



**IN THE MATTER OF** an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and
2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636.

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This application for a zoning map amendment was filed by River Street Partners LLC on August 4, 2021. This application, in conjunction with the related actions, would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1.

### **RELATED ACTIONS**

In addition to the proposed zoning map amendment (C 220062 ZMK) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

N 220063 ZRK	Zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and
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allow new piers and in-water structures that are accessible to the public to generate floor area.

- C 220064 ZSK Special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations.
- C 220070 ZSK Special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone.
- N 220065 ZAK Authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas.
- N 220068 ZAK Authorization pursuant to ZR Section 62-822(b) to modify regulations pertaining to design requirements for waterfront public access areas.
- N 220069 ZAK Authorization pursuant to ZR Section 62-822(c) to permit phasing of construction of required waterfront public access areas.
- C 220061 MLK A landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space.
- C 210425 MMK City Map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street.

## **BACKGROUND**

The applicant, River Street Partners LLC, seeks a zoning map amendment, zoning text amendment, two special permits, waterfront authorizations, and a landfill action, in conjunction

with a related action for a City Map amendment (C 210425 MMK), to facilitate a new approximately 1.16-million square-foot mixed-use development with 1,050 dwelling units, 263 of which would be permanently affordable units, commercial space, community facility space, and waterfront public access areas in the Williamsburg neighborhood of Brooklyn, Community District 1.

The project area comprises portions of three waterfront blocks, two inland blocks, and demapped portions of North First Street and Metropolitan Avenue with a total lot area of approximately 441,600 square feet (Block 2355, Lots 1 and 20; Block 2356, Lot 1; Block 2361, Lots 1, 20, 21; Block 2362, Lots 1 and 3; Block 2376, Lot 50), bounded by North Third Street to the north, River Street to the east, North First Street to the south, and the East River to the west. The project area includes the development site (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, 2; Block 2376, Lot 50), as well as two non-applicant owned lots (Block 2356, Lot 1; Block 2362, Lots 1 and 3).

The development site comprises portions of three waterfront blocks located west of River Street between Grand Ferry Park and North Third Street, and portions of North First Street (50 feet wide) and Metropolitan Avenue (80 feet wide) proposed to be demapped.

The upland portion of the development site consists of approximately 137,500 square feet, and the seaward lot consists of approximately 235,780 square feet, including 19,580 square feet of existing in-water structures qualifying as piers or platforms as defined in the ZR. The development site has approximately 464 feet of frontage on River Street, 200 feet of frontage on North First Street, and 283 feet of frontage on North Third Street. The seaward portion includes portions of catwalks and cellular caisson structures formerly used by a variety of industrial occupants. The development site is currently vacant with interim uses including a mini-golf course and an aquaponic farm. There is an existing 60-inch Combined Sewer Overflow (CSO) outfall that discharges at the terminus of Metropolitan Avenue.

The development site is located within the one percent and 0.2-percent annual chance flood zones (Flood Zone AE and X) and must comply with flood-resistant construction standards of the NYC Building Code. The Limit of Moderate Wave Action traverses the site where wave heights between one and three feet could be experienced.

The applicant purchased the development site from Consolidated Edison (Con Ed) in 2019. The development site was formerly used by Con Ed for fuel storage until 1997 and was decommissioned in 2012 and the fuel tanks removed between 2009 and 2013. Certain portions of the development site, including portions of North First Street and Metropolitan Avenue and lands under water, are owned by the City of New York and/or the State of New York. The applicant anticipates that agreements from the City and State may be necessary to facilitate the proposed development.

The non-applicant owned upland blocks (Block 2356, Lot 1 and Block 2362, Lots 1 and 3) are located directly east of the development site between River Street and Kent Avenue. Block 2356, Lot 1 is improved with a recently constructed six-story, mixed commercial building with offices and a supermarket. Block 2362, Lot 1 is currently vacant and has undergone environmental remediation. Block 2362, Lot 3 is a vacant lot owned by Con Ed.

The project area is located along the Williamsburg waterfront, characterized primarily by residential and mixed-use developments of 15 to 45 stories. The upland blocks of the surrounding area consist of elevator and walk-up apartment buildings, converted residential loft buildings, and three- to four-story row houses. A variety of commercial, industrial, entertainment, and distribution uses are interspersed among these residences, with concentrations along Kent and Wythe avenues.

Directly to north of the project area is the Austin Nichols Building (184 Kent Avenue), which was listed on the National Register for Historic Places in 2007. To the south, the project area borders the New York Power Authority (NYPA) peaker plant, a natural gas turbine electricity

generating station, and Grand Ferry Park. The Domino project is located just south of Grand Ferry Park and, to date, has been developed with Domino Park, an upland building (325 Kent Avenue), and the first waterfront tower (One South First). The adaptive reuse of the former Refinery building is currently under construction.

The surrounding area contains a mix of zoning districts; in 2005, nearly 200 blocks located one block north of the project area were rezoned as part of the City-sponsored Greenpoint-Williamsburg rezoning (N 050110(A) ZRK, et al). The rezoning changed most of the East River waterfront industrial districts to residential and mixed-use districts (MX-8) to facilitate development of new housing and new waterfront public open spaces, while permitting light industrial and residential uses to co-exist on upland blocks. The waterfront immediately to the north of the project area is within the Greenpoint-Williamsburg Waterfront Access Plan (WAP BK-1) and has subsequently been developed with several acres of parks and public open space pursuant to WAP-BK-1. The project area was not included within the rezoning due to the active industrial use at that time.

In July 2010, the City Council approved various land use actions for the former Domino Sugar Refinery property located between Grand Street and South 5<sup>th</sup> Street, including a zoning map amendment to change an M3-1 zoning district to C6-2, R6, and R8 zoning districts in order to facilitate a LSGD that included approximately 2.75 million square feet of floor area, consisting of office, retail, community facility, and approximately 2,200 dwelling units, with 2.7 acres of public open space (C 100187 ZSK, et al). However, the site was not developed, and subsequently, in March 2014, the City Council approved modifications to the prior actions to facilitate a new LSGD. The LSGD included four new buildings, ranging in height between 170 and 535 feet, and the adaptive reuse of the former Refinery building, totaling approximately 2.9 million square feet consisting of 2,300 dwelling units, including 700 affordable units, community facility space, commercial space, and 4.8 acres of public open space (C 140132 ZSK, et al).

The waterfront north of the project area is zoned with a mix of R8 and R6 zoning districts with

C2-4 overlays, permitting residential and commercial uses with requirements for the development of waterfront public access areas, while upland blocks are mapped with a combination of contextual mid-density residential districts and mixed-use districts. R6 and R8 zoning districts are non-contextual residence districts governed by height factor regulations. The floor area ratio (FAR) in R6 districts ranges from 0.78 to 2.43 (2.75 with participation in the Inclusionary Housing (IH) program). Community facilities have a maximum FAR of 4.8. Parking is required for 70 percent of residential units and 25 percent of income restricted housing units (IRHUs). R8 zoning districts have a maximum FAR ranging from 0.94 to 6.02 (6.5 with participation in the IH program). Community facilities have a maximum FAR of 6.5. Waterfront parcels zoned R8 permit towers to rise to 300 and 400 feet under the IH program. Parking is required for 40 percent of DUs and 12 percent of income restricted units. As part of the 2010 Domino approvals, a C6-2 zoning district was mapped over the Refinery building and the block between Grand Street and South First Street. C6-2 zoning districts have an R8 equivalent, but permit commercial uses up to an FAR of 6.5. C2-4 overlays permit up to an FAR of 2.0 for most retail uses that typically serve local retail needs.

The surrounding upland areas to the north, south, and east of the project area are zoned with mixed-use (MX-8) zoning districts (M1-2/R6, M1-2/R6A, M1-2/R6B, M1-4/R6A), which permit residential, commercial, and light industrial uses, as well as M3-1 zoning districts. East of Wythe Avenue, largely zoned R6, the Southside neighborhood is predominantly comprised of single-, two-family, and multi-family walk-up residential buildings ranging from three to six stories. There are concentrations of neighborhood retail and restaurant uses within the C2-3 and C2-4 commercial overlays on Bedford Avenue.

The project area is mapped with an M3-1 zoning district, a heavy industrial district that has remained unchanged since 1961. M3-1 districts are designated for areas with heavy industries that generate noise, traffic, or pollutants and allows a maximum FAR of 2.0 for all industrial uses and some commercial uses. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. No new residential or community facility uses are

permitted. Buildings in M3-1 zoning districts can have a maximum front wall height of 60 feet or four stories, whichever is less, before setting back and continuing to rise pursuant to a sky exposure plane. Parking in M3-1 zoning districts varies by use. Waterfront blocks and zoning lots within the M3-1 zoning district are subject to ZR Article VI, Chapter 2, however, waterfront public access is not required for predominantly industrial sites.

The surrounding area is well-served by open space. Grand Ferry Park, an approximately 1.8-acre public park, and Domino Park, a privately owned, publicly accessible waterfront open space, are located to the south of the project area, and a playground at PS 84 is located approximately three blocks to the east. To the north, the Greenpoint-Williamsburg waterfront esplanade begins at North Third Street and runs north to Martha P. Johnson State Park and the future Bushwick Inlet Park, part of which has been completed. When fully built out, Bushwick Inlet Park will span 28 acres between North Ninth Street and Quay Street.

The surrounding area is well-served by public transportation, with transportation options including multiple subway lines, several bus lines, and the East River Ferry. The L subway line at the Bedford Avenue stop is located one half-mile to the northeast, the G subway line at the Metropolitan Avenue stop is approximately one mile to the southeast, and the J/M/Z subway lines at the Marcy Avenue stop are approximately one mile to the southeast. The project area is directly served by the B32 and Q59 buses extending to Greenpoint, and Long Island City and Maspeth in Queens. The surrounding area is also proximate to Williamsburg Bridge Bus Plaza, which is connected to points in Manhattan, Brooklyn, and Queens by seven different bus lines. The North Williamsburg East River Ferry stop at North Sixth Street (three blocks north of the project area) connects Williamsburg and Greenpoint commuters to East 34th Street, DUMBO, and Wall Street. There is one Citibike station in the surrounding area as well as protected bike lanes along Kent Avenue, part of the Brooklyn Waterfront Greenway that connects Brooklyn waterfront neighborhoods. The project area is located within the Transit Zone.

The applicant proposes to develop two mixed-use towers and nearly 2.9 acres of waterfront open

space. The entire project would include 1,158,800 zoning square feet, with approximately 1,050,000 square feet of residential uses (1,050 apartments, 263 of which would be permanently affordable apartments), 30,000 square feet of community facility uses, 79,000 square feet of commercial space including local retail uses, and 250 accessory off-street parking spaces. The proposed development would have a built FAR of 6.17.

The overall site design would be primarily informed by a combination of flood risk mitigation, the reorganization of existing in-water infrastructure, and a waterfront open space with soft edges and natural habitat reconstruction. The open space proposal would necessitate specific cut and fill and grading strategies, as well as the reconstruction of the existing in-water structures to create new breakwater structures, wetland zones, and cove areas that are intended to mitigate the effects of flooding, increase the amount of intertidal and habitat areas, and provide a variety of design features. The applicant proposes to demap portions of Metropolitan Avenue and North First Street and relocate the CSO outfall from Metropolitan Avenue to facilitate the open space concept. Because a large portion of the site would be removed to expand the shoreline inland, the bulk of the development would be pushed into two mixed-use towers with reduced footprints closer to River Street.

The applicant proposes to reconfigure the existing lot and site conditions to facilitate the proposed site plan. As a result of the proposed actions, the lot area of the proposed development site would consist of approximately 170,100 square feet of upland lot area and 229,680 square feet of seaward lot area, which includes 28,450 square feet of new in-water structures. On Block 2376, a new platform projecting seaward of the U.S. Bulkhead line with an area of 10,000 square feet would be constructed and treated as part of the upland lot. On Block 2355, a 6,320-square-foot area of land would be filled seaward of the existing mean high-water line. In addition, the proposed upland lot area would include an approximately 23,120-square-foot area of Metropolitan Avenue and an approximately 3,375-square-foot area of North First Street that are proposed to be demapped.



Both towers would have triangular footprints, each with three frontages. The northern tower, Building A, would be located on the corner of River and North Third streets. Building A would include 539,600 square feet of floor area, including 498,000 square feet of residential floor area, 30,000 square feet of community facility space, and 11,000 square feet of commercial space. A YMCA is proposed as the community facility use and would be located on the second and third floors. Building A would rise to a height of approximately 560 feet (600 feet including bulkheads), or 49 stories. The southern tower, Building B, would be located on the corner of River and North First streets. Building B would comprise 619,200 square feet of floor area, including 51,200 square feet of residential floor area and 68,000 square feet of commercial space. Office uses are proposed on the second through fourth floors. Building B would rise to a height of approximately 710 feet (750 feet with a bulkhead), or 64 stories. Bulkheads on both towers would be screened.

The ground floors of both towers would include active uses along all frontages. The western building frontages along the waterfront open space would be designed with publicly accessible arcades. The maximum column dimensions in any direction would be between four and five feet, and the arcade opening along the waterfront frontage would have a minimum percentage of openness. Column shapes, orientation, and angles would vary. Larger columns, within the maximum column dimensions, would be needed at key locations to address structural loads from the cantilevered tower portions.

Building A would include community facility space and retail along North Third Street, retail spaces and the residential lobby on River Street, and additional retail space would be accessed through the waterfront-facing arcade. The arcade within Building A would also provide access to public restroom facilities. Building B would include retail and the residential lobby along River Street and additional retail would be accessed through the waterfront arcade. The North First Street frontage would include additional retail, the office lobby, back-of-house areas, and the entrance to the below-grade parking garage that would accommodate approximately 250 attended parking spaces accessed by a 22-foot-wide curb cut. The minimum ground floor

heights of both buildings would be 15 feet.

The building footprints are in a triangular configuration. The ground floors of the buildings would be set back from the street line as necessary to accommodate a minimum 15-foot sidewalk along all street frontages. No distinct base or setback would be provided and the buildings would instead set back gradually in a curving slope away from the street line and some waterfront frontages. The gradual setbacks would also facilitate the transition from the triangular footprints to a rectangular tower. The proposed envelope permits rectangular upper tower floorplates with a width of 79 feet and a slab length of approximately 159 feet for Building A and 152 feet for Building B. Building A's tower would be setback towards the street, and oriented parallel to the waterfront. Building B's tower would be located closer to the shore public walkway and is oriented perpendicular to the waterfront.

Along River Street, Buildings A and B would set back incrementally, starting at the ground floor level. Building A has a minimum setback of approximately four feet and Building B has a minimum setback of approximately three feet. Both buildings would achieve the full setback ranging from 10 to 15 feet in the upper floors at approximately 18 stories. Along North Third Street, Building A would have a minimum setback of approximately three-and-a-half feet starting at the ground floor, and would reach a setback of 11 feet at a height of approximately 22 stories. Along North First Street, Building B would rise sheer after setting back by 2 feet 7 inches at the ground floor level. To accommodate the transition between a triangular footprint to a rectangular tower on the upper floors, the buildings gradually cantilever back out towards the waterfront. The graduated cantilevering would begin at the second story along the waterfront and increases incrementally in a gently sloped manner. The cantilever overhang dimensions reach a maximum of 37 feet 7 inches in Building A at a height of approximately 320 feet, and a maximum of 30 feet 4 inches in Building B at a height of approximately 180 feet. However, no portion of the cantilever would extend over the Shore Public Walkway (SPW), which would remain open to the sky.

The proposed development would include a nearly 2.9-acre public open space, with 85,475 square feet of Waterfront Public Access Area (WPAA) and 40,830 square feet of additional Public Access Area (PAA). The proposal would expand the open space network along the East River waterfront, connecting Newtown Creek to the north and to the Williamsburg Bridge to the south.

Pursuant to the WPAA requirements, the applicant is proposing to establish an approximately 43,400-square-foot, 1,000-foot-long SPW along the existing bulkhead line and mean high water line, with portions elevated above the proposed salt marsh and tide pools, and a total of 8,670 square-feet of Supplemental Public Access Areas (SPAA) located immediately adjacent to the SPW. Approximately 33,390 square feet of in-water structures including breakwaters, piers, and platforms would primarily be part of the WPAA. The remainder of the space would be designated as PAA, with a total of approximately 40,830 square feet.

The applicant is proposing a waterfront plan with a breakwater system, with the goal of protecting the site from future storm events and facilitating in-water activities, such as kayaking. Key components of the waterfront proposal include the accessible pier-like breakwater system, an elevated walkable ring boardwalk that would connect the breakwater system; “outposts” at the end of the piers that would house educational activities such as bird watching; a tidal wetland; a cove that would facilitate in-water activities; a play area; a pebble beach; a lawn area at the prolongation of Metropolitan Avenue; and various other programmatic elements.

Piers and breakwater structures would include a network of paths providing additional access further westward on the East River. The seaward-most portions of the breakwater structures would be located approximately 300 feet from the SPW. They would include meandering pathways that range in width from six feet to 12 feet and expanded areas that accommodate seating including benches and picnic tables, and plantings. The expanded areas would also facilitate ADA accessibility. The design would include three “outposts” proposed to be programmed with features such as outdoor classrooms, hammock areas, and a bird hide. The

outposts range are approximately 30 feet to 45 feet in diameter.

A beach would be designed on the new cove with a stepped seating area facing the beach with granite block seating. It would be designed to provide secondary-contact recreation access, and per New York State Department of Health regulations, swimming would be prohibited. Signage would be installed to indicate that primary-contact recreation access, including swimming, would not be permitted, and river stones and ecological armoring would be provided in the intertidal areas along the beach to deter wading and direct access. Other active and passive recreation features include a ramped boat launch for non-motorized watercraft (such as kayaks and paddleboards), and a nature play area located between landscaped areas, planting, seating, and other features. The proposed pedestrian paths would change in elevation and cross both land and water areas, allowing for boat crossings beneath the walkways.

The area between the towers would include public lawns and wider pedestrian pathways that range from approximately 20 feet to 24 feet. Additional moveable seating and tables would be provided along the building edges. The lot-line edge along the NYPA plant would also be designed with planting and moveable seating. However, the applicant also proposes an alternative scenario where they would seek to obtain easements to utilize the NYPA-owned land adjacent to the development site to create temporary community kiosks that would be accessible from their site. In the alternative scenario, the planted buffer would be converted into an area for circulation and additional moveable tables and chairs.

The applicant proposes to construct the project in two phases. The applicant proposes to construct Building A, all in-water structures, the SPW, and nearly all the WPAA in the first phase, thereby providing a continuous esplanade connection from Grand Ferry Park to North Third Street. The second phase would build out Building B and the remainder of the open space, which would primarily consist of a PAA lawn area at the terminus of Metropolitan Avenue and the demapped portion of North First street end.

To facilitate the proposed development, the applicant proposes a zoning map amendment, zoning text amendment, two special permits, and waterfront authorizations.

### **Zoning Map Amendment (C 220062 ZMK)**

The applicant proposes a zoning map amendment to change the project area from an M3-1 zoning district to C6-2 and M1-4 zoning districts. The development site is proposed to be mapped with a C6-2 district (R8 equivalent), a high-density mixed-use district which allows residential uses up to a maximum FAR of 7.2 when mapped within an MIH area, and commercial and community facility uses up to a maximum FAR of 6.5. C6-2 districts, as modified by waterfront zoning regulations, permit a maximum base height of 70 feet and a maximum building height of between 210 feet and 250 feet inclusive of a penthouse. Parking is required for 40 percent of dwelling units. There are no parking requirements for income restricted units within a Transit Zone and loading requirements vary by use.

The remainder of the project area between River Street and Kent Avenue are non-applicant controlled sites and are proposed to be mapped with an M1-4 zoning district, a light-industrial district that allows commercial and industrial uses with a maximum FAR of 2.0 and select community facility uses with a maximum FAR of 6.5. Bulk regulations are governed by a sky exposure plane, which begins at a height of 60 feet, or four stories, above the street line. Parking is not required in M1-4 districts and loading requirements vary by use.

### **Zoning Text Amendments (N 220063 ZRK)**

The applicant is seeking zoning text amendments that would establish the development site as an MIH Area in Appendix F; and amend provisions within the LSGD special permit (ZR Section 74-742) that relate to ownership requirements; and c) amend how in-water structures are considered within a LSGD (ZR Section 74-743 (a) and (b)):

#### MIH Text Amendment to Appendix F of the Zoning Resolution

The applicant requests a zoning text amendment to Appendix F to designate the development site

as a MIH area mapped with Option 1. Option 1 requires that at least 25 percent of the residential floor area be provided as housing affordable to residents with household incomes averaging 60 percent of the Area Median Income (AMI), including a 10 percent band at 40 percent of the AMI.

#### Modification to LSGD Ownership Requirements of ZR Section 74-742

ZR Section 74-742 requires all owners of property within a LSGD be applicants for a LSGD special permit. The City and/or State own under water property interests within the LSGD that is inalienable and cannot be conveyed to the applicant after approval. Therefore, an amendment to ZR Section 74-742 is proposed to allow the applicant to be the sole applicant with respect to the LSGD special permits. The applicant anticipates that they would enter into any agreements and understandings with the State and/or City necessary to facilitate the proposed development.

#### Modification to ZR Section 74-743 (a) and (b)

The applicant is proposing an amendment to ZR Section 74-743 that would allow, through a LSGD, existing piers and platforms to be replaced or reconstructed while still retaining the floor area generated by the existing structures, provided that the new in-water structures do not generate more floor area than is generated today and that they provide significant public access. Existing land projecting beyond the bulkhead line could also be reconstructed and included in the upland lot. The amendment would not require new in-water structures to comply with relevant waterfront regulations, as the Commission would consider the design of the in-water structures as part of a LSGD.

The existing piers and platforms currently located within the seaward lot could generate 19,582 square feet of floor area pursuant to ZR Section 62-31. The applicant proposes to develop 28,454 square feet of new, publicly-accessible in-water structures within the seaward lot; however the total amount of lot area that could be generated per the newly-established ZR Section 74-743(a) would be capped at 19,582 square feet of seaward lot area. The applicant is also proposing to allow new platforms seaward of the bulkhead line to be part of the upland lot area of the

waterfront zoning lot, provided that it is equivalent to the amount of upland lot area seaward of the existing shoreline that would be removed. This provision is intended to allow the applicant to recoup existing available floor area under current conditions that would be reconfigured as a result of the proposed shoreline modification.

### **Zoning Special Permit (C 220064 ZSK)**

The applicant requests a zoning special permit pursuant to ZR Section 74-743 to allow the transfer of floor area, as per the proposed amendment to ZR Section 74-743. The applicant also requests waivers of distribution of floor area, base height and setback, building height, maximum tower floorplates, and maximum length of walls facing the shoreline. The Commission must make findings related to the quality of the site plan and its relationship to the surrounding area and the effect of the plan on local traffic conditions.

The proposed text amendment also includes additional findings related to the new in-water structures to ensure that such structures are an integral part of the proposed LSGD resulting in a superior site plan, have an appropriate relationship with the surrounding waterfront areas and shorelines, and provide significant public access to and within the seaward portion of the LSGD.

Waivers pertaining to floor area computations, distribution of floor area, building height and setbacks, maximum tower floorplates, maximum width of walls facing the shoreline, and waterfront regulations for new piers or platforms are requested.

### Floor Area Computations

Pursuant to proposed ZR Section 74-743(a) and (b), new platforms and in-water structures would be reconstructed. A new, approximately 10,000 square foot platform located seaward of the bulkhead line would be constructed. The lot area of the new platform would be included in the upland lot and would be capped at the existing upland lot area seaward of the bulkhead line (8,267 square feet). The existing in-water structures cover approximately 19,580 square feet of seaward lot area, and could therefore generate 140,990 square feet of floor area pursuant to ZR

Section 62-31. The new in-water structures would cover approximately 28,454 square feet of the seaward lot area, and could generate a maximum of 140,990 square feet of floor area.

#### Distribution of Floor Area

ZR Section 62-341(c)(3) states that for C6-2 zoning districts (R8 equivalent) in waterfront areas, buildings that exceed the maximum base height of 70 feet must have the floor area cover a minimum of 30 percent at a height of 20 feet. The applicant is seeking relief to allow 25 percent of floor area to be located at a height of 20 feet to accommodate the reduced building footprints that aim to maximize public open space.

#### Building Height and Setback [ZR Sections 62-341(c) (1) and (2), and 62-341(a)(4)(ii)]

Bulk regulations for C6-2 zoning districts (R8 equivalent) in waterfront areas limit buildings to a maximum base height of 70 feet and a maximum building height of between 210 feet and 250 feet, inclusive of a penthouse. Above a maximum base height of 70 feet, buildings are required to setback 15 feet along narrow streets, 10 feet along wide streets, and 30 feet along the SPW. The applicant proposes buildings that rise to a maximum height of between 560 and 710 feet. The applicant is seeking waivers to allow taller building heights and setbacks that range from a minimum of 3 feet, 10 inches and 10 feet, 7 inches along River Street, 4 feet, 10 inches along North Third Street, and 2 feet, 7 inches along North First Street. A waiver is also requested for the Building B's cantilever within the 30-foot initial setback distance from the SPW.

#### Maximum Tower Floorplates

ZR Section 62-341(c)(4) requires that floorplates above the maximum base height be limited to 8,100 square feet on zoning lots greater than 1.5 acres. Floorplates above the base height are proposed to be between 9,900 square feet and 15,000 square feet to accommodate the reduced building footprint and efficient and regular tower floors.

#### Maximum Width of Walls Facing the Shoreline



ZR Section 62-341(c)(5) requires that the widths of walls facing the shoreline above the base height on waterfront blocks be less than 100 feet. Building A would have walls facing the shoreline of between 28 and 199 feet. Building B would have walls facing the shoreline of between 50 and 158 feet. The applicant has stated that the walls exceeding 100 feet in width would be broken up by the graduated building form and triangular footprint configuration.

#### Waterfront Regulations for New Piers or Platforms

ZR Sections 62-242, 62-54, and 62-63 regulate uses, access, and design of piers and platforms. Pursuant to proposed 74-743(a) and (b), the new piers and platforms would be constructed without regard to these requirements and would instead be considered as part of the LSGD.

#### **Zoning Special Permit (C 220070 ZSK)**

The applicant requests a zoning special permit pursuant to ZR Section 74-533 to waive parking requirements within the Transit Zone to facilitate affordable housing. C6-2 zoning districts require that accessory parking spaces are provided at a rate of 40 percent of the number of market rate dwelling units. The special permit allows a reduction of the parking spaces up to 20 percent of the market rate dwelling units provided that the Commission makes findings related to the facilitation of affordable housing, and to the effect of such distribution on the site plan and local traffic. The applicant proposes to provide approximately 250 spaces (20 percent of the market rate dwelling units) in a below-grade garage beneath the proposed towers.

#### **Zoning Authorization (N 220065 ZAK)**

The applicant requests a zoning authorization pursuant to ZR Section 62-822(a) to modify requirements related to the location, area, and minimum dimensions of WPAA's. Waivers regarding the width of the SPW and depth of the waterfront yard, as well as the configuration of the SPAA's are requested.

#### Width of SPW and Depth of Waterfront Yard

ZR Section 62-53(a)(2) requires that a SPW be 40 feet in width and, per ZR Section 62-332(a), waterfront yards are required to be 40 feet in depth. The applicant requests a waiver to reduce the SPW and coterminous waterfront yard to 29 feet, 10 inches to accommodate a tidal wetland area and 34 feet, 5 inches near the connection to Grand Ferry Park due to the shallowness of the site at the southern end of the site. Additionally, the depth would be less than 40 feet from shoreline to shoreline within the landfill portion.

#### Configuration of Supplemental Public Access Areas

ZR Section 62-571(a)(1) and (2) requires that SPAA's have a width to depth ratio of between 1:1 and 3:1. However, the applicant proposes a SPAA with a width to depth ratio of 4:1. SPAA's are also required to have a minimum depth perpendicular to the SPW of 25 feet. If provided as a widened SPW, a minimum width of 10 feet would be required. The applicant proposes two SPAA's with a depth perpendicular to the SPW between a minimum of 2 feet 3 inches and 10 feet 10 inches to accommodate site-specific conditions. The SPAA's are utilized to enhance connectivity within the site and are configured in a linear manner to improve site circulation. SPAA 1 is located within the shallower southern end of the site and includes pathways, planting and seating. SPAA 2 includes portions of the ring boardwalk adjacent to the beach.

#### **Zoning Authorization (N 220068 ZAK)**

The applicant requests a zoning authorization pursuant to ZR Section 62-822(b) to modify design requirements for waterfront public access areas. Waivers regarding grade level of planting area; permitted obstructions; circulation paths; seating; lawn areas; screening buffer location and width; fences, guardrails, and walls; social seating; minimum illumination of other areas; curb and retaining walls; and paving material for not require circulation paths are requested.

#### Grade Level of Planting Area

ZR Section 62-61(d)(2) requires the grade level of the planting area that is within three feet of the pedestrian circulation path to be no more than three feet higher or lower than the adjoining level of the pedestrian circulation path. However, the applicant proposes areas that range from 2

inches to 72 inches higher or lower than adjoining circulation paths to accommodate site elevation in certain locations and graduated landscaping strategies in response to site-scale resiliency needs.

#### Permitted Obstruction

ZR Section 62-611(c) specifies that play areas are allowed as permitted obstructions beyond 20 feet of the shoreline. The proposed “Nature Play Area” would be located within 20 feet of the shoreline due to the proposed shoreline conditions, which weave in and out of the site at various locations, and a desire to locate the interpretive nature play area program closer to the water.

#### Circulation Path

ZR Section 62-62(a)(1) requires that the circulation path must be located within 10 feet of the shoreline for at least 20 percent of the length of such shoreline. The applicant proposes that 83 linear feet (8 percent) is located along within 10 feet of the shoreline due to the proposed shoreline condition and proposed programmatic elements.

#### Seating

ZR Section 62-62(b) requires one linear foot of seating for every 75 square feet of SPW and SPAA resulting in a 694 linear foot requirement for the site. The applicant proposes 602 linear feet of seating. However, the applicant proposes an additional 513 linear feet of seating within the PAA.

#### Lawn Areas

ZR Section 62-62(c)(1)(i) requires that where an SPAA is greater than 1,875 square feet, at least 15 percent of the required planted area to be provided as lawn (and thus, 2,735 square feet must be provided as lawn). The applicant proposes 303 square feet of lawn as part of the WPAA, and notes that additional lawn areas, totaling approximately 14,000 square feet of planting including lawn, are provided as part of the PAA.

### Screening Buffer Location and Width

ZR Section 62-62(c)(2)(i) requires that a screening buffer with a minimum width of six feet be provided along the entire upland boundary where the WPAA abuts non-publicly accessible areas of the zoning lot. However, ZR Section 62-62(c)(2)(ii) allows a reduction up to four feet on shallow lots where the width of the SPW may be reduced pursuant to ZR Section 62-53. Under the proposed plan, a screening buffer with a reduced width would be provided along the shared lot line with the NYPA plant. Under the alternative plan, kiosks would line a portion of the upland boundary and a screening buffer would not be provided.

### Fences, Guardrails, and Walls

ZR Section 62-651(a) and (c)(2) requires that guardrails and fences be mounted on curbs not higher than six inches and that they not be higher than 36 inches. The applicant proposes fences that are up to 42 inches high along the “Ring” and pier/breakwater pathways. Additionally, Railing Type 2 is designed as a wall with rails on top and Railing Type 3 is 12 inches high, designed as a warning railing along the tidal trail.

ZR Section 62-651 (c)(1) limits fences to specific locations within the WPAA. The applicant is proposing edge fencing (protective railings) along tidal wetland area and portions of the Ring walkway.

ZR Section 62-651(c)(3) requires walls not to exceed a height of 21 inches. The applicant proposes walls of 30 to 42 inches in height in response to site grading.

### Social Seating

ZR Section 62-652(f) requires that at least 25 percent of seating provided be social seating. While 173 linear feet is required, 168 linear feet is proposed. Further, a minimum of two square feet of tables is required for every three linear feet of social seating with no more than 150 linear feet in total. While 173 linear feet is required, 76 linear feet is proposed within the SPW and SPAA.

### Minimum Illumination of Other Areas

ZR Section 62-653 requires a minimum horizontal illumination of 0.2-foot candles for all non-walkable areas. The minimum horizontal illumination levels of 0.2-foot candles are met for all areas excluding the proposed beach, where the horizontal illumination is reduced to 0.0 foot candles seaward. The average illumination to minimum foot candle uniformity ratio for walkable areas must be no greater than 10:1 within a WPAA. The applicant proposes a uniformity ratio of 17.8:1 within the piers.

### Curb and Retaining Walls

ZR Section 62-655(a) requires any edging higher than six inches above adjacent grade a retaining wall. Retaining walls are not permitted to exceed a maximum of three feet above or below adjacent planted areas. The applicant proposes retaining walls up to four feet in height given the grade changes across the site and resiliency considerations.

### Paving Material for Not Required Circulation Paths

ZR Section 62-656 (a)(2) permits the use of metal grating is only in specific locations within the WPAA and to facilitate drainage or for platforms. The applicant is proposing metal grating in the “Ring” and portions of the pier structures in response to NYS DEC permeability requirements.

### **Zoning Authorization (N 220069 ZAK)**

The applicant requests a zoning authorization pursuant to ZR Section 62-822(c) to allow a WPAA to be built out in phases in conjunction with a phased development project. The applicant proposes two WPAA phases related to each of the two buildings to be improved on the zoning lot. The phases would proceed from north to south, beginning with the northern building and ending with the southern building. The WPAA associated with the first phase would encompass approximately 84,735 square feet and exceed that portion of the WPAA commensurate with the proposed development in Phase 1, nearly 99 percent of the overall WPAA provided. The first phase would complete the connection from North Third Street to Grand Ferry Park and open a

portion of Metropolitan Avenue. Phase 1 would also include portions of the PAA (lawn and planted areas) totaling approximately 27,800 square feet. Temporary fencing with a pathway along it would provide interim access to the open space. The remainder of the WPAA, approximately 740 square feet (less than one percent of the overall WPAA provided), would be completed as part of Phase 2. Phase 2 would also include the remaining PAA area of approximately 13,030 square feet and would include the remainder of the lawn and the proposed street end improvement for the demapped portion of North First Street.

#### **Landfill Action (C 220061 MLK)**

The applicant proposes a landfill of approximately 6,320 square feet. The landfill area would reconfigure the shoreline to provide a cove and allow for ecological habitats. The landfill area is on the northern-most portion of the development site, just south of the terminus of North Third Street.

#### **City Map Change (C 210425 MMK)**

The applicant proposes to eliminate, discontinue, close and, as necessary, dispose of portions of Metropolitan Avenue and a portion of North First Street west of River Street. The demapping is would facilitate the proposed site plan. The demapped area of Metropolitan Avenue would facilitate pedestrian access to the open space from River Street. The demapped portion of North First Street would function as part of the proposed WPAA. The demapped streets would generate 190,700 square feet that the applicant has not proposed to utilize for the proposed development.

The applicant also requests a ten-year lapse period for the LSGD special permit pursuant to ZR Section 11-42(c). Due to the size and complexity of the proposed development, substantial construction of one of the two buildings is not anticipated to have occurred within this four-year period. The Commission may, at the time of granting a special permit, extend the period to a period not to exceed 10 years.

The applicant is also seeking a Chair's certification pursuant to ZR Section 62-811 to

demonstrate compliance with the waterfront regulations, as modified by the requested authorizations.

A Joint Permit Application from the NYS Department of Environmental Conservation (NYSDEC) and the United States Army Corps of Engineers (USACE) is being sought by the applicant in conjunction with the publicly accessible open space proposed along the waterfront.

### **ENVIRONMENTAL REVIEW**

This application (C 220062 ZMK), in conjunction with the related applications (C 210425 MMK, C 220061 MLK, C 220064 ZSK, C 220070 ZSK, N 220063 ZRK, N 220065 ZAK, N 220068 ZAK, N 220069 ZAK), 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 21DCP157K. The lead is the City Planning Commission.

It was determined that this application, in conjunction with the applications for related actions, may have a significant effect on the environment, and that an Environmental Impact Statement (EIS) would be required. A Positive Declaration was issued on March 22, 2021, and subsequently distributed, published, and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on March 22, 2021. A public scoping meeting was held on April 26, 2021, and the Final Scope of Work was issued on August 16, 2021.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on August 16, 2021. Pursuant to SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on October 6, 2021 in conjunction with the public hearing on the related Uniform Land Use Review Procedure (ULURP) items (C 210425 MMK, C 220061 MLK, C 220064 ZSK, C

220070 ZSK, N 220063 ZRK). A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public review process was completed, and a Notice of Completion of the FEIS was issued on November 5, 2021. Significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project site as specified in Chapter 10, Chapter 13 and Chapter 15, respectively, of the FEIS.

The application, as analyzed in the FEIS, contained Project Components Related to the Environment (PCREs), which are set forth in Chapters 7, “Historic and Cultural Resources”, 10, “Hazardous Materials”, 15, “Noise”, and 18, “Construction.” To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits.

The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise).

The identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 19, “Mitigation”. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

#### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY**

This application (C 220062 ZMK) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq.*). The designated WRP number is 21-080. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.



This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **UNIFORM LAND USE REVIEW**

This application (C 220062 ZMK), and the related applications (C 210425 MMK, C 220061 MLK, C 220064 ZSK, C 220070 ZSK), was certified as complete by the Department of City Planning on August 16, 2021 and was duly referred to Community Board 1 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the related actions for a zoning text amendment (N 220063 ZRK) and zoning authorizations (N 220065 ZAK, N 220068 ZAK, N 220069 ZAK), which were referred for information and review on August 16, 2021 in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application (C 220062 ZMK), in conjunction with the related actions, and, on September 14, 2021, by a vote of 20 in favor, 15 in opposition, and one abstaining, adopted a resolution recommending approval of the application with the following conditions:

- “1. Two Trees must rent all affordable housing units in their 1 South 1st Street development to honor prior community affordable housing commitments.
2. Reduce total number of apartment units in the project by 33%, to reduce the anticipated increased load on existing overcapacity on subway transit, vehicular traffic, pedestrian traffic, wastewater and with street sanitation storage and collection, and open space.
3. Increase the number of total affordable units to 50% to support deeper diversity and affordable living in the neighborhood.
4. 60% of affordable units must be 2 & 3-bedroom units to encourage long term family occupancy.

5. Within all affordable units one bedroom must be a minimum of 128 square feet to comfortably accommodate bedroom furniture, a closet and efficient movement throughout the room.
6. The City of New York must include funding for the full completion of Bushwick Inlet Park in their 10-year capital plan so the fully operational park can help mitigate the existing severe local open space deficiencies that will persist if this project is built out and the massive population increase from the quantity of current and future local waterfront housing developments.
7. The project must use a fossil-free energy source such as a geothermal heat loop system instead of a natural gas reliant system for heating, which will work to have the project more aggressively meet the challenging but critical goals of the New York City Climate Protection Act, Climate Leadership and Community Protection Act and those set by the Intergovernmental Panel on Climate Change.
8. Redesign the towers so that they are significantly less obtrusive and oppressive in feel and fit more contextually with nearby structures and better connect with the historic fabric of the neighborhood.
9. Two Trees must negotiate in good faith with the New York City & Vicinity District Council of Carpenters to ensure the project adheres to the safest and best construction work practices.
10. Two Trees must negotiate in good faith with local workforce organizations in order to provide service jobs for local job seekers.
11. Two Trees must provide funding in perpetuity for a local, independent agency or organization to oversee and enforce the rental fees and increases of affordable and market-rate apartments.
12. Two Trees and the City of New York must present and execute a plan to manage the steadily increasing volume of street trash that has come with the incredible volume of additional area residents that the project will exacerbate.
13. Before being granted any rezoning, Two Trees must present community facility architectural design plans which verify that the YMCA facility will serve the stated

purpose and promise of serving both the Williamsburg and Greenpoint communities as well as 250 school children annually; it must show that the size and location of the facility elements including pool, locker rooms, saunas, facility/pool access including elevator, pool depth and lane width, lifeguard station, staging area and pool equipment, weight rooms, full gym arena, and exercise rooms are adequate as a full service facility for the communities. The community facility must be built out and in operation before the building can be occupied as a rental.”

### **Borough President Recommendation**

This application (C 220062 ZMK), in conjunction with the related actions, was considered by the Brooklyn Borough President, who held a public hearing on September 27, 2021, and on October 5, 2021 issued a recommendation to approve the application with conditions.

- “1. That for 210425 MMK, the mapping agreement for the discontinuation and closing of Metropolitan Avenue and North First Street include a condition that the sale of either the City-owned right of ways in the form of easements or tax lots, be one dollar, further conditioned on adequate demonstration that the remainder of the proceeds of fair market value have been deposited into a New York City Comptroller’s Office Fiduciary Account for use by the New York City Department of Parks and Recreation (NYC Parks) to advance the development of Bushwick Inlet Park
2. That the City Council obtain written commitments from River Street Partners LLC clarifying how it would:
  - a. For the additional FAR increment in excess of an R7A MIH district, provide affordable housing floor area at a rate that commits a combined extra percentage of 76,690 sq. ft. of affordable housing floor area, at an average 60 percent AMI, or modest decrease in the 60 percent AMI average rent collection
  - b. Memorialize the recommended additional 76,690 sq. ft. of permanent affordable housing floor area via a legally binding mechanism, such as the New York City

Zoning Resolution (ZR) 74-533 (a) obligation to consult with the New York City Department of Housing Preservation and Development (HPD)

- c. Provide an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-bedroom and larger units, but for studios targeted to households not exceeding 40 percent AMI
  - d. Implement outreach efforts to seniors earning up to 40 percent AMI for single- and dual-person households, to maximize their participation in the affordable housing lottery
  - e. Utilize one or more local affordable housing non-profits to serve as the administering agent and have one or more such entities play a role in promoting lottery readiness
3. That Bulk Waiver Sections Z06-1, Z06-2 and C06-4, as part of special permit ULURP 220064 ZSK, be further modified to include a notation that restricts community facility floor area to Use Group 3A schools (restricted to child care centers), non-commercial art galleries, and/or UG 4A clubs, community centers, non-commercial recreation centers, philanthropic or non-profit institutions without sleeping accommodations. Restrict one-quarter of the commercial office and retail space for occupancy restricted to any combination of arts/cultural entities, child care, innovation and maker uses, and non-profit organizations – including recreational
  4. That the City Council obtain written commitments from River Street Partners, LLC clarifying how community facility floor area would be at below-market lease terms, and with intent memorialize to recruit such entities, based on reasonable lease terms in consultation with Brooklyn Community Board 1 (CB 1) and local elected officials, through a legally enforceable mechanism, such as a deed restriction or contract with a non-profit business or service provider, and that space set-aside for recreation shall be inclusive of design development drawings to confirm that such facility would serve the stated purpose and promise of serving both the Williamsburg and Greenpoint communities as well as 250 school children annually, including proper representation to scale of facility elements including pool and locker rooms

5. That in addition to considering the mandating of deeper and/or increased affordable housing floor area, the City Council should consider reducing the number of floors in one or both towers in its determination of the requested land use actions in consultation with CB 1
6. That the City Council obtain written commitments from River Street Partners LLC clarifying how it would:
  - a. Install curb extensions at the northwest intersection of North First Street and River Street as well as the southwest corner of North Third and River streets as part of a Builders Pavement Plan (BPP) or as treated roadbed sidewalk extensions, with the understanding that New York City Department of Transportation (DOT) implementation would require advance consultation with Brooklyn Community Board 1 (CB 1) and local elected officials
  - b. Coordinate with the New York City Department of Environmental Protection (DEP), and the New York City Department of Parks and Recreation (NYC Parks) to install DEP gardens as part of a BPP along North First, North Third, and River streets, in consultation with CB 1 and local elected officials
  - c. Integrate resiliency and sustainability measures, such as blue/green/white roof treatment, geo-thermal, grid-connected rooftop batteries, passive house construction, solar panels and/or façades, and/or wind turbines, including such wind-turbines being integrated into publicly-accessible waterfront access area extending along the power plant with such locations depicted on drawings LSGD Site Plan Z01-1 and Waterfront Public Access Area (WPAA) Overall WPAA Site Plan L-100.00 and Furnishing Plan L-150.00
  - d. That the requested parking reduction from 40 percent of the market rate units pursuant to ZR 74-533 (a) to satisfied by providing not less than 26.7 percent, provided that:
    - i. In lieu of in-building bike parking at a rate of one space per two units, such bike parking be provided at a rate of five spaces for every six units

- ii. Engagement with car-sharing companies to lease multiple spaces within the development's parking facilities in consultation with CB 1 and local officials
- iii. Electrical charging adapters be accessible to no less than 10 percent of all parking spaces, and not less than one car-share space for every 20 required parking spaces Bike Parking, including open space
- e. Exceed the ZR 62-62 (c) requirement for bike rack fixtures, as per the fixture indicated in WPAA drawing Furnishing Details L-511.00, to accommodate 48 bicycles by providing 39 double-capacity bike parking fixtures, that should be depicted on waterfront public access drawings Overall WPAA Site Plan L-100.00, Furnishing Plan L-150.00, and be reflected in Furnishing Schedule L-151.00
- f. Retain Brooklyn-based contractors and subcontractors, especially those designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBEs) to meet or exceed standards per Local Law 1 (no less than 20 percent participation), and coordinate the oversight of such participation by an appropriate monitoring agency
- g. Outreach to local workforce organizations to provide service jobs for local job seekers and that such building service workers be required to be paid prevailing wages with full benefits

Be it further resolved:

1. That the CPC and/or the City Council call for modification of the ZR MIH section with a requirement that permits households with rent-burdened status to qualify for MIH affordable housing lotteries (allow for exceptions to the 30 percent of income threshold for households paying the same or higher rent than what the housing lottery offers)
2. That the City of New York include full funding for Bushwick Inlet Park in its 10-year capital plan to achieve a complete and operational park

3. That the New York City Economic Development Corporation (EDC) study running more frequent East River limited stop service between East 34th and Pier 11 from Northside Piers
4. That the Metropolitan Transportation Authority (MTA) investigate the following bus enhancements
  - a. Extending the last stop of Q59 (at Williamsburg Plaza) to the southwest corner of Broadway and Marcy Street
  - b. Instituting a frequent bus (shuttle) service segment of the Q59 to serve the ongoing and envisioned waterfront developments between Division and Grand avenues, inclusive of evaluation of rerouting from Broadway to further south to Division Avenue, to be routed between the Marcy Avenue (J/M/Z) and Lorimer Street/Metropolitan Avenue (L/G) stations
  - c. Introducing express bus (could be a waterfront extension of the B39 route) to Midtown and Lower Manhattan, inclusive of collaboration with DOT to pursue a dedicated Williamsburg Bridge bus lane for at minimum, peak commuting hours
  - d. Monitoring Q59, B32, B39, and B62 service in intervals, not to exceed six months, to determine when additional bus service would be warranted based on ridership demand and then provide additional vehicles to increase the frequency of bus service as warranted to promote adequate service to these routes and implement the above referenced route modifications
  - e. Obtaining additional buses for maintaining adequate frequency and capacity as follows:
    1. To implement the described shuttle for the Q59 route
    2. The B39 waterfront express route
    3. The B62 route to or from Downtown Brooklyn and Long Island City
  - f. Coordinating with DOT for the installation of bus shelters on Kent and Wythe Avenues in proximity to the River Ring site

- g. Undertaking semi-annual full line impact reviews to determine the projected need for increased frequency for L, J/M/Z and G line service and/or lengthening each G line train
- h. Adding additional cars to the G train to expand each train's capacity to eight cars from its current four cars per train
- i. Continuing MTA efforts to obtain additional cars to increase the number of trains along the L line to its designed community-based train control operating capacity of 22 trains per peak hour service in one direction"

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

On September 22, 2021 (Supplemental Calendar No. 1), the City Planning Commission scheduled October 6, 2021, for a public hearing on this application (C 220062 ZMK). The hearing was duly held on October 6, 2021 (Calendar No. 31) in conjunction with the public hearing on the applications for related actions. There were 40 speakers in favor of the application and none opposed.

An applicant team consisting of eight members spoke in favor of the application. The developer described their success with the Domino project as inspiration for exploring opportunities for improving the experience of the waterfront while providing storm-resilient design and infrastructure on the development site. He described the overall program for the site, including affordable housing, innovative resiliency strategy, high-quality design, open space, and a major community facility. The applicant's architect highlighted the significance of the site as the final gap to connect the Greenpoint-Williamsburg waterfront. He described the goals of the site plan, which includes connecting the waterfront esplanade, extending Metropolitan Avenue to the waterfront, creating a softened shoreline, and bolstering access to the water. He highlighted the proposed resiliency strategy of strengthening connections to the water and offering long-term flood protection, and how this differs greatly from commonly implemented flood mitigation practices of elevating or shoring up sites with hard, bulkheaded edge conditions. He also described the various elements of the open space plan that build upon each other, including using



the piers to connect to outposts, the protected water within the ring and breakwaters to support secondary recreation, and fostering new habitat with tidal pools and marshes.

A representative of the developer addressed some of the issues raised during the public review process. She noted that the application received support from the community board, which had provided a list of 13 conditions that the applicant team stated they would be able to largely address. Regarding the issue of open space maintenance, she stated that the applicant team envisions a similar maintenance model to that of Domino Park where the applicant team privately constructed and operated that park through a Maintenance and Operations agreement (M&O) with the New York City Department of Parks and Recreation. Regarding the CSO outfall relocation, she noted that the applicant team had been in contact with the New York City Department of Environmental Protection (DEP) over the course of the last year, and regarding on-site stormwater management, she shared that all the stormwater generated by the site will be directed to private outfalls and the applicant team also intends to develop an on-site wastewater treatment plant.

Regarding affordable housing, the applicant team stated that they intend to map MIH Option 1, which requires that 25 percent of the residential floor area be permanently affordable at an average of 60 percent AMI. With respect to the specific unit size requested in the Community Board 1, the applicant stated that they can meet the minimum bedroom size and would consider providing more family-sized units.

In addition to the applicant team, 32 people spoke in favor of the application and none in opposition.

The majority of speakers were local residents and business owners of Greenpoint and Williamsburg, some of whom were members of Community Board 1. These speakers expressed support for the overall vision and programming of the site, including the new housing and affordable housing, resiliency features, waterfront access and open space, and the applicant's

established record at the Domino site for creating a high-quality and well-used park. Most speakers recognized the applicant team for bringing a significant amount of permanently affordable housing to Williamsburg, with some residents expressing concern about the ability to stay in Williamsburg long term, as many have seen friends and family members leave due to the lack of affordable housing in the neighborhood.

Many residents also spoke favorably about the innovative resiliency features and design of the open space, noting the significance of the unique approach to waterfront access provided by the beach and ring. Many cited other benefits of the project, notably the inclusion of a meaningfully sized community facility space anticipated to be a YMCA with diverse programming and affordable memberships to locals, as well as water-based uses such as kayaking. Others noted that it was a public benefit that the applicant team would fund private infrastructure so not to burden the public networks. The creation of hundreds of permanent jobs was also cited as a benefit to the community.

Several residents spoke against the Community Board recommendation to reduce the project density by one third, citing the grave need for more affordable housing in the neighborhood. Instead, some speakers called for the removal of all proposed parking in exchange for more affordable housing.

Despite support for the project, some residents stated that the 2005 Greenpoint-Williamsburg had failed to deliver on its promises, most notably the full development of Bushwick Inlet Park, and that the rezoning had led to gentrification in the area. However, those supporting the project praised the team for ameliorating some of these issues with the development of more affordable housing and open space without cost to the public.

Other speakers in favor of the application included representatives of Open New York, Waterfront Alliance, Brooklyn Chamber of Commerce, North Brooklyn Chamber, North Brooklyn Parks Alliance, YMCA of Greater New York, Greenpoint YMCA, Committee of

Hispanic Children and Families, Brooklyn Greenway Initiative, Billion Oyster Project, and Parson's School of Design. These groups praised the applicant team for advancing strategies to address sea level rise and flood risk through innovative resiliency measures and proposing new types of waterfront experiences that would provide unique opportunities for recreation and education. Others also praised the team for providing a significant amount of affordable housing on the Williamsburg waterfront. The applicant team was also commended for their track record with delivering quality projects.

A representative for SEIU 32BJ testified in support of the proposed development, emphasizing the number and quality of the jobs the project would create, and noted that the developer has a track record of creating good jobs and that they have made an early commitment to creating prevailing wage jobs at the site.

There were no other speakers and the hearing was closed.

The Commission received written testimony in support subsequent to the hearing. New Yorkers for Parks submitted favorable testimony outlining the affordable housing, open space, and resiliency benefits of the project. Six residents provided written testimony describing support for the project as proposed.

The applicant submitted a response to the Borough President's recommendations on October 14, 2021, describing a commitment to working with local electeds on affordable housing, an agreement with the YMCA of Greater New York, the need for the tower height as proposed, and working with city agencies to advance various infrastructure, resiliency, and training opportunities.

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 220062 ZMK), in conjunction with the related applications (C 210425 MMK, C 220062 ZMK, C 220064 ZSK,

C 220070 ZSK, N 220063 ZRK), as modified herein, is appropriate.

The proposed actions will facilitate the development of a vacant site along the Greenpoint-Williamsburg waterfront with an approximately 1,158,800-square foot mixed-use development with 1,050 apartments, including 263 affordable apartments, commercial space, community facility space, and innovatively designed waterfront public access areas. The Commission notes that this project will change the use of this site from industrial to residential at a density that will result in a significant amount of new housing with affordable housing and provide new publicly accessible open space along the water in Williamsburg, a neighborhood with one of the fastest growing residential populations in the city. The Commission is pleased that the project will help to address the need for more housing, which is consistent with the City's policy objectives for promoting housing production and affordability across the city, as outlined in *Housing New York*, and provide new waterfront open space that will connect other such open spaces in the north with Domino Park to the south.

The Commission recognizes the significance of the 2005 Greenpoint-Williamsburg rezoning to the Greenpoint and Williamsburg communities and notes that the proposed project, while one block outside of the rezoning, aligns with many of its original goals, including the revitalization of an underutilized and inaccessible waterfront, the construction of nearly three acres of public open space along the Williamsburg waterfront, and the provision of affordable housing. The proposed project will map MIH on the development site, which builds and improves upon the voluntary Inclusionary Housing program developed as part of the 2005 rezoning. The project will also provide exceptionally diverse opportunities to interact with the water, which the Commission notes has been a continued request from the local community; and center the site design around resiliency, reflecting sound planning for waterfront communities.

The Commission is pleased that the project will contribute to the redevelopment of the Greenpoint-Williamsburg waterfront, activating a formerly industrial site with uses compatible with development in the surrounding area, connecting Grand Ferry Park to the south to the

Williamsburg waterfront esplanade to the north through the creation of a new state-of-the-art resilient open space between the two sites. Furthermore, the proposal will add to the linear network of open spaces along the East River waterfront at a key juncture between WAP BK-1 to the north and existing and planned open spaces in South Williamsburg. The project will also support the mixed-use nature of the area, which has been furthered by the initial phases of the Domino project. New open spaces, ground floor retail, and a significant new community facility will activate this northern end of River Street and the western end of Metropolitan Avenue, a key corridor in Williamsburg. The active ground floor uses and design strategies will improve conditions around the immediate surrounding area, helping link the Williamsburg waterfront to the upland neighborhood.

The site plan has been designed to maximize the amount of open space on the constrained site, balancing the “cut” into the upland lot with the remaining amount of upland land. The building footprints have been minimized and shaped to ensure generous widths for public walkways and circulation areas, optimal dimensions and proportions of open space elements and enhance unique view corridors. The minimized footprints allow for key open space features such as the arcade, amphitheater, nature play areas, and beach, while the cut feature allows for the creation of tidal marshes, wetland restoration areas, and facilitates areas with calmer waters. The Commission appreciates that the open space and expanded shoreline approach offers opportunities for enhanced interaction with the water’s edge through varied grading and landscaping strategies. The proposed piers, which will in part be built upon breakwaters intended to attenuate wave action and support the long-term resiliency of the site, will provide a unique experience with the East River and offer expansive views from newly created vantage points.

The ground floor of each building will include a significant amount of active uses, including neighborhood retail, community facility use, and public restrooms, with access from all frontages. The western frontages facing the waterfront will feature publicly accessible arcades that will support a seamless transition from the open spaces into the buildings, increasing transparency and providing visual and physical porosity through the development. The arcades

have been designed in a manner to ensure visual and physical porosity by establishing maximum column widths and minimum percentage of openness.

The Commission recognizes that the heights of the proposed buildings will exceed those permitted elsewhere along the Greenpoint-Williamsburg waterfront, where the 2005 rezoning established height limits of 300 and 400 feet and the Domino project established waterfront building envelopes with maximum heights between 435 and 535 feet. The Commission recognizes that that smaller building footprints, designed to allow for more open space, result in buildings that require increased height, and the uniqueness of this site, located between buildings developed under the 2005 rezoning and those developed (and to be developed) as part of the Domino redevelopment project. Further, the non-applicant owned sites within the project area provide a transition in use and height between the proposed development and surrounding community. However, the Commission notes that all surrounding streets are narrow, and recognizes the importance of carefully considered and well-designed streetscape and ground floor elements of the project.

The proposed relocation of the Metropolitan Avenue CSO will facilitate the creation of a beach and a soft edge treatment along the waterfront. The Commission believes that the waterfront would be enlivened by the creation of approximately 2.9 acres of innovatively-designed public open space featuring various amenities such as a beach, an amphitheater, nature play area, tidal marshes, kayak launch, a circuitous pier within the East River, social seating areas, passive lawn areas, a major plaza area at Metropolitan Avenue, and arcades that run along the majority of the waterfront frontage of both buildings. However, the Commission notes that swimming in the East River is prohibited, and that the beach and intertidal areas are designed to deter wading and direct access. The Commission fully supports the recommendations by DEP that water quality monitoring be conducted on a regular basis as necessary and that signage and staffing is provided to ensure public safety, and notes that the applicant has agreed to meet these requests.

The Commission believes the bulk, parking, and waterfront public access area waivers that are

part of the proposed special permits would produce a site plan that is superior to that which would be permitted under the proposed C6-2 zoning. The proposed actions will facilitate a development that will reuse an unused site in a manner consistent with the mixed-use context of the surrounding area with a superior site plan that provides high-quality and resilient open space, and much-needed affordable housing in Williamsburg.

### **Zoning Map Amendment (C 220062 ZMK)**

The Commission believes the proposed zoning map amendment to change an M3-1 zoning district to C6-2 and M1-4 zoning districts, is appropriate.

This site was not included within the 2005 rezoning due to an existing active industrial use on the site but that use is no longer present. The 2005 rezoning mapped R6 and R8 districts along the waterfront with the goal of transforming vacant industrial land into much needed housing, including permanently affordable housing, and waterfront open space. The Commission believes that the proposed change of use from industrial to residential at an increased density is aligned with the goals of the 2005 rezoning.

The current M3-1 zoning district allows only commercial and industrial uses, including open industrial uses, with a maximum FAR of 2.0 and no longer reflects the use or character of the project area and surrounding area. Zoning that allows residential use here is appropriate.

The Commission believes that the C6-2 district, an R8 residential equivalent that is proposed for the development site, is appropriate at this location, being in line the 2005 rezoning that introduced districts allowing residential use along the waterfront. As such, the Commission had approved a C6-2 district for the 2010 Domino rezoning, allowing housing, community facility, and commercial uses to a density of 6.5 FAR, with Inclusionary Housing. Within a designated MIH area, C6-2 districts allow a maximum 7.2 FAR for residential uses.

The Commission believes the higher density of the proposed C6-2 zoning district is appropriate

due to project area's location within a dense, mixed-use neighborhood and proximity to amenities and transit options.

The proposed zoning will permit uses that are consistent with the mixed-use character of the neighborhood and other waterfront developments. The C6-2 zoning district allows a broad range of community facility and commercial uses on multiple floors of buildings and will allow the proposed programming of the two buildings, including both community facility and commercial uses on upper floors.

The Commission believes that changing the zoning from M3-1 to M1-4 on the non-applicant owned sites will not only create a buffer between the proposed project to the west and the mixed-use area to the east, but also allow a wider array of commercial and industrial uses that are more compatible with and in service to the surrounding community.

The Commission recognizes the condition received from Community Board 1 that the density of the project should be reduced by a third. The density facilitated by the proposed zoning districts will be consistent with the density of other nearby zoning districts and will allow the construction of more housing with affordable housing, in conjunction with the addition of a significant amount of open space along the waterfront near transit and services, to serve nearby residents as well as other New Yorkers.

### **Zoning Text Amendments (N 220063 ZRK)**

The Commission believes that the proposed zoning text amendments, as modified herein, are appropriate. The amendments would map a Mandatory Inclusionary Housing area, as well as facilitate the unique waterfront design.

### **MIH Text Amendment to Appendix F of the Zoning Resolution**

The Commission believes that the establishment of an MIH area through the proposed zoning text amendment is consistent with the City's policy of requiring income-restricted housing in



areas being rezoned to allow for a substantial increase in residential capacity. The MIH area mapped will be coterminous with the proposed C6-2 zoning district. The applicant is proposing to map MIH Option 1 and will therefore be required to allocate 25 percent of the residential floor area to permanently affordable for households at an average of 60 percent of AMI, with no income band exceeding 130 percent of AMI. The proposed development is expected to create 263 permanently affordable residences.

Modification to LSGD ownership requirements of ZR Section 74-742

The Commission believes that the modification to ZR Section 74-742 that allows the applicant to be the sole applicant of the LSGD special permit application involving City- or State-owned property is appropriate. Unlike the upland demapped street bed, the publicly owned land under water is inalienable and cannot be conveyed to the applicant after approval. This modification will allow the applicant to advance a large-scale project with portions that will remain in public ownership.

Modification to ZR Section 74-743 (a) and (b)

The Commission believes that the text amendment to allow the waiver of waterfront requirements as part of a LSGD is appropriate, as modified. This text amendment, as modified, allows the reconfiguration of the upland lot and unique design of the in-water structures.

The text amendment will allow new platforms seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that it is equivalent to the amount of upland lot area seaward of the existing shoreline that would be removed. This provision will allow the applicant to recoup existing available floor area under current conditions, which would be reconfigured as a result of the proposed shoreline modification and cut and fill strategies. The Commission believes that this amendment provides flexibility to alter the shoreline to facilitate a more resilient design, while not disincentivizing this type of intervention by not reducing overall floor area generated.

The text amendment will also provide more flexibility for an innovative waterfront design, allowing reconstructed in-water structures to be included in the LSGD without being subject to certain design requirements, provided that such structures are an integral part of the proposed LSGD resulting in a superior site plan and appropriate relationship with the surrounding waterfront areas and shorelines and provide a significant public access to and within the seaward portion of the LSGD.

The Commission believes that the portion of the text amendment to allow new, relocated, reconstructed piers to generate floor area is not necessary. Pursuant to the text amendment as proposed by the applicant, 140,000 square feet would be generated by the new piers. However, the proposed actions, including the Zoning Map Amendment and the City Map Amendment, generate sufficient floor area to facilitate the proposed project. This portion of the proposed Zoning Text Amendment thus allows for an unnecessary excess of floor area for the project. Elimination of this provision has no effect on the project and other proposed provisions that allow for reconfigured in-water structures remain. Therefore, the Commission modifies the application to eliminate this aspect of the text amendment.

#### **Zoning Special Permit (C 220064 ZSK)**

The Commission believes the special permit, as modified, is appropriate. As part of this special permit, the applicant requests the transfer of floor area from new in-water structures per the text amendment to ZR Section 74-743 and waivers associated with regulations pertaining to the distribution of floor area, height and setback, maximum tower floorplates, and maximum width of walls facing shorelines. The Commission finds that the application, as modified, meets the relevant requirements in order to grant the special permit.

The Commission believes these waivers will result in a superior site plan that relates to its surroundings and does not overburden any portion of the development or surrounding streets. The Commission also believes that the proposed in-water structures are an integral component of the overall site plan, support an appropriate relationship with the surrounding waterfront areas,

and provide significant public access to the water.

The Commission recognizes that this unique design scheme, reflective of the historic and future site conditions, requires modifications to the height and setback regulations of the proposed zoning districts, including the maximum building and base height, the maximum floor plate and length of walls facing the shoreline above the base height, and deems these modifications appropriate to facilitate a superior site plan.

#### Floor Area Computations

The Commission believes that the proposed upland lot reconfiguration that, per the proposed text amendment to ZR Section 74-743 facilitated through the replacement of existing land beyond the bulkhead line as new platforms, is appropriate. Through the proposed text amendment, the lot area of the new platform will be included in the upland lot and capped at the existing upland lot area westward of the bulkhead line for the purposes of generating floor area (8,267 square feet). The Commission believes allowing the lot area of the platform to be included in the upland lot but limited to the existing amount of land seaward of the bulkhead line for the purposes of generating floor area, is appropriate, as it will allow the reconfiguration of the shoreline while retaining the amount of existing upland area.

#### Distribution of Floor Area

The Commission believes that the request to reduce the required amount of floor area at a height of 20 feet from 30 percent to 25 percent is an appropriate waiver to facilitate the proposed site plan, which aims to maximize the amount of public open space by reducing building footprints.

#### Building Heights and Setbacks

The Commission believes that the proposed design provides for a unique building form and heights that results from the cut and fill strategy and triangular footprints while maximizing the amount of open space.

The Commission notes the unique massing scheme proposed by the applicant. As proposed the buildings rise from a triangular footprint to a rectilinear footprint to a height of 560 feet (Building A) and 710 feet (Building B), without a formal setback at the required setback height. Instead, the applicant's proposed towers gradually set back as they rise, starting at the ground floor level. The minimized footprints and ample surrounding open space allow access to light and air on the site, and the graduated setback will allow light and air into the streets. To accommodate more efficient tower floorplates and transition between a triangular footprint to a rectangular tower on the upper floors, the buildings gradually cantilever back out towards the waterfront. The Commission believes the requested waiver is appropriate to accommodate the unique building form but supports design strategies that mitigate the scale of the towers as experienced from a pedestrian perspective and address the lack of traditional base height and setback, codified in the drawing design notes.

The Commission recognizes the conditions received in Community Board 1's recommendation for the applicant to alter the buildings to better respond to the surrounding context. The Commission is pleased that the applicant has worked with the Department to develop design notes that help better relate the base of the building to its surrounding context, including the Austin Nichols building, as well as to provide for an improved pedestrian experience along North Third and River streets.

#### Maximum Tower Floorplates

The Commission believes that the request to modify the maximum tower floorplates limits above the maximum base height from 8,100 square feet to between 9,900 square feet and 15,000 square feet is appropriate to accommodate the proposed site plan and provide for more typical residential floorplates.

#### Maximum Width of Walls Facing the Shoreline

The Commission believes that the request to allow the widths of walls facing the shoreline above the base height on waterfront blocks to be greater than 100 feet is appropriate. Building A will

have walls facing the shoreline of between 28 and 199 feet in width and Building B will have walls facing the shoreline of between 50 and 158 feet in width. The Commission believes that this flexibility is needed to accommodate the unique design that is the result of the towers being oriented perpendicular to each other in combination with a sloped building form which results in wider building portions facing the shoreline in multiple directions.

#### Waterfront Regulations for New Piers or Platforms

The Commission believes that considering the new piers and platforms as part of the LSGD instead of adhering to the use, access, and design requirements in the waterfront regulations is appropriate due to the non-traditional nature of the piers, which contain breakwaters, pathways of varying widths, educational outposts, and hybrid seating and railing typologies, and other unique design elements.

#### Design Controls

The Commission believes that the design controls, as modified herein, which form part of this special permit, will help ensure that the project, as constructed, will include the key elements of the proposed design. In addition to the proposed drawing design notes that include guarantees to screen bulkheads and other mechanical devices, minimum ground floor transparency, and maximum arcade column widths, the Commission further modifies these design notes as follows. The required ground floor-to-ceiling height is increased to a minimum of 18 feet to ensure an appropriate scale and proportion for the ground floors of the arcades. A zone on both buildings is established where horizontal elements will project beyond the façade at every level up to a height of 80 feet to accentuate the base of the towers and create a better relationship between the lower portion of the tower and its surrounding context, and to the human scale.

The Commission is pleased that the site plan dedicates much of the site area to public space that improves the waterfront and connects it to the neighboring communities. The significant increase in additional public space is made possible by the compact building footprints, which necessitate the proposed building heights. The Commission believes that the proposed bulk modifications

will result in a better site plan and a better relationship among the buildings, the proposed waterfront public access area, the adjacent streets, surrounding development and the shoreline of the East River, than would be achieved absent such modifications. The modifications to height and setback regulations will allow the buildings to be located at the northeastern and southeastern portions of the zoning lot, in a manner that shifts the distribution of bulk away from the significant open areas and the central portion of the zoning lot between the buildings. The location and configuration also respond to the cut into the site which facilitates the wetland and beach condition. The Commission believes that this requested special permit is appropriate as it will create a superior site plan, in which the proposed buildings relate well to each other and to open areas on and around the site and will not unduly burden any portion of the site or the nearby street network.

#### **Zoning Special Permit (C 220070 ZSK)**

The Commission believes that the zoning special permit, pursuant to ZR Section 74-533 to reduce parking to facilitate affordable housing in the Transit Zone, is appropriate. Because site is within close proximity to the Bedford Avenue L and the Marcy Avenue J, M, Z train subway stations and access to the B32 bus route that runs long Kent Avenue, the Commission finds that the reduction in parking will not cause traffic congestion or have undue adverse effects on the surrounding area and will support the creation of affordable housing.

#### **Zoning Waterfront Authorizations (N 220065 ZAK, N 220068 ZAK, N 220069 ZAK)**

The Commission believes the proposed authorizations are appropriate and that the findings required in ZR Section 62-822 have been met. The modification of waterfront public access requirements pertaining to dimensions, configuration, planting and other design requirements of the required waterfront public access areas, and approval of the phased implementation of these public access improvements will facilitate the construction of 2.9 acres of WPAA, activating a formerly industrial site along the waterfront with varied programmatic experiences. The WPAA will be designed to provide unique opportunities to access the water, through a network of in-water piers and outposts, a beach, tidal marshlands, play areas, large lawn, and other features.

The Commission believes that the modifications to the dimensional requirements of ZR Section 62-50 are appropriate. Due to the shallowness of the site in certain locations and unique cut programming, the proposed SPW is reduced to approximately 29 to 34 feet at certain locations. The Commission believes that the reduction in the width and depth of the proposed SPW and waterfront yards will accommodate a tidal wetland area in one part of the site and reflects the shallowness of the site near the connection to Grand Ferry Park at the southern end of the site as well as the location and footprints of the proposed buildings. The Commission also believes that the reconfiguration of the SPAAs is appropriate to better align with the open space programming and to accommodate site-specific conditions including the location of pathways, additional space needs to accommodate site grading together with planting and seating amenities.

Regarding the modifications to the SPAAs' width to depth ratio, the Commission notes that the requested changes are in response to the significant overall length of the site and its' relatively shallow depth. The Commission believes that the dimensions of the WPAA are generous and considers the reductions to the dimensional requirements to be the minimum necessary to accommodate a viable building program and open space design at locations where site conditions are unique. The Commission appreciates the inclusion of nearly 40,800 square feet of additional PAAs that work together with SPAAs to create an expanded open space that can comfortably accommodate the envisioned programming and design features.

The Commission believes that the proposed waterfront design is of high quality and provides users with unique and varied experience on the waterfront. The requested modifications to the design requirements of ZR Section 62-60 create a WPAA that is equivalent or superior to one that could be designed through strict adherence to zoning. Further, the Commission believes certain elements of the requested waivers, including permitted obstructions, location of the circulation path, and heights of retaining walls are appropriate as they are largely the result of the new proposed conditions of the reconfiguration of the shoreline, site grading and resiliency measures.

The Commission notes that other elements of the requested waivers, including the reduction in seating and social seating linear footing, table linear footing, lawn area, and screening buffer width, is appropriate to facilitate the proposed design. The Commission acknowledges that additional seating is provided in the PAA and as such the overall seating required is provided across the accessible open spaces of the site.

Regarding the screening buffer waiver, which is requested along the shared lot line with the NYPA plant, the Commission understands that the applicant may program this portion of land in front the NYPA facility with community kiosks. Under this alternative plan, these small structures would replace the screening buffer and activate the open space along this frontage.

The Commission also notes that elements are needed to ensure safety and resiliency of the in-water ring, breakwater paths, and tidal trails, including increased height of fences and walls and location of new fences and guardrails. The Commission also acknowledges that metal grating is needed in the ring and pier structures in response to NYS DEC permeability requirements.

The Commission also notes that the authorization and restrictive declaration call for a phasing plan that requires the waterfront buildings to be built sequentially. These plans provide an amount of open space in each phase that is proportional to or greater than the amount of development proposed for that phase. The Commission notes there will be two WPAA phases tied to the development of the two buildings, which will proceed from north to south. The WPAA associated with the first phase will provide 99 percent of the overall WPAA requirement, resulting in the construction of the esplanade from North Third Street to Grand Ferry Park and a portion of Metropolitan Avenue. Phase 1 will also include portions of the PAA lawn areas, and a pathway to provide interim access to the WPAA. Phase 2 will include the remainder of the open space. The Commission believes that the proposed phasing plan provides for functional and accessible open space at each interim phase.



The Commission notes that in response to concerns around the potential impact of wind on the open space, the location of moveable seating and tables along the arcades and trees at the entrance of Metropolitan Avenue have been modified to improve user experience. The tree species along North Third Street has also been replaced with a more wind-resilient species.

**Landfill (C 220061 MLK)**

The Commission finds that the proposed landfill action, which will add 6,319 square feet of fill at the northwestern portion of the site adjacent to the North Third Street entrance is appropriate as part of the open space and shoreline plan. The proposed fill will be configured in a manner that facilitates the creation of a protected cove and beach, while expanding the extent of the shoreline. The fill area will accommodate a portion of the shore public walkway and will serve as an integral part of the overall breakwater system.

**City Map Change (C 210425 MMK)**

The CPC believes that the proposed City Map change for the elimination, discontinuance, and closing of portions of Metropolitan Avenue and a portion of North First Street west of River Street is appropriate. The Commission notes that this action will facilitate the development of the seamless site plan, facilitating one larger open space and allow pedestrian access to the open space from River Street, and that the demapped portion of North First Street would function as part of the proposed WPAA. The demapped streets would generate 190,700 square feet, which were not initially proposed to be utilized by the Proposed Development, but per the modification to the text amendment, will be needed to facilitate to the project.

The Commission notes that the applicant has also submitted a Chair's certification pursuant to ZR Section 62-811 to demonstrate compliance with the waterfront regulations, as modified by the requested authorizations, as well requested a ten-year lapse period for the LSGD special permit pursuant to ZR Section 11-42(c). The Commission believes, given the scope and complexity of the proposal, that the plans demonstrate that a longer time period for substantial completion is required for the proposed phased construction of the multi-building development,

and pursuant to Section 11- 42(c) the Commission extends the period set forth in paragraph (a) of Section 11-42 to a period not to exceed ten years.

Regarding the Borough President's request that the CPC and City Council modify the regulations of the MIH program, and require a community facility use through the special permit drawings, the Commission notes that these requests are beyond the scope of this application.

Regarding the Community Board's condition to reduce the number of units, the Commission believes that the site is an appropriate location for increased residential density, with good access to transit and local services and resources. The Commission notes that the applicant will provide private infrastructure to help off-set potential impacts of population increase. Regarding the Community Board's request to redesign the towers to better relate to the surrounding context, the Commission has modified the design to more strongly create a relationship between the base of Building A and the Austin Nichols building and River Street.

The Commission received conditions from the Community Board and the Borough President related to facilitating deeper affordability, a more diverse bedroom mix, expanded marketing and outreach efforts, and local preference for affordable housing. The Commission is pleased that the applicants have emphasized their ongoing work with local stakeholders to deepen affordability levels to better match community goals but notes that affordable housing funding contracts are outside of its purview.

The Community Board's and Borough President's recommendations also included a number of modifications and conditions that are beyond the CPC's purview with respect to the proposed actions as they fall under the purview of other entities, including the Department of Housing Preservation and Development (HPD), the Department of Transportation, the Department of Parks and Recreation, and the City Council.

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on November 5, 2021, with respect to this application (CEQR No. 21DCP157K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; 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. 12c:

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and
2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636.

The above resolution (C 220062 ZMK), duly adopted by the City Planning Commission on November 17, 2021 (Calendar No. 8), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

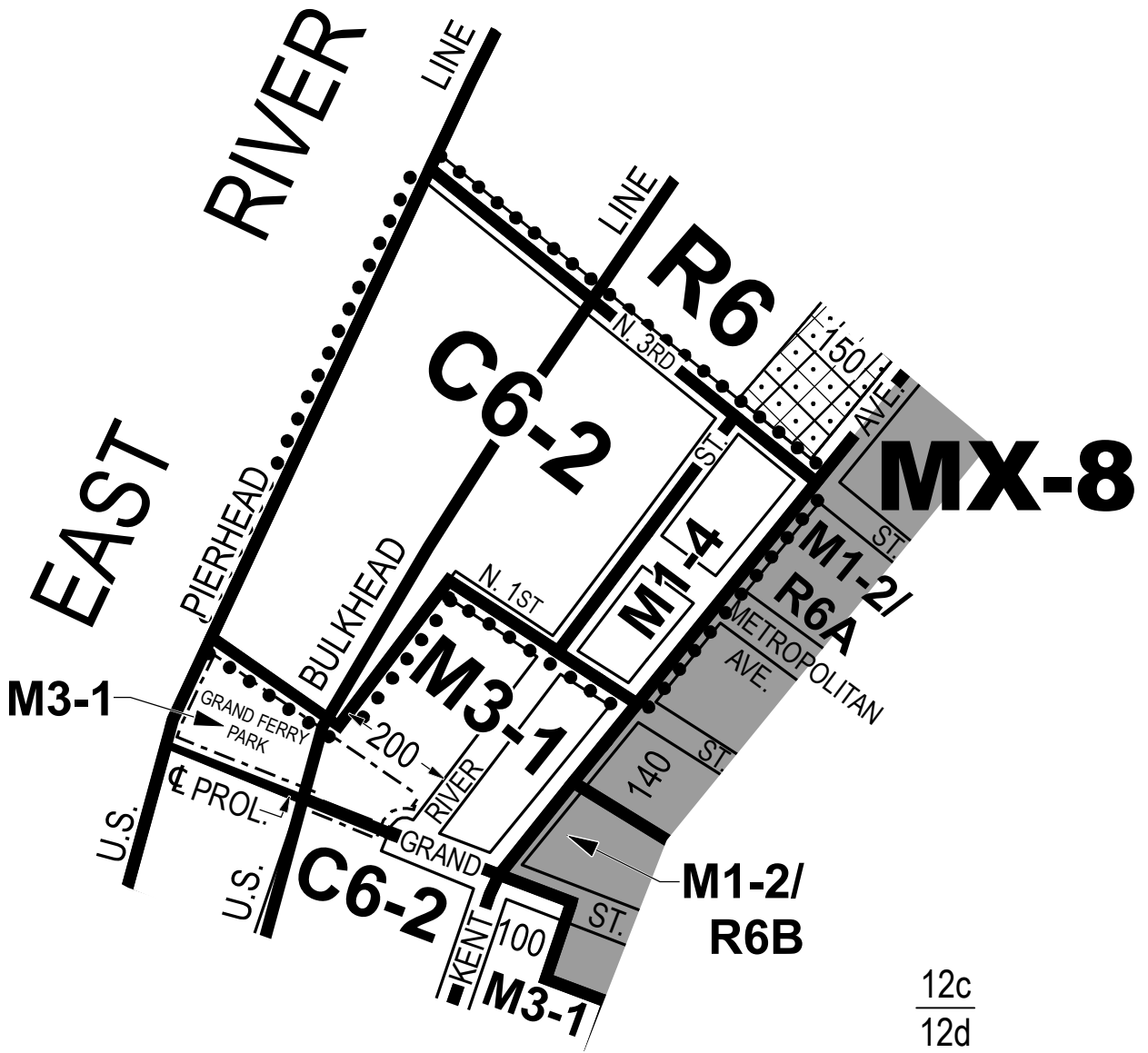
**ANITA LAREMONT**, *Chair*

**KENNETH J. KNUCKLES, ESQ.**, *Vice Chairman*

**DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,**

**JOSEPH DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN,**

**ORLANDO MARIN, RAJ RAMPERSHAD**, *Commissioners*



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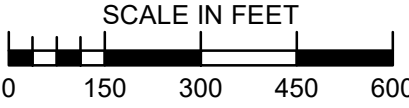
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**12c**  
 BOROUGH OF  
**BROOKLYN**

*S. Lenard*  
 S. Lenard, Director  
 Technical Review Division



New York, Certification Date:  
 August 16, 2021



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing an existing M3-1 District to C6-2 and M1-4 Districts.
- Indicates a C2-4 District
- Indicates a Special Mixed Use District (**MX-8**)

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.  
 THIS DIAGRAM REFLECTS PROPOSED CHANGES IN THE CITY MAP PURSUANT TO RELATED MAPPING APPLICATION C 210425 MMK



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> C220062ZMK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and

2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636.

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
<b>Was a quorum present?</b> Yes	<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>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

**CONSIDERATION:** Please see the attached.

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> N220063ZRK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
<b>Was a quorum present?</b> Yes	<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>
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**CONSIDERATION:** Please see the attached.

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> C220064ZSK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**  
 IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for, for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(2) - to modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline requirements of Section 62-341 (Developments on land and platforms); and
2. Section 74-743(a)(13)\*:
  - a. to allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot;
  - b. to allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots); and
  - c. to waive the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers, and Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures);

in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue\*\* and North 1st Street\*\*), in a C6-2 District\*\*\*, Borough of Brooklyn, Community District 1.

\* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).  
 \*\* Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
<b>Was a quorum present?</b> Yes	<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>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

**CONSIDERATION:** Please see the attached.





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> C220070ZSK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**  
 IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue\*\* and North 1st Street\*\*), in C6-2 District\*\*\*, Borough of Brooklyn, Community District 1.  
 \* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).  
 \*\* Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).  
 \*\*\* Note: This site is proposed to be rezoned by changing an existing M3-1 District to a C6-2 District under a concurrent related application for a Zoning Map change (C 220062 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

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<b>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

<b>CONSIDERATION:</b> Please see the attached.		
Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> C220061MLK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**  
 IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Section 197-c of the New York City Charter for a landfill of approximately 6,230 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue\*\* and North 1st Street\*\*), in C6-2 District\*\*\*, Borough of Brooklyn, Community District 1.

\* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).  
 \*\* Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).  
 \*\*\* Note: This site is proposed to be rezoned by changing an existing M3-1 District to a C6-2 District under a concurrent related application for a Zoning Map change (C 220062 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
<b>Was a quorum present?</b> Yes	<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>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

<b>CONSIDERATION:</b> Please see the attached.		
Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> N220065ZAK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
<b>Was a quorum present?</b> Yes	<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>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

**CONSIDERATION:** Please see the attached.

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> N220068ZAK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
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<b>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

<b>CONSIDERATION:</b> Please see the attached.		
Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> N220069ZAK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
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**CONSIDERATION:** Please see the attached.

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> River Ring	
<b>Applicant:</b> River Street LLC	<b>Applicant's Primary Contact:</b> David Lombino
<b>Application #</b> N220066ZCK	<b>Borough:</b>
<b>CEQR Number:</b> 21DCP157K	<b>Validated Community Districts:</b> K01

**Docket Description:**

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 20	<b># Against:</b> 15	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 36
<b>Date of Vote:</b> 9/15/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/1/2021 6:30 PM	
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<b>Public Hearing Location:</b>	Land Use, ULURP & Landmarks Committee Held Public Hearing, MS 126 (John Ericsson Middle School), 424 Leonard Street, Brooklyn, NY 11222 (Between Bayard Street & Engert Avenue)

**CONSIDERATION:** Please see the attached.

Recommendation submitted by	BK CB1	Date: 9/15/2021 10:42 AM
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## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)

### INSTRUCTIONS

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

**APPLICATION #:** RIVER RING – 210425 MMK, 220061 MLK, 220062 ZMK, 220063 ZRK, 220064 ZSK, 220070 ZSK

Applications submitted by River Street Partners LLC, pursuant to Sections 197-c, 199 and 201 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for the following actions concerning a property in Brooklyn Community District 1 (CD 1):

- An amendment to the City Map involving:
  - The elimination, discontinuance, and closing of Metropolitan Avenue between River Street and the United States Pierhead Line (USPL)
  - The elimination, discontinuance, and closing of a portion of North First Street from a point 200 feet west of River Street and the USPL
  - The adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021, and signed by the Brooklyn borough president
- To facilitate a landfill of approximately 6,230 square feet (sq. ft). located in the East River, in connection with a proposed mixed-use development, within a large-scale general development (LSGD), on property generally bounded by North Third Street, River Street, North First Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the USPL (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21, and Block 2376, Lot 50, and the above reference intended demapped portions of Metropolitan Avenue and North First Street), in a proposed C6-2 District.
- An amendment of the Zoning Map changing from an M3-1 District to a C6-2 District property bounded by North Third Street, River Street, North First Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the USPL, and changing from an M3-1 District to an M1-4 District property bounded by North Third Street, Kent Avenue, North First Street, and River Street, and subject to the conditions of CEQR Declaration E-636. The proposed zoning text amendment would designate a Mandatory Inclusionary Housing (MIH) area coterminous with the area proposed to be designated as a C6-2 zoning district.
- An application in connection with a proposed mixed-use development, within a LSGD, on property generally bounded by North Third Street, River Street, North First Street, a line 200



A motion was made that we vote Yes with the following conditions:

- Two Trees must rent all affordable housing units in their 1 South 1st Street development to honor prior community affordable housing commitments.
- Reduce total number of apartment units in the project by 33%, to reduce the anticipated increased load on existing overcapacity on subway transit, vehicular traffic, pedestrian traffic, wastewater and with street sanitation storage and collection, and open space.
- Increase the number of total affordable units to 50% to support deeper diversity and affordable living in the neighborhood.
- 60% of affordable units must be 2 & 3-bedroom units to encourage long term family occupancy.
- Within all affordable units one bedroom must be a minimum of 128 square feet to comfortably accommodate bedroom furniture, a closet and efficient movement throughout the room.
- The City of New York must include funding for the full completion of Bushwick Inlet Park in their 10-year capital plan so the fully operational park can help mitigate the existing severe local open space deficiencies that will persist if this project is built out and the massive population increase from the quantity of current and future local waterfront housing developments.
- The project must use a fossil-free energy source such as a geothermal heat loop system instead of a natural gas reliant system for heating, which will work to have the project more aggressively meet the challenging but critical goals of the New York City Climate Protection Act, Climate Leadership and Community Protection Act and those set by the Intergovernmental Panel on Climate Change.
- Redesign the towers so that they are significantly less obtrusive and oppressive in feel and fit more contextually with nearby structures and better connect with the historic fabric of the neighborhood.
- Two Trees must negotiate in good faith with the New York City & Vicinity District Council of Carpenters to ensure the project adheres to the safest and best construction work practices.
- Two Trees must negotiate in good faith with local workforce organizations in order to provide service jobs for local job seekers.
- Two Trees must provide funding in perpetuity for a local, independent agency or organization to oversee and enforce the rental fees and increases of affordable and market-rate apartments.
- Two Trees and the City of New York must present and execute a plan to manage the steadily increasing volume of street trash that has come with the incredible volume of additional area residents that the project will exacerbate.
- Before being granted any rezoning, Two Trees must present community facility architectural design plans which verify that the YMCA facility will serve the stated purpose and promise of serving both the Williamsburg and Greenpoint communities as well as 250 school children annually; it must show that the size and location of the

facility elements including pool, locker rooms, saunas, facility/pool access including elevator, pool depth and lane width, lifeguard station, staging area and pool equipment, weight rooms, full gym arena, and exercise rooms are adequate as a full service facility for the communities. The community facility must be built out and in operation before the building can be occupied as a rental.

feet northwesterly of River Street, Grand Ferry Park, and the US Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21, Block 2376, Lot 50, and the demapped portions of Metropolitan Avenue and North First Street), in a C6-2 District, for the grant of special permits pursuant to the following Sections of the New York City Zoning Resolution (ZR):

- ZR Section 74-743(a)(2):
  - To modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline per requirements of ZR Section 62-341 (Developments on land and platforms)
- Section 74-743(a)(13):
  - To allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot
  - To allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of ZR Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots)
- To waive the requirements of ZR Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers), and ZR Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures)
- An application for the grant of a special permit pursuant to Section 74-533 of the ZR to reduce the number of required accessory off-street parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, which includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a LSGD, on property generally bounded by North Third Street, River Street, North First Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the USPL (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; Block 2376, Lot 50, and the intended to be demapped portions of Metropolitan Avenue and North First Street), in a C6-2 District

The requested actions are intended to facilitate two mixed-use towers, one at 49 stories and an approximately 560'-tall tower (600', including bulkhead) and the second being 64 stories and an approximately 710'-tall tower (750' including bulkhead). In total the proposed development is intended to be approximately 1,158,800 sq. ft. (6.17 FAR), with approximately 1,050 dwelling units, a 30,000 sq. ft. community center, 79,000 sq. ft. of commercial space, including office space and local retail, approximately 250 accessory attended parking spaces for at least 20 percent of market-rate dwelling units, 538 required bicycle parking spaces, and approximately 2.9 acres of new public open space composed of approximately 2.32 acres of accessible in-river space and 0.86 acres of intertidal area. Approximately 263 units (25 percent of residential floor area) would be affordable to households earning an average 60 percent of Area Median Income (AMI). Local retail uses on the ground floor of both buildings would activate street frontages along North First and Third streets, and River Street, as well as along the adjacent publicly accessible open space. No loading docks are required, and none will be provided. A landfill action would add approximately 6,319 sq. ft. of landfill as part of the waterfront public open space plan.

BROOKLYN COMMUNITY DISTRICT NO. 1

BOROUGH OF BROOKLYN

**RECOMMENDATION**

- APPROVE
- APPROVE WITH  
MODIFICATIONS/CONDITIONS

- DISAPPROVE
- DISAPPROVE WITH  
MODIFICATIONS/CONDITION

SEE ATTACHED

*Eric L. Adams*

\_\_\_\_\_  
BROOKLYN BOROUGH PRESIDENT

October 5, 2021

\_\_\_\_\_  
DATE

**RECOMMENDATION FOR:** RIVER RING – 210425 MMK, 220061 MLK, 220062 ZMK, 220063 ZRK, 220064 ZSK, 220070 ZSK

River Street Partners LLC submitted applications pursuant to Sections 197-c, 199 and 201 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for the following actions concerning a property in Brooklyn Community District 1 (CD 1):

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  - The adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021, and signed by the Brooklyn borough president
- To facilitate a landfill of approximately 6,230 sq. ft. located in the East River, in connection with a proposed mixed-use development, within a large-scale general development (LSGD), on property generally bounded by North Third Street, River Street, North First Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the USPL (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21, and Block 2376, Lot 50; and the above reference intended demapped portions of Metropolitan Avenue and North First Street), in a proposed C6-2 District.
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- An application in connection with a proposed mixed-use development, within a LSGD, on property generally bounded by North Third Street, River Street, North First Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the US Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21, Block 2376, Lot 50, and the demapped portions of Metropolitan Avenue and North First Street), in a C6-2 District, for the grant of special permits pursuant to the following Sections of the New York City Zoning Resolution (ZR):
  - ZR Section 74-743(a)(2):
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  - Section 74-743(a)(13):
    - To allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and for such platform to be included as part of the upland lot
    - To allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk

regulations of ZR Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots)

- To waive the requirements of ZR Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers), and ZR Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures)
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On September 27, 2021 Brooklyn Borough President Eric Adams held a public hearing on these applications. There were 42 speakers on the item with five in opposition and 37 in support, including area residents and business owners, members of 32BJ Service Employees International Union (32BJ SEIU), and the United Brotherhood of Carpenters and Joiners of America New York City & Vicinity District Council of Carpenters (Carpenters' Union), and representatives of the YMCA. Those in favor underscored the need for affordable housing in Brooklyn, and the environmental benefits of the project, including coastal resiliency. Representatives of several non-profit organizations including the Billion Oyster Project and the Waterfront Alliance voiced support for ecological restoration and edge design. Some supporters, including North Brooklyn Neighbors, urged deeper affordability at 40 percent AMI. Others argued against a reduction the height of the towers and urged eliminating the proposed parking. Those in opposition cited excessive density on the Williamsburg waterfront and other quality-of-life concerns.

In response to Borough President Adams' inquiry as to which of the conditions articulated by Brooklyn Community Board 1 (CB 1) in its recommendation the developer intends to meet and which ones might be partially considered, the applicant noted that the affordable housing lottery for One South First Street would commence in six to eight weeks; that the applicant would be open to increasing the number of affordable units, though it's unlikely that the project would reach 50 percent affordability; that River Street Partners, LLC would be willing to include more family-sized units and commit to the requested minimum bedroom size; that it would advocate for the completion of Bushwick Inlet Park; that it would strive for a carbon-neutral development and study the feasibility of sustainable technologies, including geothermal heating; that River Ring would provide a contextual façade and active streetscape; that the developer is holding discussions with the Carpenters' Union regarding construction jobs; that the project would be subject to rent stabilization laws, and regulated by the New York State Division of Housing and Community

Renewal (HCR); that the developer will work with the New York City Department of Sanitation (DSNY) to minimize the impacts of trash pickup; that it will share the YMCA plans but cannot tie the space's buildout/operation to residential unit occupancy due to New York City Department of Buildings (DOB) and New York City Department of Health and Mental Hygiene (DOHMH) approval processes and YMCA control of its facility, and finally, that reducing the project size by 33 percent would be financially infeasible and would impede the applicant's ability to meet other board conditions.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the applicant stated that the distribution would be determined closer to construction. The affordability program would include a combination of units at 40 and 60 percent of AMI, though in response to additional inquiry, the representative noted that the average rent collection would be 60 percent AMI with units at higher AMIs dependent on future government incentives.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing non-profits would be used in the tenant selection process to ensure the highest level of participation from CD 1 and whether the development's marketing strategy would include a financial literacy component to qualify residents for the MIH lottery, the applicant stated intent to aggressively market the affordable units, starting with a financial literacy campaign, noted that it has historically partnered with local organizations, and said that it would consult elected officials in the selection of an administering agent.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design; blue, green, or white roof covering; solar roof and/or façade panels; geothermal energy; New York City Department of Environmental Protection (DEP) rain gardens, and/or wind turbines, the applicant explained that the development would have an onsite wastewater treatment plant, and that stormwater would be diverted from city sewers, treated, and then directed through two private outfalls into the East River. The representative also expressed interest in exploring new technologies, including solar facade materials.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the applicant stated intent to meet and exceed MWBE participation goals and conduct extensive local hiring local hiring efforts in partnership with St. Nicks Alliance (SNA).

Prior and subsequent to the hearing, Borough President Adams received extended testimony and letters in support from four individuals, as well as Evergreen, SNA, the Regional Plan Association (RPA), North Brooklyn Neighbors, and the Waterfront Alliance.

### **Consideration**

CB 1 voted to approve this application with conditions on September 9, 2021. The board requested that Two Trees:

- Rent all affordable housing units in their One South First Street development to honor prior community affordable housing commitments
- Reduce the project's total number of apartment units by 33 percent to mitigate anticipated adverse impacts to subway transit, vehicular traffic, pedestrian traffic, wastewater, street sanitation, waste storage and collection, and open space resources
- Increase the number of total affordable units to 50 percent to support deeper diversity and affordability in the neighborhood
- Configure 60 percent of the affordable units as two- and three-bedroom units to encourage long-term family occupancy
- Ensure that one bedroom within the affordable units is at least 128 square feet to accommodate bedroom furniture, a closet, and efficient movement

- Redesign the towers so that they are significantly less obtrusive and oppressive in feel and fit more contextually with nearby structures and the historic fabric of the neighborhood
- Negotiate in good faith with the New York City & Vicinity District Council of Carpenters to ensure the project adheres to the best and safest construction practices, and with local workforce organizations to provide service jobs for area applicants
- Provide funding in perpetuity for a local, independent agency or organization to oversee and enforce the rental fees and increases of affordable and market-rate apartments
- Present and execute a plan, together with the City of New York, to manage the increased volume of refuse that has resulted from new development in the area, and would be exacerbated by this large-scale project
- Utilize a fossil-free energy source such as a geothermal heat loop system instead of a natural gas reliant system for heating, which will work to have the project more aggressively meet the challenging but critical goals of the New York City Climate Protection Act, Climate Leadership and Community Protection Act (CLCPA) and those set by the Intergovernmental Panel on Climate Change
- Prior to rezoning approval, present community facility architectural plans verifying that the YMCA will serve both the Greenpoint and Williamsburg communities as well as 250 schoolchildren annually, and show that the center's size and location — as well as its pool, locker rooms, saunas, facility/pool access, elevator, pool depth and lane width, lifeguard station, staging area and pool equipment, weight rooms, full gym arena, and exercise rooms — are adequate as a full-service facility
- Ensure that the community facility is built out and operational before the building is occupied as rental housing

The board also requested that the City fund the full completion of Bushwick Inlet Park in its 10-year capital plan to mitigate current open space deficiencies that would be exacerbated by River Ring and other planned waterfront housing developments that would sharply increase the area's population.

The River Ring site consists of six tax lots on three waterfront blocks and portions of Metropolitan Avenue and North First Street between River Street and the pierhead line that would be demapped as part of the application. The development site is approximately 399,780 sq. ft., with 137,506 sq. ft. of upland lot portion and a 235,784 sq. ft. of seaward lot portion that includes 19,582 sq. ft. of existing in-water structures qualifying as "piers" or "platforms" as defined in ZR Section 62-11. The site has approximately 464 feet of frontage on River Street, 200 feet of frontage on North First Street, and 283 feet of frontage on North Third Street.

The full rezoning area fronting the East River, Kent Avenue, and North Third Street is approximately 441,660 sq. ft. Per the application, the development site would be rezoned from M3-1 to C6-2 to enable the River Ring proposal. The project area includes two non-applicant blocks between Kent Avenue and River Street that would be changed from M3-1 to M1-4. The block on the north side of Metropolitan Avenue is a 22,640 sq. ft. property improved with 210 Kent Avenue, a recently constructed six-story commercial office building. A vacant, 13,378 sq. ft. property, owned by Con Edison, is located to the south of Metropolitan Avenue.

The requested actions would enable a development of two-mixed use towers of 600 and 710 feet with a total floor area ratio (FAR) of 6.17 should the proposed eliminated street sections be consolidated as part of the River Ring development site. This represents approximately 1,158,000 sq. ft. of which more than 90 percent would be designated for residential use. The 49-story primarily residential tower would cover 15,070 sq. ft. of the site, while the 64-story primarily residential tower would cover 13,922 sq. ft. The towers would be massed to shift bulk away from the significant open areas along the shoreline, on seaward structures, and on the central portion of the development site.



The River Ring development area would include 170,103 sq. ft. of upland portion, and a 229,677 sq. ft. seaward portion, including 28,454 sq. ft. of new in-water structures. River Ring would significantly expand public access along the North Brooklyn waterfront with 2.96 acres of new open space, 3.17 acres of in-water recreation space and intertidal area, as well as with 1.3 miles of pedestrian walkways.

River Ring has been described as having attended parking for approximately 250 cars, though parking for the special permit would allow 26.7 percent of the 787 market rate apartments, which would require a minimum of 210 parking spaces. Such spaces would be accessed from the southern tower via North First Street. There would also be 538 required bicycle parking spaces. The towers would have ground floors with wraparound retail as well as lobbies for commercial office, community facility and residential use to activate street frontages along North Third Street, North First Street, and River Street as well as along the site's open space.

The surrounding context includes a mix of commercial, industrial, and residential uses. North of the site, along the Williamsburg waterfront, the predominant housing type is high-rise apartment towers, built after the 2005 Greenpoint-Williamsburg rezoning. The blocks to the east of the project area contain a mix of medium-density elevator buildings and multi-family homes. Commercial uses are scattered along Kent and Wythe avenues. To the south is the Domino Sugar Large LSGD site, which is currently under construction, though Domino Park has been open to the public since the summer of 2018. Additional open space resources include the small Grand Ferry Park, North Fifth Street Pier and Park, and the partially completed Bushwick Inlet Park.

Brooklyn is one of the fastest growing boroughs in the New York City metropolitan area. Its ongoing 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 neighborhoods. Borough President Adams is committed to addressing Brooklyn's affordable housing crisis through the creation and preservation of units for very low- to middle-income households.

Borough President Adams supports the development of underutilized land to address the City's need for affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible.

Borough President Adams supports actions to facilitate the River Ring development based on the expectation of permanently affordable residential floor area. As represented, 25 percent of the anticipated 1,050 apartments would be pursuant to MIH Option 1. Such residential floor area, resulting from additional zoning rights, would be affordable in perpetuity. Such development is consistent with Borough President Adams' policy for new residential developments to yield permanently affordable units.

In CD 1 and across New York City, there is a pressing need for affordable and stable housing among elderly adults, homeless households, low-income families, and other populations. Increasing the supply of affordable apartments for a range of incomes and household types in mixed-use buildings is a critical strategy for promoting a sustainable neighborhood and city.

The MIH program targets affordable housing units to a broad range of incomes, consistent with Borough President Adams' objective to extend such opportunities to households at various AMI tiers. MIH Option 1 would designate 25 percent of the floor area as affordable to households at an average 60 percent AMI, of which 40 percent must be offered at 40 percent AMI. Development adhering to

the MIH program is consistent with Borough President Adams' policy that income-restricted housing remains affordable in perpetuity.

River Ring would implement innovative coastal flooding measures, as a major component of its plan. The proposed breakwaters and groin would substantially reduce damage to public waterfront open space and upland residential buildings from tall flood waves. The elongated shoreline resulting from the planned park and protective cove would help dissipate energy from storm surges. The building design would utilize dry and wet floodproofing strategies, to protect residents and mechanical equipment. Borough President Adams believes that this should be the standard that developers should aspire to replicate for shoreline projects where bulkheads are not necessary.

Borough President Adams believes that the requested density is appropriate, as the development site is convenient to public transportation. River Ring would be accessible via the B32 bus, which makes stops along Kent Avenue, as well as the Q59, available south of Grand Street. The closest subway station, the Bedford Avenue stop of the 14<sup>th</sup> Street-Canarsie Local L train, is six blocks northeast of the site. The North Williamsburg stop of the NYC Ferry East River route is two blocks north at North Fifth Street. The area is also well-served by Citi Bike, with a large docking station at Kent Avenue and North Seventh Street, and is well-connected to the Brooklyn Greenway and other bicycle infrastructure.

Borough President Adams supports applications enabling the development of River Ring. He calls on the City and River Street Partners, LLC to direct the proceeds of the roadbed sale as either a surface easement or tax lot to fund Bushwick Inlet Park. Furthermore, River Street Partners, LLC should guarantee the represented degree of affordability and provide additional affordable housing, as well as provide a family-oriented bedroom mix, maximize outreach to seniors, provide space for community use, incorporate resiliency and sustainability measures, implement Vision Zero improvements, increase bike parking, include electric charging stations, promote car-share, and provide for local hiring. He also calls on the Administration to qualify rent-burdened households for affordable housing lotteries, and fund Bushwick Inlet Park, as well as for the New York City Economic Development Corporation (EDC) and the Metropolitan Transportation Authority (MTA) to improve area transit infrastructure.

### **Adequate Funding for Bushwick Inlet Park**

The 2005 Greenpoint-Williamsburg Rezoning was expected to result in 50 acres of new parkland along the East River waterfront. Due to unanticipated circumstances, the Bayside Oil and CitiStorage sections of Bushwick Inlet Park remain unfunded for construction. Borough President Adams shares the community's concerns regarding the delay in development of the park. Though Bushwick Inlet Park was established when the 2005 rezoning was adopted, its development has not kept pace with the high-rise residential construction in the last 15 years. To date, only the southern section has been completed and a middle section is now underway. However, the resulting assemblage allowed for environmental analysis of the former Bayside Oil site, as well as the section under construction between Bayside Oil and CitiStorage. Still, significant funding is still required to advance the master plan.

As part of the River Ring development, the proposed street bed elimination of a section of Metropolitan Avenue and North First Street, the City would be selling either an easement of such area or the resulting tax lot without the development rights from the adoption of the requested zoning. According to the special permit drawings, the applicant is proposing to remove 26,490 sq. ft. of mapped street bed. If the rezoning is approved, such land would provide 190,728 sq. ft. of development rights (at 7.2 FAR) that the City would retain if it would sell the tax lots resulting from the former street bed segments that would be merged into the River Ring tax lots. Alternatively, these lots would become independent tax lots remaining in City-ownership. In the latter instant, it would then provide River Street Partners, LLC, easements to the full surface area to allow for open space development. With either outcome, the sale should not be expected to generate significant revenue. Though, Borough President Adams believes that the proceeds

should be reinvested in the community, specifically as additional funding toward advancing the completion of Bushwick Inlet Park is a high-priority issue for CB 1, its elected officials and the community at-large.

Therefore, the mapping agreement for the discontinuation and closing of Metropolitan Avenue and North First Street should include a condition that the sale of the City-owned right-of-way segment, as either easements or as tax lots, to be one dollar, further conditioned on adequate demonstration that the remainder of the proceeds of fair market value have been deposited into a New York City Comptroller's Office Fiduciary Account for use by the New York City Department of Parks and Recreation (NYC Parks) to advance the development of Bushwick Inlet Park.

### **Realizing Appropriate Public Benefit of Affordable Housing Floor Area for the Requested Zoning**

Borough President Adams believes that significant upzonings should yield more affordable housing than rezonings that do not seek a comparable increase in density. Throughout his tenure as borough president, he has considered requests for substantial bulk increases that resulted in the development of 100 percent affordable housing. For other upzoning requests, he has consistently called for applicants to exceed MIH by providing additional floor area and/or more deeply affordable units.

Borough President Adams believes that public purpose based on MIH floor area alone does not capture the full value of upzoning from an M3-1 district, which does not permit housing construction, to a C6-2 (R8 residential equivalent) MIH district, with its maximum FAR of 7.2. Such a change of use and FAR increase results in a windfall of market-rate development compared to what is permitted as-of-right. There is thus a significant difference between drastic upzonings that unlock residential FAR and more modest ones that convert lower-density residential districts to higher density ones. Additionally, any zoning district in excess of R6A lacks leverage through MIH to induce more affordable housing floor area. The proposed rezoning would substantially enrich the project area with residential development rights without any obligation to provide deeper or greater affordability.

As this inequity cannot be rectified directly through MIH, Borough President Adams believes that increasing the number of affordable units while lowering the target household incomes is possible by blending what is required according to MIH with a voluntary special bulk permit. However, as the ZR does not provide such a special permit, he believes that the applicant could achieve equivalent public benefit through a legally binding mechanism.

Borough President Adams concurs that a C6-2 (R8 residential equivalent) would be an appropriate modification to the zoning map. However, to justify a C6-2 MIH district at this site, the developer should commit to providing additional affordable units based on a rent roll consistent with MIH Option 1. In addition, Borough President Adams believes that for this particular development, it would be more in keeping with community objectives to realize more affordable housing as opposed to the extent of parking normally required by the ZR.

To determine the appropriate amount of excess affordable housing floor area, it is helpful to calculate the site's development potential according to two residential zoning districts, the R8A MIH and the lower density R7A MIH, which stipulates a FAR of 4.6. The current M3-1 zoning permits only 2.0 FAR or approximately 314,175 sq. ft. of non-residential development based on ZR regulations. However, under the requested C6-2 MIH district, without consideration of the proposed demapped street sections, the remainder of the development site with a lot area of 161,454 sq. ft. would achieve approximately 1,162,469 sq. ft. of total development rights. With the represented 79,000 sq. ft. of commercial office and retail use, and 30,000 of zoning floor area for community facility use (more floor area would be below the curb level and would not be counted as zoning floor area) 1,049,800 sq. ft. or 6.5 FAR of River Ring would be available for residential floor area (including MIH).

Borough President Adams believes that a portion of these rights might be used to advance further public benefit. Based on the information above, the project area would provide 262,450 sq. ft. for permanently affordable residential floor area, i.e., the MIH Option 1 obligation. With C6-2 zoning, having 109,000 sq. ft. commercial and community facility floor area, River Street Partners, LLC would realize 787,350 sq. ft. of market rate residential floor area. In all, there would be 230,334 sq. ft. more market-rate residential floor area than if the site were zoned R7A MIH, with Option 1, and used exclusively for residential development.

Borough President Adams believes that if the 1.9 FAR increment remains the same between R7A and the resulting residential floor area with retention of 109,000 sq. ft. of commercial office, community facility and/or retail space, the R8 equivalent C6-2 district should yield additional affordable floor area to increase the project's public benefit. He typically seeks to set aside 50 percent of the FAR increment exceeding R7A MIH and 6.5 MIH regulated floor area for permanently affordable housing in lieu of the MIH Option 1 25 percent requirement. These units would be offered at Option 1 AMIs and rents, with 40 percent targeted to households earning 40 percent AMI and made affordable in perpetuity.

The additional 25 percent increment of 1.9 FAR would yield approximately 76,690 sq. ft. of affordable housing floor area on a 60 percent AMI basis beyond the required 262,450 sq. ft. pursuant to MIH Option 1. Linking a substantial amount of market-rate floor area beyond R7A MIH to the developer benefit of a zoning district with the higher C6-2 MIH FAR would provide sufficient incentive to seek such zoning district while generating the publicly desired affordability. Such affordable housing floor area — both the standard MIH requirement and additional area noted above — should also provide a family-oriented bedroom mix with more two and three-bedroom units.

Borough President Adams understands that the developer would be forgoing more profitable market rate residential FAR, even when it requires subsidizing permanently affordable housing floor area through the represented community facility zoning floor area. Should the City Council seek to mandate that community floor area include below-market space to promote locally desired uses, such as the represented YMCA, Borough President Adams believes that a nominal reduction of the recommended additional affordable housing floor area increase would be warranted.

To meet the threshold of public benefit necessary for approval of C6-2 MIH zoning, any residential FAR increment above R7A MIH should require provision of affordable housing floor area at a rate in lieu of the standard MIH Option 1 with permanent affordability. The developer should be required to memorialize the additional 1.9 FAR with more than 25 percent permanently affordable floor area and average rent not exceeding 60 percent AMI. Alternatively, the 60 percent AMI average rent collection could be marginally reduced as the warranted public benefit.

Therefore, Borough President Adams believes that the CPC and/or City Council should condition the requested C6-2 MIH district on a legal mechanism that commits a combined additional percentage of 76,690 sq. ft. of affordable housing at an average rent of 60 percent AMI, or modest decrease in the 60 percent AMI average rent collection. The City Council should obtain written commitments from River Street Partners, LLC to file a legally binding mechanism that commits an increased percentage of permanently affordable housing floor area or reduction of AMI below 60 percent.

### **Guaranteeing the Recommended Affordability**

Borough President Adams notes that ULURP application 220070 ZSK seeks to reduce the 40 percent parking requirement for the represented 787 unrestricted market rate housing units to a 26.7 percent requirement. By reducing the parking provided from 315 to 210 required parking spaces, the applicant would realize the represented publicly-accessible open space without subsurface constraints and avoid significant sub-surface construction — inclusive of costly ground water management — to accommodate a larger and/or deeper construction of the garage. He believes

that his recommendation for more extensive floor area is commensurate with the realized developer benefit of such cost avoidance of constructing a larger volume needed to accommodate the additional 105 normally required parking spaces. To memorialize his recommendation for additional affordable housing floor area, Borough President Adams believes that the ZR 74-533 special permit should be conditioned on developer obligation to increase permanently affordable housing from the MIH requirement of 25 percent of the residential floor area by an additional 76,690 sq. ft.

Finding ZR 74-533(a) requires consultation with the New York City Department of Housing Preservation and Development (HPD), which can be used to codify and mandate the recommended 76,690 sq. ft. of affordable housing floor area consistent with MIH Option 1 ZR requirements. Such consultation should produce a letter to the City Council submitted prior to its final determination on the application.

Therefore, prior to considering the application, the City Council should obtain from River Street Partners, LLC a written obligation from HPD attesting that the proposed affordable housing floor area would be increased by 76,690 sq. ft. and memorialized via a legally binding mechanism, such as the ZR 74-533(a) obligation to consult with HPD.

### **Bedroom Mix**

When reviewing rezoning proposals for affordable housing developments, Borough President Adams seeks a unit mix that adequately reflects the needs of low- and moderate-income families. River Street Partners, LLC has not disclosed the intended bedroom distribution within the affordable or market-rate units at River Ring. As such, there is no guarantee that the final bedroom mix would be consistent with Borough President Adams' policy to achieve family-oriented affordable housing units.

Borough President Adams believes that right-sizing the bedroom distribution within the affordable housing floor area is more important than maximizing the number of MIH units. The only indication of the unit mix is the represented gross unit size of 1,000 sq. ft. Given that most floors in the River Ring towers would be 12,600 sq. ft. and the number of stories served by elevators, there would be a high ratio of vertical core elements consisting of elevator shafts and stairwells in proportion to areas within individual apartment units. Such configuration is likely to achieve 80 to 85 percent efficiency between gross floor area and net area of the apartments. As such, the average apartments might be in the range of 800 to 850 sq. ft. However, there is no other indication that the River Ring development would provide an adequate distribution of family-sized apartments. Development pursuant to MIH lacks leverage to require affordable units with multiple bedrooms. Borough President Adams believes that it is appropriate to use discretionary land use actions to advance policies that constrain what would be permitted as-of-right.

While it might be possible for developments with net apartment size ranging between 800 and 850 sq. ft. to be consistent with such policy, Borough President Adams seeks a binding commitment to secure what has been represented to the community. For this project, it is important to mandate that the developer provide affordable housing pursuant to ZR Section 23-96(c)(1)(ii), with at least 50 percent of the units containing two or three bedrooms and at least 75 percent configured with one or more bedrooms.

Therefore, prior to considering the application, the City Council should obtain written commitments from River Street Partners, LLC that would require that at least 50 percent of the River Ring affordable units to have two or three bedrooms, and at least 75 percent to have one or more bedrooms.

### **Maximizing Affordable Housing Opportunities for Seniors**

In addition to family-sized units, there is a pressing need to build affordable apartments for the elderly, many of whom are of limited means. As noted in the New York City Department of City Planning (DCP)'s Zoning for Quality and Affordability (ZQA) study, New York's senior population is expected to grow 40 percent by 2040. The combination of rising housing costs across Brooklyn and declining production of age-based affordable housing has created a severe rent burden for seniors. Many elderly households are

struggling to remain in their homes and are exhausting their life's savings to keep up with living expenses until they are displaced from their communities.

A significant number of elderly households have negligible income and are at risk for displacement. As the Federal government has moved away from funding affordable housing for seniors, too few such rental apartments are being built, leaving tremendous demand for age-based affordable housing. As a result, many elderly households are experiencing increased and unsustainable rent burdens. One of Borough President Adams' top priorities is to help Brooklyn seniors secure affordable housing and remain in their neighborhoods. He seeks the advancement of more City projects, such as this proposal, which would result in permanently affordable units for older residents.

While Borough President Adams typically seeks a 50/50 blend of studios, one-bedrooms, two-bedrooms, and three-bedrooms, he believes that studio and one-bedroom units rented at 40 and 50 percent AMI might be affordable to senior households. With targeted marketing efforts, it is reasonable to expect that a greater share of studios and one-bedrooms at lower AMIs would be awarded to seniors. Borough President Adams calls on River Street Partners, LLC to conduct significant outreach to older residents of Greenpoint and Williamsburg, as part of its marketing strategy.

Therefore, prior to considering the application, the City Council should obtain written commitments from River Street Partners, LLC memorializing intended outreach efforts to seniors earning up to 40 percent AMI, or 50 percent AMI for dual-person households, to maximize their participation in the River Ring affordable housing lottery.

#### **Maximizing Community Participation in the Affordable Housing**

The ZR requires inclusionary housing units to be overseen by a non-profit administering agent, unaffiliated with the for-profit development entity, except when otherwise approved by HPD. The administering non-profit is responsible for ensuring that affordable housing complies with the regulatory agreement that governs the development's affordable housing plan. Tasks include verifying a prospective tenant household's qualifying income and approving the rents of such affordable units. The administering non-profit is responsible for submitting an affidavit to HPD attesting that the initial lease-up of the units is consistent with the income requirements and following up with annual affidavits to ensure compliance.

It is Borough President Adams' policy for housing non-profits to play a role in maximizing community participation in local affordable housing opportunities. CD 1 is served by several organizations with a proven record of marketing affordable housing units and promoting lottery eligibility such as Churches United for Fair Housing (CUFFH), Los Sures/Southside United HDFC, the North Brooklyn Development Corporation, SNA, and the United Jewish Organization (UJO). River Street Partners, LLC could retain one or more of these entities as affordable housing administrator(s) and/or marketing agent(s) for the project to qualify CD 1 residents for the River Ring affordable housing lottery. Such efforts should be undertaken in consultation with the Office of the Brooklyn Borough President, CB 1, and local elected officials.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from River Street Partners, LLC to utilize one or more local affordable housing non-profits to serve as the administering and/or marketing agent and promote lottery readiness.

#### **Securing Community Facility Floor Area for Local Arts/Cultural Groups, Non-Profit Organizations and Recreational Uses**

Borough President Adams regularly receives requests for assistance from arts/cultural groups and community non-profits seeking affordable space in Brooklyn. These organizations play an important role in the neighborhoods they serve but often struggle to obtain the space to expand and sustain their programs. It has been Borough President Adams' policy to review discretionary land use actions for opportunities to promote cultural and non-profit uses.

In June 2016, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining challenges for artists in the borough, with accompanying recommendations. The report highlighted the benefits of arts and dance, which include maintaining physical fitness, promoting creative self-expression, and making significant contributions to the vibrant culture of Brooklyn. Among the difficulties faced by the Brooklyn arts community is an absence of diversity — according to 2000 United States Census data, fewer than half the individuals working in dance are people of color. Additionally, public funding for the arts in New York City has shrunk dramatically in recent years: by 37 percent from the New York State Council of the Arts (NYSCA), by 15 percent from the National Endowment for the Arts (NEA), and by 16 percent from the New York City Department of Cultural Affairs (DCLA).

Data show that cultural programs generate a variety of positive effects, which include combating the borough's high rate of obesity. As of 2016, 61 percent of Brooklyn adults are overweight or obese, according to the New York State Department of Health (NYSDOH). Research by the Citizens' Committee for Children of New York has found that such activities also help children succeed in school. Moreover, demand for cultural programs continues to grow across Brooklyn. A 2015 report by the Center for an Urban Future (CUF) found a 20 percent increase in attendance at events organized by local cultural institutions since 2006.

Borough President Adams believes that the inclusion of arts/cultural entities and non-profit organizations at River Ring would provide enrichment to the community. The development's location is advantageous given the area's considerable residential density, and the high proportion of youth in CD 1. However, he is aware that such entities cannot afford to compete with commercial office users and retailers who could pay higher rents to lease at this location. Borough President Adams believes that such space could be a community asset if rented at below-market rates to local arts and cultural groups and/or non-profit organizations.

Borough President Adams would support a binding commitment memorializing approximately one quarter of River Ring's non-residential floor area at below-market rents to provide space for non-profit and/or arts and cultural organizations, child care, as well as commercial maker and/or studio space. Furthermore, to the extent that the City Council seeks to secure space at below-market rents for such uses, it should obtain written commitments from River Street Partners, LLC in the form of an executed legally enforceable mechanism, such as a deed restriction or contract with a non-profit business service provider to actively solicit such entities based on reasonable lease terms, in consultation with CB 1 and local elected officials.

As represented, the River Ring development would include a 30,000 sq. ft. community center housed in the proposed 49-story building. The intended YMCA would be expected to contain a youth swimming center and serve the entire Greenpoint/Williamsburg community. As this much needed resource represents a valued neighborhood amenity, Borough President Adams seeks to secure what has been represented. He understands that it may not be possible to deliver such a community amenity at the time of residential occupancy given logistics that effect the ability of a use such as a YMCA to be fully operational.

However, he concurs with CB 1's request to verify that specific elements of a YMCA facility can be accommodated through space intended to be provided. Therefore, it is reasonable to expect that design schematic drawings be developed before consideration of the requested land use actions.

To confirm that appropriate community facility use would be realized, Bulk Waiver Sections Z06-1, Z06-2 and C06-4, as part of special permit ULURP 220064 ZSK, should be further modified with a notation that restricts community facility floor area to Use Group (UG) 3A schools (restricted to child care centers), non-commercial art galleries, and/or UG 4A clubs, community centers, non-commercial recreation centers, philanthropic or non-profit institutions without sleeping accommodations. Additionally, at least one-quarter of the floor area set-aside for commercial office, community facility, and/or retail space, should



be reserved for occupancy by any combination of arts/cultural entities, child care, innovation and maker uses, and non-profit organizations — including recreational facilities.

Prior to considering the application, the City Council should obtain written commitments from River Street Partners LLC clarifying how community facility floor area would be leased at below-market rates, and with intent memorialize to recruit such entities, based on reasonable lease terms in consultation with CB 1 and local elected officials, through a legally enforceable mechanism, such as a deed restriction or contract with a non-profit business or service provider. Furthermore, that such space set aside, for intended occupancy for a YMCA, should be represented on design development drawings to confirm that such facility would serve both the Williamsburg and Greenpoint communities as well as 250 school children annually, with to-scale representation of all facility elements to ensure adequate provision of amenities.

### **Consideration of Eliminating Building Floors in Lieu of Deeper/More Affordable Housing**

In its conditional approval, CB 1 requested that the developer provide more and/or deeper affordability at River Ring while also reducing the project volume by one third. In addition, some people testified that the project's excessive height would bring too much development to the immediate area. While the former CB 1 stipulation is more feasible, Borough President Adams believes it may be possible to modify the proposed density without compromising the represented project goals. However, a substantial reduction in density would diminish the opportunity to seek additional public benefit — particularly his recommendation for additional affordable housing floor area.

According to the River Ring application drawings, the upper floors of both towers are approximately 12,600 gross sq. ft.: 12,594 gross sq. ft. for the 20 highest floors of the shorter tower, and 12,620 gross sq. ft. for the topmost 36 floors of the taller tower. With mechanical deductions, the zoning floor area is likely to be approximately 12,000 sq. ft. Each floor represents a very modest amount of FAR (0.074). As the City Council would provide the last opportunity for public input in on desired outcomes for development at this site, it may find that additional consideration of the proposed affordability is warranted through any combination of additional and/or more deeply units, versus a reduction in overall height. Therefore, in addition to considering mandating deeper and/or increased affordable housing floor area, the City Council should consider reducing the number of floors in one or both towers in its review of the requested land use actions.

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

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require newly constructed buildings as well as those undergoing renovation (with some exceptions) to incorporate a green roof and/or solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate, which Borough President Adams believes developers should exceed by integrating blue roofs with green roof systems. Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. Micro wind turbines can generate sustainable energy for taller buildings and developments near the waterfront. Finally, passive house construction achieves energy efficiency while promoting local construction and procurement.

Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021 outlined policies to rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated investments in renewable energy and battery storage to move beyond reliance on natural gas and dirty "peaker plants" disproportionately sited in communities of color. He believes that grid-connected rooftop batteries should be a standard



consideration for commercial buildings. Between existing flat roofs upgrades and new developments, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes it is appropriate for River Street Partners, LLC to engage the Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA) regarding government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development. One such program, the City's Green Roof Tax Abatement (GRTA) provides a reduction of City property taxes by \$4.50 per sq. ft. of green roof space, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the applicant to contact his office for further coordination on this matter.

As part of his resiliency policy, Borough President Adams seeks to advance stormwater management best practices including permeable pavers and/or rain gardens that promote DEP's green infrastructure agenda. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a comprehensive green infrastructure strategy. Where it is not advisable to remove street trees, it's possible to integrate stormwater retention measures into existing tree pits, with additional plantings to increase infiltration and make the site more pleasant for its users. In addition, blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would help divert stormwater from the Newtown Creek Wastewater Treatment Plant.

The required Builders Pavement Plan (BPP) for the proposed development provides an opportunity to install DEP rain gardens along the development site's North First, North Third, and River streets frontages. The ZR requirement to plant street trees provides shade on excessively hot days, helps combat the urban heat island effect, and provides other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris that can clog the inlet/outlet and prevent water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to ensure proper water absorption.

Borough President Adams believes that River Street Partners, LLC should consult DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the integration of rain gardens with street trees as part of the BPP. If there is interest in implementing an enhancement, it should be done through advance consultation with CB 1 and local elected officials.

Borough President Adams notes that waterfront development of such tower height would be expected to incorporate deeply-driven piles. Site work to such depth might reach a level where integration of a geo-thermal energy system could be economically feasible. Therefore, he believes that River Street Partners, LLC should try to accommodate CB 1's request to incorporate geothermal energy into the development. sustainability plan for River Ring. Borough President Adams believes that a project of such density and scale should strive to reduce reliance on fossil fuels. He also believes that the project's expansive extent of an open space system along a waterfront location provides an opportunity to capture sustained winds along the East River. The linear nature of the project site could provide multiple sites to incorporate wind turbines. Specifically, the narrow section of the development site along the existing NYPA "dirty peak" power plant, would allow wind turbines to be spaced along the shoreline.

Therefore, prior to considering the application, the City Council should obtain written commitments from River Street Partners, LLC to incorporate resiliency and sustainability measures, such as blue/green/white roof treatment, geo-thermal energy, grid-connected rooftop batteries, passive house construction, solar panels and/or façades, and/or wind turbines integrated into publicly-accessible waterfront access area

extending along the power plant with such locations depicted on drawings LSGD Site Plan Z01-1 and Waterfront Public Access Area (WPAA) Overall WPAA Site Plan L-100.00 and Furnishing Plan L-150.00.

### **Advancing Vision Zero Policies**

Borough President Adams supports Vision Zero policies, including practices that extend sidewalks into the roadway to shorten pedestrian crossings in front of traffic lanes. These bulbouts or neckdowns, promote driver awareness of pedestrian crossings and encourage them to slow down. Curb extensions also provide additional sidewalk space for seniors and families especially near dangerous intersections. When these measures are implemented, all roadway users benefit from safer streets.

In 2015, Borough President Adams launched the Connecting Residents on Safer Streets (CROSS) Brooklyn initiative. In its first year, the program allocated \$1 million to build curb extensions at five dangerous intersections. When reviewing discretionary applications for new residential and mixed-use development Borough President Adams seeks opportunities to implement pedestrian safety measures.

The River Ring proposal would result in dense, high-rise towers at the intersections of North First and North Third streets with River Street. These frontages would be traversed by pedestrians headed to the newly constructed publicly accessible open space along the East River that would serve as a community amenity, as well as the activated ground-floor with lobbies for commercial office and community facility use and residences and retail space. It is therefore expected that the project's crossings would draw a high volume of pedestrians. Per his CROSS Brooklyn initiative, Borough President Adams believes that curb extensions should be built at the intersections of River Street with the northwest corner North First Street and southwest corner of North Third Street. These improvements would benefit the future residents of River Ring and visitors to its amenities.

Therefore, prior to considering the application, the City Council should obtain written commitments from River Street Partners, LLC to coordinate curb extensions with DEP, DOT, and NYC Parks. All parties should affirm that implementation would require advance consultation with CB 1 and local elected officials.

### **Provision of Adequate Bike Parking, Electric Vehicle Chargers, and Car-Share Opportunities in Response to the Requested Parking Reduction**

Borough President Adams supports the establishment of Transit Zones in the ZR to enable affordable housing development without requirements to provide parking for affordable housing floor area. He also supports efforts to reduce parking obligations, though such waivers should be part of a well-considered plan that provides alternatives to car ownership, such as bicycle and car-share services. In addition, any parking reduction should promote electric vehicle car ownership.

#### **Ensuring Optimal Amount of Enclosed Bicycle Parking**

Borough President Adams believes that a significant reduction in off-street parking should be premised on a corresponding increase in bicycle parking requirements (per the ZR, one bicycle for every two units). To reduce parking of the market-rate units, developers should provide significantly more than the required number of bicycle spaces. Moreover, given the proposed 33 percent reduction in standard parking requirements, this development should be required to make improvements that promote bicycle use.

In this case, the applicant is seeking to reduce the ZR parking requirement from 315 to 210 parking spaces for the market-rate units. The requested parking reduction from 40 percent of the market rate units pursuant to ZR 74-533 to 26.7 percent, should be satisfied with the additional stipulation that in-building bike parking be provided at a rate of five spaces for every six units in lieu of the standard one space per two units.

#### **Accommodating Car-Share Vehicles within the River Ring Garage**

Parking capacity can also be addressed by facilitating urban car-share services. There are times when affordable access to automobiles can provide a quality-of-life enhancement, even for wealthier

households. Furthermore, research suggests that car-share achieves environmental benefits by reducing automobile use among car owners. Borough President Adams believes that providing access to car-share at River Ring would benefit future occupants, as well as nearby Williamsburg residents.

According to ZR Section 36-46(a)(1), a car-sharing entity is permitted to occupy up to five parking spaces, though no more than 20 percent of all spaces in group parking facilities. River Ring is expected to add more than 1,000 households to the area who would be less likely to own cars. A significant number of Williamsburg residents also lack access to automobiles. Borough President Adams believes that a limited number of the 210 spaces in the River Ring garage should be set aside for car-share vehicles through dialogue with car-sharing companies.

To stage rental vehicles within the garage, the developer would have to provide visible signage, per ZR Section 36-523, and state the total number of spaces, as well as the maximum number of car-sharing vehicles.

#### Encouraging Use of Electric Vehicles

Borough President Adams believes that as electric vehicles become increasingly accessible, more buyers will opt for this sustainable alternative to traditional automobiles. In 2021, new electric vehicle registrations in the United States nearly doubled, outstripping overall growth in the auto market. Encouraging ownership and use of electric vehicles at River Ring would align with the development's sustainability agenda and achieve tangible environmental benefits. However, as a key consideration for utilization of electric vehicles is availability of charging stations, he believes that adapters should be accessible to no less than 10 percent of all parking spaces.

Given the overwhelming expense of building underground parking in proximity to the East River, the approval of the requested reduction in parking would result in considerable cost savings for the project. Borough President Adams believes that the grant of such a waiver should be premised on providing additional public benefit as noted above, including the promotion of alternatives to driving though enhancing accommodation of bicycles, enticement of foregoing automobile ownership and promoting ownership of electric vehicles. Therefore, Borough President Adams believes that the requested parking reduction from 40 percent of the market rate units pursuant to ZR 74-533 should be satisfied with a parking provision of 26.7 percent, with the additional stipulation that in-building bike parking is provided at a rate of five spaces for every six units in lieu of the standard one space per two units, written commitments from River Street Partners, LLC to engage car-sharing companies in leasing multiple spaces within the development's garage, in consultation with CB 1 and local officials, as well as electric charging capacity for at least 10 percent of the provided parking spaces.

#### **Ensuring an Optimal Amount of Bicycle Parking for the Publicly Accessible Open Space**

As indicated in Waterfront Public Access Area (WPAA) drawing Furnishing Schedule L-151.00, eight, double capacity bike rack fixtures would be installed in the Supplement Waterfront Public Access Area (SPAA) and 16 of such fixtures would be placed in the combination of WPAA and the North Third Street terminus. This is in response to the ZR Section 62-62 (c) requirement to enable parking for 48 bicycles via bike racks. According to Furnishing Plan L-150.00, eight fixtures would be installed in proximity to the North Third Street southern right of way, near the shoreline.

The River Ring site is in proximity to a major bike route, the Brooklyn Greenway, and its publicly-accessible open space has the potential to serve as a stop-over, as well as a destination for those living directly upland but seeking to commute by bicycle. Borough President Adams believes that WAP requirements for the open space are deficient for such a represented public amenity. He believes that River Street Partners, LLC should greatly exceed the ZR requirement by providing many more bicycle parking fixtures. Based on a review of the proposed WAP, there appears to be an opportunity to include 39 extra bike fixtures. They could be added as follows: adding eight fixtures just west of the terminus of North Third Street, south of the right-of-way; another six along the south side of the North Third Street

right of way between the tables and chairs to the west of the corner retail space; 16 bike racks along the River Street right of way between North First and North Third streets, spaced between the retail stores and residential entry, and between the retail store and the prolongation of Metropolitan Avenue; three fixtures along North First Street between the corner retail and office lobby, and six more near Grand Ferry Park on the seaward side of the pathway to the south of the first group of benches.

Borough President Adams believes that River Street Partners, LLC should exceed the ZR 62-62 (c) requirement for bike racks as per the fixture indicated in Waterfront Public Access Area (WPAA) drawing Furnishing Details L-511.00, by providing 39 additional double-capacity bike parking fixtures depicted on waterfront public access drawings Overall WPAA Site Plan L-100.00, Furnishing Plan L-150.00, and reflected in Furnishing Schedule L-151.00.

### **Providing Quality 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 expands employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality in the borough, with more than half of community districts reporting poverty rates of 20 percent or higher. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity.

This employment crisis can be addressed by prioritizing local hiring and Brooklyn-based businesses, including qualified LBEs and MWBEs, a central component of Borough President Adams' economic agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs, consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation) and coordinate oversight of such participation by an appropriate monitoring agency.

In addition, jobs in the building service sector have long been a path to middle-class living for immigrants and people of color. Building service positions have low barriers to entry and real career prospects. When compensated at prevailing wage standards, such jobs provide average wages double that of the retail sector. Additionally, building service opportunities are often filled through local hiring.

Borough President Adams believes it is appropriate to advocate for economic opportunities that provide sufficient income to alleviate rent burdens for low- and moderate-income families. He further believes that building service positions increase neighborhood employment. Borough President Adams strongly encourages developers to commit to local hiring for building service jobs, and to provide prevailing wages and full benefits to this workforce.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, River Street Partners, LLC to memorialize in its intended RFPs, retention of Brooklyn-based contractors and subcontractors, especially those designated LBEs consistent with Section 6-108.1 of the City's Administrative Code and MWBEs, to meet or exceed Local Law 1 standards (no less than 20 percent participation). Such commitments should also clarify the developer's intent to partner with local employment organizations to fill building service positions and confirm that these workers would be paid prevailing wages with full benefits.

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

Data shows that more than 80 percent of New York City households earning 50 percent of AMI or less are rent-burdened. The crisis is even worse among those making 30 percent of AMI or less, currently \$32,220 for a family of three. More than 50 percent of this population pays more than half of their income toward rent. Finally, nearly one third of New York City households earn less than \$35,000 and more than one-fifth — over two million people — earn less than \$25,000 annually. As the City's housing crisis grows worse, the burden falls most heavily on these low-income households, exacerbating racial disparities.

According to the CHPC, one in four households of color is severely rent-burdened, which is 11 percent more than Caucasian households.

A strict rent-to-income requirement of no more than 30 percent prevents many rent-burdened households, who are often paying the same or greater rent for an apartment from applying for new affordable housing. As noted in his East New York Community Plan ULURP recommendation, Borough President Adams believes it's time to stop excluding families paying too much for substandard accommodations from affordable housing lotteries. He seeks to qualify rent-burdened households for the lottery process, which would maximize their opportunities to secure affordable housing and expand the number of households eligible for affordable housing lotteries.

One way to address this disparity is by amending the ZR AMI qualifications to include households that would maintain or reduce their rent burden. For MIH lotteries, DCP needs to modify the ZR to allow exceptions to the 30 percent of income limit so that those who are rent-burdened and paying equal or greater rent than that of the lottery unit would be eligible to live in new and quality affordable housing. Borough President Adams believes that the CPC and/or the City Council call for modification of the ZR MIH section pertaining to special bulk regulations, to allow rent-burdened households to qualify for MIH affordable housing units.

### **Adequate Funding for Bushwick Inlet Park**

Borough President Adams recognizes that CD 1 is significantly underserved by public open space, and that this issue has been a longstanding concern in the community. New developments that add residential density in Greenpoint-Williamsburg exacerbate demand for parkland, though opportunities to create new open space are limited. The completion of Bushwick Inlet Park has been a top objective for CD 1 since the 2005 rezoning opened the waterfront to high-rise residential construction. He therefore calls on the City to honor its commitments and include full funding for Bushwick Inlet Park in its 10-year capital plan to achieve a complete and operational park.

### **Ensuring Adequate Ferry Service**

One way to relieve pressure on existing bus and subway infrastructure in Williamsburg is to induce Lower Manhattan and Midtown commuters to take the ferry. New York City's subsidized ferry system, which consists of multiple routes that run across and along the East River, has an extensive ridership base within a brief walk given the ongoing high-rise residential development along the Brooklyn/Queens waterfront.

Currently, NYC Ferry operates an East River route between Hunter's Point South and Wall Street that picks up passengers along several stops before alighting in Midtown or Lower Manhattan. While the proposed development would bring more than 1,000 new households to the Williamsburg waterfront, the vast extent of the Domino site has yet to be developed; 420 Kent has many apartments to be occupied; development is underway to the north of Bushwick Inlet, and anticipated south of Schaefer Landing. Borough President Adams believes, over time, ridership in this area would overwhelm the capacity of the East River route. Therefore, a next step for the evolution of the ferry system would be for EDC, or a successor agency, to consider running point to point service between the Northside Piers and Pier 11 and East 34<sup>th</sup> Street during peak AM and PM weekday hours.

### **Adequate Public Bus Transit**

The waterfront section of Williamsburg is served by the B32 and Q59 buses, which stop on Kent and Wythe avenues between South Second and Third streets, and the B62 bus, which stops on Bedford Avenue between South First and Second streets. The Q59 provides a convenient connection to both the G and L trains. The MTA recently implemented the B32 route connecting the Williamsburg waterfront, Greenpoint, and Long Island City. The route operates between Marcy Avenue station and Long Island City stations served by the 7, E, G, and M subway trains, running along Kent Avenue (northbound) and Wythe Avenue (southbound). The B32 line has added capacity to the area and

has helped absorb the impacts of ongoing development on the Q59, as its southern segment mirrors the Q59 and B62 routes.

Borough President Adams believes that further improvements should be made to enhance local bus service. Specifically, the Q59, which is presently operating at 12-minute intervals, should be extended from Williamsburg Plaza to the southwest corner of Broadway and Marcy Avenue. Such a change would shift ridership to the east end of the station where there is more capacity to move between the street and the train platform. He believes the MTA should modify the Q59 to achieve best utilization of existing access to the Marcy Avenue platform.

The 2010 Final Environmental Impact Statement (FEIS) for what was referred to as the New Domino development cited a need for 11 additional buses on the Q59 route during peak periods with three attributed to the New Domino development. As sites develop along Williamsburg's East River waterfront, it is expected that the MTA would modify its intervals of these bus routes. As the time comes, rather than providing more buses for the entire route, with buses significantly under capacity east of Lorimer Street, Borough President Adams believes that the MTA should also provide frequent Q59 shuttle service. With a shorter route, each additional bus added to the line could be utilized more efficiently and cost-effectively. The shuttle could have terminuses at Lorimer or Union streets (Metropolitan Avenue) and at Marcy Avenue (Broadway). The route could even be extended south to Division Avenue close to Schaefer Landing, the Domino, 420 Kent, and the pending site initially presented as Rose Plaza on the Water. He believes that the MTA should further modify the Q59 to add more service through such a shorter route with an extension to Division Avenue to serve southside waterfront developments along with the River Ring site.

Borough President Adams believes that it is also appropriate to supplement subway transit with express bus service providing direct access to Manhattan without requiring bus transfers to reach the Marcy Avenue and/or Lorimer Street stations. Borough President Adams believes that the B39 could provide more utility if the MTA extended the bus route to Lower or Midtown Manhattan from its Lower East Side terminus and along the Brooklyn waterfront as an extension from its Williamsburg Plaza terminus. As part of considering such a route, the MTA should work with DOT to pursue a dedicated Williamsburg Bridge bus lane for at minimum, peak commuting hours to achieve a commute option that would provide predictable service and have the ability to maximize the number of potential passengers served.

Completed and anticipated residential developments in CD 1 are expected to add a significant daytime and overnight population to the area. It is therefore reasonable to expect an increase in ridership such as what was disclosed starting with the 2010 FEIS, as updated in its Technical Memorandum. The MTA should closely monitor ongoing increases in ridership to determine when modifications become necessary, and continuously procure buses to maintain adequate capacity and frequency. Such monitoring should consider when it might be appropriate to implement more frequent shuttle service on the Q59 route and recommended route modifications, an elongated route for the B39 as a waterfront express bus, increased frequency for the B32 route between Long Island City and Williamsburg Plaza, and additional service on the B62 route between Downtown Brooklyn and Long Island City. Borough President Adams believes that such MTA monitoring should occur in six-month intervals, to ensure that the agency is able to anticipate and meet transit demand associated commercial and residential occupancy of River Ring, and other in progress and pending developments in along the Greenpoint and Williamsburg waterfront. Such vigilance would ensure an adequate level of service and help control potential adverse impacts of increased ridership.

Finally, with the introduction of daytime office and residential occupancy, Borough President Adams believes it is appropriate for the MTA to coordinate the installation of bus shelters on Kent and Wythe avenues in proximity with DOT.



### **Adequate Subway Operation**

Borough President Adams believes that the MTA must work to address increased residential growth that relies on the L train for transit access in a timely manner. Equipping the tracks with technology to run 22 trains per hour in one direction rather than the current 20 was an important step toward meeting increased demand for service. Communications-based train control (CBTC) upgrades to electric power and train storage facilities allow for expansion of such maximum capacity. However, it is critical that the agency procure more trains to meet designed capacity under the newest technology.

The MTA had previously intended to have enough train cars to run the L line at the full CBTC capacity of 22 trains per hour and was to order the additional subway cars which were supposed to be put into service by 2017. However, according to the DEIS, only 20 trains were operating during morning peak hours in 2017, based on that year's schedule. A 25-percent increase in G line service between 3:00 PM and 9:00 PM was also intended to alleviate persistent peak-hour overcrowding. The DEIS assumes that 22 trains would be in operation by the time River Ring would be occupied in 2027. It is imperative that the MTA redouble its efforts to maximize operational capacity as this and other residential developments come online in this decade.

With the recent rerouting of M line service that had taken over the former Manhattan V line, commuters to Midtown have benefitted from a one-seat ride. The MTA had implemented measures (disclosed in 2010) to mitigate anticipated impacts to the Marcy Avenue station's Manhattan-bound and Queens-bound secondary control areas for the J/M/Z subway lines. This involved replacing the existing High Entrance and Exit Turnstile (HEET) at both control areas with two low-turnstiles at each location to achieve increased capacity.

In terms of capacity, as more waterfront development becomes occupied, it is important to understand how the MTA may optimize the operational potential for these lines. The agency should continuously monitor service to determine if additional enhancements might be warranted in response to the ongoing population increase. The MTA should continue semi-annual full-line impact reviews to identify any need for increased frequency and/or additional train cars.

According to transportation advocates, the MTA has available rolling stock to extend trains operating on the G line. Coupled with infrequent service, the characteristically shorter G trains prompt passengers to utilize less than half the platform space when waiting for trains. At Metropolitan Avenue station, the closest G stop to the River Ring and pending Domino development, access to the platform is concentrated at its northern section, which results in riders crowding this area to board the train before it leaves. To remedy this condition, the MTA initially added one train per hour during the weekday hours of 3:00 PM to 9:00 PM. The MTA should also consider extending the existing trains by at least two cars in the future, and ultimately lengthen the G to eight cars to address passenger capacity and platform crowding — even if doing so would result in added maintenance and operations costs.

Borough President Adams believes that to improve subway service in this neighborhood, the MTA should monitor ridership demand associated with the residential and commercial occupancy of River Ring (and other ongoing and anticipated developments) in six-month intervals to determine when additional and/or more frequent trains are warranted on the G, L, and J/M/Z lines. The MTA should continue to procure enough train cars to operate L service at the full CBTC capacity of 22 trains per hour to achieve the maximum service capacity and add excess rolling stock to the J/M/Z and G lines.

### **Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Sections 197-c, 199 and 201 of the New York City Charter, and of the New York City Charter and Section 5-430 et seq. of the New York City

Administrative Code recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. That for 210425 MMK, the mapping agreement for the discontinuation and closing of Metropolitan Avenue and North First Street include a condition that the sale of either the City-owned right of ways in the form of easements or tax lots, be one dollar, further conditioned on adequate demonstration that the remainder of the proceeds of fair market value have been deposited into a New York City Comptroller's Office Fiduciary Account for use by the New York City Department of Parks and Recreation (NYC Parks) to advance the development of Bushwick Inlet Park
2. That the City Council obtain written commitments from River Street Partners LLC clarifying how it would:
  - a. For the additional FAR increment in excess of an R7A MIH district, provide affordable housing floor area at a rate that commits a combined extra percentage of 76,690 sq. ft. of affordable housing floor area, at an average 60 percent AMI, or modest decrease in the 60 percent AMI average rent collection
  - b. Memorialize the recommended additional 76,690 sq. ft. of permanent affordable housing floor area via a legally binding mechanism, such as the New York City Zoning Resolution (ZR) 74-533 (a) obligation to consult with the New York City Department of Housing Preservation and Development (HPD)
    - a. Provide an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-bedroom and larger units, but for studios targeted to households not exceeding 40 percent AMI
    - b. Implement outreach efforts to seniors earning up to 40 percent AMI for single- and dual-person households, to maximize their participation in the affordable housing lottery
  - c. Utilize one or more local affordable housing non-profits to serve as the administering agent and have one or more such entities play a role in promoting lottery readiness
3. That Bulk Waiver Sections Z06-1, Z06-2 and C06-4, as part of special permit ULURP 220064 ZSK, be further modified to include a notation that restricts community facility floor area to Use Group 3A schools (restricted to child care centers), non-commercial art galleries, and/or UG 4A clubs, community centers, non-commercial recreation centers, philanthropic or non-profit institutions without sleeping accommodations. Restrict one-quarter of the commercial office and retail space for occupancy restricted to any combination of arts/cultural entities, child care, innovation and maker uses, and non-profit organizations – including recreational
4. That the City Council obtain written commitments from River Street Partners, LLC clarifying how community facility floor area would be at below-market lease terms, and with intent memorialize to recruit such entities, based on reasonable lease terms in consultation with Brooklyn Community Board 1 (CB 1) and local elected officials, through a legally enforceable mechanism, such as a deed restriction or contract with a non-profit business or service provider, and that space set-aside for recreation shall be inclusive of design development drawings to confirm that such facility would serve the stated purpose and promise of serving both the Williamsburg and Greenpoint communities as well as 250 school children annually, including proper representation to scale of facility elements including pool and locker rooms



5. That in addition to considering the mandating of deeper and/or increased affordable housing floor area, the City Council should consider reducing the number of floors in one or both towers in its determination of the requested land use actions in consultation with CB 1
6. That the City Council obtain written commitments from River Street Partners LLC clarifying how it would:
  - a. Install curb extensions at the northwest intersection of North First Street and River Street as well as the southwest corner of North Third and River streets as part of a Builders Pavement Plan (BPP) or as treated roadbed sidewalk extensions, with the understanding that New York City Department of Transportation (DOT) implementation would require advance consultation with Brooklyn Community Board 1 (CB 1) and local elected officials
  - b. Coordinate with the New York City Department of Environmental Protection (DEP), and the New York City Department of Parks and Recreation (NYC Parks) to install DEP gardens as part of a BPP along North First, North Third, and River streets, in consultation with CB 1 and local elected officials
  - c. Integrate resiliency and sustainability measures, such as blue/green/white roof treatment, geo-thermal, grid-connected rooftop batteries, passive house construction, solar panels and/or façades, and/or wind turbines, including such wind-turbines being integrated into publicly-accessible waterfront access area extending along the power plant with such locations depicted on drawings LSGD Site Plan Z01-1 and Waterfront Public Access Area (WPAA) Overall WPAA Site Plan L-100.00 and Furnishing Plan L-150.00
  - d. That the requested parking reduction from 40 percent of the market rate units pursuant to ZR 74-533 (a) to satisfied by providing not less than 26.7 percent, provided that:
    - i. In lieu of in-building bike parking at a rate of one space per two units, such bike parking be provided at a rate of five spaces for every six units
    - ii. Engagement with car-sharing companies to lease multiple spaces within the development's parking facilities in consultation with CB 1 and local officials
    - iii. Electrical charging adapters be accessible to no less than 10 percent of all parking spaces, and not less than one car-share space for every 20 required parking spaces Bike Parking, including open space
  - e. Exceed the ZR 62-62 (c) requirement for bike rack fixtures, as per the fixture indicated in WPAA drawing Furnishing Details L-511.00, to accommodate 48 bicycles by providing 39 double-capacity bike parking fixtures, that should be depicted on waterfront public access drawings Overall WPAA Site Plan L-100.00, Furnishing Plan L-150.00, and be reflected in Furnishing Schedule L-151.00
  - f. Retain Brooklyn-based contractors and subcontractors, especially those designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) to meet or exceed standards per Local Law 1 (no less than 20 percent participation), and coordinate the oversight of such participation by an appropriate monitoring agency

- g. Outreach to local workforce organizations to provide service jobs for local job seekers and that such building service workers be required to be paid prevailing wages with full benefits

Be it further resolved:

1. That the CPC and/or the City Council call for modification of the ZR MIH section with a requirement that permits households with rent-burdened status to qualify for MIH affordable housing lotteries (allow for exceptions to the 30 percent of income threshold for households paying the same or higher rent than what the housing lottery offers)
2. That the City of New York include full funding for Bushwick Inlet Park in its 10-year capital plan to achieve a complete and operational park
3. That the New York City Economic Development Corporation (EDC) study running more frequent East River limited stop service between East 34<sup>th</sup> and Pier 11 from Northside Piers
4. That the Metropolitan Transportation Authority (MTA) investigate the following bus enhancements
  - a. Extending the last stop of Q59 (at Williamsburg Plaza) to the southwest corner of Broadway and Marcy Street
  - b. Instituting a frequent bus (shuttle) service segment of the Q59 to serve the ongoing and envisioned waterfront developments between Division and Grand avenues, inclusive of evaluation of rerouting from Broadway to further south to Division Avenue, to be routed between the Marcy Avenue (J/M/Z) and Lorimer Street/Metropolitan Avenue (L/G) stations
  - c. Introducing express bus (could be a waterfront extension of the B39 route) to Midtown and Lower Manhattan, inclusive of collaboration with DOT to pursue a dedicated Williamsburg Bridge bus lane for at minimum, peak commuting hours
  - d. Monitoring Q59, B32, B39, and B62 service in intervals, not to exceed six months, to determine when additional bus service would be warranted based on ridership demand and then provide additional vehicles to increase the frequency of bus service as warranted to promote adequate service to these routes and implement the above referenced route modifications
  - e. Obtaining additional buses for maintaining adequate frequency and capacity as follows:
    1. To implement the described shuttle for the Q59 route
    2. The B39 waterfront express route
    3. The B62 route to or from Downtown Brooklyn and Long Island City
  - f. Coordinating with DOT for the installation of bus shelters on Kent and Wythe Avenues in proximity to the River Ring site
  - g. Undertaking semi-annual full line impact reviews to determine the projected need for increased frequency for L, J/M/Z and G line service and/or lengthening each G line train

- h. Adding additional cars to the G train to expand each train's capacity to eight cars from its current four cars per train
- i. Continuing MTA efforts to obtain additional cars to increase the number of trains along the L line to its designed community-based train control operating capacity of 22 trains per peak hour service in one direction