



CITY PLANNING COMMISSION

April 7, 2021 / Calendar No. 13

N 210061 ZRK

IN THE MATTER OF an application submitted by Red Apple Real Estate, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying provisions of Article X, Chapter 1, Section 11 (Special Downtown Brooklyn District).

This application for a zoning text amendment was filed by Red Apple Real Estate on September 15, 2020. The proposed text amendment to Zoning Resolution (ZR) Section 101-11 (Special Ground Floor Use Regulations) seeks to allow all non-residential uses permitted in the underlying zoning district within a portion of the Special Downtown Brooklyn District (SDBD). The text amendment would apply to buildings fronting on Myrtle Avenue between Fleet Place and the prolongation of Prince Street in the Downtown Brooklyn neighborhood of Brooklyn Community District 2.

BACKGROUND

The applicant seeks a zoning text amendment to allow non-residential uses in a portion of the SDBD. The proposed actions would facilitate the provision of community facility uses and all non-residential uses permitted in the underlying zoning district within the project area.

The Department of City Planning sought an application to establish the SDBD in 2001 (N 000244 ZRY, C 000244 (B1) ZRY) to bolster Downtown Brooklyn's role as one of the major central business districts in the city. The SDBD created special height, setback, and use controls to facilitate the development of modern commercial buildings. Ground floor uses were limited to select active commercial and cultural uses, such as museums and non-commercial art galleries, in an effort to activate the public realm.

In 2004, as part of the Downtown Brooklyn Plan (C 040171 ZMK, et al), the SDBD was rezoned to facilitate the continued growth of commercial, residential, academic and cultural uses. At that time, the zoning of the project area (Block 2061, Lot 7501), located within the SDBD, was changed from an R6 zoning district to a C6-4 zoning district.

The SDBD limits ground floor uses in C6-4 districts to hotels, restaurants, supermarkets, shops, offices, public service establishments, amusements, and business services. In addition, the SDBD permits certain uses such as libraries, museums and non-commercial art galleries.

The project area is improved with a 32-story, approximately 394,000-square-foot mixed-use building (440 dwelling units) completed in 2017. The applicant has experienced difficulties attracting tenants for the approximately 10,000 -square foot ground floor retail space, which has remained vacant since completion.

Between 2010 and 2016, Block 2061 was developed with three contiguous mixed-used buildings: a 15-story building at 180 Myrtle (Block 2061, Lot 1), a nine-story building at 218 Myrtle Avenue (Block 2061, Lot 101), and a 15-story building at 81 Fleet Place (Block 2061, Lot 110). These mixed-use buildings are occupied with stores, community facilities and local service establishments along the ground floor, with residential uses above.

Several large residential developments are proximate to the project area. To the north are three New York City Housing Authority campuses: Ingersoll Houses (1826 units), Walt Whitman (1659 units), and Farragut Houses (1390 units). To the east are Kingsview Homes, a five-building, 296-unit co-op, and Greenpark Nursing Home, a 12-story extended-stay nursing care facility. Fort Greene Park and the Fort Greene and Clinton Hill neighborhoods are further east. Both neighborhoods are primarily residential, consisting of three- to five-story brownstones, medium-density apartment buildings along major corridors, and a range of community facility uses. The Brooklyn Campus of Long Island University and Brooklyn Hospital, as well as a mix of rowhouses and higher-density residential buildings, are one block south of the project area. The area to the west includes several high-density residential developments along the Flatbush Avenue Extension and MetroTech Center.

The immediate area is served by subway and bus service. The eastbound B54 bus line, providing service between Downtown Brooklyn and Ridgewood, has a stop one block east of the project area, while the westbound B54 bus stops across Myrtle Avenue from the project area, connecting Downtown Brooklyn to Ridgewood. The area is also served by the A, C, F, and R lines at the Jay

Street – MetroTech subway station located six blocks to the west of the project area, the 2 and 3 lines at Hoyt Street located three blocks to the west of the project area, and the B, Q, and R lines at the DeKalb Street Station located two blocks to the south of the project area.

The applicant sought a similar text amendment (N 180188 ZRK), approved in June 2018, to allow all non-residential uses under the underlying C2-4/R7-1 district at Block 2061, Lots 1, 101, and 110, immediately to the east of the project area. This amendment modified ZR Section 101-11 and Map 2 in Appendix E of the SDBD regulations to create the “Myrtle Avenue Segment,” a one-block portion of Myrtle Avenue where ground floor use is restricted to non-residential uses permitted by the underlying zoning district. The 86 Fleet Place development was not constructed at the time, and the applicant is currently seeking to extend the Myrtle Avenue Segment across the project area.

The proposed actions would allow the ground floor retail space to be for community facility uses and would allow all non-residential uses permitted by the underlying zoning district for buildings fronting on Myrtle Avenue between Fleet Place and the prolongation of Prince Street. Uses that would be allowed under the proposed text amendment would include community facilities such as treatment health care facilities, schools, veterinary offices, non-commercial clubs, and wholesale stores.

ENVIRONMENTAL REVIEW

This application (N 210061 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 designated CEQR number is 18DCP155K. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on December 14, 2020. The Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to noise (E-595). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

PUBLIC REVIEW

On December 14, 2020, this application (N 210061 ZRK) was duly referred to Community Board 2 and the Brooklyn Borough President for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on this application on December 16, 2020, and, on that date, by a vote of 32 in favor, none opposed, and with none abstaining, adopted a resolution recommending approval of the application.

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 210061 ZRK) on January 25, 2021, and on February 3, 2021 issued a recommendation to approve the application.

City Planning Commission Public Hearing

On February 3, 2021 (Calendar No. 10), the City Planning Commission scheduled February 17, 2021, for a public hearing on this application (N 210061 ZRK). The hearing was duly held on February 17, 2021 (Calendar No. 31). Two speakers testified in favor of the application and none in opposition.

A representative of the applicant described the existing use group regulations within the project area and the proposed modifications to the SDBD. The representative reiterated that the approximately 10,000-square-foot retail space in the project area has remained vacant since its completion in 2017 and described the difficulties of marketing the retail spaces and attracting retail tenants. The representative stated that, over the last year, the property owner has been approached by several community organizations interested in leasing some of the ground floor space, but community facility uses are precluded by the existing zoning. The representative noted that the recently-approved application, 180 Myrtle Avenue Text Amendment (N 180188 ZRK), in close proximity to the project area, has been tenanted with community facility uses that serve the neighborhood

Another representative of the applicant described efforts made over the years, including prior to completion of the building, to identify tenants. The representative stated his belief that that the stretch of Myrtle Avenue along the project area does not experience sufficient foot traffic to support a range of retail uses. The representative indicated that the applicant's leasing efforts had identified a need in the area for a broader range of uses, including community facility uses.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 210061 ZRK) is appropriate.

The proposed text amendment will apply only to buildings fronting on Myrtle Avenue, between Fleet Place and the prolongation of Prince Street, within the SDBD. This portion of Myrtle Avenue is on the border between the commercial heart of the borough and a neighboring residential area.

The Commission notes that the proximity to Fort Greene Park and several large tower-in-the-park residential developments makes the project area more residential in character than much of the SDBD. Additionally, the project area does not have the benefit of fronting on Flatbush Avenue Extension, which provides additional foot traffic to support retail use. Therefore, the project area is better suited for a broader range of uses, including neighborhood service establishments and community facility uses that would benefit local residents such as the tenants of the neighboring Ingersoll, Walt Whitman, and Farragut Houses. The Commission notes that similar applications in proximity to the project area have produced successful community facility spaces used by the surrounding community.

The Commission further notes that the applicant intends to work with future tenants to create visual interest in the project area's storefronts, such as creating window displays or a space for a

daycare facility to showcase children’s artwork to ensure a vibrant streetscape condition, in keeping with the goals of the SDBD.

In light of the economic impacts of the ongoing COVID-19 pandemic, the Commission recognizes the increased importance of providing zoning flexibility for a variety of uses, including community facility uses, as well as others that will be allowed under the new zoning text. The Commission believes that, absent the text amendment, the existing ground floor retail space will likely remain vacant, which would be contrary to the SDBD’s goal of active street frontages and a lively streetscape. The Commission further believes that the proposed changes will increase the likelihood of finding tenants for the ground floor space on this part of Myrtle Avenue, which would activate and improve the pedestrian experience.

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, by the City Planning Commission, pursuant to Section 200 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 as follows:

* * *

Matter underlined is new, to be added;

Matter ~~struck out~~ to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE X

SPECIAL PURPOSE DISTRICTS

Chapter 1

Special Downtown Brooklyn District

* * *

101-10

SPECIAL USE REGULATIONS

101-11

Special Ground Floor Use Regulations

Map 2 (Ground Floor Retail Frontage), in Appendix E of this Chapter, specifies locations where the special ground floor *#use#* regulations of this Section apply.

#Uses# within *#stories#* that have a floor level within five feet of *#curb level#*, and within 50 feet of the *#street line#*, shall be limited to *#commercial uses#* listed in Use Groups 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B and 12C, where such *#uses#* are permitted by the underlying district. Libraries, museums and non-commercial art galleries shall be permitted. In addition, all non-residential *#uses#* permitted by the underlying district shall be permitted for buildings fronting on Myrtle Avenue between Ashland Place and ~~Fleet Place~~ the continuation of Prince Street. However, this minimum depth requirement may be reduced, to the minimum extent necessary, to accommodate a vertical circulation core, or structural columns associated with upper *#stories#* of the *#building#*.

A *#building's street#* frontage shall be allocated exclusively to such *#uses#*, except for Type 2 lobby space, entryways or entrances to subway stations provided in accordance with the provisions of Section 37-33 (Maximum Width of Certain Uses). However, loading berths serving any permitted *#use#* in the *#building#* may occupy up to 40 feet of such *#street#* frontage provided such *#street#* frontage is not subject to curb cut restrictions as shown on Map 5 (Curb Cut Restrictions) in Appendix E of this Chapter.

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Appendix E

Special Downtown Brooklyn District Maps

* * *

Map 2 — Ground Floor Retail Frontage

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Retail Continuity Required
- ▨ Non-Residential Requirement
- Subdistricts

[PROPOSED MAP]



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The above resolution (N 210061 ZRK), duly adopted, by the City Planning Commission on April 7, 2021 (Calendar No. 13), 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 Chair*

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



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 86 Fleet Place - ZR	
Applicant: Red Apple Group	Applicant's Primary Contact: JAY SEGAL
Application # 210061ZRK	Borough:
CEQR Number: 77DCP770K	Validated Community Districts: K02

Docket Description:

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

RECOMMENDATION: Favorable			
# In Favor: 32	# Against: 0	# Abstaining: 0	Total members appointed to the board: 32
Date of Vote: 1/13/2021 12:00 AM		Vote Location: https://nyccb.webex.com/nyccb/j.php?RGID=ra54ec6a8115769e5465f8ed7f12331bd	

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

Date of Public Hearing: 12/16/2020 6:00 PM	
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:	https://tinyurl.com/y4pqtsv9

CONSIDERATION: Vote to recommend Department of City Planning approve the Text Amendment N 210061ZRK. One member recused themselves from the discussion and vote and is not included in the count.

Recommendation submitted by	BK CB2	Date: 1/14/2021 11:56 AM
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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

86 FLEET PLACE – N 210061 ZMK

An application submitted by Red Apple 86 Fleet Place Development LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a text amendment to sections of the New York City Zoning Resolution (ZR) that limit what uses can be located within 50 feet of a property's street line on designated streets in the Special Downtown Brooklyn District (SDBD). The requested actions would allow all non-residential use groups permitted by the underlying C6-4 zoning, including community facilities at 86 Fleet Place, an existing 32-story building located on the south side of Myrtle Avenue between Fleet Place and a de-mapped portion of Prince Street in Brooklyn Community District 2 (CD 2).

BROOKLYN COMMUNITY DISTRICT NO. 2

BOROUGH OF BROOKLYN

RECOMMENDATION

☒ APPROVE

☐ APPROVE WITH

MODIFICATIONS/CONDITIONS

☐ DISAPPROVE

☐ DISAPPROVE WITH

MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

February 3, 2021

DATE

RECOMMENDATION FOR: 86 FLEET PLACE – N 210061 ZMK

Red Apple 86 Fleet Place Development LLC submitted an application pursuant to Sections 197-c and 201 of the New York City Charter, for a text amendment to sections of the New York City Zoning Resolution (ZR) that limit what uses can be located within 50 feet of a property's street line on designated streets in the Special Downtown Brooklyn District (SDBD). The requested actions would allow all non-residential use groups permitted by the underlying C6-4 zoning, including community facilities at 86 Fleet Place, an existing 32-story building located on the south side of Myrtle Avenue between Fleet Place and a de-mapped portion of Prince Street in Brooklyn Community District 2 (CD 2).

On January 25, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on this special permit application. There were no speakers on the item.

In response to Borough President Adams' inquiry as to what consideration has been given to incorporating community facility uses that would address the needs of nearby New York City Housing Authority (NYCHA) residents, such as an affordable medical care provider or child care services, as has been repeatedly expressed by Brooklyn Community Board 2 (CB 2) in nearby Uniform Land Use Review Procedure (ULURP) requests, the representative stated that the applicant has been approached by child care and non-profit medical tenants seeking space in the area. The representative also noted that a prior application resulted in leases to three such operators on Myrtle Avenue, including Brooklyn Children's Services (BCS), a child care provider that primarily serves the local NYCHA community.

In response to Borough President Adams' inquiry as to what steps the applicant is prepared to take to connect local non-profits to the available commercial ground-floor space for community facility use, the representative reiterated that the owner has already engaged such organizations as tenants.

Consideration

Brooklyn Community Board 2 (CB 2) approved this application on January 13, 2021.

86 Fleet Place is located within a C6-4 zoning district and subject to the regulations of the Special Downtown Brooklyn District (SDBD). It is also part of the Myrtle Avenue Brooklyn Partnership, the local Business Improvement District (BID) servicing the area, which extends from Classon to Flatbush avenues. The property is located in close proximity to the Raymond V. Ingersoll and Walt Whitman NYCHA developments.

The owner is seeking to occupy the ground-floor commercial space with community facility operators, which is not currently permitted by SDBD Ground Floor Use Regulations. According to ZR Article X, Section 101-11, Special Ground Floor Use Regulations, SDBD ground-floor uses within 50 feet of the street line are restricted to commercial uses listed in Use Groups (UGs) 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, and 9, as well as libraries, museums, and non-commercial art galleries from Use Group 3.

The proposed text modification to the SDBD would additionally permit all non-residential uses listed in UGs 3, 4, 5, 6, 7, 8, 9, and 14 in the project area within 50 feet of the street frontage. The modification would permit the full range of community facilities including child care centers, medical offices, and non-profit institutions, allowing the applicant to lease 10,000 square feet (sq. ft.) of unoccupied commercial space at 86 Fleet Place to such uses.

In 2018, the City Planning Commission (CPC) approved a similar application from Red Apple Group, to permit community facilities at 81 Fleet Place, 180 Myrtle Avenue, and 218 Myrtle Avenue. At the time, the three buildings contained 16,355 sq. ft. of ground-floor commercial space, which had been unsuccessfully marketed as retail floor area. The storefronts have since been tenanted with child care and medical facilities, including non-profit operators.

86 Fleet Place is accessible via the B54 bus, which runs along Myrtle Avenue, and the DeKalb Avenue station, located south of the site, with service by the Central Park West Local/Sixth Avenue Express B, the Queens Boulevard/Broadway/Fourth Avenue Local R, and the Second Avenue/Broadway Express Q trains.

Borough President Adams supports the requested zoning text amendment, as it provides an opportunity to address commercial vacancies at 86 Fleet Street through community facility occupancy that meets the needs of local residents and promotes job creation. He believes that occupying the 10,000 sq. ft. of ground-floor space at this location would activate this portion of Myrtle Avenue and strengthen the Myrtle Avenue retail corridor. Borough President Adams encourages the applicant to engage NYCHA residents and local cultural organizations to secure tenants that would benefit the neighborhood.

Engage Residents of Nearby NYCHA Developments to Determine Appropriate Community Facility Uses for the Ground-Floor Commercial Spaces

With the ability to lease to a full complement of community facility uses, the adjacency of these Fleet Place and Myrtle Avenue buildings to the Raymond V. Ingersoll and Walt Whitman houses presents significant opportunities to realize needed services for this community. In a 2017 ULURP application for a proposed development at 202-208 Tillary Street, the developer engaged the Ingersoll Houses Tenants Association (TA) to determine potential uses for more than 13,000 sq. ft. of community facility space. The TA identified affordable child care and medical care as the highest priorities for NYCHA residents. Market research in the Myrtle Avenue BID confirms unmet demand for child care and medical services in the area.

Borough President Adams recognizes the perpetual need for affordable child care facilities to serve residents of Raymond V. Ingersoll and Walt Whitman houses, as well as neighboring Fort Greene families. The provision of child care services at 86 Fleet Place through a lease on behalf of such a provider would be consistent with his policy to increase access to child care for families with limited household incomes.

Borough President Adams also recognizes that not all Brooklyn neighborhoods have adequate access to health care services. Among his greatest priorities is to expand accessible, affordable, and state-of-the-art medical services to all communities in the borough. Borough President Adams believes that this consolidated model of medical services represents the future under the Affordable Care Act (ACA). The provision of affordable medical services at one or more of these buildings through a lease to a medical care provider would be consistent with his policy of promoting greater access to affordable health care.

Approval by the CPC and City Council would allow the applicant to lease approximately 10,000 sq. ft. of the existing commercial space to a child care operator and/or non-profit medical provider. Occupancy by such tenants would generate revenue for the property owner while fulfilling a demonstrated need in the community. Borough President Adams encourages Red Apple 86 Fleet Place Development LLC to engage the residents of nearby NYCHA developments to obtain feedback regarding the type of services that would be beneficial. His office is available to assist in opening dialogue with the TAs of Raymond V. Ingersoll and Walt Whitman houses in consultation CB 2 and local elected officials.

Study Unmet Need for Affordable Child Care Facilities in the Area

Borough President Adams recognizes that affordable child care facilities are a vital asset in Brooklyn's lower-income communities. Such facilities, often referred to as EarlyLearn NYC Centers, are run by private operators under a contract with the New York City Department of Education (DOE). To qualify, children must have a parent or guardian with an income of no more than 200 percent of the Federal poverty level and a reason for care, which includes working, being in school or at a job training program, seeking work for up to six months, or not having a permanent home.

Within the boundaries of CD 2, such child care facilities are not conveniently situated for residents of Raymond V. Ingersoll and Walt Whitman houses, which, together, house more than 2,000 families. Several years ago, the closure of a nearby child care facility left only one EarlyLearn NYC center in the vicinity, which was operated by BCS at 101 Fleet Place. This facility was displaced by a planned commercial development and relocated to one of the applicant's buildings on Myrtle Avenue. In this way, the 2018 application resulted in the retention of an important child care asset in the neighborhood. Nevertheless, the area east of Ashland Place remains underserved, with most local child care facilities concentrated west of Flatbush Avenue.

As all publicly-funded early learning centers in New York City are provided by DOE, Borough President Adams believes that DOE should study the extent of unmet need (child care slots) for subsidized child care in CD 2, particularly in the area occupied by the Raymond V. Ingersoll and Walt Whitman houses, in consultation with CB 2. He also calls on the applicant, Red Apple 86 Fleet Place Development LLC, to consult with DOE when soliciting child care tenants for 86 Fleet Place, in addition to the community board and local elected officials.

Advancing Affordable Cultural Space in Downtown Brooklyn

It is one of Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space. These organizations play an important role in the neighborhoods they serve, though it is too often a challenge to secure sufficient affordable space to maintain and grow their programming.

In June 2016, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining the challenges facing artists in the borough, along with accompanying recommendations. The report highlighted the benefits of arts and dance, including maintaining physical fitness and enjoying creative self-expression, as well as contributions to the vibrant culture of Brooklyn. Borough President Adams finds many challenges facing the local arts community, such as an absence of diversity — fewer than half of the individuals working in dance in Brooklyn are people of color, based on 2000 United States Census data. Additionally, funding for the arts has decreased dramatically in New York City in recent years, including by 37 percent from the New York State Council of the Arts (NYSCA), 15 percent from the National Endowment for the Arts (NEA), and 16 percent from the New York City Department of Cultural Affairs (DCLA).

Data show that such cultural activities create a variety of positive contributions, including combating the borough's high rate of obesity — as of 2016, 61 percent of adults are overweight or obese, according to the New York State Department of Health (NYSDOH) — and helping children succeed in school, a finding supported by research released by the Citizens' Committee for Children of New York, Inc. Demand for cultural programs continues to grow across Brooklyn. A 2015 report from the Center for an Urban Future found a 20 percent increase in attendance at events organized by local cultural institutions since 2006.

Many cultural organizations have contacted Borough President Adams seeking assistance securing space to expand and sustain their programming. In response to those concerns, Borough President Adams' policy is to review discretionary land use actions for their appropriateness to promote cultural and dance activities.

The location of the proposed development at the nexus of Downtown Brooklyn and Fort Greene is well-suited for the inclusion of cultural and/or dance activities, given its proximity to the BAM Cultural District, and would provide improved access for Ingersoll and Walt Whitman houses residents to such community resources. Unfortunately, such uses cannot afford to compete with rents that office and retail uses would likely pay to lease ground-floor space at this location.

As noted, 86 Fleet Place has approximately 10,000 sq. ft. of available ground floor commercial space. Borough President Adams believes that it would be appropriate to set aside some portion of such space to provide a below-market lease to one or more local arts, cultural, or dance organizations based on reasonable lease terms.

Furthermore, to the extent that the City Council seeks to provide for below-market rents to accommodate arts and/or cultural organizations, the property owner, Red Apple 86 Fleet Place Development LLC, should actively solicit arts and/or cultural organizations for ground-floor occupancy, based on reasonable lease terms as determined in consultation with CB 2 and local elected officials.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.

Be it further resolved that:

In consultation with Brooklyn Community Board 2 (CB 2) and local elected officials:

1. Red Apple 86 Fleet Place Development LLC should engage residents of the New York City Housing Authority (NYCHA) Raymond V. Ingersoll and Walt Whitman houses to determine appropriate community facility uses for the ground-floor commercial space
2. The New York City Department of Education (DOE) should study the extent of unmet need (child care slots) for subsidized child care in Brooklyn Community District 2 (CD 2), particularly in the area adjacent to NYCHA developments
3. Red Apple 86 Fleet Place Development LLC should actively solicit arts/or cultural organizations for ground-floor occupancy based on reasonable lease terms as determined