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**IN THE MATTER OF** an application submitted by Brownsville Linden Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d:

1. changing from an M1-1 District to an R7A District property bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard;
2. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;
3. establishing within a proposed R7A District a C2-4 District bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard; and
4. establishing within a proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated March 20, 2017, and subject to the conditions of CEQR Declaration E-419.

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This application for a zoning map amendment was filed by Brownsville Linden Plaza LLC (the applicant) on December 13, 2016. The applicant is proposing to change from an M1-1 zoning district to R7A/C2-4 and R7D/C2-4 zoning districts on Blocks 3860, 3861, and 3862 in Brooklyn. This application, in conjunction with the related action (N 170190 ZRK), would facilitate the development of two new 11-story mixed use buildings, containing approximately 531 affordable dwelling units, in the Brownsville neighborhood of Brooklyn, Community District 16.

## **RELATED ACTION**

In addition to the zoning map amendment (C 170189 ZMK) which is the subject of this report, the proposed project also requires action by the City Planning Commission (Commission) on the following application, which is being considered concurrently with this application:

N 170190 ZRK          Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

## **BACKGROUND**

The applicant is proposing a zoning map amendment across three full tax blocks: 3860, 3861, and 3862 in Brooklyn. The area to be rezoned is bounded by Mother Gaston Boulevard to the west, Powell Street to the east, New Lots Avenue to the north, and Hegeman Avenue to the south. A portion of the rezoning area is controlled by the applicant, Blocks 3861 and 3862, and is the proposed development site.

The entire project area is currently within an M1-1 zoning district. The applicant proposes to change the zoning to an R7A/C2-4 district and an R7D/C2-4 district. The proposed R7A/C2-4 district would be mapped across the entirety of Block 3860 and portions of Blocks 3861 and 3862 beyond 100 feet and 150 feet of Hegeman Avenue, respectively. The proposed R7D/C2-4 district would be on portions of Blocks 3861 and 3862 within 100 feet and 150 feet of Hegeman Avenue, respectively.

The current M1-1 district permits a range of commercial uses, auto-oriented uses, and light manufacturing uses up to a maximum floor area ratio (FAR) of 1.0, and allows certain community facility uses up to a maximum FAR of 2.4. The bulk regulations for these districts allow a maximum street wall height of 30 feet or two stories, whichever is less, after which height is limited by a sky exposure plane. Accessory off-street parking is required in the M1-1 district at the rate of one space per 1,000 square feet for manufacturing uses or one space per 2,000 square feet for storage uses. Residential uses are not permitted in M1-1 districts.

R7A districts are medium-density contextual districts that permit residential and community facility uses. R7A districts allow a maximum FAR of 4.0 for community facility uses and 4.6 for residential uses with inclusionary housing. The bulk regulations for these districts require a base

height between 40 feet and 75 feet and have a maximum total height limit of 95 feet for inclusionary housing buildings. R7A districts require one off-street parking space for 50 percent of the dwelling units, but within the transit zone, income-restricted housing units do not require parking.

R7D districts are medium-density contextual districts that permit residential and community facility uses, and are generally mapped along important neighborhood corridors. R7D districts allow a maximum FAR of 4.2 for community facility uses and 5.6 for residential uses with inclusionary housing. The bulk regulations for these districts require a base height between 60 feet and 95 feet and have a maximum total height limit of 115 feet for inclusionary housing buildings. R7D districts require one off-street parking space for 50 percent of the dwelling units, but within the transit zone, income-restricted housing units do not require parking.

C2-4 commercial overlays allow local retail uses and commercial development up to 2.0 FAR when combined with R7A and R7D districts. These overlays allow Use Groups 5-9 and 14, which include a wide variety of local neighborhood retail and service uses.. When combined with R7D districts, C2-4 overlays require non-residential ground floor uses, which can be commercial or community facility uses. For general commercial uses, one off-street parking space is required for every 1,000 square feet. Up to 40 spaces may be waived in C2-4 districts.

The proposed project area includes three city blocks predominantly developed with auto repair and auto sales uses, some light industrial uses, and mixed-use residential and commercial buildings. The eastern-most block, Block 3862, is developed with buildings ranging from one to two stories that are industrial in character and used for auto repair and auto sales. The middle block within the project area, Block 3861, is developed with one-story buildings that are industrial in character and used for auto repair. The western-most block, Block 3860, is developed with a one-story industrial building used by a metal fabricator and three two-story mixed-use buildings with ground floor retail and residential uses on the second floor.

A partnership between the Brownsville Linden Plaza, LLC, the Church of God of East Flatbush, Procida Companies, and Brisa Builders Corporation is proposing a development within the rezoning area. The Church of God of East Flatbush is the owner of the proposed development

site (Blocks 3861 and 3862) and currently operates a house of worship located at 409-15 East 95th Street in Brooklyn.

The applicants are proposing to develop two new mixed-use buildings on blocks 3861 and 3862, totaling 406,918 square feet of residential floor area, approximately 531 dwelling units, 27,185 square feet of commercial floor area, and 34,481 square feet of community facility floor area, containing a new house of worship for the Church of God of East Flatbush. The development would be subject to MIH Option 1 or 2, but the applicants are proposing to provide 100 percent affordable units pursuant to regulatory agreements with the Department of Housing Preservation and Development (HPD) and the Housing Development Corporation (HDC). No parking would be provided, as the proposed development is within the transit zone.

Block 3862 would be developed with a nine- and eleven-story building containing 240,408 square feet of residential floor area, totaling 315 affordable dwelling units, 34,481 square feet of community facility floor area for the Church of God of East Flatbush, and 7,498 square feet of commercial retail space on the ground floor. The eleven-story portion of the building would be along Hegeman Avenue, and the nine-story portion of the building would be along New Lots Avenue. All 315 dwelling units in this proposed building would be affordable to households at or below 60 percent of the area median income (AMI) in accordance with the HPD's Extremely Low and Low-Income Affordability (ELLA) program.

Block 3861 would be developed with a seven- and eleven-story building containing 166,510 square feet of residential floor area, totaling 216 affordable dwelling units, and 19,687 square feet of commercial retail space on the ground floor. The eleven-story portion of the building would be along Hegeman Avenue, and the seven-story portion of the building would be along New Lots Avenue. All 216 dwelling units in this proposed building would be affordable to households at or below 80 percent of AMI in accordance with HPD's Mixed Income Program ("Mix and Match").

In addition to the proposed zoning map amendment, the applicant proposes a zoning text amendment to revise Appendix F. The proposed amendment would create a Map 2 of Brooklyn Community District 16 inclusionary housing areas, and would designate the project area as an MIH area with Options 1 and 2.



The options proposed are described as follows:

- Option 1: 25 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 60 percent AMI, with a minimum of 10 percent of housing to be affordable for households at 40 percent AMI.
- Option 2: 30 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 80 percent AMI.

The surrounding area is predominantly within an R6 zoning district, a medium-density residential district, with C2-3 overlays along some corridors. This allows non-contextual, height factor, residential and community facility development generally between two and six stories, and maximum FAR of 2.44. It also allows quality housing development up to 2.2 FAR on narrow streets and 3.0 FAR on wide streets. C2-3 overlays allow 2.0 FAR of local retail and services with a higher off-street parking requirement than C2-4 overlays. The Brownsville Recreation Center and Playground, about 3 acres of mapped parkland, is directly south of the project area. M1-1 districts are mapped to the east of the project area, running along the linear rail corridor of the Bay Ridge Freight Line, and consist of primarily auto repair and sales, auto-oriented retail and fast food, and some small-scale light industrial uses.

The surrounding area is characterized primarily by low- and medium-density residential uses, dominated by two-story single-family attached homes developed under the Nehemiah program of the 1980s. One residential block directly to the northwest of the project area contains the Plaza Residences, three six-story multifamily affordable housing buildings. Open space constitutes another significant land use in the surrounding area. Nearby City-operated parks include the 3.02-acre Brownsville Recreation Center, the 0.03-acre Veteran's Triangle, and 1.9-acre Osborn Playground. Directly to the east of the project area is one block of low- density retail within the M1-1 district. To the east, there is a rail transportation corridor within the M1-1 district used by the Metropolitan Transportation Authority's (MTA) L-train and the Long Island Rail Road's (LIRR) Bay Ridge freight line.

Commission actions in the area include the 2015 Van Sinderen Plaza project (C 160002 ZMK and C 160003 HAK) two blocks east of the proposed project area and the 210-214 Hegeman Avenue project (C 170153 HAK and C 170154 ZSK) one block west of the proposed project

area. The Van Sinderen Plaza project mapped an R7A/C2-4 district to facilitate the development of a 100 percent affordable building including 130 dwelling units with ground floor retail. The 210-214 Hegeman Avenue project approved the development of an eight-story supportive housing development through a UDAAP with disposition and a special permit.

The project area is well-served by public transit, with the MTA's L-train station at New Lots Avenue two blocks east of the project area. This line connects to Broadway Junction three stops away, a major transit hub providing access to the A, C, J, Z subway lines and the LIRR East New York station. Two bus lines also serve the area. The B35 connects to neighborhoods to the west and the industrial area at the waterfront in Sunset Park. The B15 connects to East New York and JFK Airport to the east and connects to Crown Heights and Bedford-Stuyvesant to the northwest.

## **ENVIRONMENTAL REVIEW**

This application (C 170189 ZMK), in conjunction with the application for the related action (N 170190 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 agency is the Commission. The designated CEQR number is 17DCP088K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on March 20, 2017. On July 7, 2017, a Revised Environmental Assessment Statement (EAS) was issued which includes a shadows assessment of an open space resource that was not included in the original EAS. The Revised EAS concluded that the proposed actions would not result in any new or different significant adverse environmental impacts not already identified in the previous Negative Declaration. A Revised Negative Declaration was issued on July 10, 2017. The Revised Negative Declaration reflects the changes to the EAS and supersedes the Negative Declaration issued on March 20, 2017. The Revised Negative Declaration includes (E) designations to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-419), as described below:

The (E) designation text related to hazardous materials would apply to the following sites:

- **Block 3862, Lots 1, 23, 24, 25, and 26 (Projected Development Site 1)**
- **Block 3861, Lots 1 and 6 (Projected Development Site 2)**
- **Block 3860, Lots 1, 3, 4, 5, and 6 (Projected Development Site 3)**

The (E) designation text related to hazardous materials is as follows:

#### **Task 1-Sampling Protocol**

**The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.**

#### **Task 2-Remediation Determination and Protocol**

**A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.**

**If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.**

**A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.**

With the assignment of the above-referenced (E) designation for hazardous materials, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to air quality would apply to the following properties:

- **Block 3862, Lots 1, 23, 24, 25, and 26 (Projected Development Site 1)**
- **Block 3861, Lots 1 and 6 (Projected Development Site 2)**
- **Block 3860, Lots 1, 3, 4, 5, and 6 (Projected Development Site 3)**

The (E) designation text related to air quality is as follows:

**Block 3862, Lots 1, 23, 24, 25, and 26 (Projected Development Site 1)**

**South Building A1**

**Any residential and/or commercial development on the above-referenced property must utilize only natural gas in any fossil fuel-fired HVAC equipment, and HVAC exhaust stack is located at least 113 feet above grade.**

**North Building A2**

**Any residential and/or commercial development on the above-referenced property must utilize only natural gas in any fossil fuel-fired HVAC equipment, and HVAC exhaust stack is located at least 98 feet above grade. HVAC stacks must be located at least 125 feet away from the lot line facing Powell Street, and at least 295 feet away from the lot line facing Hegeman Avenue.**

**Block 3861, Lots 1 and 6 (Projected Development Site 2)**

**North Building B1**

**Any residential and/or commercial development on the above-referenced property must utilize only natural gas in any fossil fuel-fired HVAC equipment, and HVAC exhaust stack is located at most 78 feet above grade. HVAC stacks must be located at least 75 feet away from the lot line facing Sackman Street, and at least 172 feet away from the lot line facing Hegeman Avenue.**

**South Building B2**

**Any residential and/or commercial development on the above-referenced property must utilize only natural gas in any fossil fuel-fired HVAC equipment, and HVAC exhaust stack is located at least 113 feet above grade.**

**Block 3860, Lots 1, 3, 4, 5, and 6 (Projected Development Site 3)**

**Any residential and/or commercial development on the above-referenced property must utilize only natural gas in any fossil fuel-fired HVAC equipment, and HVAC exhaust stack is located at least 98 feet above grade. HVAC stacks must be located at least 33 feet away from the lot line facing Christopher Street, and at least 25 feet away from the lot line facing Hegeman Avenue.**

With the assignment of the above-referenced (E) designation for air quality, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to noise would apply to the following properties:

- **Block 3862, Lots 1, 23, 24, 25, and 26 (Projected Development Site 1)**
- **Block 3861, Lots 1 and 6 (Projected Development Site 2)**
- **Block 3860, Lots 1, 3, 4, 5, and 6 (Projected Development Site 3)**

The text for the (E) designation related to noise is as follows:

**Block 3862, Lots 1, 23, 24, 25, and 26 (Projected Development Site 1)**

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 35 dBA window/wall**

**attenuation on all southern façade facing Hegeman Avenue and western façade facing Powell Street within 100 feet from Hegeman Avenue and 28 dBA of attenuation on all other façade to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

**Block 3861, Lots 1 and 6 (Projected Development Site 2)**

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all façades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

**Block 3860, Lots 1, 3, 4, 5, and 6 (Projected Development Site 3)**

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all façades facing Mother Gaston Boulevard and New Lots Avenue and 28 dBA of attenuation on all other facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

With the assignment of the above-referenced (E) designation for noise, the Proposed Actions would not result in significant adverse impacts.

The City Planning Commission has determined that the proposed action will have no significant effect on the environment.

## **UNIFORM LAND USE REVIEW**

This application (C 170189 ZMK) was certified as complete by the Department of City Planning (DCP) on March 20, 2017, and was duly referred to Brooklyn Community Board 16 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 application for the related action (N 170190 ZRK), which was

duly referred to Brooklyn Community Board 16 and the Brooklyn Borough President on March 20, 2017, in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Brooklyn Community Board 16 held a public hearing on this application (C 170189 ZMK) on April 25, 2017, and on that date, by a vote of 22 in favor, none opposed, and with four abstentions, adopted a recommendation in favor of the application.

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 170189 ZMK) on May 3, 2017, and on June 2, 2017, issued a recommendation approving the application with the following conditions:

“That the New York City Department of Housing Preservation and Development (HPD) incorporates the following in the funding regulatory agreement commitment in writing to the City Council:

1. The extent that it would work with the developer of Ebenezer Plaza to enable constructed ELLA-financed dwellings, through its project financing, to provide as near to 50 percent two- and three-bedroom units as a means to accommodate a greater percentage of families with children, and enable more studio units with rents at 30, 40, 50, and 60 percent AMI, as feasible, in tandem with an enhanced percentage of studio units that might provide opportunities for senior households, including formerly homeless senior according to HPD’s Our Space initiative
2. That local preference be extended to include residents of both Brooklyn Community Districts 5 and 16 (CDs 5 and 16)
3. That the developer be committed to an explicit duration and extent of effort, based on reasonable lease terms:
  - a. Toward securing a FRESH supermarket tenant or an equivalent tenant
  - b. That a portion of the proposed retail space be marketed to art groups, and/or locally-based community organizations in consultation with Brooklyn

Community Board 16 (CB 16) and local elected officials. Furthermore, the developer shall provide in writing to the City Council, prior to its vote, the extent of commitments to actively solicit cultural organizations as potential building occupants include cultural space within the building

4. That the applicant coordinate with the New York City Department of Transportation (DOT) and the New York City Department of Environmental Protection (DEP) as follows:
  - a. That the design of Builders Pavement Plan be developed in coordination with DOT and DEP to promote state-of-the-art practices to advance the mayor's Vision Zero initiative inclusive of traffic-calming measures such as bulbouts/curb-cut extensions, chicanes, pinchpoints, signage and vertical speed control elements (raised intersection, speed bumps/speed tables)
  - b. Encourage the implementation of protected painted sidewalk extensions, per Borough President Adams' CROSS [Connecting Residents On Safer Streets] Brooklyn initiative at the intersections of Hegeman Avenue at Christopher Avenue and Powell and Sackman streets
  - c. Pending the feasibility of protected painted sidewalk extensions, that maintenance be provided by the developer and/or the according to DOT's standard maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner
  - d. Encourage the integration of bioswales as part of new tree plantings and as part of traffic-calming elements such as bulbouts/curb-cut extensions, chicanes and/or pinch points
5. Prior to the granting of its approval, the City Council should obtain the developer's commitments in writing to the extent that it would be pursuing additional resiliency and sustainability measures



6. The developer should provide a written commitment to the City Council prior to its grant of approval, to the extent that the developer would be promoting Brooklyn-based workforce participation measures

Be It Further Resolved:

1. That HPD modifies its affordable housing apartment lottery community preference standards to be inclusive of the school zone attended by a child of a household residing at a City-funded or -operated homeless shelter, and
2. That the CPC and/or the City Council, in order to establish AMI equivalent affordable housing eligibility as a qualifier for those rent-burdened households that would be able to pay the same or have a reduction in their rent by leasing an MIH lottery unit, should advocate for the modification of the MIH section of the ZR pertaining to MIH-designated areas, to be adopted with a requirement that provides eligibility while taking into account rent-burdened status
3. The Metropolitan Transit Authority (MTA)/New York City Transit (NYCT) along with DOT, in consultation with CBs 5 and 16 and local elected officials, should facilitate lighting improvements under the elevated New Lots Avenue train trestle, by introducing a lighting installation that includes participation by such local arts groups as Arts East New York
4. That DOT, in consultation with CB 16 and local elected officials, should facilitate a dialogue with car-sharing companies to stage the placement of automobiles in proximity to Ebenezer Plaza”

**City Planning Commission Public Hearing**

On May 24, 2017 (Calendar No. 1), the Commission scheduled June 7, 2017 for a public hearing on this application (C 170189 ZMK), in conjunction with the related application (N 170190 ZRK). The hearing was duly held on June 7, 2017 (Calendar No. 21). There were four speakers in favor of the application and none in opposition.

The applicant's representative described the the project and the actions requested and provided a rationale for the proposed scale by noting the context of the nearby Van Sinderen Plaza project. A representative of Brisa Builders described the affordability of the units in the proposed development. A representative of Procida Companies discussed the proposed retail space, stating that the developers were working with local community groups to find appropriate tenants, and said that a supermarket was one type of retail the developers hoped to pursue. He also discussed the urban design features and lighting and camera systems to promote pedestrian safety along Sackman Street. The Bishop of the Church of God of East Flatbush explained that the church membership was around 1,000 people and that a parking arrangement with Brookdale Hospital would allow church-goers to park at that facility and use a shuttle service to attend the church on the project site.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 170189 ZMK), in conjunction with the related application for a zoning text amendment (N 170190 ZRK), is appropriate.

The requested actions would facilitate the development of two new mixed-use buildings with ground floor community facility and retail space and approximately 531 affordable dwelling units. Of those, 315 units would be affordable to households with incomes at or below 60 percent of AMI pursuant to HPD's ELLA program and 216 units would be affordable at or below 80 percent of AMI, pursuant to HPD's Mix and Match program. The proposed development would facilitate new affordable housing to help address the dire need for more housing in Brooklyn and in the City overall, consistent with City objectives for promoting housing production and affordability. In addition, it would redevelop underutilized sites that have excellent transit access and are adjacent to a significant open space resource in the Brownsville neighborhood. The proposed development would significantly improve the connection between the residential neighborhoods of southern Brownsville and the Brownsville Recreation Center and Playground.

The proposed zoning text amendment would establish an MIH area coterminous with the rezoning area, requiring permanent affordability for a portion of the units on the sites. The

proposed development would create approximately 132 units of permanently affordable housing with the MIH program Option 1.

The Commission believes that the proposed zoning changes would facilitate new development appropriate for the location. The rezoning area is appropriate for the residential density expected in the proposed R7A and R7D districts, given its proximity to transit and access to open space. The proposed transit-oriented development resulting from this rezoning would provide affordable homes for families and individuals with transit access to employment centers, as well as access to a major open space resource. The rezoning area is appropriate for the retail uses expected from the proposed C2-4 overlay, given the need for retail in this underserved area of Brownsville. The resulting retail uses would activate the streetscape and provide a lively pedestrian connection to the Brownsville Recreation Center and Playground.

The proposed R7A and R7D districts would allow building heights and bulk appropriate for this location. The proposed R7D district would be mapped along the southern edge of the rezoning area, fronting on Hegeman Avenue, which faces a large open space containing the Brownsville Playground, the 170-foot wide Linden Boulevard, and the adjacent rail corridor. Therefore, there is no conflicting built context in the immediate vicinity of the proposed R7D district. The proposed R7A district would be mapped on the northern edge of the rezoning area, fronting on New Lots Avenue. Because this district has a lower height limit than the R7D, it serves as a buffer between the R7D and the existing R6 district across New Lots Avenue, requiring development that would step down in height to transition to the R6 context north of the rezoning area. The height and bulk expected in the R7A district is appropriate for New Lots Avenue at this location, as evidenced by the Commission's approval of the Van Sinderen Plaza rezoning (C 160002 ZMK) in 2015, mapping an R7A/C2-4 district along New Lots Avenue, two blocks east of the project area. New Lots Avenue is an important 70-foot wide corridor with significant pedestrian activity and direct transit access.

The Borough President has requested that HPD incorporate a number of provisions into the regulatory agreement. The Commission notes that this application seeks only changes to the Zoning Map and Zoning Text and is not for a specific project or building configuration. Therefore, recommendations for HPD actions are outside the scope of review for these zoning

actions. Nevertheless, the Commission encourages HPD and the applicant to take these recommendations under consideration.

The Commission notes that additional recommendations of the Borough President for modifications to the MIH program and affordable housing marketing procedures are also 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 20, 2017, and Revised EAS for which a Revised Negative Declaration was issued on July 10, 2017 with respect to this application (CEQR No. 17DCP088K), 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. 17d:

1. changing from an M1-1 District to an R7A District property bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard;
2. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;
3. establishing within a proposed R7A District a C2-4 District bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard; and
4. establishing within a proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;

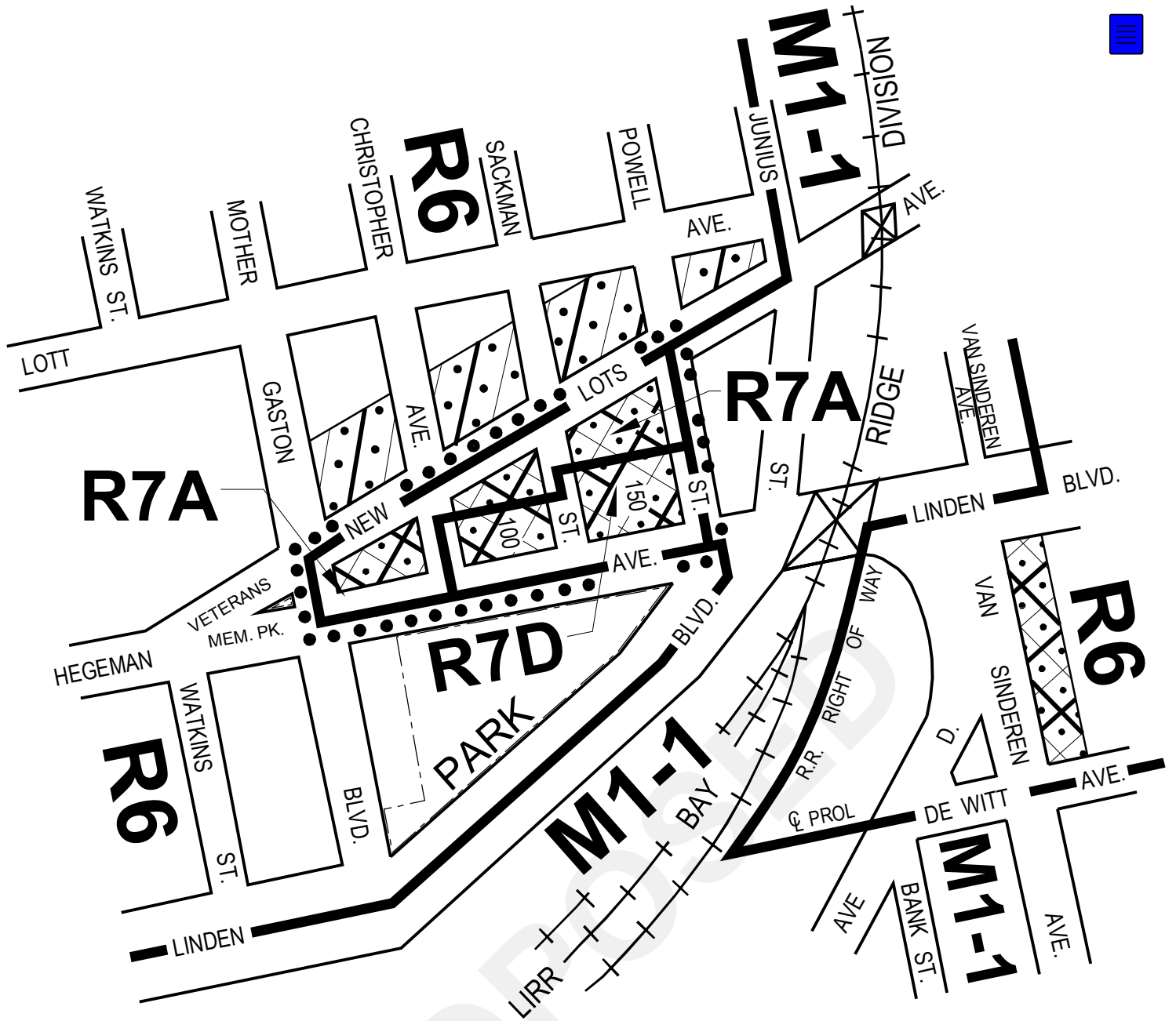
Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated March 20, 2017, and subject to the conditions of CEQR Declaration E-419.

The above resolution (C 170189 ZMK), duly adopted by the City Planning Commission on July 12, 2017 (Calendar No. 15), 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*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,  
MICHELLE DE LA UZ, RICHARD W. EADDY, CHERYL COHEN EFFRON,  
ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ**, *Commissioners*

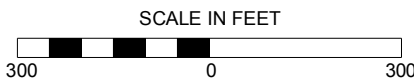


CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**17d**



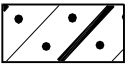

BOROUGH OF  
**BROOKLYN**

New York, Certification Date  
 MARCH 20, 2017

S. Lenard, Director  
 Technical Review Division



**NOTE:**

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by changing an existing M1-1 District to R7A and R7D Districts, and by establishing a C2-4 District within the proposed R7A and R7D Districts.
-  Indicates a C2-3 District.
-  Indicates a C2-4 District.

Application #: **C 170189 ZMK**

Project Name: **Ebenezer Plaza**

CEQR Number: 17DCP088K

Borough(s): Brooklyn

Community District Number(s): 16

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](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 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:*

**IN THE MATTER OF** an application submitted by Brownsville Linden Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d:

- changing from an M1-1 District to an R7A District property bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard;
- changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;
- establishing within a proposed R7A District a C2-4 District bounded by New Lots Avenue, Powell Street, a line 150 feet northerly of Hegeman Avenue, Sackman Street, a line 100 feet northerly of Hegeman Avenue, Christopher Avenue, Hegeman Avenue, and Mother Gaston Boulevard; and
- establishing within a proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Hegeman Avenue, Sackman Street, a line 150 feet northerly of Hegeman Avenue, Powell Street, Hegeman Avenue, and Christopher Avenue;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated March 20, 2017, and subject to the conditions of CEQR Declaration E-419.

<b>Applicant(s):</b> Brownsville Linden Plaza LLC 2009 Flatbush Avenue 1st Floor Brooklyn, NY 11234		<b>Applicant's Representative:</b> Richard Lobel Sheldon Lobel, P.C. 18 E. 41st Street, 5th Fl New York, NY 10017	
<b>Recommendation submitted by:</b> Brooklyn                      Community Board 16			
<b>Date of public hearing:</b> April 25, 2017		<b>Location:</b> 444 Thomas S. Boyland Street	
<b>Was a quorum present?</b> YES <input checked="" 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>	
<b>Date of Vote:</b>		<b>Location:</b>	
<b>RECOMMENDATION</b>			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>			
<b>Voting</b>			
# In Favor: 22		# Against: 0	
# Abstaining: 4		Total members appointed to the board: <b>47</b>	
<b>Name of CB/BB officer completing this form</b> Genese Morgan		<b>Title</b> Chairperson	<b>Date</b> 5/3/2017

Application # C170189ZMK

CEQR Number: 17DCP088K

Community Board #16 supports the rezoning application submitted by Brownsville Linden Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d of an area that is presently zoned M1-1 to an R7A and R7D District with a C2-4 overlay property generally bounded by Powell Street, Hegeman Avenue, Mother Gaston Boulevard, and New Lots Avenue.

The rezoning of Blocks 3861 and 3862 will facilitate the development of 531 units of quality affordable rental housings for varying tiers of household income eligibility and allow the greatest number of Community District #16 residents an opportunity to apply for the units. In addition, approximately 20,000 square feet of retail space will be created and increase the economic development opportunities of that section of Community District #16.

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**Brooklyn Borough President Recommendation**

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
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**

EBENEZER PLAZA – 170189 ZMK AND 170190 ZRK

In the matter of the applications submitted by Brownsville Linden Plaza, LLC, pursuant to Section 197-c and 201 of the New York City Charter, seeking zoning map and zoning text amendments for three blocks bounded by Hegeman Avenue, New Lots Avenue, Mother Gaston Boulevard, and Powell Street, in the Brownsville section of Brooklyn Community District 16 (CD 16). The zoning map amendment would rezone the existing M1-1 district to R7A and R7D districts, with a C2-4 overlay, and the zoning text amendment would designate the blocks as a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate two mixed-use developments, consisting of a total of 406,918 square feet of residential floor area, 27,185 square feet of commercial retail floor area, and 34,481 square feet of community facility floor area, for use by the Church of God of East Flatbush. Together, the developments will include 531 affordable dwelling units, of which 315 units will be set aside for households earning up to 60 percent of area median income (AMI) and 216 units will be set aside for households earning up to 80 percent of AMI.

BROOKLYN COMMUNITY DISTRICT NO. 16

BOROUGH OF BROOKLYN

**RECOMMENDATION**

- APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

- DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

June 2, 2017

DATE

**RECOMMENDATION FOR: EBENEZER PLAZA – 170189 ZMK AND 170190 ZRK**

The applications submitted by Brownsville Linden Plaza, LLC, pursuant to Section 197-c and 201 of the New York City Charter, seek zoning map and zoning text amendments for three blocks bounded by Hegeman Avenue, New Lots Avenue, Mother Gaston Boulevard, and Powell Street, in the Brownsville section of Brooklyn Community District 16 (CD 16). The zoning map amendment would rezone the existing M1-1 district to R7A and R7D districts, with a C2-4 overlay, and the zoning text amendment would designate the blocks as a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate two mixed-use developments, consisting of a total of 406,918 square feet of residential floor area, 27,185 square feet of commercial retail floor area, and 34,481 square feet of community facility floor area, for use by the Church of God of East Flatbush. Together, the developments will include 531 affordable dwelling units, of which 315 units will be set aside for households earning up to 60 percent of area median income (AMI) and 216 units will be set aside for households earning up to 80 percent of AMI.

On May 3, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on this item. There were no speakers on this item.

In response to Borough President Adams' inquiry to clarify details with regard to the affordable housing, the representative stated that the full regulatory agreement has not yet been negotiated with the New York City Department of Housing Preservation and Development (HPD) but it is anticipated that the affordability will be in place for at least 60 years. In the first phase of the project, approximately 20 percent of the units will use HPD's Our Space Initiative, which targets the formerly homeless working population, and includes six studios, 37 one-bedrooms, nine two-bedrooms, and 10 three-bedrooms. The rents for Our Space Initiative units have not yet been released for 2017 but are usually between 10 and 27 percent of AMI, and will run currently with the other HPD programs set in place. Additionally, initial transitional services will be provided for such residents. The 50 percent community preference will be spread equally across each program for each phase of the project.

In response to Borough President Adams' inquiry to clarify the marketing strategies for the tenant selection process, the applicant stated that a management company has been identified and will follow the guidelines and regulations set by HPD regarding utilizing the Housing Connect program through the lottery system. Additionally, the Church of God of East Flatbush has a subsidiary non-profit, the Hope Center Development Corporation, committed to educating both Brownsville and East Flatbush residents on financial literacy and housing lottery.

In response to Borough President Adams' policy of providing more family-sized affordable housing units, the applicant stated the current unit mix is the result of conversations with Brooklyn Community Board 16 (CB 16), which voiced the need for more family-sized units from the initial proposal. The current unit mix provides the greatest number of such units as is financially feasible utilizing the proposed programs. The applicant stated that HPD guidelines do not allow for mixing the terms sheets for such programs as the Extremely Low and Low-Income Affordability (ELLA) and the Senior Affordable Rental Apartments (SARA). The applicant is open to continued conversations with HPD regarding the reworking of the proposed unit mix and providing affordable housing units for seniors.

In response to Borough President Adams' inquiry regarding the inclusion of a Food Retail Expansion to Support Health (FRESH) supermarket and local non-profit organizations in the ground-floor spaces, the applicant's representative stated that the developer initially reached out to a couple of supermarkets. However, in accordance with the FRESH program floor area ratio (FAR) bonus, if the grocer was to vacate the building, the developer would lose the Certificate of

Occupancy for the units affected. The representative stated that the conversations are not off the table and they will continue discussing any potential future opportunities for a FRESH supermarket. Additionally, the developer has already reached out to Made in Brownsville (MiB) and the Melting Pot Foundation regarding utilizing the ground floor retail space.

In response to Borough President Adams' concerns regarding pedestrian safety along Hegeman Avenue, between Linden and Mother Gaston boulevards, the representative acknowledged that this is in fact a dangerous intersection as cars merging off Linden Boulevard are traveling at high speeds. However, the traffic study performed as part of the Environmental Assessment Statement (EAS) did not reveal any significant impacts. The applicant is open to working with the office of Borough President Adams and the New York City Department of Transportation (DOT) regarding any potential efforts to create a safer pedestrian experience along this stretch of Hegeman Avenue.

In response to Borough President Adams' policy of promoting the use of renewable and sustainable energy resources and promoting practices to retain stormwater runoff, the applicant's representative stated that the development will include white roofs. The representative stated that a solar study revealed that the layout of the proposed roofs and the natural orientation of the buildings will not provide a sufficient return on investment, thus the developer has decided not to incorporate solar panels. The representative also stated that stormwater retention techniques will be incorporated throughout the development, including the landscaped areas, which will contain permeable pavers and other sustainable techniques. While Passive House design was considered for this development, it was not deemed feasible. However, the applicant is willing to explore the idea of Passive House design for the second phase of the development.

In response to Borough President Adams' policy of maximizing job opportunities for Brooklynites and procuring supplies locally through the inclusion of Local Business Enterprises (LBE) and Minority- and Women-Owned Business Enterprises (MWBE), the applicant stated that they are working with several non-profit organizations in order to ensure the participation of the aforementioned enterprises. The applicant will also be utilizing the New York City Hiring Program, which has a mandated participation of 30 percent of LBEs and MWBEs. The applicant also stated that they have already started conversations with New York State Chapter of the National Association of Minority Contractors and other local organizations. Additionally, demolition of the existing conditions on the site is already slated to begin within the next couple of months, utilizing Brooklyn-based minority- and veteran-owned business.

### **Consideration**

CB 16 approved this application without conditions.

The proposed land use actions seek to transform three blocks bounded between Hegeman and New Lots avenues, Mother Gaston Boulevard, and Powell Street, into a vibrant mixed-use area by adding population density and a house of worship, while also creating retail opportunities. The Ebenezer Plaza development will consist of seven-, nine-, and 11-story mixed-use buildings with a total of 531 affordable housing rental units, ground floor retail, and space for a house of worship.

Ebenezer Plaza would occupy two eastern blocks of the three blocks containing the rezoning area, west of Christopher Avenue, now zoned to accommodate light manufacturing use. Most recent uses include one light manufacturing business, a mix of auto repair and sales lots, and limited local retail uses.

The developer would be utilizing a combination of HPD programs to finance the construction of the proposed development. HPD's ELLA program will be used for the 100 percent affordable housing development of the block bounded by Hegeman, New Lots, and Sackman avenues, and Powell



Street, with all units affordable to households earning up to 60 percent of AMI. HPD's Mix and Match (M<sup>2</sup>) program will be used to finance the construction of the 100 percent affordable housing development on the block bounded by Christopher, Hegeman, New Lots, and Sackman avenues, with all units at low-income rents affordable to households earning up to 80 percent of AMI.

Pursuant to New York City Zoning Resolution (ZR) Appendix I, there is no requirement for on-site parking due to the project's 100 percent affordability, as these blocks are located within the Transit Zone, with close proximity to the L 14<sup>th</sup> Street – Canarsie Local line's New Lots Avenue station located approximately one-quarter mile to the east of the development site at Van Sinderen Avenue. In addition, there are multiple public transit options in the area including the B8 line along Linden Boulevard, the B15 and B35 bus lines along Hegeman Avenue, and the B60 line along Rockaway Avenue.

The proposed development is also located within a FRESH program area that provides discretionary tax and zoning incentives.

Borough President Adams supports development that addresses the City's affordable housing objectives by facilitating development of underutilized land for productive uses that address the City's need for additional affordable housing. He supports facilitating such development through the mapping of height-based zoning districts as a means to promote certainty within the host community of how many stories would be permitted.

Borough President Adams supports rezoning when paired with the ZR's MIH program as a means to achieve permanently affordable housing units. The affordability options of the MIH program provide a range of opportunities to address the need for housing that serves a broad range of diverse incomes, consistent with Borough President Adams' objectives to provide affordable housing to households through various income band targets.

Borough President Adams believes that there are limited and unique circumstances when it is appropriate to rezone manufacturing-zoned blocks. Such blocks must be located outside of the designated Industrial Business Zones (IBZ) and existing and/or recent land use should generally exclude those uses that require a manufacturing zoning district designation. The existing context should be adjacent to residential development and uses that are supportive of the residential community. In addition, such resulting development must further Borough President Adams' policies to promote housing affordability across multiple income tiers. With this proposed zoning map amendment, no sections of these blocks are located within or adjacent to an IBZ. The existing and/or recent uses are/were primarily automotive-related that would conform with a C8 zoning district designation. Residential use would be established in a manner that would better connect the Brownsville Recreation Center to the residential core of the Brownsville community. The predominant residential use within Ebenezer Plaza is compatible with the prevailing residential character of the area north of New Lots Avenue and west of Mother Gaston Boulevard. The area is characterized by two-story, attached, single-family homes developed under the Nehemiah Program in the 1980s; community gardens, and the Plaza Residences with 385 units of affordable housing in three six-story buildings built in the 1960s. The proposed development would provide housing opportunities to a diverse range of household incomes to apply for apartments through the affordable housing lottery.

Brooklyn is one of the fastest growing communities in the New York metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites.

The rezoning would be consistent with Mayor Bill de Blasio's goal of achieving 200,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," through the development of affordable and supportive housing for the city's most vulnerable residents. In addition, the proposed rezoning for the Ebenezer Plaza site is a result of Borough President Adams' Faith-Based Development Initiative, which works to harness the power of faith-based institutions in Brooklyn, widely known as the "Borough of Churches," to help solve the challenge of housing affordability.

Borough President Adams' Faith-Based Development Initiative connects local houses of worship with information and resources to explore opportunities for developing their properties to create affordable housing and other community benefits. The Church of God of East Flatbush is one of many faith-based organizations in the borough that, in this location, would have air rights where affordable housing can be developed pursuant to the proposed rezoning.

It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible. This development would result in some permanent affordable housing according to MIH as well as units remaining affordable for at least 30 years of the regulatory agreement. Somewhere between 25 and 30 percent of the residential unit zoning floor area is intended to be constructed pursuant to MIH program, with its generated bonus floor area. In the first phase of development, this floor area would include a portion that would be permanently affordable to households earning 40 percent of AMI, with an average rent roll affordable to households earning 60 percent of AMI. For the second phase, the average rent roll would be 80 percent of AMI. Development adhering to the MIH program is consistent with Borough President Adams' policy for affordable housing development to remain permanently affordable. For the remaining residential floor area, there is no formal commitment that would guarantee the duration of affordability for these housing units. As tenants move out after the expiration of such regulatory agreement, those units would no longer be a mandated affordable housing resource. Borough President Adams understands that the Church of God of East Flatbush would have discretion at that point to continue to maximize affordable housing opportunities or address other priorities through these non-MIH units.

Borough President Adams is generally supportive of the proposed development. He does believe that there are opportunities to improve the proposal while furthering his policies as well as improve the immediate surroundings. Borough President Adams has interest in advancing his policies regarding the appropriateness of the unit bedroom mix; enhancing opportunities for community preference, including access to these units for homeless families and improving affordability eligibility standards; accommodating community use, access to fresh food and jobs; advancing pedestrian safety measures; advancing resilient energy and sustainable and stormwater management policies; improving train station lighting, and improving transportation options.

### **Achieving a Family-Sized Affordable Housing Unit Mix**

According to the application documents, Ebenezer Plaza would consist of approximately nine percent studio apartments, 60 percent one-bedroom apartments, 15 percent two-bedroom apartments, and 16 percent three-bedroom apartments. A recent report identified that the rent-burdened households, which typically represent those households applying to the City's affordable housing lotteries, are more likely to require family-sized unit types. Therefore, Borough President Adams is concerned that the mix of the proposed affordable housing units would not adequately reflect the unique needs of CD 16's low- to middle-income rent-burdened communities. Borough President Adams believes that right-sizing the bedroom distribution is more important than maximizing the number of affordable housing units.

Borough President Adams believes that discretionary land use actions are appropriate opportunities to advance policies that constrain what would otherwise be permitted as-of-right. He believes that Ebenezer Plaza presents an opportunity to achieve more family-sized units for the non-elderly and believes that a minimum threshold for non-independent residences for senior housing to accommodate family-sized apartments must be significantly increased, particularly for the HPD ELLA-financed units. Borough President Adams ideally supports having at least 50 percent of two- or more bedroom affordable housing units and at least 75 percent of one- or more bedroom affordable housing units, consistent with zoning text for Inclusionary Housing floor area, pursuant to ZR 23-96(c)(1)(ii).

During the public hearing on May 3, 2017, the developer stated that the existing bedroom mix reflects conversations with representatives of CB 16 in which it was urged to reduce the number of studio units. As a solution, the developer also significantly reduced the number of two- and three-bedroom units. According to the developer, the presented unit mix provides the greatest number of such units as is financially feasible utilizing the proposed HPD programs.

Borough President Adams believes that the residential floor area should be designed to provide for an increase in the number of two- and three-bedroom dwelling units as a means to accommodate a greater percentage of families with children, ranging from rents meant to accommodate households qualifying at 30, 40, 50, and 60 percent AMI. In addition, he believes that such floor area should have an expanded number of studio units with rents at 30, 40, and 50 percent AMI, as a means to accommodate a greater percentage of senior households, including formerly homeless seniors according to HPD's Our Space Initiative.

HPD's Our Space Initiative funds the new construction of rental units affordable to formerly homeless households whose incomes are at or below 30 percent of AMI. Homeless referrals to Ebenezer Plaza must come from HPD and rents will be underwritten based on public assistance shelter allowance. The Our Space Initiative subsidy is in addition to the HPD funding available through HPD New Construction Finance programs.

Therefore, Borough President Adams seeks that HPD provide a commitment in writing to the City Council to the extent that it would work with the developer to enable the dwelling units financed by the ELLA program, to provide as near to 50 percent two- and three-bedroom units, and to enable more studio units at 30, 40, 50, and 60 percent AMI, as feasible.

**Community Preference: Proximity to Community District Boundary**

City local preference policy is at times unfair to community residents who live just beyond the border of a community district. Given that these development sites are near the border shared with CD 5, HPD should extend the local preference to the boundaries, such as extending out through the ZIP code. Residents living in nearby blocks, just within CD 5, are also in need of quality affordable housing, especially considering the local subway station is shared by residents of both community districts, making the development apparent to residents of both neighborhoods.

This is particularly important given that the residential neighborhoods of Brownsville and East New York are inclusive of small buildings that are not subject to rent protection laws. In considering the potential for direct and indirect displacement due to investment in the context of the East New York Rezoning (which includes both CDs 5 and 16), Borough President Adams believes this development has potential to lend itself as a relocation resource. Therefore, prior to the vote of the City Council, HPD should memorialize in the financing regulatory agreement between the developer and HPD that local preference would be given for community residents of both CDs 5 and 16.



### **Enhancing Access to Fresh Food**

It is one of Borough President Adams' policies to review all appropriate land use applications to determine whether it is appropriate to include a supermarket within the plans. He is concerned with the limited access to affordable fresh food stores in many neighborhoods. In order for all of Brooklyn to flourish, it is imperative that the borough's residents have an adequate supply of grocery stores and supermarkets in their neighborhoods so as to access fresh and affordable foods. Access to healthy food options, whether creating more options and/or maintaining access to healthy food options has been a top priority for Borough President Adams.

The Brownsville community, a designated food desert, is an area underserved by fresh, quality food options. In response, the ZR recently established FRESH program incentives and the City has financing available through its FRESH initiative. The location of this site makes it eligible for these financing and zoning initiatives and its proposed retail footprint provides the opportunity for supermarket use to be established as part of the development of this site.

Borough President Adams commends the developer's stated interest to pursue a supermarket operator as a tenant. Securing such a tenant would greatly improve fresh food access in the neighborhood. Subsequent to the hearing, the office of Borough President Adams provided the developer with contacts of those who might be interested in operating a supermarket as part of this development. Borough President Adams believes that though the developer is not in a position to utilize the ZR's FRESH incentives, there would be an opportunity for a supermarket tenant to utilize the financing available through the FRESH initiative. He believes that it is appropriate to memorialize the developer's intent to seek a supermarket operation in a manner consistent with the FRESH program as part of the HPD financing regulatory agreement.

Therefore, prior to the City Council vote, HPD should memorialize in the financing regulatory agreement between the developer and HPD the extent and duration of effort, based on reasonable lease terms, toward securing a FRESH supermarket or its equivalent.

### **Accommodating Community Uses**

It is one of Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space. These organizations play an important role in the neighborhoods they serve, though it is too often a challenge to secure sufficient affordable space to maintain their programming and to flourish.

Last June, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining the challenges facing artists in the borough, along with accompanying recommendations. The report highlights the benefits of arts and dance, including maintaining physical fitness and enjoying creative self-expression, as well as contributions to the vibrant culture of Brooklyn.

Data shows that such cultural activities create a variety of positive contributions, including combating the borough's high rate of obesity — 59 percent of adults as of 2013 are obese, according to the New York State Department of Health (NYSDOH) — and helping children succeed in school, a finding supported by research released by the Citizens' Committee for Children of New York, Inc. Moreover, dance has been a significant part of the impact that the arts have had on economic development in Brooklyn; a 2015 report from the Center for an Urban Future found a 20 percent increase since 2006 in attendance at events organized by local cultural institutions, benefitting the borough's business community. Borough President Adams' findings also detail many challenges facing the local arts community, such as an absence of diversity — fewer than half of the individuals working in dance in Brooklyn are people of color, based on 2000 United States Census data. Additionally, funding for the arts has decreased dramatically in New York City

in recent years, including by 37 percent from the New York State Council of the Arts (NYSCA), 15 percent from the National Endowment for the Arts (NEA), and 16 percent from the New York City Department of Cultural Affairs (DCLA).

There are many cultural and dance organizations that have contacted Borough President Adams seeking assistance securing space to grow and sustain the programming provided. In response to those concerns, Borough President Adams' policy is to review discretionary land use actions for their appropriateness to promote cultural and dance activities.

The location for the proposed Ebenezer Plaza development is well-suited for inclusion of locating conveniently accessible cultural and/or dance activities and other community uses given the proximity to the bus and subway lines that serve Brownsville and East New York. Some of the proposed retail frontage along New Lots Avenue might make a suitable location for community uses. Borough President Adams believes that a portion of the proposed retail space could be marketed to local art groups, and/or locally-based community organizations, though such uses cannot afford to compete with the rent that retail use would likely pay to lease at this location.

Borough President Adams believes that the developer should actively solicit cultural and dance organizations as well as other community uses as potential building occupants. In addition, HPD should memorialize in the funding regulatory agreement between the developer and HPD that a portion of the proposed retail space be marketed to art groups, and/or locally-based community organizations in consultation with CB 16 and local elected officials. Furthermore, the applicant should provide in writing to the City Council, prior to its vote, the extent of commitments to include cultural space within the building.

### **Advancing Vision Zero Policies**

As a supporter of the Mayor's Vision Zero strategy, Borough President Adams seeks opportunities through his review of discretionary land use actions through the City's ULURP process. In consideration that the pending Ebenezer Plaza would be constructed across Hegeman Avenue from the Brownsville Recreation Center and that this segment of Hegeman Avenue is essentially a deceleration lane exiting from westbound Linden Boulevard, Borough President Adams believes that the roadway should be redesigned as part of the Vision Zero initiative.

One component of Vision Zero is to extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes, such as DOT's Safe Routes to School program in which DOT installs traffic-calming infrastructure, such as sidewalk extensions or neck-downs at intersections where there is increased presence of children. These sidewalk extensions make drivers more aware of pedestrian crossings and encourage drivers to slow down at intersections where pedestrians are present.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents on Safer Streets, or CROSS Brooklyn. This program supports the creation of curb extensions or sidewalk 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, children and seniors will benefit because more of their commute will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadway will benefit from safer streets.

With the eastern terminus of Hegeman Street essentially serving Linden Boulevard as a westbound deceleration exit lane, Borough President Adams believes safety enhancement should extend beyond the incorporation of curb extensions. He believes that in development of the design of the Builders Pavement Plan there should be an opportunity to promote state-of-the art speed reduction traffic-calming practices to advance the mayor's Vision Zero initiative in coordination



with DOT. In addition to bulbouts/curb-cut extensions, such traffic-calming measures might incorporate chicanes — a series of road bed narrowing and/or horizontal deflection of the road bed expected to reduce vehicle speed, mid-block curb extensions — also known as pinchpoints, signage, street-placed trees, and vertical speed control elements (raised intersection, speed bumps/speed tables). Such features should be further coordinated with the New York City Department of Environmental Protection (DEP) in terms of bioswale placement opportunities.

Borough President Adams believes that the developer should coordinate with DOT to investigate the intersection of Hegeman Avenue with Christopher Avenue and Powell and Sackman streets with the goal of providing sidewalk extensions as a means of increasing pedestrian safety. He recognizes that the cost associated with construction of sidewalk extensions can be very high based on the need to modify utilities and/or infrastructure. Therefore, Borough President Adams would urge DOT to at least explore the implementation of protected painted sidewalk extensions until available capital resources are secured. Should implementation meet the criteria of DOT, it should consult with CB 16 and local elected officials before undertaking such improvements, as such painted extensions require a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. In order to be implemented, Borough President Adams believes that any combination of applicant and/or the Church of God of East Flatbush, would be appropriate parties to enter into such a maintenance agreement.

Therefore, the developer should coordinate the design of Builders Pavement Plan with DOT to promote state-of-the art practices to advance the mayor's Vision Zero initiative inclusive of traffic-calming measures such as: bulbouts/curb-cut extensions, chicanes, pinchpoints, signage, and vertical speed control elements (raised intersection, speed bumps/speed tables). As a measure to partially expedite such improvements, he believes that DOT should have the intersection investigated for implementation of protected painted sidewalk extensions, per Borough President Adams' CROSS Brooklyn initiative at Hegeman Avenue with Christopher Avenue and Powell and Sackman streets. To the extent DOT supports such implementation, the applicant and/or the Church of God of East Flatbush should agree to execute DOT's required maintenance agreement. Borough President Adams furthermore encourages the integration of bioswales as part of new tree plantings and as part of traffic calming elements such as bulbouts/curb-cut extensions, chicanes, and/or pinchpoints.

### **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, Passive House construction, solar panels, and/or wind turbines. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, New York State Energy Research and Development Authority (NYSERDA), and/or New York Power Authority (NYPA) at each project site. Such modifications would increase energy efficiency and reduce the 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 bioswales that advance DEP green-water/stormwater strategies. Bioswales, blue/green roofs, and permeable pavers would deflect stormwater from entering the City's water pollution control plants. According to the "New York City Green Infrastructure 2014 Annual Report," green infrastructure plays a critical role in addressing water quality challenges and provides numerous environmental, social, and economic co-benefits.

The developer represented that the design of the first phase site has progressed beyond a point to where it would be too late to pursue a Passive House design though suggested that Passive House construction would be given consideration for the second site. The rooftop would be white across all roof surfaces. The developer intends to reach out to the environmental consultant to determine if inclusion of a wind turbine would make sense. In terms of advancing DEP's green-

water/stormwater strategies, it would be realized by incorporating permeable pavers in the construction of the plaza.

As an additional resiliency and sustainability measure, Borough President Adams encourages the developer to pursue the construction of bioswales as part of the proposed Builders Pavement Plan in coordination with DEP. Such bioswales could also be incorporated into the aforementioned traffic-calming measures.

Prior to the granting of its approval, the City Council should obtain the developer's commitments in writing to the extent that it would be pursuing additional resiliency and sustainability measures.

### **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 will create 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 our 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 and including those that qualify as LBE and MWBE 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, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation).

As Ebenezer Plaza's funding includes financing/subsidizing participation for which HPD contributes no less than two million dollars, the developer must participate in HPD's MWBE Building Opportunity Initiative's Build Up program. For these projects, at least a quarter of HPD-supported costs are to be spent on certified MWBE construction contractors and professional service providers. Borough President Adams believes that according to the Build Up program there would be reasonable opportunities to address demonstrated disparities in MWBE participation in affordable housing development process. Developments required to participate in this program requires developers/borrowers to spend at least one quarter of HPD-supported costs on certified MWBEs over the course of design and construction of an HPD-subsidized project. Developers may adopt a goal higher than the minimum. All payments to certified MWBEs performing construction or providing professional services count toward the goal. For example, payments going towards an MWBE architect or an MWBE painter will count toward the goal. As part of the process to meet the minimum participation of MWBE, prior to construction loan closing, developers/borrowers are required to complete an implementation plan to identify MWBEs either under consideration or in contract and describe what steps will be taken to meet the project's applicable MWBE participation goal. The construction loan closing document contains a set dollar value of the MWBE participation goal and requires the developer to adhere to all program requirements. During construction, there are quarterly submission requirements for documenting progress and payment made to eligible MWBE businesses. HPD stands behind this initiative with staffing to support borrowers/developers and their general contractors' efforts to meet the project's MWBE participation goal including compiled resources to help borrowers/developers and their general contractors find MWBEs.

Through HPD's initiative, Borough President Adams believes that the project developer should continue the emphasis to retain Brooklyn-based contractors and subcontractors, especially those who are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and LBE and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation). To date, demolition of the existing buildings would be

undertaken by a Brooklyn-based minority contracting company that includes military veteran participation.

Prior to the granting of its approval, the City Council should obtain a commitment in writing from the developer to the extent that it would be promoting such Brooklyn-based workforce participation measures.

**Community Preference: Inclusion of Homeless Shelter Student Population by School Zone**

The City's housing lottery selection preference policy includes a pathway for achieving a preference of 50 percent or more for applicants residing in the community district where such affordable housing is being provided. There are additional pathways identified for priority lottery selection to become the tenant for such affordable housing units, such as United States Armed Forces veteran status, qualified disabilities, and more. Given the extent of the increase in homeless families with school-age children entering the public shelter system, Borough President Adams believes it is appropriate for HPD to also extend lottery local preference to include the school zone and any nearby neighboring school zone attended by a child of a household residing at a City-funded or -operated homeless shelter.

This is especially important given the number of students living in homeless shelters. The New York City Independent Budget Office (IBO) recently produced a report analyzing homeless rates in schools. School student registration data identifies those residing in public shelters as Students in Temporary Housing (STH). Using data from as recent as the 2014-2015 school year, a review of the 50 schools in Brooklyn with the highest percentage of STH enrollment identifies approximately 4,300 students attending such Brooklyn schools with more than 18 percent of the enrollment categorized as STH.

Research indicates that students managing such living accommodations are most challenged in achieving optimum academic performance. Such students are more likely to lack access to technology, such as computers, that would aid with homework and research assignments, as well as access to a quiet space to complete such assignments and study for exams. In addition, commuting from the shelter to and from the school for many students consumes significantly more time. Such commutes often make it difficult to participate in extracurricular educational and/or social school activities, which might otherwise enhance the school academic and community experience.

Many parents and students find it important to retain school continuity despite the circumstances that require the household to be dependent on the City's homeless shelter system. Borough President Adams believes that it should be the policy of the City to take actions that would eliminate such hardships. One such action would be to enable the working income-challenged households with children attending public schools to qualify for community local preference on the basis of where the child is enrolled in school.

According to the interactive map provided by the Institute for Children, Poverty, and Homelessness (ICPH), there are five elementary schools within a few blocks of the proposed the Ebenezer Plaza development site, within the New York City Community School District (CSD) 23, containing a combined total of approximately 300 homeless students. Such students and their families should be considered as part of the 50 percent local preference.

Borough President Adams believes that HPD should modify its affordable housing apartment lottery community preference standards to include the school zone attended by a child of a household residing at a City-funded or -operated homeless shelter.



## **Accommodating Rent-Burdened Households in Lieu of Strict Area Median Income Standards**

Borough President Adams supports Mayor Bill de Blasio's goal of achieving 200,000 affordable housing units over the next decade. Brooklyn is one of the fastest growing communities in the New York City metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of long-time residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through the creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites. Among numerous strategies and approaches, Borough President Adams is committed to advancing his affordable housing policy through his role in the ULURP. The development of much-needed affordable housing provides opportunities to existing neighborhood residents at risk for displacement or increased degree of being rent-burdened.

Data shows that more than 80 percent of those making 50 percent of AMI or less are rent-burdened. The crisis is even worse among the lowest-income citizens, those making 30 percent of AMI or less, currently \$23,310 for a family of three. Among this population, well over 50 percent pay more than half of their income toward rent. More than a fifth of New York City households — over two million people — earn less than \$25,000 a year and almost a third make less than \$35,000. As the City's housing crisis gets worse, the burden falls most heavily on these low-income households, many of them senior citizens.

Many residents living in rented apartments within CD 16 live in unregulated housing, or regulated apartments subjected to legal regulated rent increase in which landlords have been renting below the legally permitted regulatory rent (preferential rent) and have been seeking to increase rent, at lease renewal, according to the legal amount permitted. The continued significant increase in rents has resulted in residential displacement or increased rent burden. Therefore, there is a pressing need to provide more affordable housing units in this area.

In this section of CD 16, in proximity to the proposed Ebenezer Plaza development site, too many households fall into low- and very-low income categories and are often rent-burdened. Given the risk for displacement, the City should take steps to increase the probability that rent-burdened households qualify for as many affordable housing lotteries as possible.

A strict rent-to-income requirement of not exceeding 30 percent of income for yearly rent payment ends up disqualifying many income-challenged households from the affordable housing lotteries. As a result, these rent-burdened households do not meet the housing lottery's minimum household earnings because too often they are already paying the same rent, or in excess of the rent stated for the affordable housing unit. Thus, the requirement to pay no more than 30 percent of household income is actually hurting people who are already living in substandard housing and are paying more than 30 percent of their income toward housing.

As noted in his East New York Community Plan ULURP recommendation, Borough President Adams believes that it is time to break the mold in which families that are already paying too much rent for substandard housing are disqualified. Borough President Adams seeks to qualify rent-burdened households to be eligible for selection through the housing lottery process. Such eligibility would ensure rent-burdened households receive the maximum opportunity to secure regulated affordable housing units, expanding the number of eligible households for government-regulated housing lotteries.

One means to address rent burden should be achieved by amending the ZR to adjust the AMI qualifications so they include such households that would maintain or reduce their rent burden. For such lotteries resulting from MIH housing lottery offerings, the New York City Department of City Planning (DCP) needs to amend the ZR to allow for exceptions to the 30 percent of income threshold so that households that are burdened, though paying the same or more rent than the lottery unit rent, would be eligible to live in affordable, newly-produced, quality housing accommodations.

Borough President Adams believes that the New York City Planning Commission (CPC) and/or the City Council should echo his call to seek for the modification of the MIH section of the ZR pertaining to MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status to qualify for such affordable housing units pursuant to MIH.

### **Light Improvements Along New Lots Avenue**

The adjacent entrance to the New Lots Avenue L subway station and the B15 bus stop are both located under the dimly lit elevated train trestle. While this is an area that receives a lot of pedestrian traffic, the adequacy of the lighting under the elevated trestle has been a major complaint from the residents of both CDs 5 and 16. As Borough President Adams stated his belief in his 2015 ULURP recommendation for Van Sinderin Plaza, he reiterates that in order to make this a safe and vibrant atmosphere, especially in accommodating the anticipated population increase in this area, it is important to significantly improve the lighting along this section of New Lots Avenue. Borough President Adams continues to believe that local arts groups should play a role in designing and instrumenting a light installation that will give this area the attention it deserves and its residents a safe and vibrant transit hub.

Borough President Adams continues to believe that the Metropolitan Transit Authority (MTA)/New York City Transit (NYCT) along with DOT should proceed in consultation with CBs 5 and 16, as well as local elected officials, to facilitate lighting improvements under the elevated train trestle, by introducing a lighting installation that includes participation by such local arts as Arts East New York.

### **Promoting the Use of Car Sharing Vehicles**

While Borough President Adams supports the establishment of Transit Zones in the ZR for the purpose of enabling affordable housing developments to be constructed without a requirement to provide car-parking accommodations, he acknowledges that access to automobiles would enhance mobility for the lives of the residents of Ebenezer Plaza. The cost associated with individual car ownership can be very challenging for households with less financial means, particularly where such vehicles play no role on a daily basis such as commuting to places of employment. However, there can be moments throughout the year when affordable access to automobiles would be considered a quality-of-life enhancement based on the type of mobility that an automobile can accommodate.

To some extent, access to car service enhances mobility for certain trips 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 rental as well as time and effort to access such rental facilities. Car-sharing membership provides another alternative though such services have not been extended to neighborhoods such as Brownsville. In addition, research has suggested that car share availability reduces car ownership for individuals who already own cars, creating environmental benefits and reducing congestion. Given the more than 500 households that would be residing at Ebenezer Plaza, who are less likely to own private automobiles, Borough President Adams believes that car-sharing entities should be engaged by DOT for the purposes of setting up car placements in immediate proximity to the development.

Locations established for the placement of car-sharing vehicles should be established through a process in which DOT directly consults with CB 16 and local elected officials, in dialogue with car-sharing companies.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and the City Council approve this application.

That the New York City Department of Housing Preservation and Development (HPD) incorporates the following in the funding regulatory agreement commitment in writing to the City Council:

1. The extent that it would work with the developer of Ebenezer Plaza to enable the constructed ELLA-financed dwelling units, through its project financing, to provide as near to 50 percent two- and three-bedroom units as a means to accommodate a greater percentage of families with children, and enable more studio units with rents at 30, 40, 50, and 60 percent AMI, as feasible, in tandem with an enhanced percentage of studio units that might provide opportunities for senior households, including formerly homeless seniors according to HPD's Our Space initiative
2. That local preference be extended to include residents of both Brooklyn Community Districts 5 and 16 (CDs 5 and 16)
3. That the developer be committed to an explicit duration and extent of effort, based on reasonable lease terms:
  - a. Toward securing a FRESH supermarket tenant or an equivalent tenant
  - b. That a portion of the proposed retail space be marketed to art groups, and/or locally-based community organizations in consultation with Brooklyn Community Board 16 (CB 16) and local elected officials. Furthermore, the developer shall provide in writing to the City Council, prior to its vote, the extent of commitments to actively solicit cultural organizations as potential building occupants include cultural space within the building
4. That the applicant coordinate with the New York City Department of Transportation (DOT) and the New York City Department of Environmental Protection (DEP) as follows:
  - a. That the design of Builders Pavement Plan be developed in coordination with DOT and DEP to promote state-of-the-art practices to advance the mayor's Vision Zero initiative inclusive of traffic-calming measures such as bulbouts/curb-cut extensions, chicanes, pinchpoints, signage and vertical speed control elements (raised intersection, speed bumps/speed tables)
  - b. Encourage the implementation of protected painted sidewalk extensions, per Borough President Adams' CROSS Brooklyn initiative at the intersections of Hegeman Avenue at Christopher Avenue and Powell and Sackman streets
  - c. Pending the feasibility of protected painted sidewalk extensions, that maintenance be provided by the developer and/or the according to DOT's standard maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner

- d. Encourage the integration of bioswales as part of new tree plantings and as part of traffic-calming elements such as bulbouts/curb-cut extensions, chicanes and/or pinchpoints
2. Prior to the granting of its approval, the City Council should obtain the developer's commitments in writing to the extent that it would be pursuing additional resiliency and sustainability measures
3. The developer should provide a written commitment to the City Council prior to its grant of approval, to the extent that the developer would be promoting Brooklyn-based workforce participation measures

Be It Further Resolved:

1. That HPD modifies its affordable housing apartment lottery community preference standards to be inclusive of the school zone attended by a child of a household residing at a City-funded or -operated homeless shelter, and
2. That the CPC and/or the City Council, in order to establish AMI equivalent affordable housing eligibility as a qualifier for those rent-burdened households that would be able to pay the same or have a reduction in their rent by leasing an MIH lottery unit, should advocate for the modification of the MIH section of the ZR pertaining to MIH-designated areas, to be adopted with a requirement that provides eligibility while taking into account rent-burdened status
3. The Metropolitan Transit Authority (MTA)/New York City Transit (NYCT) along with DOT, in consultation with CBs 5 and 16 and local elected officials, should facilitate lighting improvements under the elevated New Lots Avenue train trestle, by introducing a lighting installation that includes participation by such local arts groups as Arts East New York
4. That DOT, in consultation with CB 16 and local elected officials, should facilitate a dialogue with car-sharing companies to stage the placement of automobiles in proximity to Ebenezer Plaza