issues in this section of Borough Park. Residents have observed that stormwater catch basins at multiple intersections are consistently blocked with trash, which reduces their collection capacity and prevents proper drainage. As a result, rain events frequently produce pools of standing water that attract and spreads debris and disease. These conditions suggest that local storm sewers may be overloaded and unable to properly receive sanitary sewer waste, which can cause back-ups in nearby commercial and residential buildings.

In 2016, Borough President Adams' office, in partnership with DEP, launched the Adopt-a-Catch Basin Pilot, to help communities curb localized flooding after heavy rains. As part of this pilot, the two agencies engaged block associations, business improvement districts (BIDs), and community boards in Canarsie, Gowanus, Sunset Park, and Prospect-Lefferts Gardens to clear and maintain neighborhood storm drains. The initiative was incorporated into DEP's 2018 Storm Water Management Plan (SWMP). Given the level of community concern about debris and drainage, Borough Park could benefit from the expansion of this program.

Borough President Adams believes that the City and the developer should take action to ensure that catch basins and sewers in proximity to 1501-1555 60th Street are functioning properly. He therefore calls on 1529-33 60th Street LLC to engage DEP in a camera investigation of sewer conditions under the blocks of 59th, 60th, and 61st streets between 15th and 16th avenues to identify where blockages have caused reductions in pipe cross-section area. If left unaddressed, these conditions could be exacerbated by new residential construction and occupancy, particularly where blocks are rezoned to accommodate denser development.

Therefore, in addition to standard catch basin cleaning, DEP should identify the causes of reported ponding by conducting a camera investigation of sewer capacity in this part of Borough Park, including 60th Street between 15th and 16th avenues and other intersections where poor drainage has been a consistent problem. Such action should be taken with the consultation of CB 12 and local elected officials.

Advance a Feasibility Study of the Triboro Line

Borough President Adams recognizes that quality-of-life disparities among Brooklyn communities stem in part from unequal access to public transit. New York's subway system, which is centered on Manhattan, provides few intra-borough transfer hubs such as Atlantic Avenue-Barclays Center, Broadway Junction, Downtown Brooklyn, and Stillwell-Avenue. This lack of efficient transportation is a particular burden for Brooklyn's low-income residents, many of whom reside in transit-poor neighborhoods. Multiple surveys have found that New Yorkers have the longest commutes in the country (via private and public transportation) and that low-wage workers, in particular, travel very far to their jobs.

Borough President Adams believes that strengthening transportation access would promote greater equity and opportunity for all New Yorkers. He was an early advocate for such initiatives as the MTA's Freedom Ticket, a single, cost-effective fare, which allows customers in eastern Brooklyn and Queens to ride Long Island Rail Road (LIRR), MetroNorth, and New York City Transit (NYCT) lines within city limits. He has also led the call to create a free transfer between the Seventh Avenue Express 3 Junius Street and the 14th Street-Canarsie Local L Livonia Avenue stations in Brownsville.

Borough President Adams seeks forward-thinking connectivity solutions with the potential to impact thousands of Brooklynites. The Triboro Rx would extend efficient new subway service along the LIRR Bay Ridge Branch from the Brooklyn Army Terminal (BAT) through Queens and to Co-op City in the Bronx, dramatically improving outer-borough travel for residents who rely on inefficient buses to access faraway subways. As economic opportunity tends to follow transit development, the project could also stimulate the creation of employment centers outside existing Central Business Districts (CBDs). Moreover, its implementation could be coordinated with land use actions and investments in affordable housing. While the proposed Triboro Line would primarily link stations along existing routes, there would be opportunities to establish new stations (in addition to BAT) along the East Flatbush and Flatlands neighborhoods, which have a high rate of automobile ownership. Inducing transit ridership in car-centric areas would provide a substantial environmental benefit to the city.

Borough President Adams recognizes that the Triboro Rx is an extremely ambitious project for the MTA and would likely require significant funding. However, he believes that realizing even incremental sections of the proposal would transform neighborhoods and livelihoods. Given the potential to generate impactful ideas, Borough President Adams feels it is vital for the MTA to advance the Bay Ridge Branch feasibility study, to improve public transportation for underserved communities in Brooklyn and Queens.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve this application with the following conditions:

1. That, for the north side of 60th Street, the City Council modify the proposed R7A MIH district to R6A MIH
2. That prior to considering the application, the City Council obtain commitments in writing from the applicant, 1529-33 60th Street LLC, clarifying how it would:
 - a. Memorialize a reduced height of five stories for sites on the north side of 60th Street, in tandem with the represented 71 parking spaces for the sites on both sides of 60th Street, via a legally binding mechanism
 - b. Memorialize the following commitments with regard to the combined envisioned parking facilities:
 - i. Provide the revised increased number of 71 residential parking spaces OR, in addition
 - ii. Set aside a portion of the non-residential ground-floor space within the buildings on all sides of 60th Street, for parking, in tandem with the allowance of six stories for sites north of 60th Street
 - iii. Engage with car-sharing companies to lease multiple spaces within the garages
 - c. Retain one or more locally-based affordable housing non-profits to serve as the administering agent, and play a role in promoting affordable housing lottery readiness
 - d. 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
 - e. Memorialize the incorporation of resiliency and sustainability measures such as blue roofs, passive house design, and/or wind-turbines

- f. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City

Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of the required Builders Pavement Plan along on one or both sides of 60th Street fronting the development in consultation with CB 12 and local elected officials

Be it further resolved:

1. That DEP conducts a camera investigation of sewer capacity in this section of Borough Park to identify the causes of reported ponding along 60th Street between 15th and 16th avenues and other intersections of concern. Such action should be undertaken with the consultation of CB 12 and local elected officials.
2. That the Metropolitan Transportation Authority (MTA) advance its feasibility study of the Triboro Line to improve public transportation for underserved communities in Brooklyn and Queens.