



IN THE MATTER OF an application submitted by 300 Huntington Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an existing M2-1 District to an M2-3 District property bounded by Huntington Street, the centerline of the Gowanus Canal, West 9th Street, and Smith Street, Borough of Brooklyn, Community District 6.

This application for a zoning amendment map was filed by 300 Huntington Street LLC on August 5, 2020 to change an M2-1 zoning district to an M2-3 zoning district. This application, in conjunction with the related action, would facilitate the development of a new six-story manufacturing and commercial building and waterfront public access area at 300 Huntington Street (Block 477, Lot 8) in the Gowanus neighborhood of Brooklyn, Community District 6.

RELATED ACTIONS

In addition to the zoning map amendment (C 210049 ZMK) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission (CPC), which is being considered concurrently with this application:

N 210051 ZAK Authorization to modify certain requirements of a Waterfront Public Access Area (WPAA) pursuant to Zoning Resolution (ZR) Section 62-822(b).

BACKGROUND

The applicant proposes a zoning map amendment to change an M2-1 zoning district to an M2-3 zoning district, as well as an authorization to modify grade change, planting, screening buffer, fence, and tree pit requirements of a WPAA to facilitate a new six-story manufacturing and commercial building and WPAA at 300 Huntington Street.

The project area (Block 477) is comprised of the development site (Lot 8), as well as three other lots (Lots 1, 48, and 49) not owned by the applicant. The project area is located just north and east of the elevated Culver F and G subway lines along the west bank of the Gowanus Canal within the Gowanus neighborhood. Since 2016, the Department of City Planning (DCP), in partnership with

several other City agencies, has engaged in a community planning process with the ultimate goal of making the Gowanus neighborhood more sustainable and inclusive, and provide jobs, housing and open space. In June 2018, DCP released the *Gowanus Framework*, which included goals and strategies, including land use changes in a roughly 80-block area, to be developed and implemented as part of a neighborhood plan. One of the strategies identified in the *Gowanus Framework* was to develop a shared vision for the southern part of Gowanus that lies within the Southwest Brooklyn Industrial Business Zone (IBZ). This part of Gowanus is not included within the proposed land use changes that are part of the Gowanus Neighborhood Plan (Gowanus Plan). In 2019, DCP, agency partners, and local stakeholders began a public engagement effort with the goal of producing a vision document as part of the overall Gowanus neighborhood planning work. Goals of this vision document include supporting business growth, creating a land use framework, and identifying priority infrastructure and workforce development needs.

The area surrounding the development site is characterized by a variety of land uses and major infrastructure, and includes the approximately 100-foot-wide, 1.5-mile-long manmade Gowanus Canal that is located to the east of the project area. Currently, the Canal's waterfront contains a mix of commercial activity, parking lots, storage, and light industrial uses interspersed with vacant buildings and land.

To the north of the project area (outside of the IBZ), Block 471 is zoned M3-1 and comprised of two large properties (Lots 1, 100 and 200). Lot 200 is a privately-owned site, while Lots 1 and 100, known collectively as the Gowanus Green Development Site, are City-owned lots. Both sites are within the proposed Gowanus rezoning area and contain approximately 10 acres of underutilized land that is currently vacant (Lots 1 and 100) or used in connection with Superfund remediation activities, including dredging and staging work (Lot 200). The project area is largely separated from the residential neighborhood of Carroll Gardens to the west by the elevated Culver line. This portion of Carroll Gardens is characterized by several mixed-use commercial and residential buildings. St. Mary's Playground is located to the north and west of the project area underneath the elevated Culver line.

Land within the IBZ and to the south of the project area is zoned M3-1 and M1-1, and includes a scrap metal facility and fuel oil storage depot, along with commercial businesses including professional offices, moving services, ballrooms, local retail and a brewery. The portion of the IBZ east of the canal is zoned M2-1 and contains a mix of low-scale warehouses and multi-story, loft-style buildings with various commercial and light industrial uses. Recently, former loft buildings have been reused and converted to space for artist studios, co-working, and technology, media and design firms.

In 1971, the City of New York adopted the Gowanus Industrial Development Plan (CP-21415), an Urban Renewal Plan (URP) that designated an Urban Renewal Area (URA), which included the blocks south and east of the project area. The URP, which expired in February 2011 sought to redevelop the URA by removing substandard and deteriorating non-industrial land uses, removing impediments to land disposition and development, creating job opportunities, and establishing appropriate industrial land uses to strengthen and support the area's industrial character. The URP permitted a mix of industrial uses, commercial uses, and public facilities and improvements on City-owned sites.

Nearby parks and open space include the St. Mary's Playground along Smith Street and Ennis Playground between Second and Third avenues and 11th and 12th streets within the IBZ. Both playgrounds recently re-opened after an extensive renovation in 2019. The Red Hook Recreation Area is also within walking distance of the project area. The Gowanus rezoning proposes to map new parkland just north of the project area as part of the Gowanus Green Development. Additionally, the proposed Gowanus Waterfront Access Plan would facilitate incremental development of a continuous shore public walkway along the canal. The canal is expected to be remediated and activated with public spaces along the waterfront that connect to the proposed WPAA on the development site.

Nearby access to public transportation includes subway and bus service. The Smith – 9th Street Station of the F/G train is located in the project area and is at the southwest property boundary of the development site. Within the surrounding area, the B61 bus runs east/west along Ninth Street

from Prospect Park to Borough Hall and the B57 bus runs north/south along Smith Street from Red Hook to Maspeth, Queens. The South Brooklyn Ferry, connecting Lower Manhattan, DUMBO and Bay Ridge, is located seven blocks west at the Erie Basin.

The project area comprises the entirety of Block 477 and is bounded by the Gowanus Canal to the east, Huntington Street to the north, Smith Street to the west, and Ninth Street to the south. Block 477 includes Lots 1, 8, 48, and 49. Lot 1 (7 Ninth Street) is owned by the City of New York and is improved with the elevated Smith – 9th Street Station and tracks of the F/G train. The lot area of Lot 48 (3 Ninth Street) is approximately 3,254 square feet and is improved with two one-story commercial buildings that consists of an estimated 2,600 square feet of deli and restaurant space. Lot 49 (501 Smith Street) has a lot area of approximately 2,047 square feet and is improved with a vacant one-story building, formerly used for building materials sales. Lot 8 is owned by the applicant and has a lot area of approximately 49,854 square feet. The site is vacant of any buildings and is currently used as an open contractor’s yard and bus storage accessed from a single curb cut on Huntington Street. The project area is located within the New York City Coastal Zone and partially located in the one percent annual chance flood plain and 0.2 percent chance annual flood plain.

The applicant proposes to develop a new six-story, approximately 99,650-square-foot manufacturing and commercial building containing approximately 80,200 square feet of office space, 12,300 square feet of retail use, and approximately 3,500 square feet of contractor work space connected to an approximately 14,850-square-foot contractor yard. The applicant would occupy approximately 26,800 square feet of the development, including approximately 23,350 square feet of office space, and would lease out the remaining space. The ground floor retail space would front on and activate the WPAA and Huntington Street. Loading would be provided in the rear of the building. No parking would be required under the proposed zoning and none would be provided.

The WPAA would consist of an approximately 7,550-square-foot shore public walkway and would include circulation paths, linear seating, and flood-resilient pavements, and planting areas with a

variety of trees, shrubs and perennials. The proposed shore public walkway would follow the edge of the bulkhead and extend to the northern street line of Huntington Street. At the end of Huntington Street, the applicant would construct a stepped terrace along the canal to connect to the adjacent development site. The stepped terrace would have seating opportunities and provide absorptive planting to catch storm water runoff from the street. Bicycle parking, trash receptacles and signage would be provided to meet or exceed the applicable standards. The WPAA would be required to be built according to the design regulations of the CPC Chair's Waterfront Certification.

While no upland connection/visual corridor or supplemental public access area is required as per ZR Section 62-81, the applicant would provide a 1,060 square foot Public Access Area (PAA) along the Huntington Street frontage to provide connection and access from the WPAA to Huntington Street. The triangular PAA (approximately 100 feet long by 20 feet wide) fronting Huntington Street would encompass the portion of the fire access turnaround that overlaps the development site. The applicant would maintain a minimum 10-foot-wide path of unobstructed access through the PAA where it connects to the northern portion of the WPAA.

In order to facilitate the proposed development, the applicant seeks a zoning map amendment (C 210049 ZMK) to change an M2-1 zoning district to an M2-3 zoning district and a zoning authorization (N 210051 ZAK) pursuant to ZR Section 62-822(b) to modify grade change, planting, screening buffer, fence, and tree pit requirements of a WPAA.

M2-1 and M2-3 zoning districts have the same bulk and use requirements, allowing a maximum permitted floor area ratio (FAR) of 2.0 and specifying that the height of a front wall (or portion of a building) within 20 feet of the lot line may not exceed a height of 60 feet or four stories, whichever is less. Above 60 feet, a 20-foot horizontal setback is required and a building must comply with a sky exposure plane.

M2-1 and M2-3 zoning districts have varying parking requirements. In an M2-1 zoning district, manufacturing or semi-industrial uses in Use Group 17A with a minimum of either 10,000 square

feet of floor area or 15 employees, require one parking space per 2,000 square feet of floor area or one space per three employees (whichever requires the larger number of spaces). Most commercial uses require parking at a rate of one space per 300 square feet of floor area. In an M2-1 district, a Use Group 17 contractor's business requires parking at a ratio of one space per 2,000 square feet of floor area, or one space per three employees, whichever is less. Offices and retail uses require one parking space for every 300 square feet of floor area. The proposed M2-3 zoning district, which has no required parking for any manufacturing or commercial uses, is typically used for medium intensity manufacturing uses, with limited retail options. With no parking requirements, M2-3 districts are typically found around mass transit.

WPAA requirements require a minimum 40-foot shore public walkway on typical sites and a minimum 30-foot shore public walkway on certain constrained sites, and on larger sites supplemental public access areas that ensure that 20 percent of the lot is devoted to waterfront public access. WPAA requirements apply to waterfront zoning lots throughout the city on waterbodies greater than 100 feet wide and the Gowanus Canal and Bronx River.

The applicant seeks modifications to the WPAA regulations pursuant to ZR Section 62-822(b) to address five design modifications.

1. Modify the maximum grade change permitted between the pedestrian circulation path and adjoining planting areas pursuant to ZR Section 62-61(d)(2). The applicant seeks to increase the maximum permitted grade change of 18 inches within five feet of the edge of any planting area. The applicant requests a modification for a grade change of up to 39 inches.
2. Reduce the planting area requirement from 50 percent required under ZR Section 62-62(c)(1) to approximately 26 percent.
3. Waive the requirement for a screening buffer, under ZR Sections 62-62(c)(2) and 62-655(a)(7) for the 10-foot-four-inch wide portion of the WPAA between the boundary of the PAA and the building's edge to accommodate the private outdoor space. There is no screening buffer required along the length of the building façade and the PAA.

4. Increase the maximum permitted height of a fence in the WPAA, as required under ZR Section 62-651(c), from three feet to 3.5 feet to prevent falls pursuant to the New York City Building Code. The proposed fence matches the guardrail of the WPAA, both in operation and design.
5. Waive the dimensions of the tree pits required under ZR Section 62-655(a)(1). Typically, tree pits must have a minimum dimension five feet, a minimum area of 30 square feet, and a minimum depth of 42 inches.

In addition to the zoning map amendment and zoning authorization actions, the applicant seeks a Chair Certification pursuant to ZR Section 62-811 for waterfront public access and visual corridors.

ENVIRONMENTAL REVIEW

This application (C 210049 ZMK), in conjunction with the related application for an authorization (N 210051 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 20DCP080K.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on November 13, 2020. The Negative Declaration includes an (E) designation to avoid the potential for significant adverse impacts related to air quality, noise, and hazardous materials impacts (E-563). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 210049 ZMK) was certified as complete by the Department of City Planning on November 16, 2020, and was duly referred to Community Board 6 and Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along

with the related application for a zoning authorization (N 210051 ZAK), which was referred for information and review on November 16, 2020 in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 6 held a public hearing on this application (C 210049 ZMK) and the related action for a zoning authorization (N 210051 ZAK) on December 3, 2020, and on December 9, 2020, by a vote of 35 in favor, none in opposition and none in abstention, adopted a resolution recommending approval of the application with the following conditions:

“This recommended approval is contingent on the outcome of restricted declaration negotiations with the condition that a more creative public amenity along the promenade based on the committees and [community’s] feedback. When those negotiations and design have moved forward, the applicant has agreed to return and present those details to Brooklyn Community Board 6.”

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 210049 ZMK) and the related action (N 210051 ZAK) on December 21, 2020, and, on February 25, 2021, issued a recommendation to approve the application with the following conditions:

“That prior to considering the application, the City Council obtain commitments, in writing, from the applicant, 300 Huntington Street LLC, clarifying how it would:

1. Establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure ongoing innovation and/or maker use occupancy, monitor use floor area compliance, restrict to innovation and maker uses, establish clear access to the street, and limit accessory retail floor area as per the following:
 - a. That compliance and recordation shall be according to New York City Zoning Resolution (ZR) 74-962(d)

- b. That periodic notification by the owner shall be according to ZR 74-962(e)
 - c. That annual reporting by a qualified third party shall be according to ZR 74-962(f)
 - d. That floor area managed by a not-for-profit agency shall remain part of the zoning lot and be required to comply with annual reporting and periodic notification requirements
 - e. That innovation and maker uses be restricted to Use Groups (UGs) 9A, limited to blue printing or photostatting establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A, limited to studios, 11A, 16A except for automobile showrooms, 16B, 16D except for truck terminals, warehouses, and wholesale establishments, 17B, 17C, limited to agriculture, and 18A
 - f. That such innovation and/or maker uses be provided with clear access to common service corridors, freight elevators, and loading docks on streets 24 hours a day, seven days a week to ensure active industrial spaces
 - g. That accessory retail floor area that would otherwise meet the definition of UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, not exceed the greater of 100 square feet (sq. ft.) or 10 percent of an establishment's floor area (limited to 1,000 sq. ft.) in order to be deemed accessory
2. That the City Council obtain written commitments from 300 Huntington Street LLC to:
- a. Memorialize the incorporation of resiliency and sustainability measures, such as blue and/or green roofs, grid-connected rooftop batteries, passive house design, solar panels and/or facades, and/or wind turbines
 - b. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of a Builders Pavement Plan in consultation with Brooklyn Community Board 6 (CB 6) and local elected officials
 - c. Retain Brooklyn-based contractors and subcontractors, especially those that are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises

(MWBEs) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

1. That the Administration and City Council give comprehensive consideration to advancing non- motorized boating in the Gowanus Canal by determining locations for at least one access point between existing bridge spans, taking into consideration street ends, mapped public parks, public esplanades associated with combined sewer overflow holding tanks developments, and supplemental waterfront access areas
2. That the Administration and City Council, in consultation with the United States Coast Guard (USCG), establish life-safety standards along street ends, shore edge of waterfront public parks, and waterfront public walkways to promote in-water rescue.”

City Planning Commission Public Hearing

On February 17, 2021 (Calendar No. 5), the City Planning Commission scheduled March 3, 2021, for a public hearing on this application (C 210049 ZMK). The hearing was duly held on March 3, 2021 (Calendar No. 30) in conjunction with the public hearing on the applications for related actions. Eleven speakers testified in favor of the application and three in opposition.

Speakers in favor included six representatives of the project team. The representatives presented an overview of the application and project, describing the history of the project and applicant in the Gowanus neighborhood, the architecture, design, open space, and programming. They stated that the project would meet the needs of the Gowanus community for job-generating space adjacent to transit and would provide much-needed open space. The new waterfront open space could connect to a future esplanade that is part of the ongoing planning process around the Gowanus Neighborhood Plan. They described how the project would satisfy key community goals that have been elevated by the Gowanus Neighborhood Planning process including flexible, programmable open space and ecologically performative plantings to capture and retain stormwater.

The applicant's representatives provided background on the open space design and future connections along the canal. The team also described how the design responds to a Master Plan from the Gowanus Canal Conservancy, a local nonprofit organization, indicating that there would be a lifted grove providing a flexible space for events and performances, while protecting the site from future sea level rise. The design also incorporates stormwater and green infrastructure to enhance water quality and incorporates materials responsive to the historic character of the Canal. A representative from the team described the limited length and width, which constrained the ability to provide boat access, while noting that there are other sites more amenable to boat access along the canal and highlighting the applicant's openness to provide a ladder off the bulkhead for emergency egress. Regarding safety along the edge of the shoreline, an applicant representative noted the guardrail height and how it would be maintained over time. The applicant representative also noted that they are in discussions with the Council Member and local stakeholders regarding the use mix on the site.

In addition to the applicant team, five people spoke in favor of the application.

Those who spoke in opposition included members of a local community organization, a recreational group and a local school. Both speakers in favor and speakers in opposition stated the critical need for access to the water for nearby students and boaters. A number of speakers stated that the end of Huntington Street currently provides boating or in-water access and requested that the proposed waterfront design be redesigned to include in-water boating access. There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 210049 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 18-130. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 210049 ZMK), in conjunction with the related action, is appropriate.

The Commission recognizes the importance of this project to the city, Gowanus community and waterfront, particularly in coordination with the Gowanus Neighborhood Plan. The project area is currently used for bus parking and storage and is located within the IBZ. The project area sits south of the proposed Gowanus rezoning area, which is proposed to implement goals and strategies identified in the Gowanus Neighborhood Plan. The Gowanus Neighborhood Plan is the culmination of years of community engagement and planning work and includes goals and strategies for a more sustainable, thriving and inclusive Gowanus neighborhood. These goals and strategies, among many others, include removing barriers to job-generating uses by reducing and eliminating non-residential parking requirements, supporting the ongoing cleanup of the Canal and surrounding area by catalyzing new development that will remediate brownfield properties, and encouraging the creation of new open spaces and an active and resilient waterfront through waterfront design regulations that are tailored to the unique conditions of the Gowanus Canal.

The Commission recognizes that, as proposed, the 300 Huntington development will revitalize a brownfield site that is located along the Gowanus Canal and underneath the Smith and 9th Street F/G station with a new six-story, approximately 100,000-square-foot light manufacturing and commercial building and a resilient and active waterfront esplanade. The applicant will relocate its contractor yard and office operations from its current location along the Gowanus Canal at Third Street to the development site. The Commission is pleased that the proposed development will create additional office and commercial space at this transit-rich location, enliven Huntington Street and the canal, and provide future connections to the future envisioned waterfront esplanade along the canal. The development will provide employment and recreational opportunities to serve the needs of current and future residents in the surrounding neighborhoods.

The proposed M2-3 zoning district is appropriate. The current M2-1 zoning district's high parking requirements have inhibited redevelopment or enlargements of underutilized, transit-rich, and contaminated sites. A similar development complying with M2-1 parking requirements would be required to allocate 260 parking spaces on an irregularly-shaped lot, adjacent to the canal with a high-water table. Furthermore, use of the lot area at-grade for parking would preclude the use of the development site as a construction yard.

The proposed M2-3 zoning district is appropriate, given its proximity to the waterfront areas and mass transit. The M2-3 district will eliminate parking requirements that, in M2-1 district, are onerous and inhibit retention of existing manufacturing and its expansion, or the development of new manufacturing and commercial buildings. The M2-3 district allows the same floor area and uses to be developed on the site. Without the requirement for hundreds of new parking spaces, more floor area can be devoted to job-generating uses.

The proposed zoning authorization (N 210051 ZAK) is appropriate. As part of the authorization, the applicant requests modification of certain dimensional, area and design requirements for the WPAA to overcome site-planning constraints. These constraints include the applicant's site-specific programming of public amenities that seek to provide a diverse pedestrian experience and activating key components of the shore public walkway and Huntington Street, which the applicant has committed to constructing, while providing flood resilient construction and storm water management.

The Commission recognizes that the design of the WPAA and the Huntington Street streetend are well complemented to provide a unique public amenity that diversifies the waterfront edge. The Commission recognizes the close collaboration of the applicant with the Department in designing a thoughtful streetend that responds to community goals and principles. The Commission believes that the construction of the streetend, as proposed and designed, is of the utmost importance to the future continuous esplanade envisioned by the community and that would be effectuated by the proposed Gowanus Waterfront Access Plan (WAP) that is being proposed as part of the overall

Gowanus Plan. The project site is not part of the WAP and does not have an affirmative obligation to connect the WPAA to the street. The Commission recognizes that the applicant has committed to improving the southern portion of Huntington Street and maintaining it along with the WPAA.

The Commission believes in the importance of approving the design for the full streetend to facilitate a buildout of the complete streetend by the applicant and the property owner to the North of Huntington Street. A buildout pursuant to the approved design for the full streetend will not be subject to the design requirements of the anticipated WAP. To the extent that a buildout of the complete streetend is not feasible pursuant the approved design, then the property owner to the North of Huntington Street shall be subject to the design requirements of the WAP at such time the property is improved.

The Commission appreciates the thoughtful recommendations on the proposed actions submitted by the Community Board and Borough President. The Commission values the close collaboration that the Community Board, Borough President and others have had with the Department on the Gowanus Neighborhood Plan. It values the diverse perspectives shared by stakeholders who submitted public testimony. There were several common themes that the Commission received in the recommendations issued by the Community Board and the Borough President, and from public testimony submitted at the Commission's public hearing.

One of the common themes expressed was the desire to set aside or restrict portions of the proposed building to specific uses. The Commission believes that restricting as-of-right uses is contradictory to the larger economic development goals of the City. The nature of existing businesses of all types will change over time in ways that cannot be anticipated. Therefore, maintaining flexibility with regards to uses is a critical way to support economic resiliency and adaptability.

In response to the recommendation that the applicant redesign the waterfront public access area and streetend to accommodate in-water or non-motorized boating access, the Commission notes the project site's existing and proposed conditions and waterfront design that prioritizes other key community goals, including providing flexible, programmable, creative space to the community

and ecologically performative stormwater management features to improve local water quality. While boating access is an important goal, as articulated in community planning documents such as the Gowanus Lowlands Master Plan and the Gowanus Neighborhood Plan, it may have limited practicality at any given site depending on a number of factors. The project site is smaller than other sites along the canal and sits at the end of Huntington Street, which slopes down from Carroll Gardens making it better positioned to address these other community goals. The Commission recognizes and appreciates the applicant's openness during the Commission's public hearing to providing a ladder for emergency egress.

The Commission recognizes how the applicant's proposal will support the broader goal of providing for a future continuous esplanade along the canal with in-water access for water dependent recreational users. In the case of unique places, such as the Gowanus Canal, standard application of WPAA guidelines is often challenging and may not respond to the unique nature of the local waterfront context. Moreover, mechanistically applying the existing WPAA guidelines would not support the community vision for a unique open space with a diversity of experiences along the canal. The site's proposed waterfront access will also complement the WAP being proposed in the Gowanus rezoning by supporting a continuous shore public walkway, encouraging programming and activation of the waterfront with unique design features, and allowing sufficient design flexibility to accommodate a variety of uses and activities.

The Commission believes that the proposed waterfront design is of high quality and provides users with an exciting and varied experience on the waterfront, while delivering innovative programming and infrastructure that prioritizes storm water management and flood resiliency, which have been community priorities elevated by the Gowanus Neighborhood Plan. The requested modifications will create a superior WPAA, and the applicant's WPAA design and authorization waivers are broadly aligned with the goals and vision of the proposed WAP.

The Commission believes that all the requested approvals are appropriate. This project provides significant improvements to the area within a design that will be an asset to the Gowanus neighborhood, the Borough of Brooklyn and the City of New York. It will revitalize an

underutilized and inaccessible waterfront site with 100,000 square feet of light manufacturing and commercial space and high quality public open space to serve and employ the local community. The Commission believes that the requested approvals will lead to the site's redevelopment and the build out of the redesigned Huntington Street streetend. While this application and project predate the City's planning efforts in the area and are independent of any future land use actions that the City may take, the Commission recognizes the work that the applicant has engaged in with the Department and community stakeholders in designing a project and waterfront design that complements future planning efforts.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on November 13, 2020 with respect to this application (CEQR No. 20DCP080K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, the City Coastal Commission finds that the 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 201 of the New York City Charter, that based on the environmental determination and the 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, Sections 16c:

1. changing from an existing M2-1 District to an M2-3 District property bounded by Huntington Street, the centerline of the Gowanus Canal, West 9th Street, and Smith Street

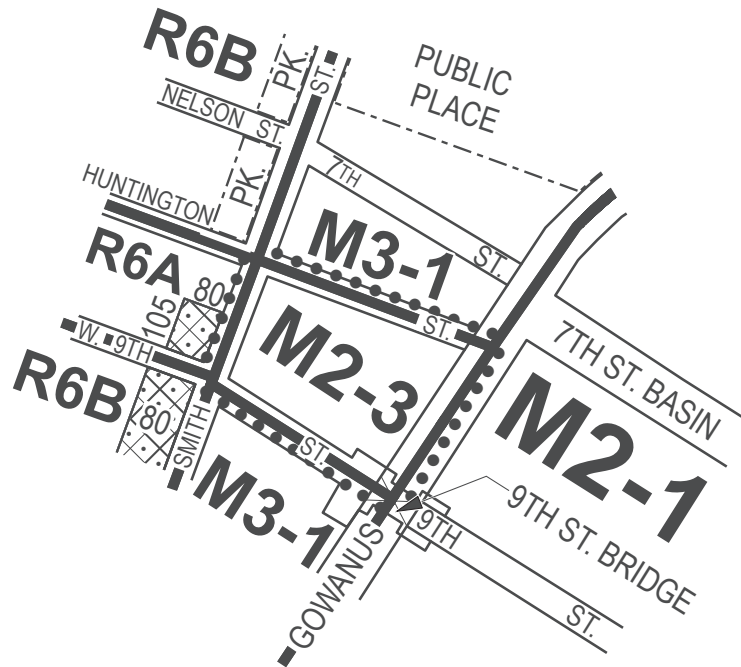
as shown on a diagram (for illustrative purposes only) dated November 16, 2020, Borough of Brooklyn, Community District 6.

The above resolution (C 210049 ZMK), duly adopted by the City Planning Commission on April 21, 2021 (Calendar No. 7), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chair*

DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

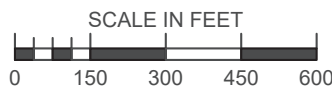
16c

BOROUGH OF
BROOKLYN



New York, Certification Date:
 November 16, 2020

S. Lenard
 S. Lenard, Director
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing an existing M2-1 District to an M2-3 District.
- Indicates a C2-4 District



BROOKLYN

COMMUNITY BOARD SIX

Peter D. Fleming
Chairperson

Michael Racioppo
District Manager

December 10, 2020

Marissa Lago
Chairperson
NYC Department of City Planning
120 Broadway
New York, New York 10271

Dear Chairperson Lago:

I am writing to advise you that Brooklyn Community Board 6, during its December 9, 2020, General Board Meeting, **took action on an application to amend the zoning map for 300 Huntington Street, Block 477, Lot 8. The applicant asks for a zoning from M2-1 to M2-3 in order to remove existing parking requirement pursuant to the applicants' plans to redevelop the site.** Those redevelopment plans would include the construction of a new headquarters with a construction yard, along with other offices and street-level retail space.

Brooklyn Community Board 6 recommended approval of this application with a **unanimous vote** of thirty-five in favor, zero opposition, and zero in abstention.

This recommended approval is contingent on the outcome of restricted declaration negotiations with the condition that a more creative public amenity along the promenade based on the committees and communities feedback. When those negotiations and design have moved forward the applicant has agreed to return and present those details to Brooklyn Community Board 6.

As always, thank you for the opportunity to comment.

Sincerely

Peter D. Fleming
Chairperson

CC: Borough President Eric L. Adams
Councilmember Brad Lander



Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
120 Broadway, 31st Floor, New York, NY 10271
CalendarOffice@planning.nyc.gov

INSTRUCTIONS

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

APPLICATION

300 HUNTINGTON STREET REZONING – 210049 ZMK

An application submitted by 300 Huntington Street LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a set of actions involving a block of the Gowanus Canal bounded by Huntington, Ninth, and Smith streets. The applicant seeks a zoning map amendment to change the zoning district from M2-1 to M2-3. There are additional applications for a Chairperson's Certification for Waterfront Public Access and Visual Corridors, and authorizations to modify Waterfront Public Access Area (WPAA) requirements for grade changes, plantings, screening buffers, fences, and tree pits. Such actions would facilitate the construction of a 99,667 square foot (sq. ft.) manufacturing and commercial building at 300 Huntington Street, and a public esplanade along the adjacent portion of the Gowanus Canal in Brooklyn Community District 6 (CD 6).

BROOKLYN COMMUNITY DISTRICT NO. 6

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE

APPROVE WITH

MODIFICATIONS/CONDITIONS

DISAPPROVE

DISAPPROVE WITH

MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

February 25, 2021

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: 300 HUNTINGTON STREET REZONING – 210049 ZMK

300 Huntington Street LLC submitted applications, pursuant to Sections 197-c and 201 of the New York City Charter, for a set of actions involving a block of the Gowanus Canal bounded by Huntington, Ninth, and Smith streets. The applicant seeks a zoning map amendment to change the zoning district from M2-1 to M2-3, a Chairperson's Certification for Waterfront Public Access and Visual Corridors, and authorizations to modify Waterfront Public Access Area (WPAA) requirements for grade changes, plantings, screening buffers, fences, and tree pits. Such actions would facilitate the construction of a 99,667 square foot (sq., ft.) manufacturing and commercial building at 300 Huntington Street, and a public esplanade along the adjacent portion of the Gowanus Canal in Brooklyn Community District 6 (CD 6).

On December 21, 2020, Brooklyn Borough President Eric Adams held a remote public hearing on this zoning map amendment and modifications. There were two speakers on the item, both members of the Gowanus Dredgers Canoe Club, who requested that the applicant provide in-water access for boaters at this site.

In response to Borough President Adams' inquiry regarding the projected savings of not providing the required parking, and the expected cost of providing the WPAA, the applicant's representative stated that the proposed development would not be viable without elimination of the estimated 240 parking spaces. The representative quoted a sum of \$3 million for the construction of the bulkhead and esplanade, with additional environmental remediation costs.

In response to Borough President Adams' inquiry regarding any commitment to provide below market-rate space for industrial and/or maker businesses, as well as arts and cultural uses, and how such commitment would be recorded, the representative stated that the applicant has been in discussion with Council Member Brad Lander regarding the retention of light industrial jobs. However, as M2 districts do not permit inclusion of community facility uses, the developer is unable to provide such space.

In response to Borough President Adams' inquiry regarding the feasibility of incorporating open or enclosed rooftop agriculture in the proposed development, and what consideration has been given to this idea, the representative stated that the building's green roof area is limited due to extensive mechanical equipment. Though the developer would include pollinator plants to support the local ecosystem, urban agriculture would trigger expensive code requirements that would render such implementation infeasible.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, New York City Department of Environmental Protection (DEP) rain gardens, and wind turbines, the representative stated all stormwater would be collected onsite and treated prior to entering the site's sewer outfall. The representative also indicated willingness to engage DEP on the subject of rain gardens as part of an effort to improve drainage in the area.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated that the developer would apply to the City's Industrial & Commercial Abatement Program (ICAP), which has a mandatory MWBE outreach component.

Subsequent to the hearing, Borough President Adams received written testimony from two local residents and boaters encouraging the creation of in-water access at the end of Huntington Street via a dock or landing on the site.

Consideration

Brooklyn Community Board 6 (CB 6) voted to approve this application on December 9, 2020.

The proposed land use actions would yield approximately 99,667 sq. ft. of Use Group (UG) 6 commercial and Use Group (UG) 17 manufacturing space, with a total floor area ratio (FAR) of 2.0. The project area includes the entire canal-side block bounded by Huntington, Ninth, and Smith streets. The applicant's property is an irregular 49,854 sq. ft. lot with 334 feet of frontage along Huntington Street currently utilized for a contractor's yard and open bus storage. Other uses on the block include a Metropolitan Transportation Authority (MTA) parcel located partially below the elevated Smith-Ninth Street Station, two single-story commercial buildings occupied by a deli and restaurant, and a one-story vacant former material sales building.

The block is currently zoned M2-1, a district that permits UGs 6 through 13, which cover a variety of commercial uses; UG 16, which includes semi-industrial and automotive uses, and UG 17, characterized by medium-intensity manufacturing uses. The maximum permitted FAR for commercial uses is 2.0. There is no community facility FAR, as such uses are not permitted in M2 districts. UG 17 operations in M2-1 districts with 10,000 sq. ft. of floor area or 15 employees are required to provide one parking space per 2,000 sq. ft. or one space per three employees, whichever is greater. Commercial uses typically have a parking requirement of one space per 300 sq. ft. The applicant is seeking a rezoning to M2-3 to eliminate this obligation, which would require constructing a costly above-grade garage due to the site's location in a Flood Hazard Area. An M2-3 district is functionally equivalent to an M2-1 district in every other regard.

300 Huntington Street would serve as the headquarters for Monadnock Construction, Inc. (Monadnock) a general contractor that has been operating in Brooklyn for 40 years. The development would provide accessory offices for 60 employees, an open contractor yard, and a workshop for the applicant's needs, which would be located on the ground floor. The upper floors would contain office and production space for future tenants. The project includes several storefronts that would be accessed via Huntington Street. Finally, three loading berths would be provided in the building's rear. The building's bulk is intended to be limited to three stories along the Gowanus Canal, and rise to six stories along Huntington Street, to a maximum intended height of 86 feet.

The applicant would provide a WPAA along the site's bulkhead, as required by the New York City Zoning Resolution (ZR) for developments of this size. The WPAA would comprise approximately 7,548 sq. ft. or 15 percent of the site's lot area. A voluntary public access area (PAA) would facilitate pedestrian access from Huntington Street to the WPAA. The landscape design also features a stepped terrace along the Gowanus Canal with public seating and absorptive plantings. The applicant is requesting a certification of the WPAA with authorizations to modify fencing, grade change, planting area, screening, and tree pit requirements.

The development site is part of the Southwest Brooklyn Industrial Business Zone (IBZ), which includes portions of the Gowanus, Red Hook, and Sunset Park waterfronts. The immediate context is defined by a mix of commercial and light industrial uses with some heavy manufacturing operations. However, across Smith Street, the prevailing land use is residential, including older two- and three-family homes and large new apartment buildings. Open space resources are limited to parklets and playgrounds, though the large Red Hook ballfields are located several blocks southwest.

One quirk of manufacturing districts is that office and retail uses have been allowed to proliferate to such an extent that they are now primarily commercial in character. This phenomenon appears contrary to the expectations of the 1961 ZR. Because commercial uses tend to be higher value than industrial ones, without regulation, the private market would not provide land or space for manufacturers. Moreover, the onerous parking requirements imposed by the ZR discourage the development of new buildings in many M-zoned areas. The requested change from an M2-1 to an M2-3 district would not increase the permitted FAR. However, by removing the obligation to provide vehicular parking, the proposed rezoning would enable a financially viable commercial development.

Such discretionary actions provide an opportunity to leverage certainty for maker and other uses deemed beneficial to the community with restrictions on office and retail uses within the new floor area. Establishing effective legal means to ensure maker space and uses would help maximize the project's public purpose, including the creation of a new facility for Monadnock's operations.

Borough President Adams supports land use actions that broaden economic opportunity by providing employment for those with varied skill sets. The proposed rezoning would facilitate new commercial development, promote the growth of a valued local business, and offer replacement space for a legacy construction firm. Such a proposal aligns with the City's industrial and workforce goals, which include the creation and/or retention of quality jobs for those without college degrees. Borough President Adams supports the preservation and expansion of manufacturing floor area to sustain and grow the City's industrial sector.

Borough President Adams supports the creation of new manufacturing floor area through commercial office and retail development in Brooklyn neighborhoods with thriving innovation economies. He further supports actions that establish reasonable height limits, right-size automobile parking and truck loading requirements, and incorporate desired neighborhood amenities.

Borough President Adams believes that it is appropriate to map zoning districts without parking requirements in proximity to public transportation. The development site is directly adjacent to the Smith-9 Streets station, served by the Sixth Avenue Local F and the Brooklyn-Queens Crosstown Local G trains. The B57 bus travels on Smith Street stopping in front of the development site, while the B61 bus makes stops along Ninth Street. The neighborhood is well-served by Citi Bike, with the closest docking station located on the southwest corner of Smith and Ninth streets.

Borough President Adams generally supports the proposed rezoning to facilitate the represented commercial development at 300 Huntington Street. He believes that the elimination of parking required under the current zoning is justified to achieve manufacturing space and preserve industrial jobs in the area, a priority for both the City and the community. However, he seeks assurances of dedicated commercial space for maker businesses, a mechanism to ensure user compliance, a restricted range of permitted use groups, limitations on accessory retail floor area, consideration of bulk redistribution and reduction, integration of resilient and sustainable features including rain gardens, and a high level of local and MWBE hiring for the project. Finally, he calls on the Administration to promote non-motorized boats having greater access to the Gowanus Canal.

Ensuring the Provision and Retention of Space for Innovation and Maker Jobs

According to the applicant, Monadnock would utilize only 30 percent of the proposed floor area, along with the exterior contractor's yard. While adding 100,000 sq. ft. of new commercial space at this location could enhance opportunity for makers who want to locate to Gowanus, the developer is not obligated to tenant such space with industrial businesses or retain the intended construction operation. Should such operation cease, it is important to have mechanisms in place to ensure a segment of the building obligates maker use tenanting.

Therefore, to ensure that the proposed floor area is reserved for such uses, it is necessary to establish compliance standards. ZR Section 74-962 provides a template for required compliance and recordation, including periodic notification by the owner, and annual reporting by a qualified third party. Under the rules of that Special Permit (established as part of the 25 Kent Avenue application), the property owner must file a Notice of Restrictions to receive a building permit from the New York City Department of Buildings (DOB). ZR Section 74-962 also states that "no temporary certificate of occupancy for any portion of the building to be occupied by incentive uses shall be issued until a temporary certificate of occupancy for the core and shell is issued for all portions of the building required to be occupied by required industrial uses." Such regulation was designed to ensure that

the Required Industrial Use area is provided before any Incentive Use area contingent on the provision of such manufacturing floor area is occupied.

Furthermore, each new lease executed for any part of the Required Industrial Use space requires public notification, via electronic resource, of certain information about each new tenant and use, including the total floor area of Required Industrial Uses in the development, a digital copy of all approved Special Permit drawings pursuant to ZR Section 74-962 (a)(1) through (a)(4), and the names of all establishments occupying floor area reserved for Required Industrial Uses. Additionally, for each establishment, public notification must specify the amount of Required Industrial Use floor area, the UG, the subgroup, and the specific use as listed in the ZR.

The property owner is also required to retain a qualified third party, approved by the New York City Department of Small Business Services (SBS), to produce an annual report and conduct an inspection to ensure that the Required Industrial Use area is compliant with the provisions of ZR Section 74-962. Such a report must include a description of each establishment with the North American Industry Classification System (NAICS) code and number of employees, the total amount of vacant Required Industrial Use floor area, as applicable; the average annual rent for the combined total of the portions of the building reserved for occupancy by Required Industrial Uses, and the number of new leases executed during the calendar year, categorized by lease duration, in five-year increments. Such a report must be submitted to the New York City Department of City Planning (DCP), as well as the Brooklyn borough president, the local City Council member, and the community board. This report must be prepared by an organization under contract with the City to provide inspection services, an SBS-certified firm that provides such inspection services, or an entity that the commissioner of SBS determines to be qualified to produce such report, provided that any qualified third party selected by the owner to prepare such a report shall have a professional engineer or a registered architect licensed under the laws of the State of New York to certify the report.

Borough President Adams believes that in order to ensure compliance and the desired ratio of uses, the standards established in ZR 74-962 should be incorporated into the proposed zoning text amendment. In addition, one of the area's industrial non-profits, such as the Southwest Brooklyn Industrial Development Corporation (SBIDC) would warrant consideration as an administering agent for 300 Huntington Street.

Borough President Adams believes that any floor area sublet and/or managed by a not-for-profit agency should comply with periodic notification and annual reporting requirements.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure ongoing monitoring of use floor area compliance.

Use Group Compliance with Innovation and Maker Jobs

According to the applicant, the commercial floor area at 300 Huntington Street not intended for Monadnock's own operations would be tenanted by light industrial and complementary uses.

Borough President Adams believes that such managed manufacturing space should reflect any combination of agricultural, heavy service, manufacturing establishments, as well as studios for art, dancing, motion picture production, music, photography, radio/television, or theatrical, semi-industrial facilities, and trade schools for adults. It should also include service use categories from UG 9A such as blueprinting or photostating establishments, dental or medical laboratories, musical

instrument repair shops, studios, and trade schools for adults, which he deems consistent with maker uses. Studios are also included in Use Group 10A.

Borough President Adams believes that certain uses, such as depositories and automobile showrooms, as well as truck terminals, warehouses and, wholesale establishments, should be excepted from the range of otherwise considered innovation and maker uses.

Borough President Adams recognizes that the effectiveness of innovation and maker uses are dependent on having clear access 24 hours a day, seven days a week, to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces. He believes this should be a requirement of meeting maker floor area as defined above by certain UG 9, 10, 11, 16, 17, and 18 uses noted above.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, a contract with a non-profit business service provider, and/or a government financing agreement to ensure that a segment of ongoing building occupancy would be restricted to innovation and maker uses with clear access to the street.

Restricting Accessory Retail Floor Area

Though the developer has not stated intent to include retail at 300 Huntington Street above the ground floor, Borough President Adams believes that the binding agreement should address the possibility of retail use as auxiliary to manufacturing operations. Industrial floor area utilization for retail, while permitted by zoning, would undermine the spirit of providing dedicated space for innovation and/or maker uses.

There has been a trend for certain uses listed in UGs 11A, 16, 17, and 18 — specifically alcoholic beverages or breweries — in which a small accessory section of floor area is set-aside for retail and/or eating and drinking establishments. For example, such a development might have an interior retail street where one can purchase freshly baked goods from a small accessory retail section off the main baking production area. There are also breweries that contain accessory beer halls and/or restaurants. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. However, other manufacturing uses, such as metal fabrication and woodworking, do not lend themselves to accessory retail. This puts such uses at a disadvantage because permitted uses that profit from accessory retail or eating and drinking components would likely be able to pay more rent. Furthermore, if such accessory retail and/or eating and drinking floor space were of excessive size, it would undermine the purpose of establishing dedicated floor area for desired uses at 300 Huntington Street. The ZR is silent regarding restricting accessory operations.

As Borough President Adams noted in his 2016 recommendations for 25 Kent Avenue, and his subsequent recommendations for Acme Smoked Fish, 12 Franklin Street, 103 North 13th Street, Industry City, and Suydam Street, public benefit would be diminished if the accessory retail and/or eating and drinking establishments were permitted to occupy more than a nominal amount of floor area.

As has been Borough President Adams' recommendation for those prior ULURP applications, he seeks to clearly define the extent of the floor area that would be allotted to accessory retail as well as eating and drinking operations at 300 Huntington Street. He believes that it is appropriate to limit accessory retail operations, specifically for UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, by permitting up to 100 sq. ft. without regard to the size of the industrial/maker establishment, though not more than 1,000 sq. ft. or not exceeding 10 percent of floor area per establishment.

Borough President Adams believes that to maintain the integrity of floor area for maker businesses, it would be appropriate to restrict accessory uses to 100 sq. ft. without regard to the size of the establishment or not exceeding 10 percent of floor area per establishment (though not more than 1,000 sq. ft.).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, a contract with a non-profit business service provider, and/or a government financing agreement to limit accessory retail floor area within any portion meeting the percentage of floor area restricted to maker use occupancy.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as those undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's white roof mandate. Borough President Adams believes that developers should seek to exceed this mandate 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. For taller buildings, and those in proximity to the waterfront, micro wind turbines can provide effective sustainable energy generation. Finally, passive house construction achieves energy efficiency while promoting locally based construction and procurement.

In Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021, he outlined an urban agenda based on funding policies that will rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated for renewable energy and battery storage to move beyond reliance upon 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 newly developed projects, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes it is appropriate for 300 Huntington Street 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), to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per sq. ft. of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with these agencies and further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces 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 more comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, there would be an opportunity to integrate stormwater retention measures into existing tree pits, with additional plantings, which would 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 Red Hook Wastewater Treatment Plant.

The required Builders Pavement Plan for the proposed development provides an opportunity to install DEP rain gardens along the development site's extensive Huntington Street frontage. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption.

Borough President Adams believes that 300 Huntington Street LLC should consult with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) about integrating rain gardens with street trees as part of the development's Builders Pavement Plan. Where the agencies have interest in implementing such enhancements, consultation should be initiated in advance with CB 6 and local elected officials.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC clarifying how it would integrate resiliency and sustainability features at 300 Huntington Street.

Jobs

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 20 percent or greater. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those 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).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, for both the pending and subsequent development sites, consistent with Section 6-108.1 of the City's Administrative Code and MWBE as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

Accommodating Non-Motorized Boating Access and Life-Safety Measures

In 2010, the Environmental Protection Agency (EPA) designated the Gowanus Canal as a Federal Superfund site. The agency's cleanup plan includes the construction of an elevated steel wall to prevent the flow of contaminants from upland sites into the remediated canal. However, such infrastructure would also function to become obstacles to secure in-water access, as well as exiting the waterway, which could pose certain risks to users of this active waterway. The Gowanus Dredgers Canoe Club, the primary

boating organization on the canal, has advocated for additional docks and landings along the shoreline, to facilitate access in emergency situations, such as in-water rescue.

Borough President Adams recognizes that, pending the outcome of the New York City Department of City Planning (DCP) Gowanus Neighborhood Plan proposal, future commercial and residential construction would draw more of the public to the canal for passive and active recreation. These developments would transform inaccessible and neglected edges along the canal into new amenities and open space. With more residents and visitors, it is important to ensure public safety in case of accidents and emergency situations, by creating in-water access points at strategic locations along the canal. In addition to landing berths, simple measures such as various forms of ladders and other floatation rescue devices could be placed at various locations along the canal. Such life safety mechanisms would be best considered in consultation with the United States Coast Guard (USCG).

Therefore, the Administration and City Council should give comprehensive consideration to advancing non-motorized boating in the Gowanus Canal by determining locations for at least one access point between existing bridge spans, taking into consideration street ends, mapped public parks, public esplanades associated with combined sewer overflow holding tanks developments, and supplemental waterfront access areas.

In addition, the Administration and City Council should give consideration, in consultation with the USCG, to establish life-safety standards along street ends, shore edge of waterfront public parks and waterfront public walkways to promote in-water rescue.

Recommendation

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

That prior to considering the application, the City Council obtain commitments, in writing, from the applicant, 300 Huntington Street LLC, clarifying how it would:

1. Establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure ongoing innovation and/or maker use occupancy, monitor use floor area compliance, restrict to innovation and maker uses, establish clear access to the street, and limit accessory retail floor area as per the following:
 - a. That compliance and recordation shall be according to New York City Zoning Resolution (ZR) 74-962(d)
 - b. That periodic notification by the owner shall be according to ZR 74-962(e)
 - c. That annual reporting by a qualified third party shall be according to ZR 74-962(f)
 - d. That floor area managed by a not-for-profit agency shall remain part of the zoning lot and be required to comply with annual reporting and periodic notification requirements
 - e. That innovation and maker uses be restricted to Use Groups (UGs) 9A, limited to blue printing or photostatting establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A, limited to studios, 11A, 16A except for automobile showrooms, 16B, 16D except for truck

terminals, warehouses, and wholesale establishments, 17B, 17C, limited to agriculture, and 18A

- f. That such innovation and/or maker uses be provided with clear access to common service corridors, freight elevators, and loading docks on streets 24 hours a day, seven days a week to ensure active industrial spaces
 - g. That accessory retail floor area that would otherwise meet the definition of UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, not exceed the greater of 100 square feet (sq. ft.) or 10 percent of an establishment's floor area (limited to 1,000 sq. ft.) in order to be deemed accessory
2. That the City Council obtain written commitments from 300 Huntington Street LLC to:
- a. Memorialize the incorporation of resiliency and sustainability measures, such as blue and/or green roofs, grid-connected rooftop batteries, passive house design, solar panels and/or facades, and/or wind turbines
 - b. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of a Builders Pavement Plan in consultation with Brooklyn Community Board 6 (CB 6) and local elected officials
 - c. Retain Brooklyn-based contractors and subcontractors, especially those that are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

1. That the Administration and City Council give comprehensive consideration to advancing non-motorized boating in the Gowanus Canal by determining locations for at least one access point between existing bridge spans, taking into consideration street ends, mapped public parks, public esplanades associated with combined sewer overflow holding tanks developments, and supplemental waterfront access areas
2. That the Administration and City Council, in consultation with the United States Coast Guard (USCG), establish life-safety standards along street ends, shore edge of waterfront public parks, and waterfront public walkways to promote in-water rescue.