



## **CITY PLANNING COMMISSION**

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August 25, 2004/Calendar No. 16

C 010384 ZMK

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**IN THE MATTER OF** an application submitted by the American Package Company Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 12c:**

- 1) **changing from an M1-1 District to an M1-2/R6A District property bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street; and
- 2) **establishing a Special Mixed Use District (MX-8) bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street;

as shown on a diagram (for illustrative purposes only) dated April 12, 2004, Community District 1, Borough of Brooklyn.

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The application for an amendment of the Zoning Map was filed by American Package Company on February 13, 2001, to change a portion of an M1-1 District to a Special Mixed Use District, M1-2/R6A designation.

### **RELATED ACTIONS**

In addition to the an amendment of the Zoning Map which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following which is being considered concurrently with this application:

**N 040137 ZRK**      Text amendment establishing a Special Mixed Use District (MX-8) in Greenpoint, Brooklyn.

## **BACKGROUND**

The applicant, American Package Company, proposes a zoning map amendment for a portion of a block of Franklin Street between Freeman and Green Streets, from M1-1 to a Special Mixed Use District with an M1-2/R6A designation. The rezoning area is bounded by Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street. A related action (N 040137 ZRK) would establish this Special Mixed Use District (MX-8) in Greenpoint, Community District 1, Brooklyn.

The rezoning area contains three tax lots, two of which (Block 2512, Lots 1 and 72) are owned by the applicant. The third, 98 Freeman Street (Block 2512, Lot 10), is a 1,500-square-foot lot surrounded on three sides by Lot 1, and containing a three-story, 4,500-square-foot nonconforming residential building.

The proposed zoning map change, in conjunction with the related action (N 040137 ZRK) would facilitate the conversion of portions of the existing building located at 226 Franklin Street to residential use, while maintaining, as long as feasible, the existing manufacturing operation within the building. The buildings owned by the applicant include a two-story, 107,650-square foot building and a one-story, 2,214-square-foot building. The larger building is currently occupied by an approximately 50,000-square-foot factory and 33 live-work lofts, and the smaller building is in warehouse/garage use.

American Package Company has occupied the building at 226 Franklin Street since December

1982, conducting a specialty package business. While the company once employed 130 people, currently, there are 21 employees at the factory, and the applicant believes that within the next decade there will be insufficient demand for its product to support the continuation of its business. The proposed actions would legalize residential use within the building, permitting residential conversion of portions of the building, while the remaining portion of the building can continue to be used as a factory. The rezoning from a manufacturing to a mixed-use zoning district is consistent with trends both within the City and Greenpoint-Williamsburg, as once-busy but now underutilized manufacturing areas along Brooklyn's East River waterfront shift toward a mix of uses that bring renewed vitality to the neighborhood.

The area surrounding the rezoning area is characterized by a mix of residential and manufacturing zoning districts and a variety of uses. The areas to the north and northeast of the site, and the area directly east of the site along Franklin Street, are zoned R6, and are characterized primarily by residential buildings ranging from two to four stories. The frontage of Green Street directly east of the rezoning area is zoned M1-1 and contains mostly residential uses with some warehouses and commercial buildings. Immediately to the northwest and west of the rezoning area is the Special Franklin Street Mixed Use District, which contains primarily residential buildings of three to four stories, including several newly constructed residential buildings. The south side of Green Street, across from the rezoning area, is currently zoned M1-1 and contains primarily industrial buildings, with some residential uses.

The Greenpoint Avenue G train station, offering service between Brooklyn and Queens, is

located approximately 6 blocks from the site. The B43 and B61 bus lines run along Manhattan Avenue, less than a block from the rezoning area.

The existing M1-1 zoning designation permits light manufacturing or commercial development with a maximum FAR of 1.0. It does not permit new residential uses. The proposed Special Mixed Use District would permit the continuation of paper products manufacturing and the legalization of residential use within a mixed-use building. (The Special Franklin Street Mixed Use District, which is mapped on the west side of Franklin Street, permits neither paper products manufacturing nor mixed-use buildings.) The proposed rezoning would also make the existing residential building at 98 Freeman Street a conforming use. The proposed M1-2/R6A designation would allow light manufacturing or commercial uses of up to 2.0 FAR, and residential uses up to 3.0 FAR. Both 226 Franklin Street and 98 Freeman Street would conform under the proposed FAR.

The proposed rezoning is generally consistent with the recommendations of the Greenpoint 197-a Plan, adopted in 2002, which recommended the study of this area for the possibility of rezoning for mixed use.

## **ENVIRONMENTAL REVIEW**

This application (C 010384 ZMK), in conjunction with the application for the related action (N 040137 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 01DCP044K. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on April 12, 2004.

### **UNIFORM LAND USE REVIEW**

This application (C 010384 ZMK), in conjunction with the application for the related action (N 040137 ZRK) was certified as complete by the Department of City Planning on April 12, 2004, and was duly referred to Community Board 1 in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP text change application (N 040137 ZRK), which was referred for review and comment.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application on May 11, 2004, and on June 8, 2004, by a vote of 34 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on July 21, 2004.

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

On July 14, 2004 (Calendar No. 2), the City Planning Commission scheduled July 28, 2004, for a public hearing on this application (C 010384 ZMK). The hearing was duly held on July 28, 2004 (Calendar No. 24), in conjunction with the application for the related action (C 040137 ZRK). There were two speakers in favor of the application and no speakers in opposition.

The speakers in favor of the project included a representative of the applicant and the applicant. The applicant's representative presented the project and stated that many of the current residents of the building were artists, and that the applicant intended to maintain the existing manufacturing business as long as it was viable. The applicant also described that his business, which relocated to the area from Manhattan in 1982, currently has approximately 35 employees.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this zoning map amendment and zoning text amendment are appropriate.

The applicant proposes zoning map and text changes to facilitate the conversion of portions of an existing building to residential use, while maintaining, as long as feasible, the existing manufacturing operation within the building. The proposed actions would also make an existing non-conforming residential building at 98 Freeman Street a conforming use.

The proposed actions would contribute to the revitalization of the area by facilitating the active use of an existing building, and enabling residential units to coexist with an existing manufacturing business. The establishment of a mixed-use zoning district in this location is consistent with surrounding land uses and zoning districts. Land use is mixed in the area surrounding the subject site, with residential buildings predominating along Freeman and Franklin Streets, and industrial and commercial buildings interspersed with residential buildings along Green Street. Zoning districts adjacent to the proposed rezoning area include a residential district (R6), a light industrial district (M1-1), and a mixed-use district (Special Franklin Street Mixed Use District).

The Commission notes that the applicant's stated intention to maintain the existing manufacturing business as long as it is viable will serve the important function of providing jobs in the neighborhood, and that the proposed Special Mixed Use District will facilitate the coexistence of jobs and residences, as well as accommodations for artists, at 226 Franklin Street.

The Commission notes that mixed use at this location generally supports the recommendations of the Greenpoint 197-a Plan, which suggested the study of mixed use zoning in this area. The Commission further acknowledges that this rezoning is located within the area of the Department of City Planning's proposed Greenpoint-Williamsburg rezoning.

## **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 Sections 197-c and 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 by changing the Zoning Map, Section No. 12c,

- 1) **changing from an M1-1 District to an M1-2/R6A District property bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street; and
- 2) **establishing a Special Mixed Use District (MX-8) bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated April 12, 2004.

The above resolution (C 010384 ZMK), duly adopted by the City Planning Commission on August 25, 2004 (Calendar No. 16), 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.



**AMANDA M. BURDEN, AICP, Chair,**  
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**ANGELA M. BATTAGLIA, IRWIN G. CANTOR P.E., ANGELA R. CAVALUZZI, R.A.,**  
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**DOLLY WILLIAMS, Commissioners**