



IN THE MATTER OF an application submitted by Quay Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

This application for a zoning map amendment was filed by Quay Plaza LLC, on November 17, 2020, to change an M1-2/R6A (MX-8) zoning district to an M1-4/R7D (MX-8) zoning district. This application, in conjunction with the related action (N 210167 ZRK), would facilitate the construction of a new mixed-use development containing 86 dwelling units, of which between 22 and 26 would be affordable pursuant to the Mandatory Inclusionary Housing (MIH) program, and approximately 10,580 square feet of commercial floor area on the ground floor, located at 79 Quay Street (Block 2589, Lot 1) in the Greenpoint neighborhood of Community District 1, Brooklyn.

RELATED ACTION

In addition to the zoning map amendment (C 210166 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 210167 ZRK Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area, and add R7D to the list of Designated Residence Districts in the Special Mixed Use District MX-8

BACKGROUND

The applicant seeks a zoning map amendment to change an M1-2/R6A (MX-8) district to an M1-4/R7D (MX-8) district on three lots that comprise the project area (Block 2589, Lots 1, p/o 13 and 23), located on the northern side of Quay Street, between West and Franklin streets. The

applicant also seeks a zoning text amendment to establish an MIH area coterminous with the project area and to add R7D to the Designated Residence Districts in the MX-8 Special Mixed Use District. The project area comprises development site (Block 2589, Lot 1), as well as two partial lots that are not owned by the applicant and are not anticipated to result in development from the proposed actions (Block 2589, p/o Lots 13 and 23).

The surrounding area is characterized by a mix of multi-family residential buildings, mixed-use buildings, industrial buildings, and vacant land. Industrial buildings, ranging from one to three stories, are generally located south of the project area. Multi-family residential buildings, ranging from two to seven stories, are generally located north of the project area. Franklin Street, to the east of the project area, is a mixed-use corridor of primarily mid-rise buildings. West Street and the East River waterfront have seen more recent high-rise development, such as the recently completed 14-story building and currently under construction 40-story building on the block immediately west of the project area (N 150371ZCK).

The project area is located within the Transit Zone and is well served by public transportation. The project area is located approximately 0.5 miles from both the Greenpoint Avenue stop, located northeast of the site, and the Nassau Avenue stop, located southeast of the site, both of which provide service to the G train line. Nearby bus routes include the B32 (connecting Williamsburg and Long Island City), the B62 (connecting downtown Brooklyn and Long Island City), and the B43 (connecting Greenpoint and Prospect Lefferts Gardens). The North Williamsburg Ferry Landing, serviced by the East River route, is located approximately 0.8 miles to the south, and the Greenpoint Ferry Landing, temporarily closed at the time of this application, is approximately 0.6 miles to the north of the project area. Several Citi Bike stations are within one-half mile of the project area.

Several parks and open space amenities are also within close distance of the project area. American Playground is located three blocks to the north of the project area, on Franklin Street between Milton Street and Noble Street. A few blocks further north is WNYC Transmitter Park, on the waterfront between Kent Street and Greenpoint Avenue. The northern end of Bushwick Inlet Park begins one block south of the project area. Two community gardens are located within

a seven-block radius of the project area. Several Waterfront Public Access Areas (WPAAs) have been approved or constructed along the East River, including one WPAA immediately to the west of the project area (N 150371ZCK). These WPAAs include esplanades, lawn areas, seating, and play areas.

Zoning districts mapped in the surrounding area include R8, R6, M1-1, M3-1, and M1-2/R6B. C2-4 commercial overlays are mapped along Franklin and West streets. R6 and R8 are medium-density residential zoning districts mapped along the waterfront in this area with special regulations applying within Waterfront Access Plan BK-1. Pursuant to these regulations, R6 and R8 together permit a blended residential FAR of approximately 3.7, which can be increased to 4.7 with the provision of affordable housing. They permit buildings up to 6 stories along West Street and Quay Street and towers up to 200 and 300 feet tall nearer the water (300 to 400 feet with the provision of affordable housing). Parking is required for 40 percent of DUs and 12 percent of IRHUs. R6B is a medium-density contextual districts where Quality Housing regulations are mandatory. The maximum residential FAR is 2.00 (2.20 for Inclusionary Housing), and the maximum community facility FAR is 2.00. R6B districts require parking for 50 percent of DUs and 25 percent of IRHUs. M1-1 is a low-density manufacturing zoning district, typically characterized by light manufacturing and warehouse uses. The maximum manufacturing FAR is 1.0, and the maximum community facility FAR is 2.4. M3 districts permit a maximum manufacturing FAR of 2.0, and community facilities are not permitted.

The surrounding area is also part of the MX-8 Special Mixed Use District. Special Mixed Use Districts, or MX districts, are mapped in existing neighborhoods with mixed residential and industrial uses in close proximity. New residential and non-residential uses (commercial, community facility and light industrial) can be developed as-of-right and be located side-by-side or within the same building. Residential uses are generally subject to the bulk controls of the governing residential district; commercial, industrial and community facility uses are subject to the M1 district bulk controls. Community facilities are subject to residential FAR limits.

The surrounding area is also within an Inclusionary Housing Designated Area, the Coastal Zone, and the one percent annual chance floodplain. The Greenpoint-Williamsburg Waterfront Access

Plan is located west and north of the project area. To the west, south, and southwest of the project area is the Greenpoint-Williamsburg Industrial Business Zone (IBZ). Established in 2006, the IBZ is intended to signal a commitment to land use and public policies that encourage the retention and growth of industrial businesses.

In 2005, the project area was rezoned from M1-1 to M1-2/R6A (MX-8), as part of the Greenpoint-Williamsburg Rezoning (N 050110 (A) ZRK, et al). The rezoning sought to facilitate housing, open space, light industry, and commercial uses along two miles of Brooklyn's East River waterfront and the adjoining upland neighborhoods. Approximately 183 blocks were affected by zoning map, zoning text, and city map changes. The MX-8 Special Mixed Use District was also mapped at this time.

Approximately one block south is the 12 Franklin Street Special Permit project area (C 180389 ZSK, N 180388 ZRK, C 180387 ZSK). In 2019, a zoning text amendment and special permits were adopted to facilitate the development of a new seven-story mixed-use commercial and industrial building.

The project area is located within an M1-2/R6A zoning district. M1-2 zoning districts are low-density manufacturing districts with a maximum manufacturing FAR of 2.0 and maximum community facility FAR of 4.8. R6A districts are medium-density contextual residential zoning districts with a maximum residential FAR of 3.00 (3.6 for Inclusionary Housing) and maximum community facility FAR of 3.0. Parking is required for 50 percent of DUs and 25 percent of IRHUs.

The project area includes the development site (Block 2589, Lot 1) and two non-applicant owned partial lots (Block 2589, Lots 13 and 23). The development site has a lot area of 16,500 square feet, with approximately 100 feet of frontage on West Street and 165 feet of frontage on Quay Street. It is improved with three buildings that contain an interior decorating studio, a furniture studio, a rock-climbing gym, and two residential dwelling units that are currently vacant. Lot 23 has an area of approximately 6,000 square feet and is the site of a 13,810-square-foot, three-story multi-family building with six dwelling units. Lot 13 has an area of approximately 18,500 square

feet, and in December 2020, the New York City Department of Buildings granted permits for the construction of a new seven-story, mixed-use building.

The proposed development would be a new nine-story residential and commercial building containing 92,157 square feet of floor area with a total FAR of 5.58. The proposed building would reach a maximum height of 101 feet. After a setback at 67 feet, the building would utilize dormers to create balconies. On the ground floor, there would be 10,584 square feet of retail use. The building's remaining 81,573 square feet would be residential, with a total of 86 units, 22 to 26 of which would be permanently affordable dwelling units pursuant to the MIH program. Thirty-two required residential parking spaces would be provided in the cellar, along with 43 bicycle parking spaces. A 16-foot curb cut serving as the entrance to the cellar parking is proposed to be located on West Street, in the northwest corner of the development site. Because the proposed development is located in the one percent annual chance floodplain, the building will adhere to Appendix G of the New York City Building Code, which regulates standards for flood-resistant construction.

The applicant proposes to rezone the project area from M1-2/R6A (MX-8) to M1-4/R7D (MX-8). R7D districts are medium-density contextual residential zoning districts with a maximum FAR of 4.2 (5.6 with Inclusionary Housing). Parking is required for 50 percent of DUs and, typically, 15 percent of IRHUs. This parking requirement is modified by the Transit Zone: in developments constructed after March 2016, no parking is required for IRHUs. M1-4 zoning districts have a maximum manufacturing FAR of 2.0 and maximum community facility FAR of 6.5; no parking is required.

In addition to the proposed rezoning, the applicant also proposes a zoning text amendment (N 210167 ZRK) to modify Appendix F to designate an MIH area mapped with Option 1 and 2, coterminous with the project area. In addition to the proposed zoning map amendment, the applicant requests a zoning text amendment to designate the project area as an MIH area mapped with Options 1 and 2. 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. Option 2

requires that at least 30 percent of the residential floor area be provided as housing affordable to residents with household incomes at an average of 80 percent of the AMI.

The proposed zoning text amendment would also modify ZR Section 123-00 to add R7D to the MX-8 Designated Residence Districts.

ENVIRONMENTAL REVIEW

This application (C 210166 ZMK), in conjunction with the related action (N 210167 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 21DCP010K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on June 21, 2021. The Negative Declaration includes an (E) Designation (E-622) to avoid the potential for significant adverse impacts related to hazardous materials and air quality.

WATERFRONT REVITALIZATION PROGRAM

This application (C 210166 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 19-170. 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 210166 ZMK) was certified as complete by the Department of City Planning on June 21, 2021, and was duly referred to Brooklyn 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 action (N 210167 ZRK), which was duly referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 1 held a public hearing on the application (C 210166 ZMK), and the related action (N 210167 ZRK), on September 9, 2021, and on September 14, 2021, by a vote of 29 in favor, none opposed, and none abstaining, adopted a recommending approval of the application with the following conditions:

- “-1- The owner will work with his architect to make the building more interesting and contextual, with less horizontal, hotel-like lines.
- 2- The owner will work with the Parks Department to make a long-term contribution towards the maintenance of the Bushwick Inlet Park.
- 3- The owner will work with the coalition of block associations in the immediate community to provide appropriate retail diversity in the commercial space.
- 4- The owner will utilize more green and sustainable elements than just providing greenery around the building, e.g., a green roof, carbon absorbing concrete, sourcing energy from nonfossil fuel sources, incorporating “vertical forest of Milan” concepts, and rain gardens on the curb.”

Borough President Recommendation

The Brooklyn Borough President held a public hearing on the application (C 210166 ZMK), and the related action (N 210167 ZRK), on October 6, 2021, and on November 10, 2021, issued a recommendation approving the application with the following conditions:

- “1. That unless Quay Plaza LLC provides a means to memorialize the represented nine-story height, the CPC/City Council modify the requested M1-4/R7D district to M1-4/R7A

2. That prior to considering the application, the City Council obtain written commitments from the applicant, Quay Plaza LLC, clarifying how it would:
 - a. Provide permanently affordable housing according to Mandatory Inclusionary Housing (MIH) Option 1
 - b. Achieve an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-, two-, or three-bedroom units, but for studios targeted to households at 40 percent AMI
 - c. Utilize local affordable housing development non-profit(s) as administering agent (s) that would play a role in promoting lottery readiness
 - d. Set aside ground floor commercial space for interim arts/cultural entities, non-profit organizations, and/or businesses at risk of displacement including Use Group (UG) 9 studios and/or manufacturing uses
 - e. Incorporate resiliency and sustainability measures, such as blue roofs, passive house design, solar façades, and micro-grid battery storage
 - f. Coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Parks and Recreation (NYC Parks), and the New York City Department of Transportation (DOT) regarding installation of DEP rain gardens as part of a Builders Pavement Plan (BPP) in consultation with Brooklyn Community Board 1 (CB 1) and local elected officials
 - g. Construct curb extensions as part of a BPP in coordination with DEP and DOT, or, if technically infeasible, enter into a standard DOT maintenance agreement for protected painted sidewalk extensions, at the intersection of Quay and West streets, based on prior consultation with CB 1 and local elected officials
 - h. 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 oversight of such participation by an appropriate monitoring agency”

City Planning Commission Public Hearing

On October 20, 2021 (Calendar No. 1), the City Planning Commission scheduled November 3, 2021, for a public hearing on this application (C 210166 ZMK), and the related action (N 210167 ZRK). The hearing was duly held on November 3, 2021 (Calendar No. 20). One speaker testified in favor of the application and none in opposition.

A representative of the applicant discussed the proposed development and the rationale for the proposed zoning districts. The representative of the applicant stated that the Greenpoint-Williamsburg rezoning did not result in new activity at this site, and that the proposed development would serve as a transition between higher density buildings on the East River waterfront and medium density areas in the eastern upland blocks.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 210166 ZMK) for a zoning map amendment, in conjunction with the related application for a zoning text amendment (N 210167 ZRK), is appropriate. Together, these actions will facilitate a new nine-story, mixed-use building with 86 new housing units, up to 26 of which would be permanently affordable, and approximately 10,600 square feet of ground floor commercial space.

The Commission believes the proposed R7D zoning district will add an appropriate density to the project area. Though the project area was included in the 2005 Greenpoint-Williamsburg rezoning, a new R7D district will allow the project area to serve as a transition between the larger-scale waterfront developments to the west and the lower-density residential and industrial buildings to the east. In addition, the project area has not seen new construction since the 1930s,

despite an area-wide rezoning and significant new development activity in the surrounding area. Increased density and new dwelling units are particularly appropriate at a site in the Transit Zone, where new residents will have access to multiple subway stations and bus lines. Access to open spaces, services, and job opportunities in the Greenpoint-Williamsburg IBZ also make this an appropriate location for additional density.

The maximum permitted height under R7D (eleven stories) is appropriate for this site. The Commission notes the presence of the adjacent R8 district, which has a maximum overall height of 21 stories, and notes that the proposed R7D zoning district has a lower height limit. The R7D district will facilitate additional density and height that will serve as a transition to the R8 zoning and other nearby contextual districts. The Commission also notes that the proposed nine-story building was developed to be of community feedback received during the public review process.

An M1-4 zoning district is similarly appropriate at this location. While the permitted FAR does not change under the proposed zoning, reduced loading requirements and the elimination of required parking spaces will allow greater flexibility and facilitate more mixed-use and light manufacturing uses. The Greenpoint-Williamsburg IBZ and wide range of uses in the surrounding MX-8 district demonstrate the continued appropriateness of Special Mixed Use District. The MX-8 further reflects the historic and ongoing mixed-use character of the neighborhood.

The proposed zoning text amendment (N 210167 ZRK) is appropriate. The action will establish a new MIH area, coterminous with the rezoning area, under MIH Option 1 or Option 2. Between 22 and 26 new, permanently affordable housing units would be provided, addressing the dire need for more affordable housing in Brooklyn and the city. The Commission also notes that this text amendment will create the first MIH area in Brooklyn's Community District 1. The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* to locate affordable housing near transit.

The proposed text amendment will add R7D to the list of Designated Residence Districts in the MX-8 Special Mixed Use District. The MX-8 district is mapped for several blocks north of the

project area to Eagle Street. This span of West Street and Franklin Street, like the project area, can accommodate the additional density and height of an R7D. In the blocks to the north, R7D will also serve as an appropriate transitional district between the waterfront and blocks to the east.

Regarding the borough president's recommendation that the proposed M1-4/R7D zoning district be modified to M1-4/R7A unless the applicant "memorialize the represented nine-story height," the Commission is pleased to note that the applicant plans to return to the community board to further refine the building design. However, because this application seeks a zoning map amendment, the Commission evaluates the appropriateness of the proposed zoning district rather than the proposed development. The Commission believes an R7D zoning district is appropriate at this location.

Though the borough president and community board recommendations regarding building design and sustainability features are outside the scope of this application, the Commission supports strong design and sustainability. The Commission also notes that that this development will be required to provide a green roof and/or a rooftop solar array, per Local Laws 92 and 94. Both the Community Board and Borough President also included conditions regarding the selection of commercial and/or manufacturing tenants for the ground floor space. Though these conditions are also outside the scope of this application, the Commission is pleased that, when the applicant is ready to lease the space, they intend to work with the community to seek local tenants for the ground floor.

An additional community board condition was for the applicant to contribute to the maintenance of Bushwick Inlet Park. In response to this request, the applicant has coordinated with the New York City Department of Parks and Recreation regarding a contribution. While this condition is outside the scope of the application, the Commission encourages the applicant to continue working with the community and relevant city agencies as they further this project.

The Commission also recognizes the borough president's conditions for public realm improvements, allocating ground-floor space for specific commercial or manufacturing uses, and

retention of Brooklyn-based contractors in the proposed development, but notes that they are beyond the scope of this application.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on June 21, 2021 with respect to this application (CEQR No. 21DCP010K), the City Planning Commission finds that the action described herein will have no significant impact on the environment.

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, Section No. 12c, changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

The above resolution (C 210166 ZMK), duly adopted by the City Planning Commission on December 1, 2021 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

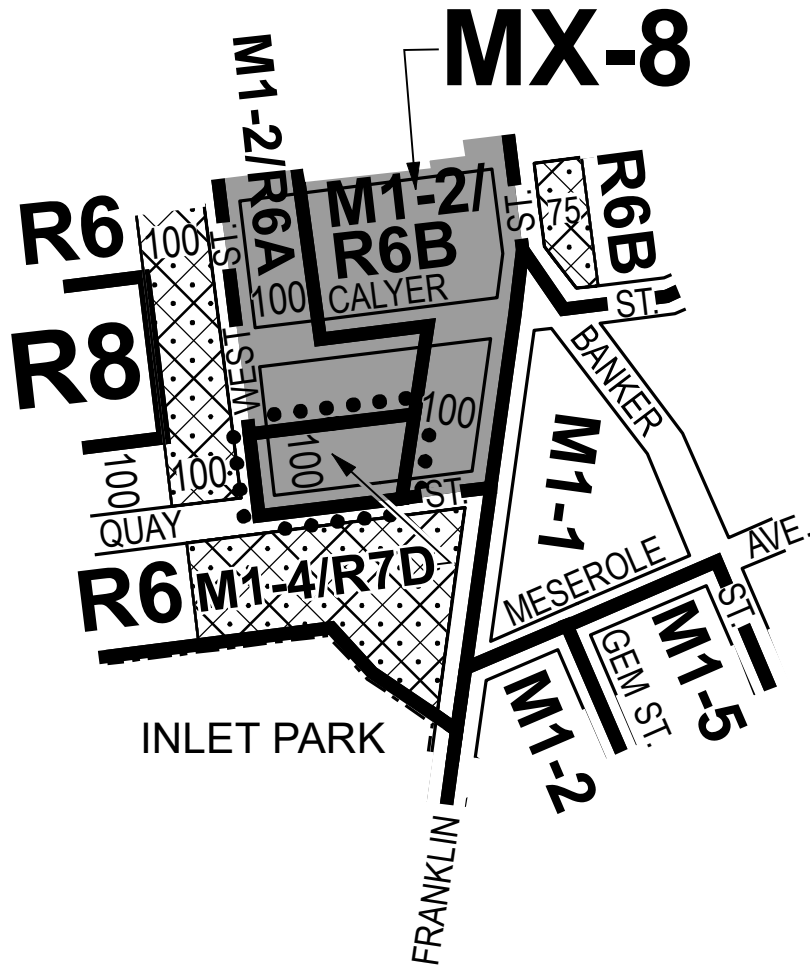
ANITA LAREMONT, *Chair*

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

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

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

OR LANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

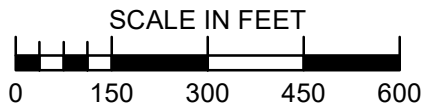


CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP





12c
 BOROUGH OF
BROOKLYN

New York, Certification Date:
 June 21, 2021

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 M1-2/R6A District to an M1-4/R7D District.
-  Indicates a C2-4 District
-  Indicates a Special Mixed Use District (**MX-8**)



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 79 Quay Street Rezoning	
Applicant: Quay Plaza LLC	Applicant's Primary Contact: Richard Lobel
Application # 210166ZMK	Borough:
CEQR Number: 21DCP010K	Validated Community Districts: K01

Docket Description:

IN THE MATTER OF an application submitted by Quay Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of the Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

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

RECOMMENDATION: Conditional Favorable			
# In Favor: 29	# Against: 0	# Abstaining: 0	Total members appointed to the board: 29
Date of Vote: 9/14/2021 12:00 AM		Vote Location: WEBEX	

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

Date of Public Hearing:	
Was a quorum present? 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>
Public Hearing Location:	

CONSIDERATION: Please see the attached

Recommendation submitted by	BK CB1	Date: 9/24/2021 10:22 AM
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79 QUAY STREET APPLICATION FOR ZONING MAP AMENDMENT. (ULURP Number: C210166ZMK; N210167ZRK) A zoning map amendment (M1-2/R6A [MX-8] to M1-4/R7D [MX-8]) and text amendment (123-00 and Appendix F), to facilitate a new nine-story residential and commercial building (approximately 92,1000 sf and 83 DUs), are sought by private applicant Quay Plaza LLC at 79 Quay Street in Greenpoint, Community District 1, Brooklyn.

Mr. Richard Lobel and Ms. Fayanne Betan presented.

This is an application to amend the zoning map from an M1-2/R6A District to an M1-4/R7D district. The change would allow for two more stories and larger 1–2-bedroom affordable units instead of studios and 1-bedroom units. The plan is to have 86 units, with either 22 or 26 affordable units, plus, 10,000 sq. feet of commercial use on the ground floor. Given the new higher water table the building will be elevated to meet the requirements. There will be greenery put in on the sidewalk, but there are no open space amenities for the public, due to the small 13,000 sq. foot size of the site.

The committee members felt the application had positive potential; however, they felt the design had too many horizontal hotel-like lines, which were not contextual with the surrounding buildings. The owner stated he was willing to work with his architect to try to make the building more interesting and contextual.

In light of the absence of open space amenities for the public, the committee asked if the owner was willing to consider contributing to the Bushwick Inlet Park, which is only a block away. He said he was willing to consider such a donation.

The owner also agreed to work with the coalition of block associations in the immediate community to provide appropriate retail diversity in the commercial space.

Recommendation:

Approve the application with the following conditions.

- 1- The owner will work with his architect to make the building more interesting and contextual, with less horizontal, hotel-like lines.
- 2- The owner will work with the Parks Department to make a long-term contribution towards the maintenance of the Bushwick Inlet Park.
- 3- The owner will work with the coalition of block associations in the immediate community to provide appropriate retail diversity in the commercial space.
- 4- The owner will utilize more green and sustainable elements than just providing greenery around the building, e.g., a green roof, carbon absorbing concrete, sourcing energy from non-fossil fuel sources, incorporating “vertical forest of Milan” concepts, and rain gardens on the curb.

Vote: 18 in favor of the motion

0 against the motion



BOROUGH PRESIDENT RECOMMENDATION

Project Name: 79 Quay Street Rezoning	
Applicant: Quay Plaza LLC	Applicant's Administrator: Richard Lobel
Application # 210166ZMK	Borough: Brooklyn
CEQR Number: 21DCP010K	Validated Community Districts: K01

Docket Description:

IN THE MATTER OF an application submitted by Quay Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of the Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

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

RECOMMENDATION: Conditional Favorable

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

CONSIDERATION:

Recommendation submitted by	BK BP	Date: 11/10/2021 3:34 PM
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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

79 QUAY STREET REZONING – 210166 ZMK, 210167 ZRK

Applications submitted by Quay Plaza LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change an area on the north side of Quay Street and east side of West Street within 100 feet of Franklin Street from M1-2/R6A to an M1-5/R7D district, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the project area. The requested actions would facilitate a nine-story mixed-use development with a floor area ratio (FAR) of 5.58, containing approximately 10,585 square feet (sq. ft.) of commercial space and 81,570 sq. ft. of residential use in Brooklyn Community District (CD 1). Approximately 22 of the 83 intended dwelling units would be affordable to households earning an average 60 percent of Area Median Income (AMI), pursuant to MIH Option 1, or 26 units would be affordable to households earning an average 80 percent AMI, pursuant to MIH Option 2.

BROOKLYN COMMUNITY DISTRICT NO. 1

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

October 26, 2021

DATE

RECOMMENDATION FOR: 79 QUAY STREET REZONING – 210166 ZMK, 210167 ZRK

Quay Plaza LLC submitted applications, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change an area on the north side of Quay Street and east side of West Street within 100 feet of Franklin Street from M1-2/R6A to an M1-5/R7D district, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the project area. The requested actions would facilitate a nine-story mixed-use development with a floor area ratio (FAR) of 5.58, containing approximately 10,585 square feet (sq. ft.) of commercial space and 81,570 sq. ft. of residential use in Brooklyn Community District (CD 1). Approximately 22 of the 83 intended dwelling units would be affordable to households earning an average 60 percent of Area Median Income (AMI), pursuant to MIH Option 1, or 26 units would be affordable to households earning an average 80 percent AMI, pursuant to MIH Option 2.

On October 6, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on these zoning map and text amendments. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the applicant's representative stated that the development would contain 13 studios, 31 one-bedroom units, 29 two-bedroom apartments, and 13 three-bedroom units. The developer intends to map MIH Options 1 and 2 on the site, though the final option has not been selected. At 60 percent AMI, the rents would be \$956 for a studio, \$1,204 for a one-bedroom, \$1,437 for a two-bedroom, and \$1,653 for a three-bedroom unit. At 80 percent AMI, these rents would be \$1,314, \$1,651, \$1,974, and \$2,273, respectively.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process to ensure the highest level of participation from CD 1 residents, and whether the applicant's marketing strategy would include a financial literacy campaign to qualify area residents for the lottery, the representative stated that the developer intends to select an administering agent in consultation with the incoming council member. It is expected that the partner non-profit would conduct financial literacy trainings as part of its marketing campaign.

In response to Borough President Adams' inquiry regarding the intended commercial space, and the possibility of accommodating Williamsburg businesses at risk of displacement, including small contracting establishments and art/music studios, the representative noted that the developer would be willing to lease space to such tenants at 79 Quay Street. Moreover, the applicant would seek a retail mix in line with the community board's preference for local and small businesses.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, solar roof or façade panels, New York City Department of Environmental (DEP) rain gardens, and/or wind turbines, the representative expressed that the building would have roof retention and exterior wall systems, and that the applicant would consider available sustainability options as part of the design.

In response to Borough President Adams' inquiry regarding the inclusion and participation of local- owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated intent to utilize one or more tax abatement programs, which would require the applicant to meet certain MWBE guidelines.

Consideration

On September 14, 2021, Brooklyn Community Board 1 (CB 1) approved this application with the conditions that the owner:

- Work with his architect to make the building more interesting and contextual, with less horizontal, hotel-like lines
- Work with the New York City Department of Parks and Recreation (NYC Parks) to make a long-term contribution toward the maintenance of Bushwick Inlet Park
- Work with the coalition of block associations in the immediate community to provide appropriate retail diversity in the commercial space
- Utilize more green and sustainable elements than just providing greenery around the building, such as a green roof, carbon-absorbing concrete, non-fossil fuel energy, and curbside rain gardens

The proposed actions would affect an approximately 23,538 sq. ft. project area located in the southwest portion of the neighborhood of Greenpoint. The applicant's development site is a 16,500 sq. ft. corner lot extending 165 feet on the north side of Quay Street and 100 feet on the east side of West Street, with two curb cuts along each frontage. The applicant site contains three buildings that house a furniture maker, an interior decorating studio, and a rock-climbing gym. One of the properties also contains two apartments. The project area includes parts of two non-applicant properties. 85 Quay Street is a 6,000 sq. ft. lot improved with a three-story, six-unit residential building. 93 Quay Street is a single-story, 18,537 sq. ft. warehouse building used as a photography studio, which is slated for redevelopment as a new seven-story mixed-use building.

According to the application, 79 Quay Street would be a nine-story 92,157 sq. ft., 5.58 FAR building with a base height of 67 feet, and a final height of 101 feet. In addition to 86 apartments and 10,584 sq. ft. of retail, the development would provide cellar parking for 32 cars and 43 bicycles. The requested R7D district permits a residential bulk of 5.6 with an inclusionary housing bonus, and when paired with a commercial overlay, requires the provision of a non-residential ground floor. The maximum permitted height is 11 stories and 115 feet.

The surrounding area is mapped with a variety of residential and MX zoning districts. The adjacent blocks contain multi-family residential, mixed-use, and industrial buildings of one to seven stories. Commercial uses are found primarily along the east side of Franklin Street, which is mapped with C2-4 overlays. The development block is also adjacent to the western edge of the Greenpoint/Williamsburg Industrial Business Zone (IBZ). Nearby open spaces include the American Playground at Franklin and Noble streets, WNYC Transmitter Park at the end of Greenpoint Avenue, and Bushwick Inlet Park, which is currently under construction in Williamsburg. Closer to the proposed development, the Greenpoint Monitor Museum and ecological park is taking shape on the Greenpoint waterfront.

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

Moreover, 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.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the

next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible.

Based on MIH Option 1, the development rights generated from the proposed rezoning would result in, at minimum, 25 percent of the residential floor area designated as permanently affordable. According to the applicant, 22 or 26 of the 86 units at 79 Quay Street would be pursuant to MIH. Development adhering to the MIH program is consistent with Borough President Adams' policy for affordable housing to remain in perpetuity.

The MIH program targets affordable housing units to a broad range of incomes, consistent with his objective to extend such opportunities to households at various AMI tiers. Borough President Adams supports developments that allow low-, moderate-, and middle-income residents to qualify for the City's affordable housing lottery. The proposed rezoning leading to redevelopment of 79 Quay Street would gear apartments to households at multiple income tiers, which would remain permanently affordable. In addition, if developed pursuant to MIH Option 1, the development would be required to have 40 percent of the affordable housing floor area be affordable to those earning up to 40 percent AMI.

Borough President Adams believes that it is appropriate to zone for increased density in proximity to public transportation. The B32 bus travels along Franklin Avenue, stopping between Calyer and Quay streets. The Brooklyn-Queens Crosstown Local G train is available at Nassau Avenue station, six blocks away. The site is also accessible via NYC Ferry, at the North Williamsburg stop along the East River route. Finally, the area is well-served by Citi Bike, with the closest station located at Banker Street and Meserole Avenue.

Borough President Adams generally supports the land use actions requested to enable the proposed mixed-use development at 79 Quay Street. However, he is concerned that such zoning could enable a taller building than what was approved by CB 1. Additionally, he seeks MIH Option 1, confirmation of the represented family-oriented bedroom mix with deeply affordable smaller apartments targeted to seniors if development is pursuant to MIH Option 1, maximum community participation in the affordable housing, dedicated commercial space for local arts/cultural groups and/or industrial businesses at risk of displacement, the incorporation of resilient and sustainable features including rain gardens, Vision Zero enhancements, and a high level of local and MWBE hiring.

Ensuring Represented Building Height

The existing zoning was adopted as part of the 2005 Williamsburg Greenpoint Rezoning and would allow a seven-story building with an Inclusionary Housing area floor area bonus. The height was changed to eight stories as part of the Zoning for Quality and Affordability (ZQA) measure adopted in 2015 to ensure that the bulk envelope would fully enable the utilization of the floor area bonus.

As represented to both CB 1 and at the public hearing held for Borough President Adams, 79 Quay Street would have a base height of six stories, with dormers and setbacks on the floors above, up to the ninth story. As a site inclusive of a corner lot segment, the proposed massing fully accommodates the permitted FAR while only being one story taller than what would be permitted by the existing zoning. However, while the massing envelope was supported by CB 1, the current design is not binding and could be modified to produce a leaner 11-story building within the R7D zoning envelope.

During Borough President Adams' hearing, the applicant's representative noted that the requested R7D MIH district would result in greater affordable floor area and allow for larger unit sizes. While such objectives are beneficial, there is no guarantee, given the site's desirable location near the Greenpoint waterfront, that the developer would not construct an 11-story building. Borough President Adams

believes it is important to secure what has been represented to the community. CB 1's approval was premised on the representation of a nine-story building, with a maximum height of 101 feet. Therefore, he seeks a binding mechanism to ensure that such height is not exceeded in the final design. If the applicant is unwilling to make such a commitment, then the requested zoning should be reduced to R7A MIH, with a maximum FAR of 4.6 and a height restriction of nine stories. While this modification would result in less affordable floor area with fewer and/or smaller MIH units, it would ensure that the eventual building is consistent with what has been proposed.

Borough President Adams believes that the City Planning Commission (CPC) and/or City Council should seek written commitments from Quay Plaza LLC to memorialize the represented building height. Otherwise, the requested M1-4/R7D district should be modified by the CPC and/or the City Council to M1-4/R7A to ensure that 79 Quay Street does not exceed nine stories.

Ensuring an MIH Option that Provides for Very Low-Income Households

Borough President Adams has heard a great deal of concern about gentrification and displacement in Greenpoint and Williamsburg. The influx of wealthier individuals to the area, together with rising real estate values, has led to the replacement of longtime low-income tenants, with new residents able to pay higher rents. For households in non-regulated housing there is little recourse beyond targeted downzoning, which may slow the pace of property turnover and new construction by reducing development rights. It should be noted that even regulated buildings do not provide permanent protection from displacement. According to the NYU Furman Center, CD 1 contains approximately 27 buildings with 680 regulated units set to expire by 2025. Without further action, some tenants may lose subsidies that made such housing affordable, and others might be subject to eviction by lawful demolition.

Data shows that more than 80 percent of New York City households earning 50 percent AMI or less are rent-burdened. The situation is even worse among those who earn up to 30 percent AMI or \$23,310 for a family of three. More than one-fifth of New York City households — over two million people — earn less than \$25,000 a year and almost one-third earn less than \$35,000. Well over 50 percent of this population pays more than half its income toward rent. As the City's housing crisis deepens, the burden falls most heavily on low-income New Yorkers, including many senior citizens.

Within CD 1, a significant number of households in regulated and unregulated housing pay too much of their income toward rent. According to the Association for Neighborhood Housing and Development (ANHD), 47 percent of households in CD 1 are rent-burdened. In 2019, 24 percent of households in CD 1 spent 50 percent or more of their income on rent, making them severely rent-burdened. NYU Furman found that the percentage of rental units affordable to households at 80 percent AMI fell 17 percent between 2010 and 2019, and that the median gross rent in Greenpoint/Williamsburg grew much faster in the last decade than that of Brooklyn as a whole. There is thus a pressing need to increase the supply of affordable housing in CD 1.

As applications such as this proposal move through the ULURP process, it is important to ensure that the required affordable housing meets the most pressing community needs. The MIH obligation provides opportunities to maximize permanently affordable floor area for low-income households.

The ZR specifies four options for new construction subject to MIH regulations. As stated at Borough President Adams' hearing, the 79 Quay Street development site would be mapped with MIH options 1 and 2. MIH Option 1 reserves 25 percent of the floor area for households earning an average of 60 percent AMI, with 10 percent (40 percent of the affordable housing units) reserved for those at 40 percent AMI. Borough President Adams believes that by targeting apartments to very low-income households, MIH Option 1 allows seniors, especially those living alone, to qualify for affordable housing lotteries. He concurs that ensuring affordable housing opportunities for very low-income residents would maximize the development's benefit to the community.

Therefore, prior to considering the application, CPC and/or City Council should obtain written commitments from Quay Plaza LLC to provide permanently affordable housing according to MIH Option 1.

Bedroom Mix

A recent report has identified that rent-burdened households, which typically represent those applying to the City's affordable housing lotteries, are more likely to require family-sized units. Borough President Adams seeks for new developments to achieve an affordable unit mix that would adequately reflect the needs of low- to middle-income families. Quay Plaza LLC has stated that the building would provide 13 studios, 31 one-bedrooms, 29 two-bedrooms, and 13 three-bedrooms. Pursuant to MIH Option 1, a number of these apartments would be reserved for households at 40 percent AMI.

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. Though the applicant expressed intent to provide larger units, development pursuant to MIH lacks leverage to require affordable apartments 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.

For this building, it is important to mandate that the developer provide affordable housing pursuant to ZR Section 23-96(c)(1)(ii). This would require at least 50 percent of the units to be two- or three-bedrooms and at least 75 percent of the units to contain one or more bedrooms. The inclusion of two- and three-bedroom apartments, combined with provision of affordability pursuant to MIH Option 1, would help ensure larger units for low- to moderate-income families. However, such bedroom distribution is not guaranteed in the eventual development.

Borough President Adams seeks a binding commitment to secure what has been represented to the community. Therefore, prior to considering the application, the City Council should obtain written commitments from Quay Plaza LLC that the 79 Quay Street unit mix would be at least 50 percent two- or three-bedrooms, and at least 75 percent one-, two-, or three-bedrooms.

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. He recognizes that CD 1 is served by several non-profit entities with a proven record of marketing affordable housing units and promoting lottery readiness through educational initiatives. The selection of an appropriate organization should be conducted in consultation with CB 1 and local elected officials.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from Quay Plaza LLC to utilize one or more local affordable housing non-profits as administering agent(s) for 79 Quay Street that would play a role in promoting lottery readiness.

Setting Aside a Portion of the Commercial Space for Local Arts/Cultural and Non-Profit Organizations and/or Businesses at Risk of Displacement

Borough President Adams seeks to assist community-based non-profits in securing affordable space in the borough. These organizations play an important role in their neighborhoods but often struggle to obtain the necessary space to expand and sustain their programs. Many cultural entities have contacted the Office of the Brooklyn Borough President with these concerns. 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 shows that cultural programs generate a variety of positive effects, which include combating the borough's high obesity rate. 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 local cultural events since 2006.

Borough President Adams believes that the inclusion of cultural entities and non-profit organizations at 79 Quay Street would be beneficial to the community, given CD 1's considerable residential density, and its high proportion of children and families.

Borough President Adams is concerned about potential displacement of small businesses and firms connected to the Greenpoint/Williamsburg IBZ. Such businesses are a vital part of their communities but easily displaced by rising commercial rents or residential redevelopment pressures, which are particularly pronounced in CD 1. As former manufacturing areas are upzoned and redeveloped, utilization of the permitted zoning often results in replacement of industrial businesses by higher-value commercial and residential uses. In the Greenpoint/Williamsburg IBZ landlords can seek tenants able to pay higher rents or sell their properties to developers seeking to maximize zoning rights.

Borough President Adams believes that it is possible to monitor potential business displacement based on applications filed with the New York City Department of Buildings (DOB). Additionally, neighborhood organizations such as Evergreen and the North Brooklyn Chamber of Commerce often provide assistance to businesses seeking new space in Greenpoint/Williamsburg.

Borough President Adams also believes that innovation and maker businesses can be retained through the provision of affordable space in developments achieved by MX zoning. Multiple use groups permitted in the proposed M1-5 commercial overlay include uses that might exist in the nearby IBZ. These include various artisan, artisanal and maker establishments, as well as art, dance, and music studios.

Therefore, prior to considering this application, the City Council should obtain written commitments from Quay Plaza LLC, its intent to set aside a portion of the commercial ground floor for non-profits and/or arts and cultural organizations, and/or businesses at risk of displacement, at below-market lease terms, as warranted. Furthermore, if the City Council seeks to secure accommodations for non-profits and/or arts

and cultural organizations, Quay Plaza LLC should actively solicit such entities, based on reasonable lease terms, in consultation with CB 1 and local elected officials.

Advancing Sustainable Energy and Resilient Stormwater Management

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. 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 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 Quay Plaza 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 site's Quay and West 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 Quay Plaza LLC should consult with DEP, the New York City Department of Transportation (DOT), and NYC Parks about integrating rain gardens with street trees as part of the BPP. Any implementation should involve advance consultation with CB 1 and local elected officials.

Therefore, prior to considering the application, the City Council should obtain written commitments from Quay Plaza LLC clarifying how it would integrate resiliency and sustainability features at 79 Quay Street.

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.

While the development site is in an area zoned primarily for residential use, it would be accessed primarily via Franklin Street, which is a DOT-designated local truck route and forms the western boundary of the Greenpoint/Williamsburg IBZ. In addition, West Street functions as a north/south pathway to the existing Bushwick Inlet Park, Quay Street would provide access to the section currently under construction as well as the Greenpoint Monitor Museum. Finally, given the increasingly mixed-use character of the neighborhood, the residents expected to occupy 79 Quay Street, together with users of its commercial space, it is important to make pedestrian safety improvements as part of this project.

Per his CROSS Brooklyn initiative, Borough President Adams believes there is an opportunity to integrate Vision Zero enhancements at the southeast corner of West and Quay streets via curb extensions and/or painted protected sidewalks. He recognizes that the costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore the implementation of either protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of a BPP. If the implementation meets DOT's criteria, the agency should enable Quay Plaza LLC to undertake such improvements as part of its BPP after consultation with CB 1 and local elected officials. The implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from Quay Plaza LLC to coordinate CROSS Brooklyn implementation with DEP and DOT for curb extensions at one or more of the development's intersections, particularly those intended for pedestrian circulation, either as part of a BPP or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of Quay Plaza LLC's commitment to enter into a standard DOT maintenance agreement for those intersections. Finally, DOT should confirm that implementation of such improvements would require consultation with CB 1 and local elected officials.

Jobs

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality across Brooklyn, with more than half of the borough's community districts reporting poverty rates of 20 percent or higher. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. One way to address this economic crisis is by prioritizing local hiring and promoting Brooklyn-based businesses, including those that qualify as LBE and MWBE. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those designated LBE 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 Quay Plaza LLC to retain Brooklyn-based contractors and subcontractors, especially those designated LBE consistent with Section 6-108.1 of the City's Administrative Code and MWBE to 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.

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 (CPC) and City Council approve this application with the following conditions:

1. That unless Quay Plaza LLC provides a means to memorialize the represented nine-story height, the CPC/City Council modify the requested M1-4/R7D district to M1-4/R7A
2. That prior to considering the application, the City Council obtain written commitments from the applicant, Quay Plaza LLC, clarifying how it would:
 - a. Provide permanently affordable housing according to Mandatory Inclusionary Housing (MIH) Option 1
 - b. Achieve an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-, two-, or three-bedroom units, but for studios targeted to households at 40 percent AMI
 - c. Utilize local affordable housing development non-profit(s) as administering agent (s) that would play a role in promoting lottery readiness
 - d. Set aside ground floor commercial space for interim arts/cultural entities, non-profit organizations, and/or businesses at risk of displacement including Use Group (UG) 9 studios and/or manufacturing uses
 - e. Incorporate resiliency and sustainability measures, such as blue roofs, passive house design, solar façades, and micro-grid battery storage
 - f. Coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Parks and Recreation (NYC Parks), and the New York City Department of Transportation (DOT) regarding installation of DEP rain gardens as part of a Builders Pavement Plan (BPP) in consultation with Brooklyn Community Board 1 (CB 1) and local elected officials

- g. Construct curb extensions as part of a BPP in coordination with DEP and DOT, or, if technically infeasible, enter into a standard DOT maintenance agreement for protected painted sidewalk extensions, at the intersection of Quay and West streets, based on prior consultation with CB 1 and local elected officials
- h. 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 oversight of such participation by an appropriate monitoring agency



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November 18, 2021

VIA EMAIL

Hon. Anita Laremont, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

Re: 79 Quay Street Rezoning
ULURP Nos.: C210166 ZMK and N210167 ZRK
Brooklyn, New York (the “Premises”)

Dear Chair Laremont and Commissioners:

We submit this letter on behalf of the applicant, Quay Plaza LLC, for the 79 Quay Street Rezoning application (the “Rezoning”) in response to comments and questions which arose at the public hearing held on November 3, 2021.

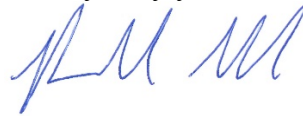
The rezoning seeks: (1) A zoning map amendment to change the existing M1-2/R6A (MX-8) zoning district to an M1-4/R7D (MX-8) zoning district; (2) a text amendment of Zoning Resolution (“ZR”) Article XII, Chapter 3 to add an R7D zoning district to the MX-8 Designated Residence Districts; and a text amendment of ZR Appendix F; Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 1, Brooklyn to establish a Mandatory Inclusionary Housing (“MIH”) Area with MIH Options 1 and 2 within the proposed Project Area. The proposed actions will facilitate the development of 79 Quay Street (Block 2589, Lot 1) with a new nine-story, approximately 92,157 sq. ft., 5.58 FAR mixed residential and commercial building with approximately 86 dwelling units (the “Proposed Development”). The Proposed Development will either provide 22 affordable housing units (25%) pursuant to Option 1 of the MIH program or 26 affordable housing units (30%) pursuant to Option 2 of the MIH program.

The applicant currently intends to build the Proposed Development at the density and height presented to the Commissioners at the public hearing. The reduced height allows the applicant to spread the floor area to the rear of the building, so the applicant can provide larger family-sized units. As currently proposed, 42 units would be either two- or three-bedroom units. Many of these family-sized units will be permanently affordable pursuant to MIH.

The applicant had an excellent conversation at the Community Board and is amenable to working with the Community Board to enhance the area and discuss proposed ground floor commercial uses.

The applicant looks forward to continuing to work with the Community Board, Borough President, City Planning Commission and Council Member Levin to develop a building at 79 Quay Street which will be a benefit to the local community.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'RL M', is positioned above the printed name.

Richard Lobel

RL/fb