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**IN THE MATTER OF** an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) in Community District 1, Borough of Brooklyn.

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This application was filed on March 15, 2021, by the New York City Department of Transportation (DOT) and the New York City Department of Citywide Administrative Services (DCAS) for the site selection and acquisition for a privately-owned property located at 101 Varick Avenue (Block 2974, Lot 113). The proposed action would facilitate the use of the property for office and storage use. The site is developed with a three-story office building and a one-story warehouse located in the East Williamsburg section of Brooklyn, Community District 1.

## **BACKGROUND**

DOT recently reached a settlement with the Eastern Paralyzed Veterans Association that requires installation of new curb ramps on 162,000 street corners to current Americans with Disabilities Act (ADA) standards. To fulfil this commitment, DOT is expanding their Sidewalk Improvement Management (SIM) unit and the Citywide Concrete Field Operations (CCFO). The subject property at 101 Varick Avenue would be one of 11 new office locations associated with the upgrading of curb ramps. In addition, the site would also house Traffic Operation's Street Light storage facility.

The project site (Block 2974, Lot 113) is in the East Williamsburg industrial area in the North Brooklyn Industrial Business Zone (IBZ). The surrounding neighborhood is primarily developed with industrial, commercial, transportation, and utility uses. The North Brooklyn IBZ is an economic development designation designed to foster industrial and manufacturing businesses through tax credits, zoning, planning, and other assistance from the City of New York. The site is also located in the "Core Industrial Area" of the NYC Department of City Planning's North

Brooklyn Industry and Innovation Plan, an area designation aimed at retaining land for critical industrial uses.

The project area is well served by public transit. The L train has stops at Jefferson Street and Morgan Avenue, located three to four blocks to the east and west of the project site respectively. The B57, B60, Q54 and Q59 bus lines also serve the project area with stops along Flushing Avenue providing service between Maspeth, Queens, and Brooklyn downtown.

The project site is located at the corner of Johnson and Varick avenues, both 60-foot-wide streets designated as NYC-DOT truck routes. A freight rail spur to the north of the project site is used by Cooper Recycling, Waste Management, and DSNY as an intermodal solid waste container facility. The project site is in an M3-1 zoning district, which permits heavy manufacturing and industrial uses at a maximum floor area ratio (FAR) of 2.0. Building heights in the district are controlled by sky exposure plane with a base height of 60 feet before required setbacks. The accessory parking requirement in M3 districts is one parking space for 300 square feet of floor area.

The project site is 141,863 square feet in area and is developed with a one-story warehouse and a three-story office building with a large open area on the eastern portion of the lot used as a storage yard. The 70,500-square-foot warehouse and 19,537-square-foot office building are built to a combined FAR of 0.64. A 12,500 square foot parking area with 19 spaces is located in front of the office building. The 49,000-square-foot open storage yard is located northwest of the warehouse and is accessed by a curb cut from Johnson Avenue.

The project site and structures are code compliant, and the proposed facility would not require any expansion or significant improvements to the buildings. DOT and DCAS are exploring the feasibility to retrofit the roof of the building with rooftop solar panels. The project site is proximate to Newtown Creek, located approximately 200 feet north of the project site, and is located in the 0.2% coastal flood zone. To avoid potential flood impacts, all critical storage and infrastructure would be located above the flood plain or would be flood proofed. Vehicles on the site would be moved to an off-site location prior to a forecasted flood event.

The proposed facility would house DOT's SIM unit, CCFO unit and Traffic Operations Street Light storage facility. DOT would assign 20 to 25 employees to the SIM and CCFO units in two shifts: 4 am to 12 pm, and 12 pm to 7 pm. Traffic Operations Street Light unit would assign six employees to the warehouse from 5 am to 3 pm. It is expected that the majority of the employees would use nearby public transit for commuting to and from the site. A total of 21 vehicles would be assigned to the project site, including eight pickup trucks, eight dump trucks, and five rack tracts.

### **ENVIRONMENTAL REVIEW**

This application (C 210329 PCK) 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 Transportation. The designated CEQR number is 20DOT003K.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on April 1, 2021.

### **WATERFRONT REVITALIZATION PROGRAM**

This application (C 210329 PCK) was reviewed by the Department of City Planning 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 19-196. This action was determined to be consistent with the policies of the WRP.

## **UNIFORM LAND USE REVIEW**

This application (C 210329 PCK) was certified as complete by the Department of City Planning on April 19, 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).

### **Community Board Review**

On May 11, 2021, Brooklyn Community Board 1 held a public hearing on this application (C 210329 PCK) and on June 8, 2021, by a vote of 29 in favor, none opposed, and none abstaining, voted to approve the application with conditions.

“...the DOT include in its future presentations a plan to take into consideration the proximity of the night-life venues, and that it works with the owner of the property to install solar panels and a green roof.”

### **Borough President Recommendation**

This application (C 210329 PCK) was considered by the Brooklyn Borough President, who held a public hearing on June 14, 2021, and, on July 8, 2021, issued a recommendation approving the application with conditions.

A summary of the recommendations of the Brooklyn Borough President is listed below:

“That the City Planning Commission and/or City Council obtain written commitments from the New York Department of Citywide Administrative services (DCAS) and the New York Department of Transportation (DOT) to incorporate one or more of the following sustainability features in the 101 Varick Avenue lease: blue/green/white roof, micro-grid battery storage units, solar panels, and open or enclosed urban farming.

Be it further resolved: That in order to promote appropriate urban agriculture uses, including aquaponic and hydroponic technologies on building rooftops, the New York City Department of City Planning (DCP) should modify the New York City Zoning

Resolution (ZR), as warranted, by amending Sections 22-14 Use Group 4B. Open Uses 42-10 Uses Permitted As-Of-Right, ZR 43 122 Maximum floor area ratio for community facilities and ZR 75-01 (b) Greenhouse Certification. Moreover, the New York City Department of Buildings (DOB) should issue a Zoning Determination to clarify zoning floor area calculations for stacked-vertical indoor urban farming systems.”

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

On June 23, 2021 (Calendar No. 6), the City Planning Commission scheduled July 14, 2021, for a public hearing on this application (C 210329 PCK). The hearing was duly held on July 14, 2021 (Calendar No. 36).

One speaker testified in support of the application and none in opposition.

The applicant’s representative described the proposed actions and responded to the Community Board’s and Borough President’s recommendations.

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

### **CONSIDERATION**

The Commission believes that this application for a site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) is appropriate.

The Commission notes that the proposed subject property will accommodate one of 11 new office locations associated with the expansion of a DOT program to upgrade 162,000 street corners and curb ramps to current ADA standards. The proposed site is already improved with a three-story office building attached to a one-story warehouse with a yard for open storage and will house units for DOT’s Sidewalk Improvement Management and Citywide Concrete Field Operations that are responsible for the upgrade of street corners. In addition, the one-story warehouse and open storage yard at the back of the site will house Traffic Operation’s Street Light storage facility.

The Commission notes that the site is in an M3-1 district that permits commercial and industrial uses as-of-right. Furthermore, the site is located at the corner of Johnson and Varick avenues, both 60-foot-wide streets designated as NYC DOT truck routes and is approximately a mile from the Brooklyn Queens Expressway providing access to Queens and other parts of Brooklyn. The site also has easy access to public transit, with several stops located within three to four blocks of the project site.

Regarding the recommendation by Community Board 1, the Commission notes that the Community Board approved the application unanimously with a condition that DOT work with the property owner to explore the possibility of installing solar panels on the roof of the building which the Commission supports.

The Commission notes that the Borough President submitted a recommendation in favor of the application with conditions, including that DOT and DCAS obtain a commitment from the property owner to install sustainability features such as blue, green, or white roofs or solar panels or urban agriculture on the roof. At the City Planning Commission public hearing the applicants indicated their willingness to negotiate for such features as blue, green, or white roofs or solar panels in their lease agreement with the property owners.

The Commission notes that the Borough President's recommendation to modify the New York City Zoning Resolution sections related to urban agricultural uses is outside the scope of the proposed action.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that having considered the Environmental Assessment Statement for which a Negative Declaration was issued on April 1, 2021, with respect to this application (CEQR No. 20DOT003K), the City Planning Commission finds that the action described here in will have no significant impact on the environment, and be it further

**RESOLVED**, by the City Planning Commission, pursuant to section 197-c of the New York City Charter, for the site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) for use as an office and storage facility for the Department of Transportation is approved.

The above resolution (C 210329 PCK), duly adopted by the City Planning Commission on August 18, 2021 (Calendar No. 33), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

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

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,  
JOSEPH I. DOUEK, HOPE KNIGHT, ORLANDO MARIN, RAJ RAMPERSHAD,**  
*Commissioners*



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> 101 Varick Avenue	
<b>Applicant:</b> DOT	<b>Applicant's Primary Contact:</b> Khalilah Stewart
<b>Application #</b> 210329PCK	<b>Borough:</b>
<b>CEQR Number:</b> 20DOT003K	<b>Validated Community Districts:</b> K01

**Docket Description:**

IN THE MATTER OF an application submitted by the New York City Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility, Borough of Brooklyn, Community District 1.

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

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 29	<b># Against:</b> 0	<b># Abstaining:</b> 0	<b>Total members appointed to the board:</b> 29
<b>Date of Vote:</b> 6/8/2021 12:00 AM		<b>Vote Location:</b> WEBEX	

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

<b>Date of Public Hearing:</b> 5/11/2021 6:00 PM	
<b>Was a quorum present?</b> Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
<b>Public Hearing Location:</b>	WEBEX

**CONSIDERATION:** (see attached report)

Recommendation submitted by	BK CB1	Date: 6/9/2021 1:19 PM
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# COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)

Website: [www.nyc.gov/brooklyn1](http://www.nyc.gov/brooklyn1)

HON. ERIC L. ADAMS  
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER  
FIRST VICE-CHAIRMAN

DEL TEAGUE  
SECOND VICE-CHAIRPERSON

GINA BARROS  
THIRD VICE-CHAIRPERSON

MARIA VIERA  
FINANCIAL SECRETARY

SONIA IGLESIAS  
RECORDING SECRETARY

PHILIP A. CAPONEGRO  
MEMBER-AT-LARGE

DEALICE FULLER  
CHAIRPERSON

GERALD A. ESPOSITO  
DISTRICT MANAGER

HON. STEPHEN T. LEVIN  
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO  
COUNCILMEMBER, 34th CD

Revised  
June 8, 2021

## LAND USE, ULURP & LANDMARKS (subcommittee) COMMITTEE REPORT JUNE 8, 2021

TO: CB#1 Chairperson Dealice Fuller  
and CB#1 Board Members

FROM: Ms. Del Teague, Committee Chair  
Land Use, ULURP & Landmarks (subcommittee) Committee

RE: Committee Report for meeting held on June 1, 2021

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CB #1 Land Use, ULURP & Landmarks (subcommittee) Committee met on Tuesday, June 1, 2021 at 6:30 P.M. Via Webex.

**ATTENDANCE:**

Members Present: Teague (chair); Chesler; Drinkwater; Kaminski; Rabbi Niederman; Solano; Weidberg; Vega; Andrews\*; Berger\*; Kantin\*; Kawochka\*; Naplatarski\*; Stone\*; [(\*) non-board member].

Members Absent: Indig; Lebovits; Miceli; Sofer.

(14 members were present and a quorum was achieved.)

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**Land Use Committee Report for the 6/1/2021 meeting:**

(1.) **307 Kent Avenue Rezoning ULURP No. 200306 ZMK** – Requesting a zoning map change from M3-1 to M1-5, to extend the existing M1-4/R6A (MX-8) and Zoning Text Amendment to add an MIH Area, to facilitate the development of a new nine-story commercial building located at 307 Kent Avenue, Williamsburg. Presented by Judith Gallent, Bryan Cave Leighton Paisner LLP.

Ms. Gallent pointed out that this site is surrounded by the Domino buildings and other buildings that are greater in height than the proposed development. She stated that the area has been transformed from a heavy manufacturing district to a mixed-use district. The developer stated he

intends to focus on the current need for smaller office and Industrial spaces. He also stated that his plan for community space is for a medical facility. The space he has designated will accommodate a variety of types of medically related facilities. He stated, however, if it does not appear that there is a strong likelihood that he will get a renter for the community space, he will not build it and will build with the smaller FAR, because in a development this small it would not be cost effective to build and leave 1.5 FAR vacant.

The committee considered conditioning approval on a restrictive declaration to require some amount of industrial space, but opted not to do so, because the development is on the whole conforming; and the proposed plan will address the post-shut down need for smaller offices and light industrial uses.

**Recommendation:** The committee voted to **approve the application.**

14 – Yes

0 – No

**(2.) BSA: (Cal. No. 2017-131-BZIII) 77-79 Gerry Street (Block 2266, Lot 49)** - This application is filed pursuant to section 72-01 and 72-22 of the Zoning Resolution of the City of New York, as amended (referred to herein as the “Zoning Resolution” or “ZR”) to request an amendment of previously granted variance under BSA Cal. No 2017-131-BZ to amend the proposal for a house of worship at the Premises by changing the dimensions of the zoning lot, and by making minor changes to the interior layout of the cellar and lower three floor. Presented by David Rosenberg, Sheldon Lobel P.C.

The variance previously granted in 2017 sought to build a seven-story building (three-story house of worship and four-story residence). The initial plan was based on the anticipated purchase of excess floor area rights from three adjacent lots. Under that plan the building would have had 65% lot coverage. The business deal fell through, so the applicant now seeks to build a smaller five-story building. It will have the same footprint as the seven-story building but will now have 100% lot coverage.

**Recommendation:** The committee voted to **approve the application.**

11 – Yes

0 – No

**(3.) Elevate Transit: Zoning for Accessibility (ZFA) Non-ULURP (N210270 ZRY)** -The MTA and DCP are proposing a citywide zoning text amendment that will allow the MTA to work more efficiently with private developers to help achieve systemwide accessibility. The proposal includes a system-wide transit easement certification and an authorization for transit improvement bonuses in high density areas to facilitate the implementation of ADA access at stations throughout the city more quickly and efficiently. Presented by Alexandra Paty-Diaz, NYC Department of City Planning, and Andrew Inglesby, MTA.

Ms. Paty-Diaz explained that many opportunities to provide more accessibility to our subway system have been lost because of the lack of ownership by the city of adjacent property. This amendment will provide a city-wide framework for easement requirements in R5 or above districts and in manufacturing districts for all lots of at least 5,000 sf within 50' of a station. The requirements will apply where there will be new development or additions to a pre-existing building. In those cases, the owner is required to consult with the MTA regarding the need for a transit easement. In return the owners will be offered certain relief depending on the specific development or expansion planned by the owners. The categories of relief include increased floor area and height allowances, and relaxed requirements for open space, setbacks, and parking. Density bonuses only apply in R9 and R10 districts, neither of which occur in CB1. We must submit our letter of comments by June 14, 2021 to the City Planning Commission.

**Recommendation:** The committee voted to approve the application and to ask the full board to submit a letter of approval to the City Planning Commission by June 14, 2021.

11 – Yes

0 – No

**(4.) 101 Varick Avenue DCP Cal# 210329 PCK**

In the matter of an application submitted by the New York City Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility, Borough of Brooklyn, Community District 1. Presented by Dorrit Blakeslee, Project Manager, Department of Transportation.

DOT needs to expand its Sidewalk Inspection Unit and to re-locate its Street Lighting warehouse operations. The Street Lighting warehouse operations is already at the site. The site is in the North Brooklyn IBZ, and the propose use conforms to the current M3-1 zoning.

Ms. Blakeslee stated the DOT operations would bring more employment to the area and pointed out that the EIS found there were no adverse traffic of parking impacts expected. There would be 21 trucks in total at the site, comprised of pick-ups, vans, and dump trucks. No concrete materials would be stored or prepared at the site. Ms. Blakeslee stated they are looking to install solar panels on the roof. The hours of operation would be 7:30 am to 3:30 pm.

The committee pointed out that there are several large entertainment venues nearby, at least one of which has daytime events that will lead to large crowds coming and leaving during the DOT hours of operation. The committee strongly recommended that DOT develop a plan to deal with safety measures that take into consideration the proximity of the venues and the large numbers of

people that will be in the streets entering and exiting the events. Ms. Blakeslee assured us that she will include such a plan in her remaining presentations.

**Recommendation:** The committee voted to approve the application with suggestions that DOT include in its future presentations a plan to take into consideration the proximity of the night-life venues, and that it works with the owner of the property to install solar panels and a green roof.

13 – Yes

0 – No



# BOROUGH PRESIDENT RECOMMENDATION

<b>Project Name:</b> 101 Varick Avenue	
<b>Applicant:</b> DOT	<b>Applicant's Administrator:</b> Khalilah Stewart
<b>Application #</b> 210329PCK	<b>Borough:</b> Brooklyn
<b>CEQR Number:</b> 20DOT003K	<b>Validated Community Districts:</b> K01

**Docket Description:**

IN THE MATTER OF an application submitted by the New York City Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility, Borough of Brooklyn, Community District 1.

*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: 7/9/2021 4:56 PM
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## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)

### INSTRUCTIONS

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

### APPLICATION

101 VARICK AVENUE – 210329 PCK

An application submitted by the New York City Department of Transportation (DOT) and the New York City Department of Citywide Administrative Services (DCAS), for site selection and acquisition of a 141,863 square-foot (sq. ft.) lot improved with a 70,500 sq. ft. warehouse and a 5,434 sq. ft. office building at 101 Varick Avenue, in Brooklyn Community District 1 (CD 1). The M3-1 zoned property is located in the North Brooklyn Industrial Business Zone (IBZ). The proposed facility would support two growing units within DOT's Traffic Operations and Sidewalk Inspection and Management (SIM) divisions.

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

July 8, 2021

\_\_\_\_\_  
DATE

**RECOMMENDATION FOR: 101 VARICK AVENUE – 210329 PCK**

The New York City Department of Transportation (DOT) and the New York City Department of Citywide Administrative Services (DCAS), submitted an application for site selection and acquisition of a 141,863 square-foot (sq. ft.) lot improved with a 70,500 sq. ft. warehouse and a 5,434 sq. ft. office building at 101 Varick Avenue, in Brooklyn Community District 1 (CD 1). The M3-1 zoned property is located in the North Brooklyn Industrial Business Zone (IBZ). The proposed facility would support two growing units within DOT's Traffic Operations and Sidewalk Inspection and Management (SIM) divisions.

On June 14, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on this request to lease application. There were no speakers on the item.

In response to Borough President Adams' inquiry as to what consideration has been given to using the City's lease to incentivize enclosed or open rooftop agriculture at this site, and whether the agencies would be open to exploring and advancing such possibilities, the DOT representative stated that rooftop agricultural installation would be explored as part of the lease negotiation process.

In response to Borough President Adams' inquiry regarding the incorporation of blue/green or white roofs, solar panels, and/or grid-connected batteries mounted on the roof, the DOT representative stated that opportunities to incorporate energy efficiency retrofits via solar panels or a green roof would be explored.

**Consideration**

Brooklyn Community Board 1 (CB 1) approved this application on June 8, 2021.

The proposed actions concern a large, privately-owned site on the northwest corner of Varick and Johnson avenues containing a one-story warehouse, an attached three-story office building, and 65,900 sq. ft. of parking. DCAS and DOT seek to acquire this property to house the SIM Citywide Concrete Field Operations unit and the Traffic Operations Street Light Warehouse. For the past two years, DOT has been utilizing 101 Varick Avenue under a license agreement with the property owner. In 2020, it submitted a request to select and acquire the site as part of the Fiscal Year 2022 (FY 22) Citywide Statement of Needs. If approved, this Uniform Land Use Review Procedure (ULURP) application would allow DOT to continue its operations under a long-term lease.

The SIM Citywide Concrete Unit provides sidewalk repairs and installs pedestrian ramps, safety islands, and traffic medians throughout the five boroughs. The City recently reached a legal settlement to provide new curb ramps and upgrade existing ones to Americans with Disabilities Act (ADA) standards. DOT is hiring 440 staff to implement the required equity and safety improvements. The current SIM facilities are over capacity and cannot accommodate the growth of this program. Varick Avenue has been proposed as one of 11 new facilities associated with the expansion.

101 Varick Avenue presents several advantages for the agency, including location in a manufacturing district and an IBZ. With adequate parking and proximity to highways, the site is well-suited for citywide access and service delivery. The warehouse has sufficient space to support DOT functions and requires minimal improvements with no external modifications. Once acquired, the facility would be staffed by 31 DOT employees, six in the streetlight warehouse unit, and 25 in SIM operations.

Borough President Adams supports actions that would advance the installation or upgrading of pedestrian ramps at all 162,000 street corners in New York City. Where appropriate, such intersections should be upgraded with sidewalk extensions (known as bulbouts or neckdowns) to shorten pedestrian crossings in front of traffic lanes. By promoting driver awareness and pedestrian

safety, these traffic calming measures help advance the Mayor's Vision Zero policies. In 2015, Borough President Adams launched his initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports installing curb extensions at dangerous intersections. During the program's first year, \$1 million was allocated to fund safety enhancements at five such crossings.

Borough President Adams recognizes that DOT needs large, appropriately located facilities to store and deploy its SIM and Street Light Warehouse units. He understands that facilitating continued operations at 101 Varick Avenue would help accommodate the agency's space needs and meet the City's objective to improve pedestrian accessibility and safety.

Though Borough President Adams appreciates the agency's willingness to incorporate sustainable measures such as solar panels on the building's extensive roof, he believes that the lease could be leveraged to also promote rooftop utilization for urban agriculture and/or micro-grid battery storage.

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

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed buildings and existing ones undergoing renovation (with some exceptions) incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate.

Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings, and those in proximity to the waterfront, micro wind turbines can provide effective sustainable energy generation. Finally, passive house construction achieves energy efficiency while promoting locally based construction and procurement.

In Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021, he outlined an urban agenda based on funding policies that will rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated for renewable energy and battery storage to move beyond reliance on natural gas and dirty "peaker plants," which are disproportionately sited in communities of color. He believes that grid-connected rooftop batteries should be a standard consideration for commercial buildings. Between existing flat roofs upgrades and newly developed projects, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes that City-owned and/or -occupied development should strive for high standards in resiliency and sustainability. It is therefore appropriate for DCAS, DOT, and the property owner 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 site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per sq. ft. of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the parties to reach out to his office for further coordination on this matter.



As part of his flood resiliency policy, Borough President Adams encourages best practices to manage stormwater runoff including permeable pavers and/or rain gardens in the public right of way. As the proposed site selection and acquisition does not entail any new construction, there may be limited opportunities to incorporate green infrastructure at 101 Varick Avenue. Borough President Adams recognizes that on-site water retention can be achieved in a multitude of ways, for example by integrating blue roofs with green roof systems.

Borough President Adams believes that the proposed lease should be leveraged to promote sustainable energy and/or stormwater management benefits, such as blue/green/white roofs, grid-connected rooftop batteries, and/or solar panels. Therefore, prior to consideration by the City Council, DCAS and DOT should memorialize intent to advance specific sustainability measures at 101 Varick Avenue.

### **Utilizing Roof Rights for Urban Farming**

In 2017, Borough President Adams and former Council Member Rafael L. Espinal Jr. introduced legislation calling on the New York City Department of City Planning (DCP) to create a comprehensive urban agriculture plan for the city. Intro 1661 proposed to catalog existing and potential urban agriculture spaces; identify land use policies to promote the expansion of these practices; and analyze the New York City Zoning Resolution (ZR), building code, and fire code for ways to foster the industry. In 2021, the Office of the Brooklyn Borough President released "The New Agrarian Economy" report, which puts forward a blueprint for growing urban agriculture in New York City. Among other ideas, the report recommends "reimagining existing infrastructure and assets" to harness the potential of rooftop farming and green large roofs.

In the last decade, New York City has been a hub for innovative urban agriculture, including some of the largest and most productive rooftop farms in the country. The Brooklyn Grange operates 5.6 acres of rooftop farms in Brooklyn Navy Yard, Long Island City, and Sunset Park. Together, these spaces generate 100,000 pounds of organically grown produce every year. Borough President Adams has called for the inclusion of urban farms on the roofs of City-owned and -occupied buildings.

Borough President Adams recognizes that, in addition to energy generation and stormwater management, the extensive roof area at 101 Varick Avenue presents significant opportunities for urban agriculture. However, to date, there has been no agency demonstration of intent to leverage the proposed lease at 101 Varick Avenue to promote urban agriculture, including aquaponic and/or hydroponic farming, in an open or enclosed rooftop facility. Given growing interest in community food justice and local food systems, Borough President Adams believes that DOT and DCAS should consider using the 101 Varick Avenue roof to advance this public purpose in their proposal, in lieu of or in tandem with the noted intent to integrate sustainable energy systems.

Accommodating such urban farming would also require the setting aside of a modest area on the ground floor to provide vertical access to the roof, and should therefore, be accommodated in the planning of this facility. Therefore, prior to consideration by City Council, DCAS and DOT should memorialize intent to explore and/or advance specific urban agriculture strategies at 101 Varick Avenue.

### **Promoting Urban Agriculture Use**

The ZR identifies agricultural use as an open use community facility, found in use group (UG) 4B, which includes greenhouses, nurseries, and truck gardens. To ensure consistency with modern urban agriculture practices, the City should consider redefining the above as enclosed uses, based on certain findings. This would then permit the utilization of additional floor area for rooftop farming, where appropriate, for community facility use when limited to urban farming use. For M3 districts specifically, there should be consideration to modify rooftop greenhouses as a permitted obstruction pursuant to ZR Section 75-01 (b) to include the cultivation of aquaponics.

Therefore, to promote appropriate urban agriculture use, including aquaponic and hydroponic technologies on building rooftops, the New York City Department of City Planning (DCP) should modify the ZR as warranted, by amending Sections 22-14 Use Group 4B: Open Uses, 42-10 Uses Permitted As-Of-Right, ZR 43-122 Maximum floor area ratio for community facilities and ZR 75-01 (b) Greenhouse Certification. Moreover, the New York City Department of Buildings (DOB) should issue a Zoning Determination to clarify zoning floor area calculations for stacked-vertical indoor urban farming systems.

**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 condition:

That the City Planning Commission and/or City Council obtain written commitments from the New York City Department of Citywide Administrative Services (DCAS) and the New York City Department of Transportation (DOT) to incorporate one or more of the following sustainability features in the 101 Varick Avenue lease: blue/green/white roof, micro-grid battery storage units, solar panels, and open or enclosed urban farming.

**Be it further resolved:**

That in order to promote appropriate urban agriculture use, including aquaponic and hydroponic technologies on building rooftops, the New York City Department of City Planning (DCP) should modify the New York City Zoning Resolution (ZR), as warranted, by amending Sections 22-14 Use Group 4B. Open Uses, 42-10 Uses Permitted As-Of-Right, ZR 43-122 Maximum floor area ratio for community facilities and ZR 75-01 (b) Greenhouse Certification. Moreover, the New York City Department of Buildings (DOB) should issue a Zoning Determination to clarify zoning floor area calculations for stacked-vertical indoor urban farming systems.