



IN THE MATTER OF an application submitted by the Department of Housing and Preservation Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 115 Williams Avenue (Block 3700, Lot 8), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the enlargement of an accessory open parking lot for an existing poultry distribution facility in the Borough of Brooklyn, Community District 5.

Approval of three separate matters is required:

1. The designation of the city-owned property located at 115 Williams Avenue (Block 3700, Lot 8) in the Borough of Brooklyn, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of such property at 115 Williams Avenue (Block 3700, Lot 8), to a developer selected by HPD.

The application for the Urban Development Action Area designation and project approval, and disposition of city-owned property (C 150380 HAK) was submitted by the Department of Housing Preservation and Development (HPD) on May 19, 2015.

Approval of this application would facilitate the enlargement of an existing parking lot for and storage for an existing poultry distribution facility owned and operated by Watkins Poultry Merchants of New York (the intended project sponsor) in the East New York Industrial Business Zone of Community District 5, Brooklyn.

The Department of Housing Preservation and Development states in its application that:

The development site consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

The New York City Department of Housing Preservation and Development (HPD) is seeking an Urban Development Action Area Project Designation (UDAAP), Project Approval and Disposition of City-owned property located at 115 Williams Avenue (Block 3700, Lot 8) to facilitate the enlargement of an existing parking lot owned and operated by an adjacent poultry business located in the East New York Industrial Business Zone.

The subject site, which contains a vacant, two-story, former, residential building, has a lot area of 2,400 square feet (Block 3700, Lot 8), and is within an M3-2 zoning district. The poultry distribution business is a permitted use within this district.

Adjacent to the City-owned property that is the subject of this report (Lot 8), the poultry distribution business owns Lots 1 and 9, which are 52,600 square feet and 5,000 square feet in size respectively.

Watkins Poultry Merchants of New York began their business in 1994 at 138 Watkins Street. As a result of a growing customer base, the company purchased Block 3700, Lot 1 in the East New York Industrial Business Zone to build an 18,650 square foot warehouse at 140 Alabama Avenue. Since then, their business has grown to 64 employees working various types of jobs. These responsibilities include general labor, truck driving, maintenance, administrative and management. On a normal business day, Watkins Poultry Merchants brings in five tractor-trailers of live poultry from Pennsylvania that are unloaded, sorted, re-loaded onto smaller trucks, which are then dispatched and delivered to various locations in the Tri-State region.

In April of 2012, Watkins Poultry Merchants was selected to purchase the property proposed to be disposed at 115 Williams Avenue, through a Request for Offer (RFO), issued by HPD under the

Asset Sales Program. The RFO offered up to 15 city-owned vacant residential buildings, throughout New York City, for sale to both individuals and businesses. Under the RFO, properties are sold in as-is condition, and the ability to secure funding would be the sole responsibility of the prospective purchaser.

Watkins Poultry Merchants projects growth in business, and plan to add 12 semi-tractor trailers to their fleet to handle loading and unloading of the live poultry. However, the current accessory parking space cannot accommodate the new semi-tractor trailers. The additional space, provided by Lot 8, will allow the expanding fleet to park and maneuver.

Surrounding uses include several metal fabrication and parts supply businesses in one- and two-story warehouse developments. There are a few multi-family walk-ups north of the subject site, in an M1-4 zoning district. Public facilities and institutional uses that include the New York City Department of Homeless Services (DHS) Brooklyn Women's Shelter, located across the street, to the west of the subject site; and the Trey Whitfield Private Elementary School, located a ½ block to the northwest of subject site in an M1-4 zoning district. The school serves children from pre-kindergarten to eighth grade.

The poultry distribution company intends to demolish the existing city-owned, former residential building to expand the facility's parking area for its fleet of trucks from Lot 1 through to Lot 9. The proposed development would create 60,000 square feet of accessory open parking space to allow the fleet of trucks to properly load, unload and maneuver. HPD requests an Urban Development Action Area designation, project approval and designation of the vacant and abandoned residential property (Block 3700, Lot 8) to facilitate a business expansion.

ENVIRONMENTAL REVIEW

This application (C 150380 HAK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead

agency is the Department of Housing Preservation and Development. The designated CEQR number is 14HPD068K.

After a study of the potential impacts of the proposed action, a Negative Declaration was issued on February 10, 2015.

UNIFORM LAND USE REVIEW PROCEDURE

This application (C 150380 HAK) was certified as complete by the Department of City Planning on June 1, 2015, and was duly referred to Community Board 5 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 5 held a public hearing on this application on June 24, 2015, and on that date, by a vote of 28 in favor, 0 opposed, 0 abstentions adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 150380 HAK) was considered by the Borough President, who issued a recommendation approving this application on July 27, 2015, with the following conditions:

- a) That the Department of Housing Preservation and Development should incorporate, in either the Regulatory Agreement or Land Disposition Agreement, that requires the project sponsor to retain Brooklyn-Based contractors and subcontractors, especially those that are designated Locally Based Enterprises (LBE) consistent with section 6-108.1 of the City's Administrative Code, and MWBE and LBE establishments, as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation), as well as to coordinate the monitoring of such participation with an appropriate monitoring agency.

Be it Further Resolved that Watkins Poultry:

1. Should undertake a study of the structural condition of its roof in terms of furthering sustainable and resilient initiatives;
2. Should consult with appropriate government agencies that might be of assistance

to further sustainable solar, blue, green and/or white roof strategies and parking lot solar canopies; and,

3. Should consult with the Department of Environmental Protection in terms of green-water initiatives that might advance permeable paving and/or a bioswale that incorporate the existing mature trees along Williams Avenue.

City Planning Commission Public Hearing

On July 15, 2015 (Calendar No. 3), the City Planning Commission scheduled August 5, 2015, for a public hearing on this application (C 150380 HAK). The hearing was duly held on August 5, 2015 (Calendar No. 20). There were two speakers who spoke in support and none in opposition.

A representative from HPD spoke in favor of the application, describing the process of the Asset Sales Program as well as the plans of the Project Sponsor. The Project Sponsor proposes to demolish the former residential structure on the lot, pave it over, and incorporate the lot into the current accessory open parking lot for use by the Project Sponsor.

A representative of the poultry distribution business spoke in favor of the application, and stated that the disposition of the subject site will help improve the daily operations of the facility by consolidating the various properties. He stated that improvements to their operation could potentially lead to employment growth. In response to a concern raised by the Commission regarding safety and cleanliness of the business, the representative stated that the business must adhere to strict City, State and Federal regulations. He also noted that the location of the facility provides important access to their distribution routes, and that the location in the East New York Business Zone is advantageous for business operations.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of City-owned property (C 150380 HAK) is appropriate.

The proposed actions would facilitate the sale of a vacant residential property in poor condition located in an East New York Industrial Business Zone. The project sponsor intends to demolish the property and incorporate it into an existing accessory open parking lot.

The Commission recognizes that this disposition action will facilitate an important expansion opportunity in this business zone. With the absorption of the disposition of Lot 8 into the parking of the adjacent business, the poultry facility will continue to take measures to reduce noise and odor emitting from the facility by using Alabama Avenue as the main point of ingress and egress.

The Commission believes the disposition of the former residential lot located in the East New York Industrial Business Zone, for the enlargement of an existing accessory open parking facility to be used by a growing poultry business would enable this city-owned property to be reactivated with uses that serve the needs of Brooklyn's Community District 5 and the City of New York. The Commission therefore finds that the proposed Urban Development Action Area designation and project approval and related disposition of City-owned property are appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 115 Williams Avenue (Block 3700, Lot 8) in Community District 5, Borough of Brooklyn, as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further **RESOLVED**, that the City Planning Commission, after due Consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located at 115 Williams Avenue (Block 3700, Lot 8), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area.

BE IT FURTHER RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at 115 Williams Avenue m, by the Department of Housing Preservation and Development, is approved (C 150380 HAK).

The above resolution (C 150380 HAK), duly adopted by the City Planning Commission on September 9, 2015 (Calendar No. 6), 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.

CARL WEISBROD, *Chairman*

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

RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,

MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ *Commissioners*

SUBMISSION INSTRUCTIONS

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

Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 115 Williams Avenue (Block 3700, Lot 8), as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the enlargement of an accessory open parking lot for an existing poultry distribution facility, Borough of Brooklyn, Community District 5.

Applicant(s): NYC Housing Preservation and Development 100 Gold Street 9G11 New York, NY 10038		Applicant's Representative: Jack Hammer 212-863-8667
Recommendation submitted by:		
Date of public hearing: 6/24/15	Location: 330 Hindsdale St Brooklyn, NY	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 6/24/15	Location: 330 Hindsdale St Bklyn NY	
RECOMMENDATION		
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions	
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting		
# In Favor: 28	# Against: 0	# Abstaining: 0
Total members appointed to the board: 47		
Name of CB/BB officer completing this form WALTER Campbell	Title Dist. Mgr.	Date 6/25/15



E-mail/ Fax transmittal

TO: Community District 5 Distribution	FROM: Borough President Eric L. Adams
DATE: July 27, 2015	CONTACT: Olga Chernomorets – Land Use Coordinator Phone: 718-802-3751 E-Mail: ochernomorets@brooklynbp.nyc.gov
ULURP Recommendation: 115 WILLIAMS AVENUE - 150380 HAK	NO. Pages, Including Cover: 7

Attached is the recommendation report for ULURP application 150380 HAK.
If you have any questions, please contact Olga Chernomorets at 718-802-3751.

Distribution

NAME	TITLE	OFFICE	E-MAIL
Carl Weisbrod	City Planning Commission Chair	212-720-3356	ygruel@planning.nyc.gov
Hon. Melissa Mark-Viverito	City Council Speaker	212-788-7207	mviverito@council.nyc.gov
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Richard Bearak	Director – Land Use	718-802-4057	rbearak@brooklynBorough President.nyc.gov

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
CalendarOffice@planning.nyc.gov



INSTRUCTIONS

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

APPLICATION #: 115 WILLIAMS AVENUE - 150380 HAK

In the matter of an application submitted by the Department of Housing Preservation and Development (HPD) seeking approval of an Urban Development Action Area Project (UDAAP) designation and project approval and disposition of City-owned property located at 115 Williams Avenue, between Liberty and Glenmore Avenues, for the expansion of an existing parking lot that is owned and operated by the adjacent business.

COMMUNITY DISTRICT NO. 5

BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE
☐ DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BOROUGH PRESIDENT

July 27, 2015

DATE

RECOMMENDATION FOR 115 WILLIAMS AVENUE - 150380 HAK

The Department of Housing Preservation and Development (HPD) is seeking approval of an Urban Development Action Area Project (UDAAP) designation and project approval and disposition of city-owned property located at 115 Williams Avenue, between Liberty and Glenmore Avenues, in an M3-2 zoning district within the East New York Industrial Business Zone (IBZ) of Brooklyn, Community District 5.

The resulting project would be the development of an expanded truck parking area, which will allow for the adjacent owner-operated business to improve its accessory truck parking lot function.

On July 1, 2015, the Borough President held a public hearing on the application. There was one speaker for this item, Director of Economic Development for the Local Development Corporation for East New York (LDCENY). The speaker supports and encourages this development and notes the significance of Watkins Poultry, not only as a respected employer to many local residents, but as a longstanding champion within the community. The speaker also added that the building would require demolition because it's been decrepit and vacant for many years and is an eye sore to the community.

In response to Borough President's policy to promote the use of sustainable and renewable energy resources as well as practices to retain storm-water runoff, the representative from Watkins noted the company would be open to consideration though would first seek a cost/benefit analysis in order to make any final decisions. Examples of such practices include solar canopies for truck parking, incorporating permeable pavers and creating a large bioswale along Williams Avenue, integrating the existing mature trees.

In response to the Borough President's concern regarding light pollution and noise coming from the truck activity and parking lot, as it impacts the Women's Center across the street, Watkins representative stated that in order to minimize noise all vehicle egress and ingress occurs at the Alabama Avenue entrance. It is not believed that the expansion would result in the installation of more lighting fixtures though light shields would be considered if additional lighting is introduced. The acquired lot would likely be enclosed by the same type of fence along its Williams Avenue frontage.

In response to the Borough President's policy to maximize job opportunities for Brooklynites, the representative noted that the demolition and construction that will take place on this site will be bid out, but considerations will be made for prioritizing MWBE and LBE participation. The company's hiring process is nondiscriminatory and Watkins makes it a point to hire locally and promote from within.

Consideration

CB 5 approved this application unanimously.

The proposed development is compliant with the East New York II Industrial Urban Renewal Plan. The property would be disposed to the adjacent owners, Watkins Poultry Merchants of New York Inc., a live poultry wholesale distributor business, selected through a Request for Offers that HPD issued through the Asset Sales Program in April 2012.

Established in 1994, Watkins Poultry has expanded to accommodate its growth through the purchase of the adjacent property which contains its one-story 18,650 sf building. It now employs approximately 65 employees, with a starting wage that is significantly higher than minimum wage. Approximately 85 percent of the workforce resides in the community, within a bike ride or just a few transit stops. Jobs at Watkins range from entry level general labor, truck driving, maintenance, administrative and management positions.

An average day consists of unloading, sorting and reloading of several tractor-trailer trucks containing live poultry onto smaller trucks for delivery to various customers located in the tri-state area and parts of Pennsylvania. The acquisition would facilitate the provision of an expanded accessory parking lot for use by Watkins' fleet of tractor-trailer trucks. The expanded parking lot will also allow for easier access for the trucks to maneuver in and out of the parking areas and would improve the overall daily operations of the business. As Watkins Poultry intends to continue growing and to remain a community staple, the truck parking lot expansion would help to facilitate this growth.

Though located in the East New York IBZ, Watkins is across the street from a Department of Homeless Service's Brooklyn women's shelter. The shelter provides temporary sanctuary and serves as an intake and assessment center for referral of single homeless adult women to permanent housing resources. While not an ideal use to be located in an IBZ, those who sleep there have little choice. The Borough President appreciates Watkin's procedures to route its trucks through Alabama Avenue and willingness to install a shielded lighting fixture should a need arise in subsequent years.

The Borough President believes UDAAP designation is appropriate based on the land use and generally supports efforts that facilitate the creation and/or growth of Brooklyn-based businesses. This includes opportunities that are consistent with the predominant land-use patterns and provide an opportunity for one business to grow in a manner that enables seasonal hiring and activates this IBZ.

Though the Borough President is generally supportive of the proposed development he has concerns regarding the lack of clarity in terms of sustainability and resiliency opportunities and participation of Minority and Women-Owned Business Enterprises (MWBE) and Locally-Based Enterprises (LBE).

Jobs

The Borough President is concerned that too many residents of Brooklyn are unemployed or underemployed. It is his policy to promote economic development as a means of creating more employment opportunities as well as promoting Brooklyn-based businesses, including those that qualify as MWBE and LBE. As new construction, this development provides an opportunity for the developer to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation).

Though Watkins has expressed giving consideration for prioritizing, given that Watkins will be receiving a city asset, the Borough President believes it would be appropriate to memorialize such intent as an actual commitment. He believes that such standards should be memorialized in the Land Disposition Agreement or Regulatory Agreement between the developer and HPD.

The City Council should obtain such a commitment from HPD in writing that such terms would be incorporated into the lease prior to waiving its right to call up the application or otherwise grant its approval.

Advancing Sustainable and Resilient Energy and Storm Water Management Policies

The Borough President seeks opportunities to utilize solar panels and/or blue/green/white roofs. In addition to aligning with the Borough President's sustainable energy policy, such modification would reduce the facility's carbon footprint and reduce energy costs. In addition, blue/green roofs and bio-swales would defer storm-water from entering the City's water pollution control plants.

According to the NYC Green Infrastructure 2014 Annual Report, Green Infrastructure plays a role in addressing water quality challenges as well as provides numerous environment, social, and economic co-benefits. DEP is developing its Jamaica Tributary and Bay Long Term Control Plan (LTCP), which is affected by this site's waste- and storm-water. Therefore, by incorporating bioswales and green/blue roof strategies Watkins Poultry would be consistent with the LTCP.

Considering the relative low height of surrounding structures that support this location's exposure to direct sunlight, incorporating renewable energy features such as roof top solar panels and parking lot solar canopies would be advantageous opportunities to generate sustainable energy. The Borough President believes that Watkins should give consideration to following the lead of Whole Foods Gowanus in terms of installing solar canopies above parking areas. It should also give consideration to using the building's roof for any combination of solar, blue, green and/or white roof improvements. There are several rooftop agricultural establishments now operated in Brooklyn that are interested in having such

operations that should be consulted. The Borough President's Office is available to facilitate such connections.

The Borough President also believes that Watkins should look into using permeable pavers and constructing a bioswale. Incorporating permeable pavers in the surfacing of the expanded parking area, in combination with establishing a bioswale along Williams Avenue, integrating the existing mature trees, would help to advance the Department of Environmental Protection's (DEP) green-water storm-water strategies. Landscaping of the bioswale would also provide for a more pleasant environment for those who depend on the women's shelter for living/sleeping accommodations.

Watkins should undertake a structural assessment of its roof to determine the feasibility to what extent it might pursue sustainable and resilient rooftop features. It should engage the appropriate government agencies such as the Mayor's Office of Sustainability, DEP, NYSERDA and/or NYPA, possibly with the guidance and assistance of the LDCENY, to give consideration to government programs and grants. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction from City property taxes of \$4.50 per square foot of green roof, up to \$100,000. DEP's Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Watkins should also explore DEP's incentives to construct green-water projects, such as permeable pavers for the expanded parking lot surface and the adjacent opportunity to construct a bioswale.

Recommendation

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the land use action requested according to the following conditions:

That the Department of Housing Preservation and Development incorporates in either the Regulatory Agreement or Land Disposition Agreement that requires the project sponsor to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code, and MWBE and LBE establishments, as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation), as well as to coordinate the monitoring of such participation with an appropriate monitoring agency;

The City Council has such stipulations incorporated into such agreements prior to granting its approval.

Be it Further Resolved that Watkins Poultry:

1. Should undertake a study of the structural condition of its roof in terms of furthering sustainable and resilient initiatives;

2. Should consult with appropriate government agencies that might be of assistance to further sustainable solar, blue, green and/or white roof strategies and parking lot solar canopies; and,
3. Should consult with the Department of Environmental Protection in terms of green-water initiatives that might advance permeable paving and/or a bioswale that incorporates the existing mature trees along Williams Avenue.