

IN THE MATTER OF an application submitted by 19 Kent Development, LLC pursuant to Section 197-c and 201 of the NYC Charter for the grant of a special permit pursuant to Section 74-962 of the Zoning Resolution to modify the permitted floor area requirements of Section 43-12 (Maximum Floor Area Ratio) and to modify the public plaza requirements of Section 37-70 (Public Plazas) in connection with a proposed mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, Borough of Brooklyn, Community District 1.

The application for a special permit pursuant to Section 74-962 of the Zoning Resolution was filed by 19 Kent Development, LLC on November 25, 2015, and revised on January 8, 2016, to facilitate the construction of an approximately 380,000 square foot mixed office, retail, and industrial development located at 19-25 Kent Avenue (Block 2282, Lot 1) in Williamsburg's Northside neighborhood.

RELATED ACTIONS

In addition to the special permit, which is the subject of this report (C 160124 ZSK), implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently:

C 160125 ZSK Special Permit by 19 Kent Development, LLC pursuant to Section 74-963 to modify the off-street parking requirements of Section 44-20 and the loading berth requirements of Section 44-50.

N 160126 ZRK An amendment to the Zoning Resolution by 19 Kent Development, LLC and the Department of City Planning modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), creating a new Special Permit within Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas) for a newly designated M1-2 Kent Avenue Industrial Business Incentive Area, as modified.

BACKGROUND

The applicant, 19 Kent Avenue Development, LLC, is seeking two zoning special permits, and is co-applicant with the New York City Department of City Planning (DCP) for a zoning text amendment, in order to facilitate a new 8-story, 135-foot high, 380,095 square foot mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1) which would include 159,848 square feet of as-of-right commercial and industrial uses, 63,714 square feet of “Required Industrial Uses”, 156,533 square feet of “Incentive Uses”, and 14,400 square feet of publically accessible open space located in Williamsburg’s Northside neighborhood, Community District 1, Brooklyn.

The project area consists of approximately 14 blocks, located one-block east of the East River and straddling Williamsburg’s Northside neighborhood and southern Greenpoint. The project area is generally bound by Kent Avenue to the west, Banker Street to the north, Wythe Avenue to the east, and N. 9th Street to the south. The project area is coincident with a mapped M1-2 zoning district, a light industrial designation which allows up to 2.0 Floor Area Ratio (FAR) for certain commercial and light industrial uses, and up to 4.8 FAR for community facility uses. Building envelopes within M1-2 districts are governed by a sky exposure plane which begins 60-feet above the street line, and there are relatively high parking requirements, generally requiring one space per 300-1,000 square feet, depending on use. While many of Brooklyn’s existing loft buildings could not be constructed under M1-2 zoning regulations, analysis has also shown that it may even be difficult for a one-story, ground floor horizontal industrial-user with accessory office space, to utilize all of its available floor area, even if it were financially feasible for new construction.

In 2005, the project area was rezoned from an M3-1 district, which allows heavy, unenclosed industrial uses, to an M1-2 district, which allows for light industrial and commercial uses, as part of the Greenpoint-Williamsburg rezoning (C 050111(A) ZMK, et al). This was to better reflect the types of existing manufacturing and commercial uses that had come to occupy the area and ensure that new uses would be fully enclosed and compatible with nearby residential and mixed use neighborhoods. The project area was also included within a newly-generated Greenpoint-Williamsburg Industrial Business Zone (IBZ), intended to signal a commitment to land use and public policies that encourage the retention and growth of such businesses.

The approximately 21-acre project area consists of 41 zoning lots and approximately 36 individual property owners based on NYC Department of Finance records, and is characterized primarily by one- and two-story industrial, warehousing, and distribution buildings, many of which have been converted into art, recording, and photography studios, event and entertainment venues, bars, and offices for companies such as Amazon, Adidas, and Vice Media. The project area also consists of at least four hotels, both existing and under construction, including the 12-story Wythe Hotel and the 21-story William Vale Hotel. There are also at least 24 existing light industrial firms in the proposed area, ranging from plastic bag manufacturers and brewers, to construction trades and furniture fabricators. Of note is a growing motorcycle-related node in the northeast of the project area, with motorcycle-related repair, apparel retailers, custom fabrication, and showrooms. The proposed area's land use breakdown is dominated by commercial (33 percent) and industrial uses (35 percent), with a significant and growing entertainment and hotel component (20 percent). A small portion of the area includes at least six pre-zoning residential buildings (1 percent), one of which also includes a ground floor restaurant and bar. A small portion of the project area is completely vacant (11 percent), which includes the approximately 80,000 square foot proposed development site.

While there have been numerous and significant renovations and conversions of existing industrial buildings within the project area, there has been no new construction beyond hotels, retail, and entertainment uses since the middle of the 20th-century. Before the area was rezoned during the Greenpoint-Williamsburg rezoning, the historical manufacturing, distribution, and warehousing uses in the neighborhood were already changing. During the late 1990's and early 2000's, Ko-Rec-Type, one of the nation's largest typewriter and inked ribbon manufacturers, sold the vast majority of its holdings in the neighborhood in order to relocate and finance new production space outside the City, leaving behind a number of underutilized industrial properties. By the mid-2000's, many of these properties had already been converted into small-scale studios, event spaces, and galleries. In 2009, Brooklyn Bowl opened in a vacant foundry, and the area's first industrial-chic Wythe hotel was developed in a vacant cooperage and rope loft building. Today, the M1-2 district includes approximately 438,000 square feet of built industrial square space, across 19 buildings, and more than 85 percent of this space is controlled by owner-operators. Two of these

buildings, controlled by Ko-Rec-Type and Albest Metal Stamping, account for approximately 218,000 square feet, or about 50 percent of the remaining industrial space within this M1-2 district.

Immediately north of the project area, towards Greenpoint, a heavy industrial M3-1 zoning district (2.0 FAR, 60-foot maximum street height) and a light industrial M1-1 zoning district (1.0 FAR, 30-foot maximum street height) are mapped. These areas generally consist of low-scale light industrial, automotive, and manufacturing uses, with some smaller community facility, retail, restaurant, and office-related conversions.

The project area is completely within the Greenpoint-Williamsburg Industrial Business Zone (IBZ) and Ombudsman Area, serviced by the industrial advocacy and non-profit organization Evergreen (fka East Williamsburg Valley Industrial Development Corporation) as part of their geographic portfolio. The proposed M1-2 project area consists of approximately 55 percent of the Greenpoint-Williamsburg IBZ's lot area, with the M1-1 and M3-1 zoning districts comprising of 38 percent and 7 percent of the IBZ, respectively.

Employment within the Greenpoint-Williamsburg IBZ has seen a 65 percent increase in jobs, from 1,445 employees in 2010, to 2,383 employees in 2014, according to 2014 3rd Quarter NYS Quarterly Census of Employment and Wages (QCEW) data. While a significant portion of this IBZ's increase in jobs is due to non-industrial growth, the IBZ's industrial employment increased during this same time period by 36 percent, from 835 employees in 2010, to 1,132 employees in 2014. This growth was primarily within the construction, film and recording, repair and maintenance, and transportation and warehousing sub-sectors. This growth more than made up for losses in the industrial sub-sectors of wholesale trade and manufacturing, which account for 480 employees in total.

The areas to the east include the Automotive High School (K610), mapped parkland consisting of the 35-acre McCarren Park and recently-renovated McCarren Park Outdoor Pool, and a mixed-use M1-2/R6A district (MX-8) within a designated Inclusionary Housing (IH) and Anti-Harassment area. This zoning allows a mix of light industrial and commercial uses (up to 2.0 FAR), community facility uses (up to 3.0 FAR), and residential uses (between 3.6 and 4.6 FAR, depending on

participation in IH), and can rise to a maximum height of 110-feet after a 10- to 15-foot setback at 60-feet. This area is characterized by large converted loft-buildings and medium density apartment buildings, all with ground floor retail and community facility spaces, and some upper-floor offices. To the south, another M1-2/R6A district (MX-8) is mapped, as well as an R6B with IH, which allows residential FAR's between 2.0 and 2.2 depending on participation in IH, with a maximum base height of 40-feet, and a maximum building height of 50-feet. This area consists of three- to four-story row-houses, converted industrial buildings for residential, retail, and commercial uses, and a smattering of event spaces, bars, and music venues. To the west lies mapped parkland including the 7-acre East River State Park and Bushwick Inlet Park which includes open and accessible portions between N. 9th and 10th Streets, and interim public event space located between N. 11th and 12th Streets, and recently-acquired Bushwick Inlet between N. 12th and 15th Streets, which are currently under remediation planning phases by the NYC Department of Parks and Recreation.

The proposed development site, located at 19-25 Kent Avenue (Block 2282, Lot 1), consists of a 200- by 400-foot, 80,000 square-foot block bounded by Kent Avenue to the west, N. 13th Street to the north, Wythe Avenue to the east, and North 12th Street to the south, is approximately one block east of the East River and adjacent to the proposed Bushwick Inlet Park. The site is currently vacant, but was formerly a Sunbelt equipment rental and storage yard which has since-relocated to Maspeth, Queens. The block to the north consists of the large Albest metal stamping facility and a small, three-story wood-frame row-house. To the east, across Wythe Avenue, is the 21-story William Vale Hotel which is currently under construction and will include a ground-floor retail, medical, and commercial office podium. To the southeast lies Brooklyn Bowl, a bowling alley, restaurant, and music venue, Brooklyn Brewery's event space and tasting room, and an Adidas design office. To the south lies Output, a large-scale nightclub, the 12-story Wythe Hotel, restaurant, and bar, an Amazon office and photography studio, and the Sherry-Lehman wine and liquor distribution facility. To the west, towards the East River, is the former Bayside Fuel Oil Depot, which was recently acquired by the City for the purposes of remediating and converting the site as part of the larger Bushwick Inlet Park.

The surrounding streets are all narrow, 60-foot wide and one-direction, while Kent Avenue has a two-way protected bicycle path (Brooklyn Waterfront Greenway) and Wythe Avenue and Berry Streets both have marked one-way bicycle lanes. The area is served by two subway lines, the Nassau Avenue G-train station approximately 6-7 blocks to the northeast, and the Bedford Avenue L-train station approximately 6-7 blocks to the southeast. The B32 bus route runs north and south along Kent and Wythe Avenues, respectively, connecting north to Long Island City and south to the Williamsburg Bridge Plaza bus terminal along Broadway.

The proposed actions would facilitate the development of a new 8-story, 135-foot high, 380,097 square foot, 4.75 FAR commercial, industrial, and retail development at 19-25 Kent Avenue (Block 2282, Lot 1). About 42 percent of the proposed development (159,848 square feet/1.99 FAR) would be used for as-of-right M1-2 district uses, including commercial office, light industrial, and retail space, 17 percent (63,714 square feet /0.79 FAR) for “Required Industrial Uses” including light industrial and manufacturing space, and 41 percent (156,533 square feet/1.96 FAR) for “Incentive Uses” including commercial office and light industrial space. The applicant has stated that the proposed development would be constructed with light industrial and technology firms in mind, consisting of 16-foot slab-to-slab heights with 15-foot finished ceilings, two passenger elevator banks, three loading berths and a freight elevator, communal work spaces, and flexible floor plates to allow for expansion of growing firms. In addition, the applicant is proposing to develop two public plazas on the west and east sides of the site, totaling approximately 14,400 square feet of publically accessible open space. The development would also include 275 below-grade accessory parking spaces and 150 accessory bicycle parking spaces, which would both be accessed via a ramp located mid-block, on the north side of the site.

The proposed development would set back from the street-line to accommodate the expansion of 15-foot sidewalks, and proposed streetwalls would generally rise between 55- and 70-feet, then set back a total of 15-feet before rising to a maximum height of 135-feet in a staggered, ziggurat-like fashion. The proposed ground-floor would primarily consist of small-scale retail and active uses with significant glazing, building lobbies, off-street loading berths and parking ramp entrance, and would include an at-grade arcade passing through the middle of the building, length-wide, connecting the two public plazas.

In order to accommodate the unique needs of industrial tenants, the private applicant has designed the lower floors to meet a live load capacity of 200 pounds per square foot and a 30- by 30-foot column grid to allow for large, column-free floorplates. Consideration for industrial power and HVAC-needs resulted in the design of two utility service takeoffs feeding into a 4,000 amp switchboard with flexibility for future tenants including rooftop space for an additional utility power tap vault, excess shaft capacity for additional or specialized HVAC requirements, and designated locations for an additional cooling tower and emergency generator. Additionally, the building design would aim to achieve a “Wired Certified Gold” standard, which includes access for at least three fiber providers, with easily accessible fiber cabling, a protected and secured dedicated telecom closet, two points of cabling entry with room to grow, two cable risers that traverse the building, and streamlined tenant legal contracting with carriers.

The approximately 64,000 square feet of “Required Industrial Uses” would increase the proposed M1-2 project area’s built industrial square footage by nearly 15 percent, and the applicant has stated that the project’s estimated 1,500 new, permanent jobs, including 250 industrial jobs, would increase the overall Greenpoint-Williamsburg IBZ’s total employment by more than 50 percent and the overall IBZ’s industrial employment by almost 25 percent.

To facilitate the proposed development, the co-applicants seek a zoning text amendment creating ZR Section 74-96, and the private applicant seeks two special permits pursuant to the newly created ZR Sections 74-962 and 74-963:

Amendment of the Zoning Resolution (N 160126 ZRK)

With the Department of City Planning as co-applicant, the applicant seeks an amendment to the Zoning Resolution modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), creating a new Special Permit within Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas) for a newly designated M1-2 Kent Avenue Industrial Business Incentive Area (IBIA).

74-96 Definitions

For the purposes of Section 74-96, two new zoning definitions are proposed within Section 74-961, including “Required Industrial Use” and “Incentive Use”.

Required Industrial Use

These are uses generally known as light industrial and manufacturing uses, and are location in Use Groups 11A, 16A excluding animal hospitals and kennels and animal pounds or crematoriums, 16B, 17B, and 17C, as specified in Sections 32-20 (Use Group 11), 32-25 (Use Group 16), and 42-14 (Use Group 17), and beverages, alcoholic or breweries as listed in Section 42-15 (Use Group 18A).

Incentive Use

These are uses that are generally permitted by the underlying M1-2 district with the exception of transient hotels as specified in Section 32-14 (Use Group 5), retail, food and beverage, and other entertainment and hospitality uses as known as Use Groups 6A, 6C, 7A, 8C, 10A, 12, and 13 as specified in Sections 32-15, 32-16, 32-17, 32-19, 32-21, and 32-22, retail accessory to wholesale known as Use Group 10B as specified in Section 32-19, and moving or storage offices, packing or crating establishments, and warehouses as specified in Section 32-25 (Use Group 16).

74-962 Floor area increase and public plaza modifications

Specifically within the M1-2 Kent Avenue IBIA, the City Planning Commission may increase the maximum floor area ratio on a zoning lot for the provision of a certain amount of “Required Industrial Uses” within a new development.

When these “Required Industrial Uses” are included in a development within the designated M1-2 Kent Avenue IBIA, they can generate additional “Incentive Use” floor area, pursuant to the proposed Section 74-962 special permit at a ratio of one square foot of “Required Industrial Use” for every 2.5 square feet of “Incentive Use”, up to a maximum floor area ratio of 2.8 for these uses, or up to 4.8 FAR for the entire development.

Additional conditions are placed on a development applying for the 74-962 special permit within the M1-2 Kent Avenue IBIA, including, among others, modification of the M1-2 envelope and sky exposure plane into a contextual envelope, with a minimum base height of 40 feet, a maximum base height of 75, and a maximum building height of 110 feet. Additionally, in conjunction with the 74-962 special permit, an applicant would be able to increase the maximum building height from 110 feet, up to 135 feet, for the provision of a public plaza pursuant to portions of Section 37-70, or as modified by the NYC City Planning Commission.

74-963 Parking and loading modifications in Enhanced Business Areas

Specifically within the M1-2 Kent Avenue IBIA, and in conjunction with an application for the 74-962 special permit, the City Planning Commission may reduce or waive off-street parking requirements and loading berth requirements set in Sections 44-20 and 44-50, respectively. This special permit cannot apply to bicycle parking requirements.

Special Permit (C 160124 ZSK)

The applicant seeks a special permit pursuant to the proposed ZR Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas) to increase the maximum floor area ratio for specific industrial, manufacturing, and commercial uses set forth in Section 43-12, and modify or waive the requirements for public plazas set forth in Section 37-70. The special permit would increase the total allowable floor area by 220,249 square feet, approximately 2.75 FAR, for a specifically-defined set of industrial and commercial uses. This would include 63,714 square feet, or 0.79 FAR, set aside for Required Industrial Uses, and 156,535 square feet, or 1.96 FAR, set aside for Incentive Uses, pursuant to the new ZR Section 74-96 and its related conditions and findings. The applicant is also proposing to develop 159,848 square feet, or 1.99 FAR, for uses permitted in the underlying M1-2 zoning district. The amount, type, and location of these uses, among other conditions, are included in site- and floor-plans, recorded against the subject tax lot, and are reviewed as a precondition of any building permit and issuance of certificate of occupancy for the life of the development. In total, the applicant is proposing to develop a new 380,097 square foot, 4.75 FAR office, industrial, and retail development, pursuant to the conditions and findings of this special permit.

In addition, the applicant is proposing two public plazas on the development site, totaling approximately 14,400 square feet of publically accessible open space. Within the M1-2 Kent Avenue IBIA, a public plaza cannot generate any additional floor area, however, pursuant to proposed Section 74-962(b)(3)(ii) a development that includes a public plaza would be able to increase their maximum building height from 110 feet, up to 135 feet. The public plazas would comply with proposed Section 74-962(b)(5) and existing Section 37-70 regulations but for three sub-sections:

37-712 Area dimensions

Pursuant to 37-712, a non-bonused open area located adjacent to a public plaza must be separated by a buffer or meet all of the requirements of 37-716 minor portions of public plaza regulations. The applicant is requesting this waiver to allow the development to include an accessible pedestrian corridor, passing through the middle of the development site and linking both public plazas.

37-713 Locational restrictions

Pursuant to 37-713, a public plaza cannot be located within 175 feet of another publicly accessible open area or public park. The applicant is requesting this waiver to allow their proposed development to include two public plazas even though there are waterfront esplanade and public park spaces located west of Kent Avenue along the East River waterfront and Bushwick Inlet. These existing and planned publicly accessible open spaces and parks are elements of the Greenpoint-Williamsburg Waterfront Access Plan, and once completed, would connect Greenpoint-Williamsburg's East River waterfront.

37-76(b) Mandatory Allocation of Frontages for Permitted Uses: Public entrances

Pursuant to 37-76(b), a public entrance to the principal use of the building is required to be located within 10 feet of the major portion of the public plaza. The applicant is requesting this waiver to allow their main entrances to be located mid-block, between the accessible central pedestrian corridor and the street lines on N. 10th and N. 11th Streets. These two main entrances would be located approximately 80 feet from the boundary of the nearest public plaza.

Special Permit (C 160125 ZSK)

The applicant is also seeking a special permit pursuant to the proposed ZR Section 74-963 to modify the off-street parking requirements of Section 44-20 and the loading berth requirements of Section 44-50. The special permit would reduce the required off-street accessory parking spaces from 1,267 to 275 and to reduce the required off-street accessory loading berths from ten to three, pursuant to the new ZR Section 74-96 and its related conditions and findings. This special permit can only be applied for in conjunction with a Section 74-962 special permit for bulk, use, and envelope modification.

ENVIRONMENTAL REVIEW

This application (C 160124 ZSK), in conjunction with the application for the related actions (N 160126 ZRK and C 160125 ZSK), 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 16DCP065K. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on January 4, 2016, and a Revised Negative Declaration was issued on May 20, 2016. The Revised Negative Declaration reflects the modifications to the text amendment application including project nomenclature, revised project geography, monitoring requirements and prohibitions to hotels per the special permit provisions. The Revised Negative Declaration included an (E) designation (E- 373) to avoid the potential for significant adverse impacts related to air quality and noise as described below:

The (E) designation requirements related to air quality would apply to Block 2282, Lot 1 and the text is as follows:

Any new commercial development on Block 2282, Lot 1 must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water

systems. The location of any hot water stacks and one HVAC stack shall be restricted to at least 70 feet from the southerly lot line facing North 12th Street and 198 feet from the easterly lot line facing Wythe Avenue to avoid any potential significant adverse air quality impacts. All HVAC and hot water stacks shall be located at a minimum of 150 feet above grade.

To preclude the potential for significant adverse air quality impacts from any Required Industrial Use developed pursuant to Zoning Resolution Section 74-962, emission stack(s) must be located at least 70 feet from southerly lot line facing North 12th Street and 198 feet from the easterly lot line facing Wythe Avenue and at least 150 feet above grade to avoid any potential significant adverse air quality impacts. Automobile and woodworking related uses are prohibited.

The (E) designation requirements related to noise would apply to Block 2282, Lot 1 and the text is as follows:

To ensure an acceptable interior noise environment, future commercial uses on Block 2282 Lot 1 must provide a closed window condition with a minimum of 26 dBA window/wall attenuation on all building's façades to maintain an interior noise level of 50 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

With the implementation of the above (E) designation (E-373), no significant adverse impacts related to air quality or noise would occur.

The City Planning Commission has determined that the proposed action will have no significant effect on the environment.

WATERFRONT REVITALIZATION PROGRAM

This application and its related actions (C 160124 ZSK, C 160125 ZSK, and N 160126 ZRK), 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 15-132.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

UNIFORM LAND USE REVIEW

This application (C 160124 ZSK) was certified as complete by the Department of City Planning and was duly referred to Brooklyn Community Board 1 and to the Brooklyn Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related ULURP action (C 160125 ZSK), and non-ULURP action (N 160126 ZRK), which were sent to the Community Board and Borough President for information and review in accordance with the procedure for referring non-ULURP matters.

Community Board Review

Brooklyn Community Board 1 held public hearings on this application (C 160124 ZSK) on February 9, 2016, February 22, 2016, and March 2, 2016. On March 8, 2016, by a vote of 20 to 8, with no abstentions and 3 recusals, the Community Board voted to approve this application and by a vote of 24 to 4, with no abstentions and 3 recusals voted to approve the related special permit application (C160125 ZSK). However, by a vote of 22 to 4, with 2 abstentions and 3 recusals, Community Board 1 voted to disapprove the application for the related zoning text amendment (N106126 ZRK), subject to the following conditions:

1. The text amendment be limited to the block of 25 Kent Avenue.
2. To insure affordability and long term viability of manufacturing space, applicants for “Special Permit in the Enhanced Business Zone” be required to lease space at 20 percent below current market rate for leases to similar companies in the same use groups.
3. To insure proper and effective monitoring and enforcement of the “Special Use”, the developer of the property within the “Enhanced Business Area” must contract with a local mission-driven nonprofit to serve as an administering agent that will assist in marketing

vacancies and certify that lease rates and comparables are accurate and affordable. Additionally, the administering agent shall report on rental rates, tenants, and employment annually to the EDC.

4. Request the NYC Department of City Planning to develop a tool for industrial businesses in the nearby M1-1 districts to add height and bulk to expand their operations without the need to request a variance or go through a ULURP action.
5. Require the applicant to provide good, quality, family sustaining jobs with prevailing wages.
6. Reduce the FAR to a more reasonable scale.

Borough President Recommendation

This application (C 160124 ZSK) was considered by the Borough President of Brooklyn, who held a public hearing on March 21, 2016, issued a recommendation approving this application and the application for the related special permit (C160125 ZSK) on April 8, 2016. The Borough President also issued a recommendation approving the application for the related zoning text change (N 160126 ZRK) on April 8, 2016, with the following conditions:

1. Initially limit applicability to zoning lots of at least 80,000 square feet
2. In addition to ZR 74-962 (d) Recordation requirement, as a means to adequately provide regulatory oversight of business enhancing use designated area:
 - a. Require oversight be pursuant to a regulatory agreement obligating reporting to the New York City Department of Small Business Services by an administering agent that shall be consistent with ZR 23-961 (c)(3) and (c)(4)
 - i. That defined terms in ZR 74-961 include:
 1. An administering agent, and that such agent be the entity responsible for ensuring, pursuant to the regulatory agreement, that each lease or condominium space is for occupancy in compliance with such regulatory agreement at initial occupancy, at annual reporting and following each subsequent re-occupancy, and
 2. A regulatory agreement, and that such agreement is an agreement between the Department of Small Business Services and the owner of the required Business Enhancing Use floor area requires compliance with all applicable provisions of the Special Permit

- ii. The administering agent shall be governed by DSBS consistent with ZR 23-96 (e)(1), (e)(2)(ii) and (e)(3), with removal consistent with ZR 23-961 (e)(1)
 - iii. The regulatory agreement shall be consistent with ZR 23-96 (f)(1), (f)(2) and (f)(3)
 - iv. The administering agent shall play a role in the occupant selection process to confirm for business enhancing use consistent with ZR 23- 961 (a)(1)
 - b. Require plaques depicting floor plan representation of Enhanced Business Area Required Use area consistent with Special Permit application drawing z-072 Zoning Plan Levels 02 and 03 to be required to be wall-mounted at each building lobby entrance, walls opposite elevator doors, and corridor boundary entering/exiting from Enhanced Business Area Required Use area
3. That ZR 74-961 definition for Business Enhancing Use exclude automobile, motorcycle, trailer, or boat sales from Use Group 16, and limit manufacturing processes in Use Group 17 to exclusively digital format product
 4. That ZR 74-961 Business Enhancing Use accessory retail use (Use Groups 6A, 6C, 7B, 7C, 8B, 8C, 10A, and 12) be limited by permitting up to 100 square feet without regard to the size of the Business Enhancing Use floor area, though not more than 1,000 square feet based on not being more than 10 percent of floor area per establishment

Be it further resolved that:

1. The City awards from its \$41 million non-profit industrial allocation to such non-profits that enable the purchase of Business Enhancing Use floor area from willing developers
2. The Department of City Planning, in order to improve the attractiveness of the Enhanced Business Area Special Permits to property owners, prepares an application to amend Zoning Resolution Section 74-96 as follows:
 - a. That the Special Permits be applicable to zoning lots without any minimum lot size
 - b. That for zoning lots up to 6,000 square feet of lot area, modification of 74- 962 (b)(1) conditions for minimum amount of Business Enhancing Use floor area to be not less than 1,000 square feet of horizontally contiguous floor area
3. That in order to appropriately establish parking and loading berth requirements for developments approved by the Special Permit, within the Greenpoint-Williamsburg

Industrial Business Zone, for floor area increase pursuant to ZR 74-962,ZR 74-963 shall be modified as follows:

- a. Shall regulate Commercial Use Groups 6-16, according to ZR 36-21 for a C8-3 zoning designation, and that ZR 44-22 be made inapplicable
 - b. Shall permit every bike space provided above and beyond the requirement of ZR 44-60 to reduce automobile parking by one space for up to 33 percent of the required number of automobile parking spaces
 - c. Shall regulate an automatic waiving of required parking according to ZR 36-232 for a C8-3 zoning designation
 - d. Shall specifically note that the City Planning Commission may prescribe to require a set standard for a number of parking attendants as an additional condition and safeguard to minimize adverse effects on the character of the surrounding area
 - e. Shall regulate minimum off-street loading berth requirements for truck loading to be applicable to ZR Section 36-92 instead of Zoning Section 44-54, per the C8-3 District
 - f. Shall restrict City Planning Commission findings (a) - (d) for applications seeking to exceed such automatic reductions
4. That in order to facilitate the enlargement of existing buildings in the M1-1 zoning district in the Greenpoint-Williamsburg Industrial Business Zone, Department of City Planning:
- a. Undertake a study of the M1-1 blocks to determine to what extent they would be appropriate for upzoning to M1-2 and then to implement such a rezoning
 - b. Prepare an application to amend Zoning Resolution Section 74-96 to make the Special Permit applicable to M1-1 properties in the Greenpoint- Williamsburg IBZ and to include:
 - i. An M1-1 floor area increase standard modification of ZR 74-962 consistent with the M1-1 maximum community facility floor area of 2.4 FAR
 - ii. Modification of ZR 74-962 (b)(3) conditions of maximum permitted street wall height be 50 feet, maximum height be 60 feet, though where a public plaza is provided maximum height may be 75 feet
5. That Department of Transportation investigates feasibility of adding one or more stations to the 25 Kent Avenue development block and review existing Citi Bike

stations to determine appropriateness of adding bike docks, as well as reducing, where they have hindered business operations, in coordination with the affected industrial property owners and in consultation with CB 1.

6. That, in collaboration with Borough President Adams, the City, and City Council, legislation shall be introduced mandating provision of prevailing wage salaries for building service workers where discretionary land use actions have realized an increase (e.g. of at least 100,000 square feet) of floor area without market restrictions.
7. That the City:
 - a. Ensure uninterrupted ferry service at North Sixth Street in response to New York Water Taxi's announcement of terminating service
 - b. In lieu of directing the full amount of the post-occupancy real property taxes in the general fund, the City Administration should explore setting aside of the tax increment earned from the development of 25 Kent Avenue to secure bond financing for the acquisition and development of the remaining sections of the Bushwick Inlet Park

City Planning Commission Public Hearing

On March 30, 2016 (Calendar No. 1), the City Planning Commission scheduled April 13, 2016, for a public hearing on this application (C 160124 ZSK) in conjunction with the public hearings on the applications for the related actions (C 160125 ZSK and N 160126 ZRK). The hearing was duly held on April 13, 2016 (Calendar No. 11). There were a total of 18 speakers, 11 in favor and 7 in opposition.

The speakers in favor included representatives of the applicant, including architects, consultants, and attorneys for 19 Kent Development, LLC. They described the various elements of the proposed project and its potential benefits, including the creation of 64,000 square feet of new, ground-up, unsubsidized manufacturing, tech, and creative-office space, and that the text amendment is an experiment to induce the creation of new industrial space. They also discussed the form of the proposed development and its loft-style envelope, contextual materials including brick and steel, the public plazas and the accessible, ground-floor corridor through the center of the development site, and that they are pursuing a Leadership in Energy and Environmental Design (LEED) Gold certification for the building.

Regarding the proposed ratio of Required Industrial Uses, the applicant team stated that they had worked with the Department of City Planning and City Council staff to create a development approach that would cross-subsidize the creation of new industrial space within a mixed office and retail development. They also discussed the surrounding built FAR's as important context for understanding existing industrial use in the area. Given the financial risk, not only for the provision of industrial space, but for the development of a speculative office building, the applicant team stated that they had concerns about increasing the amount of restricted floor area. The ratio of industrial to total floor area, and their assumptions about the viability of cross-subsidy in general remain untested.

The applicant representatives stated that they see the proposed development as an opportunity to stabilize the loss of industrial space in the area and help create a synergy between the industrial tenants and the office tenants, maintaining the mixed-use character of the neighborhood. In response to questions about the affordability of the industrial space, the applicant stated that because the Required Industrial Use space is clearly restricted and the pool of potential tenants for this space is limited, the asking rents would inherently reflect the current market for industrial and manufacturing space in the area. In addition, they described the pre-marketing analysis done to determine the viability of the broader building program, and noted that current Brooklyn office vacancy rates are essentially zero. The Brooklyn Chamber of Commerce and the Brooklyn Tech Triangle have conducted research projecting a shortfall of more than 3 million square feet of office space needed in the near term.

The applicants' representatives asserted that a mission driven non-profit such as Evergreen, a publicly funded organization whose role is to protect, advocate for, and market the area's industrial property owners and tenants, would be able to easily monitor the Required Industrial Uses due to the large size of the proposed development and its location within the Greenpoint-Williamsburg IBZ. In addition, the size and location of the Required Industrial Uses would be memorialized in a Notice of Restrictions recorded against the property, allowing the NYC Department of Buildings (DOB) to enforce the restrictions through inspection and fines, and ultimately a revocation of occupancy, if violations occurred. Furthermore, any changes to the size and location of Required Industrial Uses would require the building owner to apply for a modification to the floor plans

approved in the Special Permit through the Department of City Planning. Finally, the applicant representative stated that they were willing to regularly disclose information regarding the Required Industrial Use leases, including business names, their location and square footage within the building, and their designated zoning use groups.

A representative of Friends of Bushwick Inlet Park, a local community group, spoke in opposition to the proposal because the City had not yet acquired the remainder of Bushwick Inlet Park as part of the 2005 Greenpoint-Williamsburg rezoning.

A representative of 32BJ SEIU, a service workers union, spoke in opposition to the proposal unless the developer employed local union labor in the future service and maintenance of the building.

The Executive Director of Evergreen, the Local Development Corporation and IBZ Ombudsman that works with industrial businesses, in the project area and greater North Brooklyn, spoke favorably of the mixed commercial and industrial concept, but expressed concerns related to some aspects of the proposal, particularly the potential to apply the same mechanism to other IBZ's in the future. The representative stated that additional requirements would improve the proposal, including NYC Department of Small Business Services (SBS) oversight of an appointed Administering Agent to monitor the Required Industrial Uses, similar to the existing Inclusionary Housing program within the Zoning Resolution. The representative also raised concerns about the Required Industrial Use spaces' long-term affordability to manufacturers. Finally, the representative requested that the Department of City Planning study the entire Greenpoint-Williamsburg IBZ to consider changes to the zoning that would allow existing industrial businesses to enlarge their facilities as-of-right.

A representative of the Business Outreach Center (BOC) Network, an industrial service provider for parts of Brooklyn, Queens, and Manhattan, spoke in opposition to the text amendment, discussed the City's loss of manufacturing jobs to other states, and the need to protect the existing manufacturers currently located within the city and raised concerns about this proposal setting a new precedent for industrial areas citywide. The representative recommended requiring the Required Industrial Uses be located on the ground floor to improve access to loading, and that

additional public subsidies be tied to the long-term performance of the industrial spaces. Additionally, they proposed that a non-profit industrial service provider be assigned to monitor the space and its affordability over time. The representative suggested using 25 Kent Avenue as a test-case before applying this proposal across other industrial areas throughout the City.

Representatives from the Association for Neighborhood and Housing Development (ANHD), a community development advocacy and not-for-profit housing organization, spoke in favor of the proposed development and mechanism, but with reservations about the applicability of the mechanism to the broader M1-2 geography and how it might be applied to other industrial areas. They stated that the proposal was an untested pilot and that no financial analysis had been disclosed. The representatives also questioned the appropriateness of the Required Industrial Use ratio and the affordability of the Required Industrial Space.

The Director of the Pratt Center for Community Development spoke in opposition of the proposal, stating that the Required Industrial Use ratio should be increased and enforcement of the industrial space be improved. The speaker included a financial analysis test-case for a potential mixed commercial and industrial building that could be located in the Gowanus section of Brooklyn, resulting in a 33 percent requirement for industrial uses, similar to a San Francisco proposal which is also testing an office bonus scheme which requires an industrial component and business plan as part of a larger development.

A representative from the Downtown Brooklyn Partnership and a representative from the Brooklyn Chamber of Commerce both spoke in favor of the applications. They stated that the lack of new commercial and industrial space will hamper future economic growth in the borough, and that this proposed space is sorely needed. A Brooklyn commercial office real estate expert spoke in favor, stating the there was demand for office space in neighborhoods throughout Brooklyn, and there is a broader planning rationale for providing local job access and proximity to neighborhoods, an economic resilience, and an opportunity to reduce the pressures on the city's mass-transit system.

A number of community members, including the Executive Director of the North Brooklyn Development Corporation, testified in favor and the applications. They stated that this was an

opportunity to create an innovation cluster for manufacturers, artisans, and creative tech tenants, in the midst of a walkable, live-work community, and the potential of creating additional tax revenues to improve local public open space. One resident urged the Commission to approve the applications for the proposed geography citing the change in the area towards non-industrial uses. A resident who controls sites in the text geography, including the Output nightclub, stated that had this special permit been available prior to developing the nightclub, they would have requested the proposed Special Permit to develop an office and industrial building instead. In addition, they control a number of sites in the area and would like to avail themselves of the special permit in the future.

CONSIDERATION

The Commission believes that the special permit applications (C 160124 ZSK and C 160125 ZSK) are appropriate, and the application to amend the Zoning Resolution (N 160126 ZRK) as modified, is appropriate.

These actions would facilitate the creation of 25 Kent Avenue, Northside Williamsburg's first new speculative, large-scale commercial office and light industrial building in decades. The proposed building would include a total of 380,095 square feet, including nearly 64,000 square feet of required, unsubsidized light industrial and manufacturing space, providing space for growing industrial sectors and employment opportunities. The proposed building would be uniquely designed with 14,400 square feet of publicly accessible open space and an interior court yard to encourage collaboration and interaction among the various industries and offices. The proposed development would also include 275 below-grade accessory parking spaces, three at-grade loading berths, and 150 accessory bicycle parking spaces.

The Commission recognizes the experimental nature of the proposed text amendment and resultant development proposal. It has been decades since Brooklyn has seen new, speculative and unsubsidized office or industrial space developed within the borough, and this is one of New York City's first attempts at connecting an industrial use requirement to new office and retail development via zoning. The proposed development provides a unique opportunity to leverage the area's emergent commercial market, balance the creative-office, small-scale retail, and industrial

production ecosystem, and facilitate the growth of a mixed-use employment node in North Brooklyn.

As stated by the applicant, the proposed total development would be expected to bring approximately 1,500 jobs to the Greenpoint-Williamsburg IBZ and, by itself, increase the IBZ's total employment by more than 60 percent. It is further projected that the approximately 64,000 square feet of light industrial space required of the 25 Kent Avenue development would increase the total industrial built square footage within the Greenpoint-Williamsburg IBZ's M1-2 zoning district by 15 percent and its total industrial employment by more than 20 percent. The required light industrial space would allow siting opportunities for the many light industrial and manufacturing businesses in North Williamsburg currently looking for new space.

The Commission notes that the applicants have stated that the proposed building would be designed to achieve LEED Gold Standard and incorporate sustainable design elements including rain water retention planting systems, energy conservation measures such as LED lighting, automatic light switches and heat deflecting glass, low VOC paints and flooring, low-flow fixtures, waste water recycling and an efficient heating and cooling systems. Construction of the proposed building on this site would also result in the cleanup of the existing brownfield on this block with removal and remediation of polluted soil. Portions of the proposed site are located within a 100-year flood zone and the building would be designed to be flood resilient and would locate key infrastructure on its roof. The Commission is pleased by all of these measures and encourages the developer to implement additional sustainability measures to set the standard for 'green' development in the neighborhood and the city.

The Commission recognizes the developer's intention to create meaningful and well-designed industrial space. In a letter to the Commission, dated May 3, 2016, the applicant's representatives described the predevelopment marketing to prospective industrial tenants that resulted in the proposed unique design features of the industrial space. Beyond the location within the building, minimum floor area size, and freight access requirements pursuant to the conditions of the subject special permit, the project architects and developer have conducted outreach to prospective industrial tenants utilizing specialized milling and ironworker machines in their operations, which

informed the design and engineering of the space designated for the “Required Industrial Uses”. These measures would include lower floors designed for a live load capacity of 200 pounds per square foot, with 16-foot slab-to-slab heights and the ability to remove portions of slab between the second and third floors for over-height equipment. In addition, the column grid has been designed at 30 feet by 30 feet, significantly larger than standard spacing in order to provide substantially wider column-free spaces. The applicants have stated that increased HVAC and power capacities have been designed to allow for the expansion of additional utility vaults, excess shaft capacities for specialized ventilation requirements, and room for an additional cooling tower and emergency generators on the roof. Finally, the applicant is proposing to achieve a “Wired Certified Gold” level for the development, which prioritizes specific fiber access and expansion capabilities for the building and its tenants. While most available industrial space consists of retrofits, conversions, or low-scale and low-cost construction, this proposed industrial space will be modern and meet or exceed all contemporary environmental regulations.

SPECIAL PERMIT TO MODIFY BULK, ENVELOPE, AND PUBLIC PLAZA (C 160124 ZSK)

The Special Permit pursuant to Section 74-962 of the Zoning Resolution to modify the permitted floor area requirements of Section 43-12 (Maximum Floor Area Ratio) and to modify the public plaza requirements of Section 37-70 (Public Plazas) is appropriate. The special permit will facilitate the development of an eight-story, 380,097 square foot, 4.75 FAR office, industrial, and retail building. This includes the provision of nearly 64,000 square feet, 0.8 FAR, of new light industrial and manufacturing space (Required Industrial Uses), more than 156,000 square feet, 1.95 FAR, of restricted office and light industrial space (Incentive Uses), and 14,400 square feet of publically accessible open space. The total development would not exceed the underlying M1-2 district’s maximum allowable FAR of 4.8, and the 74-962 special permit envelope would reduce the allowable building heights to a contextual, loft-style envelope of between 110- to 135-feet. The shorter development would contain wider floorplates more accommodating to creative technology and manufacturing firms and has been designed to provide for a number of building programs compatible with industrial and manufacturing uses. The Required Industrial Uses would be located on floors two and three, and have direct access to a freight elevator and off-street loading bays. The floor to ceiling heights, column spacing, live loads, and power and HVAC have been considered specifically for industrial tenants.

The public plaza waivers for maximum distance from the main building entrance (ZR 37-76(b)) and their proximity to an existing open space (ZR 37-713) are the minimum necessary, and create an improved site plan for the proposed development. These publically accessible open spaces will provide all amenities required for public plazas under the Zoning Resolution and will be open to the public for the life of the development. These two plazas would be connected by a pedestrian path cutting through the middle of the building and development site, and ringed with active, ground-floor uses, and the two open spaces would be filled with planting areas, as well as both fixed- and moveable-seating.

SPECIAL PERMIT TO MODIFY OFF-STREET PARKING AND LOADING (C 160125 ZSK)

The Special Permit pursuant to Section 74-963 to modify the off-street parking requirements of Section 44-20 and the loading berth requirements of Section 44-50 is appropriate. The special permit would allow the reduction of accessory off-street parking spaces, from 1,267 space to 275 spaces. These off-street parking spaces would be located in an attended parking facility in the cellar of the proposed development, accessible mid-block, via a ramp along N. 13th Street. The special permit would also allow the reduction of accessory off-street loading berths from 10 loading berths to three, at-grade berths, located along N. 13th Street. The total number of required bicycle parking spaces is not, and cannot, be modified, by the special permit. The applicant is proposing to provide 150 bicycle parking spaces located in the cellar, and can accommodate an increase of up to 300 bicycle parking spaces should demand require this.

A reduction of the accessory off-street parking and loading requirements, pursuant to Section 74-963 special permit, allows for a more flexible site plan and an overall reduction of below- and above-grade spaces dedicated to parking and loading. Without these reductions, between two- to three- additional stories of parking would need to be constructed above-grade, and the high loading berth requirements for industrial uses discourages mixing industrial within a new development.

The number and location of parking spaces and parking queues are identified in the recorded site plans and prescribe the number of parking spaces and stackers for the life of the development. The Commission notes that parking requirements within the M1-2 district exceed the needs of local businesses and place an undue burden on development to inhibit construction of new light

industrial and commercial buildings. Furthermore, the special permit findings and the environmental analysis for the proposed 25 Kent Avenue project determined that the proposed number of vehicular and bicycle parking spaces would adequately serve the workers anticipated to come from the surrounding area. The Commission believes that the proposed reduction in the amount of accessory off-street parking, and off-street loading for the proposed project is appropriate.

Regarding the recommendation of the Brooklyn Borough President, the Commission notes that, while it is generally supportive of siting additional CitiBike locations at this, and other sites in the area, that this is beyond its purview.

AMENDMENT TO THE ZONING RESOLUTION SECTION 74-96 (N 160126 ZRK)

The proposed amendment to the Zoning Resolution modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), creating a new Special Permit within Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas) for a newly designated M1-2 Kent Avenue Industrial Business Incentive Area, is appropriate, with modifications.

In response to public testimony and recommendations received from the Community Board and Borough President, the Commission modifies the applicable geography of the 74-96 special permit, from the approximately 14-block M1-2 district, to the single block of the development site. Given the experimental nature of the proposed text amendment and resultant development proposal, the Commission believes it is appropriate to use the 25 Kent development as a test-case before applying the Industrial Business Incentive Area mechanism to the broader Greenpoint-Williamsburg M1-2 district.

In order to clarify the nomenclature and highlight the intent of the text and new use definitions, the Commission also modifies the proposed Zoning Text Amendment (N 160126 ZRK), to change the name of the applicable text geography from an Enhanced Business Area (EBA) to an Industrial Business Incentive Area (IBIA), and the bonus use mechanism name from Business Enhancing Use (BEU) to a Required Industrial Use (RIU). The use definition for the Incentive Use (IU) would

remain unchanged. The Commission believes that these terms more clearly state the intent of the text and highlight the incentives within the two new special permits.

Regarding the testimony concerning the appropriateness of the Required Industrial Use ratio, which would allow a 3.5 square foot increase in the maximum allowable floor area for the provision of 1 square foot of Required Industrial Use, the Commission notes that this ratio would result in approximately 64,000 square feet of new industrial space at 25 Kent Avenue. This amount of new light industrial space alone would increase the M1-2 district's total industrial built square footage by 15 percent, and be the area's third largest industrial space, behind the Albest Metal Stamping and Ko-Rec-Type legacy buildings. This ratio would result in a total FAR of 4.8 and would not increase the overall current maximum allowable density beyond the M1-2 zoning district's current maximum allowable FAR of 4.8 for community facility uses. Furthermore, the subject special permit's contextual envelope would effectively reduce the maximum allowable building heights and encourage shorter, loft-style developments as an alternative to the tall towers permitted under the existing zoning district.

Regarding the testimony received during public review requesting additional restrictions on lease rates, the Commission notes that this would jeopardize the goal of incentivizing the creation of unsubsidized, new industrial and commercial space. The applicant has acknowledged that unsubsidized commercial office development in Brooklyn remains speculative but that they believe that the proposed bonus mechanism would be financially feasible. However, 25 Kent Avenue would be the first such project of its kind, and it is still unknown if the entirety of the project would be feasible with any restricted lease rates. Regarding the recommendations by the Community Board and Borough President to require the applicant to demonstrate specific wage requirements for all aspects of the project, the Commission notes that this is outside of its purview.

As a result of testimony received during the public review process and to further ensure that the proposed development would meet the intent of the special permit text, the Commission modifies the special permit use conditions pursuant to 74-962(b)(1) to include a restriction on transient hotels (Use Group 5) as part of the IBIA floor area increase. While the neighborhood consists of a mix of uses, including office, industrial, and existing hotels, potential concerns and use conflicts

could be raised by including sleeping accommodations within a Required Industrial Use building. As discussed earlier, ongoing studies that assess the interactions among different uses in industrial areas will further analyze these potential conflicts, and provide additional recommendations on the viability of mixing sensitive uses.

Regarding the recommendations by the Borough President concerning additional limitations on Use Groups 16 and 17, the Commission believes that the list of allowable Required Industrial Uses is appropriate and that further use restrictions are unnecessary. Regarding the recommendation to add restrictions on accessory retail space, the applicant has stated that they would not utilize any Required Industrial Use accessory retail space to count towards their Incentive Use bonus. In addition, the Commission notes that the recorded floorplans included as part of the 25 Kent special permit application do not indicate any Required Industrial Uses located on the ground floor, and therefore it would be unlikely that RIU accessory retail space would be created on the site. Furthermore, additional use restrictions on Use Groups 16 and 17 could preclude advances in operations and technology, making it difficult for businesses to respond to technological trends and resulting in unforeseen consequences.

Public testimony was received regarding the long-term monitoring and enforcement of the Required Industrial Uses and to establish an administering agent scheme similar to the City's Inclusionary Housing (IH) program. The Commission notes that the City's affordable housing program is long-standing, with a breadth of experienced market- and affordable-housing developers, and draws on significant public subsidies. Housing also falls within a limited use group classification, and all housing units are made up of similar, replicable, and readily-identified facets, including a kitchen, bathroom, window, closet, and sleeping area, and similar power and HVAC needs. A similar industrial scheme would require additional City agency involvement, significant non-profit capacity building, a willingness from private developers to participate, and additional public subsidy in order to provide City-backed spaces for private, for-profit businesses. The Required Industrial Use classifications are clearly designated and would be within the everyday competence of the NYC Department of Buildings to determine and enforce. While the Commission encourages additional research into defining an appropriate industrial monitoring system, this is far outside the realm of this single development application, which is attempting to

produce new, unsubsidized industrial space, with limited precedent for comparison. However, in order to further strengthen DOB's ability to enforce the conditions and restrictions set within the IBIA, the Commission modifies Section 74-962(f) and adds a Compliance sub-section to clarify the ability of DOB to deny or revoke a building permit or certificate of occupancy.

Finally, to help satisfy site-specific compliance monitoring concerns, the Commission modifies ZR Sections 74-962(b)(6)(ii) and 74-962(e) of the proposed Zoning Text Amendment to include two notification requirements that require a sign at each building entrance stating a summary of the IBIA program, similar to the existing Food Retail Expansion to Support Health (FRESH) program sign requirements, and a website condition that includes the special permit drawings, the list of businesses occupying Required Industrial Use space, how much square footage they occupy, and their use group, among other requirements.

The Commission emphasizes that the subject special permits are solely for this geography and that there is no intention of replicating this exact model across other industrial neighborhoods citywide. Any proposal to apply a similar industrial requirement mechanism would require site- and neighborhood-specific analysis to determine the appropriateness of use, bulk, envelope, and other conditions within the proposed geography. The Commission further notes that there are ongoing City-sponsored studies, including the North Brooklyn Industry and Innovation Plan, which are analyzing neighborhood-specific and building-specific industrial and commercial issues and will be greatly informed by the 25 Kent Avenue development. The outcomes of these studies would provide opportunities to discuss new tools for the city's M zoning districts, including those that may be appropriate for the Greenpoint-Williamsburg IBZ's M1-2 and M1-1 districts.

FINDINGS

The Commission hereby finds, pursuant to Section 74-962(c) of the Zoning Resolution, that the increase of the maximum permitted floor area ratio and modification of public plaza regulations will:

- (a) promote a beneficial mix of required industrial and incentive uses;
- (b) result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;

- (c) result in a building that has a better design relationship with surrounding streets and adjacent open areas;
- (d) result in a development or enlargement that will not have an adverse effect on the surrounding neighborhood; and
- (e) any modification of the public plaza requirements will result in a public plaza of equivalent or greater value as a public amenity.

RESOLUTION

Therefore, the City Planning Commission, deeming the actions described herein to be appropriate, adopts the following resolution:

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, and subject to the conditions of the CEQR Declaration E-373; and be it further

RESOLVED, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; 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 described in this report, the application submitted by 19 Kent Development, LLC pursuant to Section 74-962 of the Zoning Resolution to modify the permitted floor area requirements of Section 43-12 (Maximum Floor Area Ratio) and to modify the public plaza requirements of Section 37-70 (Public Plazas) in connection with a proposed mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, Borough of Brooklyn, Community District 1, is approved subject to the following terms and conditions:

1. The properties that are the subject of this and the related applications (C 160124 ZSK and C 160125 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following

plans, prepared by Gensler Architects, filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	Zoning Lot Site Plan	01/04/2016
Z-002	Zoning Analysis – ULURP	01/04/2016
Z-051	Ground Floor Plan	01/04/2016
Z-071	Upper Floors Plan – Cellar Level 1	01/04/2016
Z-072	Upper Floors Plan – Level 2 & 3	01/04/2016
Z-073	Upper Floors Plan – Level 4 & 5	01/04/2016
Z-074	Upper Floors Plan – Level 6 & 7	01/04/2016
Z-075	Upper Floors Plan – Level 8 & Mech.	01/04/2016
Z-091	Zoning Elevation – North & South	01/04/2016
Z-092	Zoning Elevation – East & West	01/04/2016
Z-113	Detail Elevation	01/04/2016
Z-114	Detail Elevation 2	01/04/2016
Z-115	Detail Elevation 3	01/04/2016
Z-120	Flood Mitigation Plan	01/04/2016

1. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.
2. Such development shall conform to all applicable laws and regulations relating to its construction and maintenance.
3. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
4. Upon the failure of any party having any right, title or interest in the property that

is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission to disapprove any application for modification, cancellation or amendment of the authorization.

5. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 160124 ZSK), duly adopted by the City Planning Commission on May 25, 2016 (Calendar No. 4), 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,
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
LARISA ORTIZ, ANNA HAYES LEVIN, ORLANDO MARIN, HOPE KNIGHT,
Commissioners

MICHELLE R. DE LA UZ, Commissioner, Voted No.

**PROPOSED SPECIAL PERMIT FOR INDUSTRIAL BUSINESS INCENTIVE AREAS
IN CERTAIN MANUFACTURING DISTRICTS**

**19-25 KENT AVENUE, BROOKLYN
May 18, 2016**

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

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

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

**Article VII
ADMINISTRATION**

**Chapter 4
Special Permits by the City Planning Commission**

* * *

**74-96
Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas**

For #developments# or #enlargements# on #zoning lots# located within any Industrial Business Incentive Area specified in this Section, the City Planning Commission may increase the maximum permitted #floor area ratio# and modify the #use#, #bulk# and #public plaza# regulations as set forth in Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas). The Commission may also modify parking and loading requirements for such #developments# or #enlargements# pursuant to Section 74-963 (Parking and loading modifications in Industrial Business Incentive Areas).

For #developments# or #enlargements# receiving a #floor area# increase pursuant to this Section, Section 43-20 (YARD REGULATIONS), inclusive, shall be modified as follows: #rear yard# regulations shall not apply to any #development# or #enlargement# on a #through lot#.

Industrial Business Incentive Areas specified:

Community District 1, Brooklyn: The block bounded by North 12th Street, Kent Avenue, North 13th Street and Wythe Avenue.

**74-961
Definitions**

For the purposes of Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), inclusive, a “required industrial use” and an “incentive use” shall be defined as follows:

Required Industrial Use

A “required industrial use” is a #use# that helps achieve a desirable mix of #commercial# and #manufacturing uses# in an Industrial Business Incentive Area, and that generates additional #floor area# pursuant to provisions set forth in Section 74-962 and is:

listed in Use Groups 11A, 16A excluding “animal hospitals and kennels” and “animal pounds or crematoriums”, 16B, 17B and 17C, as specified in Sections 32-20 (Use Group 11), 32-25 (Use Group 16) and 42-14 (Use Group 17); and

“beverages, alcoholic or breweries” as listed in Section 42-15 (Use Group 18A), where permitted by the provisions of the applicable zoning district, provided the applicable performance standards pursuant to Section 42-20 are met.

Incentive Use

An “incentive use” is a #use# permitted by the applicable zoning district, that is allowed to occupy the additional #floor area# generated by a #required industrial use# with the exception of the following #uses#:

#transient hotels# in Use Group 5, as specified in Section 32-14 (Use Group 5);

#uses# in Use Groups 6A or 6C as specified in Section 32-15 (Use Group 6);

#uses# in Use Group 7A as specified in Section 32-16 (Use Group 7);

#uses# in Use Group 8C as specified in Section 32-17 (Use Group 8);

#uses# in Use Group 10A and any retail spaces #accessory# to “wholesale offices or showrooms, with storage restricted to samples” in Use Group 10B as specified in Section 32-19 (Use Group 10);

#uses# as specified in Sections 32-21 (Use Group 12) and 32-22 (Use Group 13); and

moving or storage offices, with no limitation as to storage or #floor area# per establishment, as well as packing or crating establishments and warehouses as specified in Section 32-25 (Use Group 16).

74-962

Floor area increase and public plaza modifications in Industrial Business Incentive Areas

In Industrial Business Incentive Areas, the Commission may increase the maximum #floor area ratio# on a #zoning lot# in accordance with the Table in this Section.

For #developments# or #enlargements# in the district indicated in column (A), the base maximum #floor area ratio# on a #zoning lot# (column (B)) may be increased by 3.5 square feet for each square foot of #required industrial uses# up to the maximum #floor area ratio# for all #uses# on the #zoning lot# (column (E)), provided that such #development# or #enlargement# does not include a #transient hotel#, and that such additional #floor area# is occupied by #required industrial uses# and #incentive uses# up to the maximum #floor area ratio# set forth in column (C) (Maximum Additional #Floor Area Ratio# for #Required Industrial Uses#), and column (D) (Maximum Additional #Floor Area Ratio# for #Incentive Uses#), respectively.

TABLE
FLOOR AREA INCREASE PERMITTED IN
INDUSTRIAL BUSINESS INCENTIVE AREAS

<u>(A)</u> <u>Zoning</u> <u>District</u>	<u>(B)</u> <u>Base Maximum</u> <u>#Floor Area</u> <u>Ratio#</u>	<u>(C)</u> <u>Maximum</u> <u>Additional #Floor</u> <u>Area Ratio# for #</u> <u>Required Industrial</u> <u>Uses#</u>	<u>(D)</u> <u>Maximum</u> <u>Additional</u> <u>#Floor Area</u> <u>Ratio# for</u> <u>#Incentive Uses#</u>	<u>(E)</u> <u>Maximum</u> <u>#Floor Area</u> <u>Ratio# for All</u> <u>#Uses#</u>
<u>M1-2</u>	<u>2.0</u>	<u>0.8</u>	<u>2.0</u>	<u>4.8</u>

For such #developments# or #enlargements# that, pursuant to this Section, increase their permitted #floor area#, and provide a #public plaza#, the Commission may also increase the maximum height of such #development# or #enlargement# and may modify the requirements for #public plazas# set forth in Section 37-70 (PUBLIC PLAZAS).

Applications for such #floor area# increases and modifications are subject to the requirements, conditions and findings set forth in this Section.

(a) Application Requirements

All applications for a special permit pursuant to this Section shall include the following:

- (1) site plans and elevations which shall establish distribution of #floor area#, height and #setback#, sidewalk widths, primary business entrances, including parking and loading, #yards# and #public plazas#, signage and lighting;
- (2) floor plans of all floors which shall establish the location, access plan and dimensions of freight elevators and loading areas and the location of #floor area# dedicated to #required industrial uses# and #incentive uses#;
- (3) drawings that show, within a 600 foot radius, the location and type of #uses#; the location, dimensions and elements of off-site open areas including #streets#, waterfront and #upland# parcels; elements of a Waterfront Access Plan, as applicable; and the location of #street# trees and #street# furniture and any other urban design elements. The plans shall demonstrate that any #public plaza# provided meets the requirements of paragraph (b)(5) of this Section; and
- (4) for #zoning lots# in #flood zones#, flood protection plans, which shall show #base flood elevations# and advisory #base flood elevations#, as applicable, location of mechanical equipment, areas for storage of any hazardous materials and proposed structural or design elements intended to mitigate the impacts of flood and storm events.

(b) Conditions

- (1) Minimum amount of #required industrial uses#

#Required industrial uses# shall occupy a minimum of 5,000 square feet of horizontally contiguous #floor area# and shall be served by loading areas and freight elevators with sufficient capacity.

(2) Minimum sidewalk width

All #developments# and horizontal #enlargements# that front upon a #street line# shall provide a sidewalk with a minimum width of 15 feet along the entire frontage of the #zoning lot#. Such sidewalk, and any open area on the #zoning lot# required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards; shall be at the same level as the adjoining public sidewalk; and shall be accessible to the public at all times. For the purposes of applying the #street wall# location requirements and the height and setback regulations of paragraph (b)(3) of this Section, any sidewalk widening line shall be considered to be the #street line#.

(3) Height and setback

The height and setback regulations of the applicable zoning district shall apply as modified by the provisions of this paragraph.

- (i) The #street wall# of any #building# shall be located on the #street line# and shall extend to a height not lower than a minimum base height of 40 feet and not higher than a maximum base height of 75 feet or the height of the #building#, whichever is less. At least 70 percent of the aggregate width of such #street wall# below 12 feet shall be located at the #street line# and no less than 70 percent of the aggregate area of the #street wall# up to the base height shall be located at the #street line#. However, up to a width of 130 feet of such #street wall# located on the short end of the #block# may be set back from the #street line# to accommodate a #public plaza#.
- (ii) The height of a #building or other structure#, or portion thereof, located within ten feet of a #wide street# or within 15 feet of a #narrow street# shall not exceed a maximum base height of 75 feet. Permitted obstructions as set forth in Section 43-42 shall be modified to include dormers above the maximum base height within the front setback area, provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 50 percent of the #street wall# and a maximum height of 110 feet. Beyond ten feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed a maximum #building# height of 110 feet. All heights shall be measured from the #base plane#. Where a #public plaza# is provided pursuant to paragraph (b)(5) of this Section, such maximum #building# height may be increased to 135 feet.
- (iii) Along the short dimension of a #block#, up to 130 feet of such #street wall# may be set back from the #street line# to accommodate a #public plaza#, and a #street wall# located at the #street line# that occupies not more than 40 percent of the short end of the #block# may rise without setback to the maximum #building# height.

(4) Ground floor design

- (i) The ground floor level #street walls# and ground floor level walls fronting on a #public plaza# of a #development# or horizontal #enlargement# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials shall occupy at least 50 percent of the surface area of such #street wall#, measured between a height of two feet above the level of the adjoining sidewalk or #public plaza# and a height of 12 feet above the level of the first finished floor above #curb level#. The floor level behind such transparent materials shall not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the #street wall#. The ground floor transparency requirements of this paragraph (b)(4)(i) shall not apply to #uses# listed in Use Groups 11, 16, 17 and 18, or to #accessory# loading berths, or garage entrances#; or
- (ii) For #zoning lots# within flood hazard areas, in lieu of the requirements of paragraph (b)(4)(i) of this Section, the provisions of Section 64-22 (Transparency Requirements) shall apply; and
- (iii) For any #street wall# widths greater than 40 feet in length that do not require glazing as specified in paragraphs (b)(4)(i) or (b)(4)(ii), as applicable, the facade, measured between a height of two feet above the level of the adjoining sidewalk and a height of 12 feet above the level of the first finished floor above #curb level#, shall incorporate design elements, including lighting and wall art, or physical articulation.

(5) #Public plazas#

A #public plaza# shall contain an area of not less than 12 percent of the #lot area# of the #zoning lot# and minimum of at least 2,000 square feet in area. All #public plazas# shall comply with the provisions set forth in Section 37-70, inclusive, except certification requirements of Sections 37-73 (Kiosks and Open Air Cafes) and 37-78 (Compliance) shall not apply.

(6) Signs

- (i) In all Industrial Business Incentive Areas, #signs# are subject to the regulations applicable in C6-4 Districts as set forth in Section 32-60, inclusive. Information #signs# provided pursuant to paragraph (b)(6)(ii) of this Section shall not count towards the maximum permitted #surface area# regulations of Section 32-64 (Surface Area and Illumination Provisions), inclusive.
- (ii) An information #sign# shall be provided for all #buildings# that are #developed# or #enlarged#. Such required #signs# shall be mounted on an exterior #building# wall adjacent to and no more than five feet from all primary entrance of the #building#. The #sign# shall be placed so that it is directly visible, without any obstruction, to persons entering the building, and at a height no less than four feet and no more than five and a half feet above the adjoining grade. Such #sign# shall be legible, no less than 12 inches by 12 inches in size and shall be fully opaque, non-reflective and constructed of permanent, highly durable materials. The information #sign# shall contain: the name and address of the building in

lettering no less than three-quarters of an inch in height; and the words in lettering no less than one-half of an inch in height, "This building is subject to Industrial Business Incentive Area (IBIA) regulations which require a minimum amount of space to be provided for specific industrial uses." The information #sign# shall include the Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public, where the information required in paragraph (e) of this Section is available to the public.

(c) Findings

In order to grant an increase of the maximum permitted #floor area ratio# and modification of #public plaza# regulations, the Commission shall find that such increase or modification:

- (1) will promote a beneficial mix of #required industrial # and #incentive uses#;
- (2) will result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;
- (3) will result in a #building# that has a better design relationship with surrounding #streets# and adjacent open areas;
- (4) will result in a #development# or #enlargement# that will not have an adverse effect on the surrounding neighborhood; and
- (5) any modification of the #public plaza# requirements will result in a #public plaza# of equivalent or greater value as a public amenity.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

(d) Recordation

A Notice of Restrictions, the form and content of which shall be satisfactory to the City Planning Commission, for a #building# containing #use# restrictions or #public plaza# requirements, as applicable, pursuant to this Section, shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's office in the county where the lot is located.

The filing and recordation of such Notice of Restrictions shall be a precondition to the issuance of any building permit utilizing the provisions set forth in this Section. The recording information shall be referenced on the first certificate of occupancy to be issued after such notice is recorded, as well as all subsequent certificates of occupancy, for as long as the restrictions remain in effect.

(e) Notification

No later than the first day of each quarter of the year, the owner of a #building# subject to #use# restrictions of this Section shall provide the following information at the designated Internet URL, or other widely accessible means of electronically transmitting and displaying information

to the public pursuant to paragraph (b)(6)(ii) of this Section. Such electronic information source shall be accessible to the general public at all times and include the information specified below:

- (1) the date of the most recent update of this information;
- (2) total #floor area# of the #required industrial uses# in the #development#;
- (3) a digital copy of all approved special permit drawings pursuant to paragraph (a), inclusive, of this Section;
- (4) the name of each business establishment occupying #floor area# for #required industrial uses#. Such business establishment name shall include that name by which the establishment does business and is known to the public. For each business establishment, the amount of #floor area#, the Use Group, subgroup and specific #use# as listed in this Resolution shall also be included; and
- (5) contact information, including the name of the owner of the #building# and the building management entity, if different; the name of the person designated to manage the #building#; and the street address, current telephone number and e-mail address of the management office. Such names shall include the names by which the owner and manager, if different, do business and are known to the public.

(f) Compliance

Failure to comply with a condition or restriction in a special permit granted pursuant to this Section or with approved plans related thereto, shall constitute a violation of this Resolution and may constitute the basis for denial or revocation of a building permit or certificate of occupancy, or for a revocation of such special permit, and for the implementation of all other applicable remedies.

74-963

Parking and loading modifications in Industrial Business Incentive Areas

In association with an application for a special permit for #developments# or #enlargements# pursuant to Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas), the Commission may reduce or waive the off-street parking requirements set forth in Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES), inclusive, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (GENERAL PURPOSES), inclusive, provided that the Commission finds that:

- (a) such reduction or waiver will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;
- (b) the number of curb cuts provided are the minimum required for adequate access to off-street parking and loading berths, and such curb cuts are located so as to cause minimum disruption to traffic, including vehicular, bicycle and pedestrian circulation patterns;

- (c) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic; and
- (d) the reduction or waiver of loading berths will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

**Statement of Conditions
ZR §74-96 Special Permit to Increase Floor Area
in Enhanced Business Areas
25 Kent Avenue
Block 2282, Lot 1
Borough of Brooklyn**

74-96

Modification of Use, Bulk, Parking and Loading Regulations in Enhanced Business Areas

For #developments# or #enlargements# on #zoning lots# located within any Enhanced Business Area specified in this Section, the City Planning Commission may increase the maximum permitted #floor area ratio# and modify the #use#, #bulk# and #public plaza# regulations as set forth in Section 74-962 (Floor area increase and public plaza modifications in Enhanced Business Areas). The Commission may also modify parking and loading requirements for such #developments# or #enlargements# pursuant to Section 74-963 (Parking and loading modifications in Enhanced Business Areas).

For #developments# or #enlargements# receiving a #floor area# increase pursuant to this Section, Section 43-20 (YARD REGULATIONS), inclusive, shall be modified as follows: #rear yard# regulations shall not apply to any #development# or #enlargement# on a #through lot#.

* * *

(b) Conditions

(1) Minimum amount of #business-enhancing uses#

#Business-enhancing uses# shall occupy a minimum of 5,000 square feet of horizontally contiguous #floor area# and shall be served by loading areas and freight elevators with sufficient capacity.

The Proposed Development will contain substantial floor area devoted to Business Enhancing Uses. The floor area dedicated to Business Enhancing Uses is contiguous, occupying undivided spaces of greater than 5,000 square feet of floor area on the second and third floors. The Business Enhancing Uses are supported by three loading berths (each 12 feet wide by 33 feet deep) located on the ground floor level, fronting on North 13th Street. One Class A freight elevator with approximately 45 square feet in area, which can handle general freight loading up to 4,500 pounds, will be provided adjacent to the loading berths. The elevator allows for the movement of goods between the Business Enhancing Uses and the loading berths. A second freight elevator, identical in size and capacity, will be provided at the southeastern entrance to the Proposed Development. Together, the two freight elevators are sufficient to handle the trafficking of goods and building service operations associated with the Proposed Development's Business Enhancing, Incentive, and Permitted uses (see attached letter from Van Deusen & Associates, vertical transportation consultations for the Proposed Development).

(2) *Minimum sidewalk width*

All #developments# and horizontal #enlargements# that front upon a #street line# shall provide a sidewalk with a minimum width of 15 feet along the entire frontage of the #zoning lot#. Such sidewalk, and any open area on the #zoning lot# required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards; shall be at the same level as the adjoining public sidewalk; and shall be accessible to the public at all times. For the purposes of applying the #street wall# location requirements and the height and setback regulations of paragraph (b)(3) of this Section, any sidewalk widening line shall be considered to be the #street line#.

The sidewalk adjacent to the Proposed Development will be built to a width of 15 feet. Such sidewalk, and any open area on the zoning lot required to meet such minimum width, will be improved in accordance with the standards of the New York City Department of Transportation, will be at the same level as any adjoining public sidewalk, and will be publicly accessible at all times.

(3) *Height and setback*

The height and setback regulations of the applicable zoning district shall apply as modified by the provisions of this paragraph.

(i) *The #street wall# of any #building# shall be located on the #street line# and shall extend to a height not lower than a minimum base height of 40 feet and not higher than a maximum base height of 75 feet or the height of the #building#, whichever is less. At least 70 percent of the aggregate width of such #street wall# below 12 feet shall be located at the #street line# and no less than 70 percent of the aggregate area of the #street wall# up to the base height shall be located at the #street line#. However, up to a width of 130 feet of such #street wall# located on the short end of the #block# may be set back from the #street line# to accommodate a #public plaza#.*

(ii) *The height of a #building or other structure#, or portion thereof, located within ten feet of a #wide street# or within 15 feet of a #narrow street# shall not exceed a maximum base height of 75 feet. Permitted obstructions as set forth in Section 43-42 shall be modified to include dormers above the maximum base height within the front setback area, provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 50 percent of the #street wall# and a maximum height of 110 feet. Beyond ten feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed a maximum #building# height of 110 feet. All heights shall be measured from the #base plane#.*

Where a #public plaza# is provided pursuant to paragraph (b)(5) of this Section, such maximum #building# height may be increased to 135 feet.

(iii) *Along the short dimension of a #block#, up to 130 feet of such #street wall# may be set back from the #street line# to accommodate a #public plaza#, and a #street wall# located at the #street line# that occupies not more than 40 percent of the short end of the #block# may rise without setback to the maximum #building# height.*

The Proposed Development complies with all conditions. The distinctive stepped façade of the Proposed Development results in a complex set of street wall setbacks on North 12th Street and North 13th Street. On North 12th Street, the street wall of the Proposed Development will rise to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line. The street wall will then rise to 70 feet before providing an additional 7 foot 6 inch setback, before then rising to approximately 86 feet. At 86 feet in height, the street wall will set forward approximately 2 feet 6 inches (resulting in a fifteen foot setback from the street line), then rises to a height of 102 feet before providing an additional 12 foot 6 inch setback. The street wall then rises to a height of 118 feet, then sets forward by approximately 2 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 12th Street within 15 feet of the street line exceeds a maximum building height of 134 feet.

On the North 13th Street façade, the street wall of the Proposed Development rises to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line, then the street wall rises to 70 feet before providing an additional 5 foot setback. The street wall then rises to a height of 86 feet, then sets back an additional 7 feet. Above the 7 foot setback, the street wall rises to a height of 102 feet before setting forward 2 feet, then rising to a height of 118 feet, then setting back 12 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 13th Street within 15 feet of the street line exceeds a maximum building height of 134 feet.

Along both Wythe Avenue and Kent Avenue, the building will provide two 80-foot-wide glazed street walls which rise without setback to the Proposed Development's maximum height of 134 feet. Along each of Wythe Avenue and Kent Avenue, one of the 80-foot-wide street walls (equivalent to 40% of the 200 foot wide short end of the block) will be located at the street line, and one is set back by approximately 64 feet 10 inches from Kent Avenue, and 60 feet two inches from Wythe Avenue, to accommodate a public plaza. The two 80 foot wide street walls will be separated by a 40 foot wide, partially covered pedestrian corridor. Along each of North 12th Street and North 13th Street, the street wall will be set back by 80 feet to accommodate the Wythe Plaza and the Kent Plaza (hereafter defined).

82.9% of the aggregate width of the Proposed Development's street walls below 12 feet will be located at the street line, and 70.7% of the total aggregate area of the Proposed Development's street walls will be located at the street line. The aggregate width and area of the street walls do not include the portion of the Proposed Development set back from the street line to accommodate the public plazas.

(4) *Ground floor design*

- (i) *The ground floor level #street walls# and ground floor level walls fronting on a #public plaza# of a #development# or horizontal #enlargement# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials shall occupy at least 50 percent of the surface area of such #street wall#, measured between a height of two feet above the level of the adjoining sidewalk or #public plaza# and a height of 12 feet above the level of the first finished floor above #curb level#. The floor level behind such transparent materials shall*

not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the #street wall#. The ground floor transparency requirements of this paragraph (b)(4)(i) shall not apply to #uses# listed in Use Groups 11, 16, 17 and 18, or to #accessory# loading berths, or garage entrances#; or

Between a height of two and twelve feet above the level of the first finished floor above curb level, the ground floor level street walls, and ground floor level walls fronting on the landscaped public plazas, will be glazed with transparent materials. On the North 13th Street (north) frontage of the Proposed Development, 1,969 square feet of the street wall will be glazed, out of a total of 3,201 square feet of street wall area, equivalent to 61.51% of the street wall. On the North 12th Street (south) frontage, 2,415 square feet of the street wall will be glazed, out of a total of 3,950 square feet of street wall, equivalent to 61.14% of the street wall. On the Kent Avenue (west) frontage, 1,421 square feet of the street wall will be glazed out of a total of 1,598 square feet, equivalent to 88.92% of the street wall. On the Wythe Avenue (east) frontage, 1,442 square feet of the street wall will be glazed out of a total of 1,598 square feet of street wall, equivalent to 90.24% of the street wall.

In total, 7,247 square feet of the street wall on all four facades of the Proposed Development, will be glazed, out of 10,347 square feet of street wall. Thus, 70.04% of the street wall will be glazed. The floor levels behind such transparent materials will not exceed the level of the window sill for a depth of at least four feet, measured perpendicular to the street wall.

- (i) *For #zoning lots# within flood hazard areas, in lieu of the requirements of paragraph (b)(4)(i) of this Section, the provisions of Section 64-22 (Transparency Requirements) shall apply; and*

Not applicable.

- (iii) *For any #street wall# widths greater than 40 feet in length that do not require glazing as specified in paragraphs (b)(4)(i) or (b)(4)(ii), as applicable, the facade, measured between a height of two feet above the level of the adjoining sidewalk and a height of 12 feet above the level of the first finished floor above #curb level#, shall incorporate design elements, including lighting and wall art, or physical articulation.*

Below the level of the first story ceiling, the portions of the Proposed Development's façade that do not require glazing will include design elements. One design element will be lighting fixtures, integrated into both the building envelope and the hardscape and landscape, to provide a comfortable and safe environment at all hours of the day.

- (5) *Public Plazas.*

A #public plaza# shall contain an area of not less than 12 percent of the #lot area# of the #zoning lot# and minimum of at least 2,000 square feet in area. All #public plazas# shall comply with the provisions set forth in Section 37-70, inclusive, except certification requirements of Sections 37-73 (Kiosks and Open Air Cafes) and 37-78 (Compliance) shall not apply.

Two plazas for public use will be located on opposite corners of the Development Site, at grade. On the eastern side of the Development Site, a 7,200 square foot landscaped public plaza would be located on the northwest corner of Wythe Avenue and North 12th Street (the “Wythe Plaza”). The Wythe Plaza will have 60 feet of frontage on North 12th Street and 120 feet of frontage on Wythe Avenue. On the western side of the Development Site, a 7,200 square foot landscaped public plaza would be located on the southeast corner of Kent Avenue and North 13th Street (the “Kent Plaza”). The Kent Plaza will have 60 feet of frontage on North 13th Street and 120 feet of frontage on Kent Avenue. Together, the plazas will comprise 14,400 square feet, which is equivalent to approximately 18% of area of the 80,000 square foot Development Site.

The public plazas will comply with the public plaza requirements in ZR §74-96(b)(5), section, with a number of exceptions, including, but not limited to, the ZR §37-76(b) requirement that there be no greater than 10 feet of distance between the public plazas and the main building entrance, the ZR §37-713 prohibition on location of public plazas within 175 feet of a public park (with regard to the Kent Plaza), and the requirement that the open area adjacent to the Wythe Plaza be either separated by a buffer or meet the requirements for a minor portion of a plaza, per ZR §37-712.

The public plazas have been designed to serve as the gateways to the Proposed Development, and, together with the publicly accessible pedestrian corridor linking them together, to provide a superior pedestrian experience that serves as the “inland connection” between existing and proposed public improvements located more closely to the Greenpoint and Williamsburg waterfronts. Proposed to be constructed of materials harmonious with the existing streetscape and building stock, and containing amenities such as benches, moveable seating, landscaped planters, and open air cafés, the public plazas will help draw neighborhood foot traffic from inland areas of Greenpoint and Williamsburg toward the East River, whether to visit the building on its own, or continue on toward public improvements located on the waterfront. In either case, the plazas have been designed to draw pedestrians and visitors to the building into the publicly-accessible pedestrian corridor to access the building’s two main entrances, each located approximately 80 feet 10 inches from the boundary of the nearest public plaza. Although the publicly accessible pedestrian corridor is not included within the defined boundaries of the Kent Plaza and the Wythe Plaza, it has been designed together with the public plazas as a singular, cohesive public space and pedestrian experience. The public improvements located on the waterfront include Bushwick Inlet Park, located within 175 feet of the Kent Plaza west of Kent Avenue between North 11th Street and North 12th Street, and a planned shorefront public walkway located adjacent to Bushwick Inlet Park at the shoreline. This shorefront public walkway is an element of the Greenpoint-Williamsburg Waterfront Access Plan, and once built will connect the shorefronts of north Greenpoint with that of Williamsburg proper and all points in between.

The plazas have been designed to enhance the connectivity of these existing and proposed public spaces – from inland areas of Williamsburg and Greenpoint, along the existing street network toward the Wythe Plaza, through the publicly accessible pedestrian corridor to the Kent Plaza, and finally across Kent Avenue to access Bushwick Inlet Park and the shorefront pedestrian walkway beyond. Therefore, the public plazas of the Proposed Development were designed to serve as links in a chain of publicly accessible open spaces.

The plazas will provide all amenities required for public plazas under the Zoning Resolution. The Kent Plaza will provide 379 square feet of benches and seat walls, 388 square feet of moveable

seating, a 462 square foot open air café, 10 square feet of trash receptacles, 6 square feet of drinking fountains, and 1,573 square feet of plantings. The open air café in the Kent Plaza will be located adjacent to the western-facing façade of the building and will contain 21 tables and 42 seats. In total, permitted obstructions in the Kent Plaza will total 2,848 square feet, or 39% of the total plaza space, which complies with the requirement that not more than 50% of the area may be occupied by permitted obstructions.

The Wythe Plaza will provide 342 square feet of benches and seat walls, 380 square feet of moveable seating, a 255 square foot open air café, 10 square feet of trash receptacles, 6 square feet of drinking fountains, and 1,569 square feet of plantings. The open air café in the Wythe Plaza will be located adjacent to the eastern-facing façade of the building and will contain 12 tables and 24 seats. In total, permitted obstructions in the Wythe Plaza will total 2,604 square feet, or 36% of the total plaza space, in compliance with the requirement that no more than 50% of the plaza area be occupied by permitted obstructions.

(6) *Signs.*

In all Enhanced Business Areas #signs# are subject to the regulations applicable in C6-4 Districts as set forth in Section 32-60, inclusive.

All signage at the Proposed Development will comply with the signage regulations applicable in C6-4 districts.

Statement of Findings
ZR §74-962
Special Permit to Increase Floor Area
in Enhanced Business Areas
25 Kent Avenue
Block 2282, Lot 1
Borough of Brooklyn

(c) Findings

In order to grant an increase of the maximum permitted #floor area ratio# and modification of #public plaza# regulations, the Commission shall find that such increase or modification:

- (1) will promote a beneficial mix of #business-enhancing# and #incentive uses#;*

The Special Permit will facilitate the redevelopment of the Development Site with the Proposed Development: an eight-story, 380,097 square foot (4.75 FAR) commercial, manufacturing, and retail building. Specifically, the Proposed Development includes approximately:

- 159,848 square feet of floor area devoted to uses permitted in the underlying M1-2 zoning district; (“Permitted Uses”);
- 63,714 square feet of floor area devoted to Business Enhancing Uses;
- 156,535 square feet of floor area devoted to Incentive Uses.

Thus, the Proposed Development will contain approximately 2.0 FAR of Permitted Uses, 1.95 FAR of Incentive Uses, and 0.8 FAR of Business Enhancing Uses. The incorporation of space set aside for businesses producing physical products will maintain the area’s character, which has evolved over the century but has always provided space to makers and producers. The inclusion of Incentive Uses will increase the job creation capacity of the Proposed Development, while limiting uses that detract from the business and manufacturing character of the neighborhood and impede future business and manufacturing growth. Therefore, certain uses, including hospitality, nightlife, and storage uses would not be permitted as Incentive Uses within the Project Area.

The additional 0.8 FAR devoted to Business Enhancing Uses will allow small manufacturers and production firms to locate within the Greenpoint-Williamsburg IBZ in a new building that is designed to foster a dynamic and creative environment conducive to growing businesses.

The Proposed Development has been specifically designed with both creative technology and manufacturing firms in mind. Large, open floor plates with flexible partitions and 16 foot floor to ceiling heights encourage firms engaged in research, development, production, and manufacturing to work collaboratively and exchange human resource capital. Tall floor to ceiling heights help accommodate the technology needed by modern light manufacturing tenants, and allows for flexibility in the installation (and replacement) of specialty mechanical systems that are needed for modern manufacturing and technology firms. Flex partitions allow firms to grow in place, and help keep expanding firms in the Proposed Development.

- (2) *will result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;*

Grant of a floor area increase for Incentive Use and public plaza modifications will allow construction of the Proposed Development, which will complement and improve the streetscape of the Project Area. The Proposed Development will provide a superior site plan that includes plazas and a pedestrian corridor for the benefit of the general public, and will contain wide floor plates that are more accommodating to creative technology and manufacturing firms than standard sized floors. The site has been carefully planned to provide a rich layer of publicly accessible outdoor spaces activated by retail & building amenity programs, and an optimum footprint to accommodate the building's uses.

The Proposed Development will be a distinctively modern architectural contribution to north Williamsburg that respects and enforces the existing architectural and historical context of surrounding buildings. The massing of the Proposed Development borrows the boxy, pragmatic massings of the surrounding one- and two-story warehouse buildings in much of the Project Area. However, the unique step-pyramid stacking of the Proposed Development's floors will be a departure from these generally utilitarian structures.

In addition to the step-pyramid stacking of its floors, the northern and southern halves of the Proposed Development are off-set from each other by 60 feet on each side in order to accommodate public plazas. The result of the off-set is that a portion of the street wall on both Wythe Avenue and Kent Avenue is located at the street line and rises without setback to the maximum building height of 134 feet. Within the public plazas, the remainder of the street walls along Wythe Avenue and Kent Avenue also rise without setback to the maximum building height of 134 feet. These sheer building walls are visually striking, though counterbalanced by the adjacent and generously proportioned public plazas and pedestrian corridor.

The public plazas and pedestrian corridor linking them give the full square block a high level of porosity and transparency. The two public plazas created by the building off-set will each be 7,200 square feet in area, totaling 14,400 square feet. The Wythe Plaza will be located on the northwest corner of Wythe Avenue and North 12th Street, and the Kent Plaza will be located on the southeast corner of Kent Avenue and North 13th Street. The plazas will be connected by a 40 foot wide, publicly-accessible covered pedestrian walkway running through and underneath the Proposed Development. Two additional entranceways – one on the north side of North 12th Street, the other on the south side of North 13th Street – will be located approximately midway between Wythe and Kent Avenues to provide access to the publicly-accessible covered pedestrian walkways. Ground floor retail will front on North 12th and North 13th Street, and on the covered interior of the walkway. All publicly accessible outdoor spaces at grade have clear sightlines, and are lined with glazed retail frontage. The plazas, activated sidewalks, and the partially covered pedestrian walkway will encourage employees, patrons, visitors, and the general public to engage at street level, improving the pedestrian experience and helping transition the Project Area into a more active commercial community.

The applicant proposes to use brick, metal, and glazing, a mix of traditional and modern materials, for the construction of the Proposed Development and the public plazas, which will evoke the manufacturing character of the neighborhood while signaling commitment to its creative future.

The transparent retail facades at the ground floor will connect the pedestrian experience to the retail inside, thereby activating a streetscape that has, for many years, been devoid of activity. Additionally, the building setbacks will double as outdoor terraces for use by the building's tenants, which is an ideal way to provide light and air to both pedestrians and building occupants. Various levels of outdoor lighting are integrated with the building envelope, and within the hardscape and landscape, to provide a comfortable and safe environment at all hours of the day.

- (3) *will result in a #building# that has a better design relationship with surrounding #streets# and adjacent open areas;*

The grant of the floor area increase for Incentive Uses will allow construction of a building that has a better design relationship to the surrounding streets and adjacent open areas. The site plan provides a generous amount of open and publicly accessible space, in the form of two public plazas and a pedestrian corridor.

The design of the Proposed Development is intended to contribute to a vibrant public space, to complement and build on the street grid, and to link the street grid to the planned public park and shorefront public walkway across Kent Avenue. While the footprint of the building provides street wall continuity on North 12th & North 13th streets, it is articulated on Wythe & Kent avenues with publicly accessible plazas designed to also allow outdoor seating for the ground floor retailers. The proposed materials for the building envelope - brick, metal and glazing - were chosen to relate to the industrial heritage of the neighborhood. The design of the building captures the character of Brooklyn, and the neighborhood's industrial heritage, with massing and materiality, all the while addressing contemporary trends in workspace layouts and design suitable for growing, cutting-edge companies.

The pedestrian corridor improves the pedestrian experience by providing a physical and visual connection between Wythe Avenue, Bushwick Inlet Park, and the Manhattan skyline beyond. Approximately 180 linear feet per blockfront will be provided to access the pedestrian corridor and plazas, which greatly increases the connectivity of the Development Site to the street. Retail will be provided not only along the sidewalk, but also through the heart of the block, opening the building up to the neighborhood. The public plazas, and the pedestrian corridor linking them, will help draw foot traffic from the Project Area to and from Bushwick Inlet Park and its neighboring waterfront promenades.

Additionally, the 15-foot-wide sidewalks of the Proposed Development, and new street trees and landscaped public plazas, will significantly improve the surrounding streetscape. Indeed, at present there are no public sidewalks on North 13th Street adjacent to the Development Site.

- (4) *will result in a #development# or #enlargement# that will not have an adverse effect on the surrounding neighborhood; and*

The Proposed Development will not have an adverse effect on the surrounding neighborhood, but rather will benefit the surrounding neighborhood by providing much needed office and manufacturing space. This space will bring jobs within walking distance of much of northside Williamsburg and south Greenpoint, helping to preserve the Greenpoint-Williamsburg IBZ as a place for active commercial and manufacturing activity.

The scale of the Proposed Development is within context of the underlying M1-2 district and the surrounding neighborhood. As stated in the Description of Proposal, an 11-story community facility building containing approximately 383,000 square feet of floor area and rising to 157 feet above curb level has been approved for as-of-right construction at the Development Site by the New York City Department of Buildings. Such a bulk is consistent with the underlying M1-2 district. Taking advantage of the Special Permit limits the height of buildings to 110 feet unless a public plaza is provided, in which case a height of 135 feet is permitted. The Proposed Development extends to 134 feet in height by providing not only one, but two public plazas.

The Proposed Development is consistent with a number of new buildings in the surrounding neighborhood just south of the Development Site, including the Wythe Hotel at 78 Wythe Avenue, which rises to 124 feet in height, the Hoxton Hotel at 97 Wythe Avenue, which is currently under construction and will rise to 96 feet in height, and an eight-story hotel under construction at 96 Wythe Avenue. Directly across the street from the Proposed Development, at 55 Wythe Avenue, a 21-story hotel, retail, and office complex rising to an as-of-right height of 250 feet is currently under construction. The Proposed Development is over 100 feet shorter than that new building, and will have wider floor plates and a form that more closely reflects the manufacturing character of the surrounding area.

(5) any modification of the #public plaza# requirements will result in a #public plaza# of equivalent or greater value as a public amenity.

The plazas are designed to be inviting, activated public open spaces with a high level of porosity, encouraging fluid movement from Wythe to Kent Avenue via the pedestrian corridor, also known as the “North 12 ½ Street” pedestrian way. The plazas are anticipated to be populated with a canopy of birch trees, and a layer of understory planting zones, formed by the desired paths of travel. The planting zones are interwoven with fixed and movable seating elements, which provide ample shaded social seating opportunities. The retail frontages on the plazas, as well as the pedestrian corridor, are envisioned to include outdoor cafés, which will further activate the public spaces and encourage the public to pass through the pedestrian corridor in route to the park, the proposed shorefront public walkways along the waterfront, and other destinations in the neighborhood.

The plazas will comply with the public plaza requirements of condition (b)(5) of ZR §74-96, although a number of waivers are required to accommodate the design of the plazas, including, but not limited to, waivers regarding distance between the public plaza and main building entrance, limitation on location of public plazas within 175 feet of existing public parks, and a requirement that open areas adjacent to the plazas either be separated from the plazas by a buffer, or meet the requirements for a minor portion of a plaza.

The location of the public entrance away from the plazas enhances their value as a public amenity. Although not defined as part of either public plaza, the publicly-accessible pedestrian corridor has been designed together with the public plazas as a singular, cohesive public space and pedestrian experience. Visitors and pedestrians will be drawn through the public plazas, into the pedestrian corridor, to reach the building entrances. Building entrances will also be accessible from North 12th and North 13th Street. Moreover, the plazas will still be connected to the building through ground floor retail entrances, which open directly onto the plazas, as well as onto the publicly-accessible

pedestrian corridor. A significant portion of the ground floor façade facing the plazas is proposed to be transparent, so the plazas will be visible from the retail spaces, and the retail spaces will be visible from the plazas. This linkage creates a “front porch” dynamic between the plazas and the ground floor of the building. Finally, location of the plazas adjacent to open areas and the pedestrian passageway will contribute to a linkage of the plazas, pedestrian passageway, and the waterfront park and promenade beyond. As previously stated, the plazas are intended, and have been designed to contribute to a chain of open space leading pedestrians from Wythe Avenue to the existing and proposed public amenities located on the waterfront: Bushwick Inlet Park and the shorefront public walkway of the Greenpoint-Williamsburg Waterfront Access Plan.

The Kent Avenue Plaza contains 7,200 square feet and the Wythe Avenue Plaza contains 7,200 square feet, for a total of 14,400 square feet of public plaza at the Proposed Development. The public plazas will provide benches, seat walls, movable seating, trash receptacles, drinking fountains, and plantings, and two open air cafes (one per plaza). The permitted obstructions will not exceed 34% of the area within the Kent Plaza, and 32% of the area of the Wythe Plaza. The plantings and trees will be arranged in triangular segments, with benches arranged surrounding the plantings, bordering the triangular shape. The open air cafes will each be located adjacent to a building wall within the plazas. The public plazas will serve as a social hub and communal space for tenants, neighbors, and visitors to the Proposed Development and waterfront area, and provide a public amenity in a manufacturing district where landscaped public plazas accessible to the public are not required to be provided.

* * *

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**Statement of Findings
ZR §74-963 Special Permit to Modify
Parking and Loading Requirements
in Enhanced Business Areas
25 Kent Avenue
Block 2282, Lot 1
Borough of Brooklyn**

74-963

Parking and loading modifications in Enhanced Business Areas

In association with an application for a special permit for #developments# or #enlargements# pursuant to Section 74-962 (Floor area increase and public plaza modifications in Enhanced Business Areas), the Commission may reduce or waive the off-street parking requirements set forth in Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES), inclusive, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (GENERAL PURPOSES), inclusive, provided that the Commission finds that:

- (a) *such reduction or waiver will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;*

The Proposed Development, which will contain 275 attended off-street accessory parking spaces and three loading berths, will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement. 275 attended accessory off-street parking spaces, while fewer than the maximum 1,267 spaces required under as-of-right M1-2 district regulations, will be sufficient to handle parking demand generated by the Proposed Development. The 275 spaces will be located in an attended parking facility in the cellar of the Proposed Development, accessed from North 13th Street. Additionally, 150 bicycle parking spaces will be provided in the cellar initially, although only 38 spaces are required. Up to 300 bicycle parking spaces can be accommodated should demand require them.

The Proposed Development will provide for the parking demand generated by its uses, and will therefore not compete for the available parking within the surrounding neighborhood. It is anticipated that typical tenants will be companies in the technology, media and creative industries, consistent with existing trends in the surrounding area, as well as small scale manufacturers. A Parking Demand Forecast prepared by Philip Habib & Associates (attached) for this application estimates that the Proposed Development will generate a peak parking accumulation of 230 vehicles during the peak hour of 10 to 11 am on weekdays, when peak office and light industrial parking demand are expected to overlap. The peak parking utilization rate would be 84% of the proposed 275 accessory parking spaces and will readily accommodate the anticipated parking demand.

In making the estimations described above, the Parking Demand Forecast predicts the hourly weekday parking accumulation, broken down by demand generated by neighborhood retail, office employees, office visitors, and light manufacturing. Anticipated demand was based on temporal distribution rates from recently approved environmental review documents and traffic studies,

including local retail assumptions based on the CEQR Technical Manual and the 2013 Domino Sugar Project Technical Memorandum. Surveys of employees in Dumbo from 2012 were used to develop modal splits and vehicle occupancy rates for office employees, and reverse journey-to-work data was used for the light manufacturing uses.

Further, the estimated employee and visitor population traveling to the Proposed Development will utilize alternate forms of transportation, such as bicycling, walking, buses, and the subway. Typical office tenants would be companies in the technology and creative media industries, and typical light manufacturing tenants would be small scale manufacturers, such as furniture, jewelry, or food manufacturers, consistent with trends in the surrounding area. These employees are less likely to use automobiles and taxis. The EAS projects that 61.7% of office employees, and 43% of light manufacturing employees, will utilize the subway for trips to the Proposed Development in the AM and PM, 23.3% of office employees, and 23.9% of light manufacturing employees, will walk, take the ferry, or bike to the Proposed Development in the AM and PM. Only 11.9% of office employees, and 30% of light manufacturing employees, would use automobiles in the AM and PM. Finally, 80% of trips to and from the local retail would be walking, by ferry, or by bicycle. Ample bicycle parking will be provided for employees and visitors who choose to travel by bicycle.

A lower number of off-street parking spaces will not contribute to serious traffic congestion in the area. It is anticipated that most employees and visitors will be traveling from locations within the inner ring of central Brooklyn and western Queens, and from Manhattan. Thus, public transit and bicycle will be the preferred means of transportation for most travelers to the Proposed Development. Automobiles will remain a preferred mode of transportation for persons traveling long distances to the Proposed Development, but demand among that population is not expected to exceed 275 spaces.

The Proposed Development will result in fewer trips than an as-of-right community facility development would generate. In the weekday morning, midday, and evening, as well as Saturday peak hours, there will be a net decrease in person-trips, compared with a reasonable worst case as-of-right development scenario. The number of trips generated by office and manufacturing tenants, which will be the primary uses in the Proposed Development, is fewer than the number of trips generated by certain as-of-right community facility uses. The Parking Demand Forecast filed in connection with this application contains a detailed analysis of the person-trips generated by the Proposed Development.

(b) the number of curb cuts provided are the minimum required for adequate access to off-street parking and loading berths, and such curb cuts are located so as to cause minimum disruption to traffic, including vehicular, bicycle and pedestrian circulation patterns;

The Proposed Development will be constructed with two curb cuts on North 13th Street, one for the three loading berths, and one for the parking entrance. The curb cut for the loading entrance will be 44 feet in width and will be located 123 feet, six inches from Kent Avenue. The curb cut for the parking entrance will be 22 feet in width and will be located 168 feet from Wythe Avenue. The curb cut for the loading berths, which is approximately 100 feet narrower than that which would be needed to serve 10 required loading berths, is the minimum necessary to provide access to the three loading berths, and the 22-foot-wide curb cut is the minimum necessary to provide access to the parking garage in the cellar. The curb cuts' location on North 13th Street will cause less disruption

than if they were located on any of the other streets surrounding the Proposed Development. Kent Avenue and Wythe Avenue are heavily-trafficked through-streets that provide access to points north and south of the surrounding neighborhood, and location of the berths on those frontages would interfere with pedestrian enjoyment of the public plazas. Moreover, the Proposed Development's frontage on Wythe Avenue and Kent Avenue is half that of the side streets it fronts upon. Therefore, locating a curb cut along these avenues would not only disrupt more traffic, but would detract from the pedestrian experience.

Locating the loading berths near the center of the building on the North 13th Street frontage is preferable over locating them on the North 12th Street frontage. North 13th Street has two lanes of traffic going in both directions, as opposed to North 12th Street, which contains only a single lane running east. If the berths were on North 12th Street, trucks backing into the berth could completely halt traffic. Trucks backing in or idling on North 13th Street would likely leave at least one lane open so traffic could pass around the truck. Additionally, at present, North 12th Street is closer to a number of existing, compatible commercial uses in the surrounding neighborhood, including a popular brewery, bowling alley, and eating and drinking establishments. The Proposed Development has been designed to include a number of ground floor retail locations along North 12th Street, which will contribute to the existing ground-floor commercial agglomeration. Locating a curb cut along North 12th Street would detract from the effort to provide a vibrant streetscape on the most active commercial street fronting the Proposed Development.

(c) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic; and

The streets surrounding the Proposed Development should be adequate to handle the anticipated traffic generated by the Proposed Development. The streets surrounding it are part of a regularly shaped dense grid network through which traffic can easily disperse. Additionally, the peak parking demand is anticipated to be 200 vehicles in any single hour, which would represent only a 73% utilization rate of the 275 spaces in the garage, so there is not anticipated to be a backup or spillover of vehicular traffic onto the street grid. Fourteen reservoir spaces will be provided at the entrance to the garage. It is anticipated that a majority of occupants and visitors to the Proposed Development will either walk, bike, or use public transit, such as the MTA subway, MTA buses, and the East River ferry.

Vehicle trips are expected to peak in the AM. Uses in the surrounding neighborhood do not experience peak traffic generation at the same time. In close proximity to the Proposed Development are a number of hospitality and entertainment uses that generate peak traffic demand at night and on weekends. The Proposed Development contains commercial and manufacturing uses that will experience peak traffic during weekday hours, so the peak traffic for the Proposed Development will not compound the traffic generated by other uses surrounding the Proposed Development.

The roadway network surrounding the Development Site is a regular local street grid containing predominantly one-way streets typically sixty feet in width. The density and consistency of the grid provide adequate access for any traffic generated by the Proposed Development. North 12th Street is a sixty-foot-wide, one way single lane street running west, with two lanes of parking. North 13th Street is a sixty-foot wide, two-way, two lane street, without curbside parking, which ends at Kent

Avenue, across from which is land owned by the City of New York and proposed to be part of Bushwick Inlet Park. Kent Avenue, which is a sixty-foot wide, one way, one-lane street running north, with one lane of parking, and a two-way bicycle lane, bounds the Development Site to the west. Wythe Avenue, a sixty-foot wide, single lane street running south with two lanes of parking and a south-running bike lane, bounds the Development Site to the east.

Additionally, the Development Site is close to subway, bus and bike transit options, providing the primary means of transportation for project-generated employees and patrons. The Bedford Avenue subway stop on the L Train line is seven blocks away, and the Nassau Avenue subway stop on the G Train line is seven and one-half blocks away. There are bike lanes running along Wythe Avenue and Kent Avenue, connecting Williamsburg and Greenpoint with greater Brooklyn via the Brooklyn Greenway, located along the waterfront. The B32 bus, running between Long Island City and the Williamsburg Bridge, runs north on Kent Avenue and south on Wythe Avenue, and the B62 bus, running between Queens Plaza and Downtown Brooklyn, runs north on Bedford Avenue and south on Driggs Avenue.

- (d) *the reduction or waiver of loading berths will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.*

The applicant is proposing to provide three off-street loading berths for the Proposed Development, which is less than the ten berths that would be required pursuant to ZR §§44-52 and 44-54. The reduction in the required number of loading berths provided in the Proposed Development will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement. The applicant does not anticipate a demand for more than three loading berths in the Proposed Development, and the street grid surrounding the Development Site is sufficient to handle any additional traffic generated by loading and unloading at the Proposed Development. The requirement for 10 loading berths stems from ZR §44-54, a provision of the Zoning Resolution which requires, for mixed manufacturing and office buildings, 50% of the floor area in the building to be subject to a more onerous loading requirement appropriate for manufacturing uses.

The applicant does not anticipate that the office, retail and manufacturing tenants of the Proposed Development will require more than three loading berths.

The local retail uses anticipated for the Proposed Development will generate very little traditional off-street loading demand, if any. The individual retail spaces of the Proposed Development will each contain less than 8,000 square feet of floor area, and therefore each would not require a loading berth were they developed as individual zoning lots pursuant to ZR §44-52. Retail spaces of this size are typically served by curbside loading in close proximity to the individual retail space being served, due to the infrequent and typically smaller shipments of goods they receive. It is anticipated that curbside deliveries would be scheduled during off-peak hours so as not to interfere with peak work travel and shopping times, and to avoid peak traffic periods. Most likely, retail uses in the Proposed Development will receive shipments during the late evening and pre-dawn hours. Office uses will generally receive shipments in the late morning and afternoon.

Business Enhancing Uses on the second and third stories of the Proposed Development may require the berths for loading and unloading of raw materials, equipment, and finished products. It

is anticipated that three berths should adequately serve the proposed Business Enhancing Uses. It is anticipated that manufacturing uses will primarily receive shipments after dawn and throughout the morning.

Truck deliveries are anticipated to peak in the afternoon, at 7 deliveries. These 7 deliveries are anticipated to be staggered over the course of the afternoon, with a typical stay in a loading berth being less than thirty minutes. Staggering of loading activities will ensure that each use may load and unload without creating or contributing to traffic congestion or inhibiting vehicular and pedestrian movement.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

DRAWING CERTIFICATION NOTE
 APPLICANT'S STAMP AND SEAL
 MUST BE SUBMITTED WITH THIS
 DRAWING. INFORMATION REGARDING THE
 DEVELOPMENT SITE, ZONING,
 LOT AND RELATED CURB CUTS
 INFORMATION REGARDING THE
 DEVELOPMENT SITE, ZONING,
 LOT AND RELATED CURB CUTS
 FOR ILLUSTRATIVE PURPOSES
 ONLY

19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012428K
 16012428K

Genster
 18 West 10th Street
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 Phone: 212 201 1200
 Fax: 212 201 1208
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Cosentini Associates
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 New York, NY 10011
 Phone: 212 201 1200
 Fax: 212 201 1208
 Email: info@cosentini.com

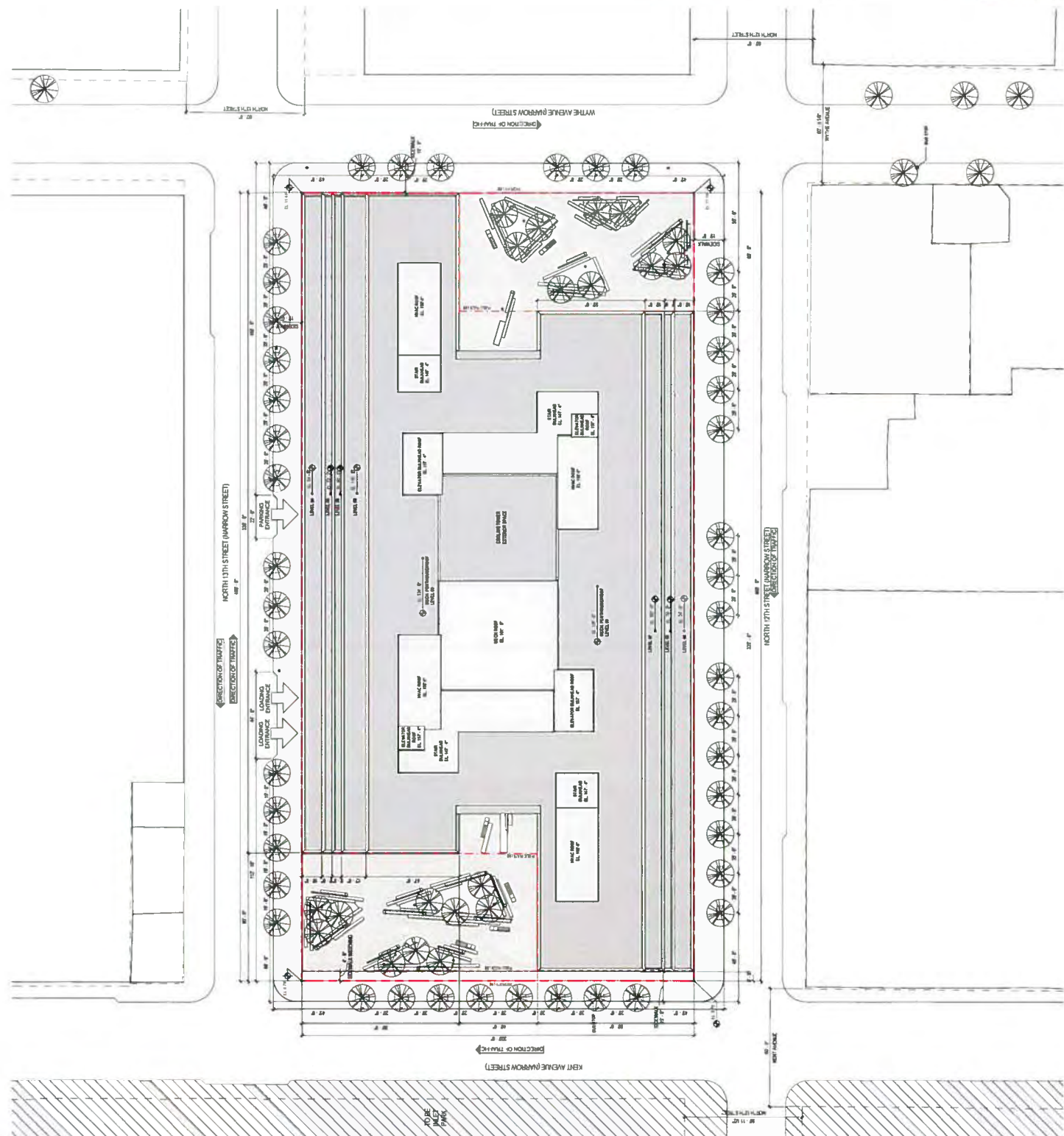
Philip Habib & Associates
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 Fax: 212 201 1208
 Email: info@constructionconsulting.com

MPPP
 18 West 10th Street
 New York, NY 10011
 Phone: 212 201 1200
 Fax: 212 201 1208
 Email: info@mppp.com

No.	Description	By	Date
1	DESIGN DEVELOPMENT	GENSTER	08/11/11
2	DESIGN DEVELOPMENT	GENSTER	08/11/11
3	DESIGN DEVELOPMENT	GENSTER	08/11/11
4	DESIGN DEVELOPMENT	GENSTER	08/11/11
5	DESIGN DEVELOPMENT	GENSTER	08/11/11
6	DESIGN DEVELOPMENT	GENSTER	08/11/11
7	DESIGN DEVELOPMENT	GENSTER	08/11/11
8	DESIGN DEVELOPMENT	GENSTER	08/11/11
9	DESIGN DEVELOPMENT	GENSTER	08/11/11
10	DESIGN DEVELOPMENT	GENSTER	08/11/11



LEGEND

- ZONING LOT LINE
- DEVELOPMENT SITE
- PUBLIC PLAZA
- SIDEWALK WIDENING LINE



GENERAL NOTES

1. BASE PLANE / CURB LEVEL (0'-0") IS SET BY AVERAGE CURB TO 2'-002 FOR CALCULATION.
2. ALL SPOT ELEVATIONS SHOWN REFER TO NAVD-83.
3. STANDARD TREE PT DIMENSION 5'-0" x 12'-0"
4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATION THE PURPOSES ONLY

KEY PLAN



Z-001

19 KENT ACQUISITION LLC
 35 KENT AVENUE, WILLIAMSBURG, BROOKLYN, NY 11201
 Block: 2282
 Lot: 1

Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012428K
 Address: 25 Kent Avenue,
 Williamsburg, Brooklyn, NY
 Zoning District: M1-2
 Lot Area: 60,000 SQ FT
 Community District: 1
 Boundary Streets: North 13th
 Street, North 12 Street,
 Wythe Avenue, Kent Avenue

Gensler
 100 Church Street
 New York, NY 10038
 Phone: 212 512 2000
 Fax: 212 512 1172

DESIMONE
 18 West 19th Street
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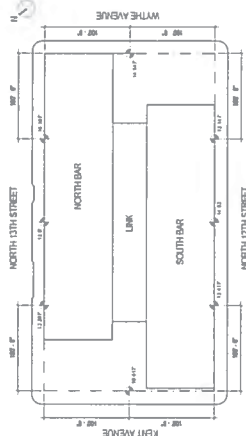
Project Number: 16012428K
 Date: 01/2016

SITE DATA

Borough: BROOKLYN
 Block: 2282
 Address: 25 Kent Avenue, Williamsburg, Brooklyn, NY
 Zoning District: M1-2
 Lot Area: 60,000 SQ FT
 Boundary Streets: North 12th Street, North 13th Street, Wythe Avenue, Kent Avenue

AREA CHART

USE	GFA	DEDUCTIONS	ZFA	FAR
CELLAR LEVEL 1	60,000 SF	0 SF	0 SF	0.00
PARKING/TENANT AMENITY	60,000 SF	0 SF	0 SF	0.00
LEVEL 01				
PERMITTED USES	61,966 SF	3,392 SF	58,564 SF	0.73
INCENTIVE USES	61,966 SF	3,392 SF	58,564 SF	0.73
LEVEL 02				
ENHANCED BUSINESS AREA	23,443 SF	3,178 SF	20,265 SF	0.25
REQUIRED USES	23,449 SF	3,195 SF	20,254 SF	0.25
INCENTIVE USES	46,892 SF	6,373 SF	40,519 SF	0.51
LEVEL 03				
ENHANCED BUSINESS AREA	48,024 SF	2,575 SF	43,449 SF	0.54
REQUIRED USES	48,024 SF	2,575 SF	43,449 SF	0.54
INCENTIVE USES	12,173 SF	278 SF	11,895 SF	0.15
LEVEL 04				
INCENTIVE USES	52,353 SF	2,523 SF	49,830 SF	0.62
LEVEL 05				
INCENTIVE USES	48,969 SF	2,523 SF	46,443 SF	0.58
LEVEL 06				
INCENTIVE USES	28,960 SF	1,680 SF	26,111 SF	0.35
PERMITTED USES	19,292 SF	1,480 SF	17,801 SF	0.22
INCENTIVE USES	48,292 SF	2,350 SF	43,912 SF	0.57
LEVEL 07				
PERMITTED USES	45,540 SF	2,523 SF	43,017 SF	0.54
LEVEL 08				
PERMITTED USES	42,990 SF	2,523 SF	40,467 SF	0.51
PERMITTED USES	42,990 SF	2,523 SF	40,467 SF	0.51
Grand total	485,156 SF	25,059 SF	390,097 SF	4.75



Corner	Setback	Area
North 12th Street / Kent Avenue	11.52'	11,527 SQ FT
North 13th Street / Kent Avenue	11.52'	11,527 SQ FT
North 12th Street / Wythe Avenue	11.52'	11,527 SQ FT
North 13th Street / Wythe Avenue	11.52'	11,527 SQ FT
North 12th Street / Kent Avenue	11.52'	11,527 SQ FT
North 13th Street / Kent Avenue	11.52'	11,527 SQ FT
North 12th Street / Wythe Avenue	11.52'	11,527 SQ FT
North 13th Street / Wythe Avenue	11.52'	11,527 SQ FT
North 12th Street / Kent Avenue	11.52'	11,527 SQ FT
North 13th Street / Kent Avenue	11.52'	11,527 SQ FT
North 12th Street / Wythe Avenue	11.52'	11,527 SQ FT
North 13th Street / Wythe Avenue	11.52'	11,527 SQ FT

ZR	ITEM DESCRIPTION	PERMITTED/REQUIRED BY UNDERLYING ZONING DISTRICT	PROPOSED	COMMENTS
4-00	USE REGULATIONS PER REGULATIONS	USE GROUPS 4-14, 18 & 17 (PERMITTED USES)	PERMITTED USES BUSINESS ENHANCING USES (AS DEFINED IN § 24-68) INCENTIVE USES (AS DEFINED IN § 24-68)	COMPLEXES COMPLEXES COMPLEXES
4-12 4-12Z	FAR	MAX FAR 20 45	FAR 20 18' 0' 475'	COMPLEXES SPECIAL PERMIT PER ZR § 24-68 REQUIRED SPECIAL PERMIT PER ZR § 24-68 REQUIRED SPECIAL PERMIT PER ZR § 24-68 REQUIRED
4-12 4-12Z	FLOOR AREA	MAX FLOOR AREA 180,000 SF 304,000 SF	FLOOR AREA 151,848 SF 83,714 SF 158,035 SF 304,000 SF	COMPLEXES SPECIAL PERMIT PER ZR § 24-68 REQUIRED SPECIAL PERMIT PER ZR § 24-68 REQUIRED SPECIAL PERMIT PER ZR § 24-68 REQUIRED
4-20 4-20Z	TREE REQUIREMENTS	NO TREES W/IN PROPOSED NO REAR YARD PROVIDED	NO TREES W/IN PROPOSED NO REAR YARD PROVIDED	COMPLEXES
4-20 4-20Z	HEIGHT & SETBACK	STAIRWAY HEIGHT & SETBACK INITIAL SETBACK DISTANCE SAY EXPOSURE PLANE HEIGHT, SETBACK, AND STREET WALL CONDITIONS OF ZR § 24-68 SPECIAL PERMIT	N/A N/A N/A 55 FEET 15 FEET 47% OF KENT AVENUE AND WYTHE AVENUE STREET WALLS (SHORT ENDS OF BLOCK) RISE WITHOUT SETBACK 134 FEET (PUBLIC PLAZA PROVIDED)	COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT
4-20 4-20Z	HEIGHT & SETBACK	MINIMUM BASE HEIGHT MAXIMUM BASE HEIGHT REQUIRED SETBACK ABOVE BASE HEIGHT MAXIMUM BUILDING HEIGHT	75 FEET 15 FEET (NARROW STREET) 15 FEET (WIDE STREET) 110 FEET (157 FEET WITH PUBLIC PLAZA)	COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT COMPLEXES WITH CONDITION OF § 24-68 SPECIAL PERMIT
4-21	OFF-STREET PARKING	PERMITTED USES 1 PER 200 SF BUSINESS ENHANCING USES 1 PER 200 SF INCENTIVE USES 1 PER 200 SF	75 SPACES 159 SPACES 75 SPACES	COMPLEXES COMPLEXES COMPLEXES
4-40	BICYCLE PARKING	1 PER 10,000 SF	380 BICYCLE SPACES	COMPLEXES
4-42 4-44	OFF-STREET LOADING	BUILDINGS WITH BOTH MANUFACTURING (BUSINESS ENHANCING) FLOOR AREA AND COMMERCIAL (PERMITTED/INCENTIVE) FLOOR AREA, 5% OF MANUFACTURING FLOOR AREA SUBJECT TO LOADING BERTH REQUIREMENT FOR MANUFACTURING USE 5 LOADING BERTHS REQUIRED FOR BETWEEN 148,001 SQ. FT. AND 220,000 SQ. FT. OF MANUFACTURING FLOOR AREA REMAINING FLOOR AREA SUBJECT TO MOST ONERIOUS LOADING BERTH REQUIREMENT 5 LOADING BERTHS REQUIRED FOR BETWEEN 120,001 AND 200,000 SQUARE FEET OF COMMERCIAL FLOOR AREA	3 LOADING BERTHS PROVIDED 44 TREES PROVIDED	COMPLEXES COMPLEXES COMPLEXES COMPLEXES
28-41	STREET TREES	1 TREE PER 20 LINEAR FEET OF STREET FRONTAGE OF ZONING LOT	44 TREES PROVIDED	COMPLEXES NOTE: A TREE NOT COMPLY WITH THE SPECIFICATIONS LOCATED SUBJECT TO ACCEPTANCE OF PARKING AND RECREATION

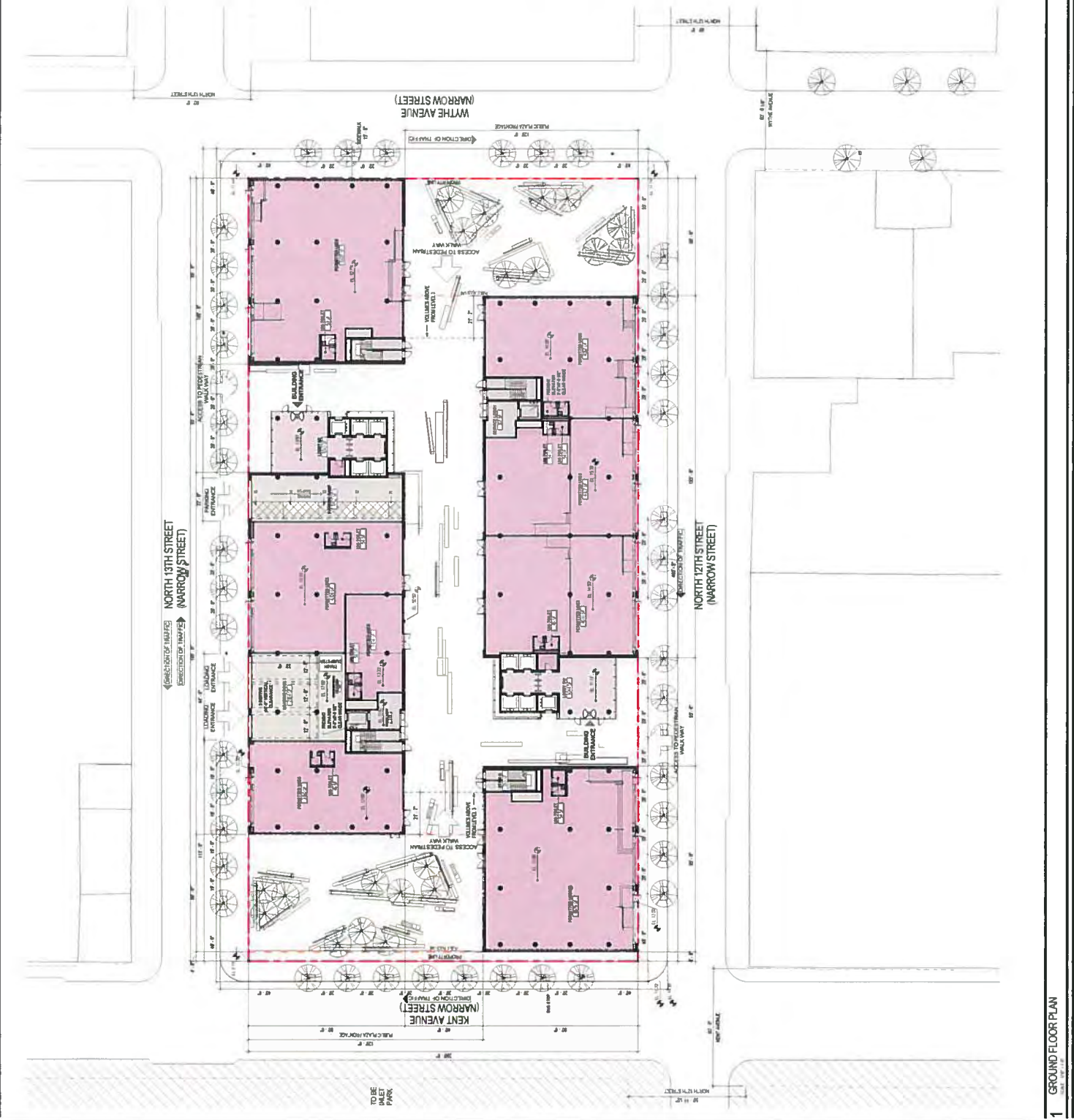
DRAWING CERTIFICATION NOTE
 APPLICANTS TO STAMP AND SEAL
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 INFORMATION REGARDING THE
 DEVELOPMENT SITE, ZONING
 AND RELATED CURB CUTS,
 SURROUNDING PROPERTIES IS
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 ONLY

19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012429K
 16012928K

- Gensler**
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- Cosentini Associates**
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 Website: www.cosentini.com
- Philip Habib & Associates**
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- Van Deusen & Associates**
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19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012429K
 16012928K



- LEGEND**
- PROPOSED USE
 - PERMITTED USES
 - ZONING LOT LINE
 - DEVELOPMENT SITE
 - PUBLIC PLAZA
 - RESERVOIR SPACES
 - RESERVOIR SPACES



- GENERAL NOTES**
1. BASE PLANE / CURB LEVEL (0'-0")
 2. ELEVATION (0'-0") REFER TO Z-002 FOR CALCULATION
 3. STANDAR TREE PIT DIMENSION 5'-0" x 10'-0"
 4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY



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19 KENT
ACQUISITION LLC
 25 KENT AVENUE, WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012429K
 16012529K

Richard Center
 100 West 42nd Street
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 Fax: 212 512 2001
 Website: www.gensler.com

Gensler

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 Website: www.desimone.com

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 Tel: 212 512 2000
 Fax: 212 512 2001
 Website: www.philiphabib.com

Philip Habib & Associates

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 Website: www.vandusen.com

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MPPP

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MPPP

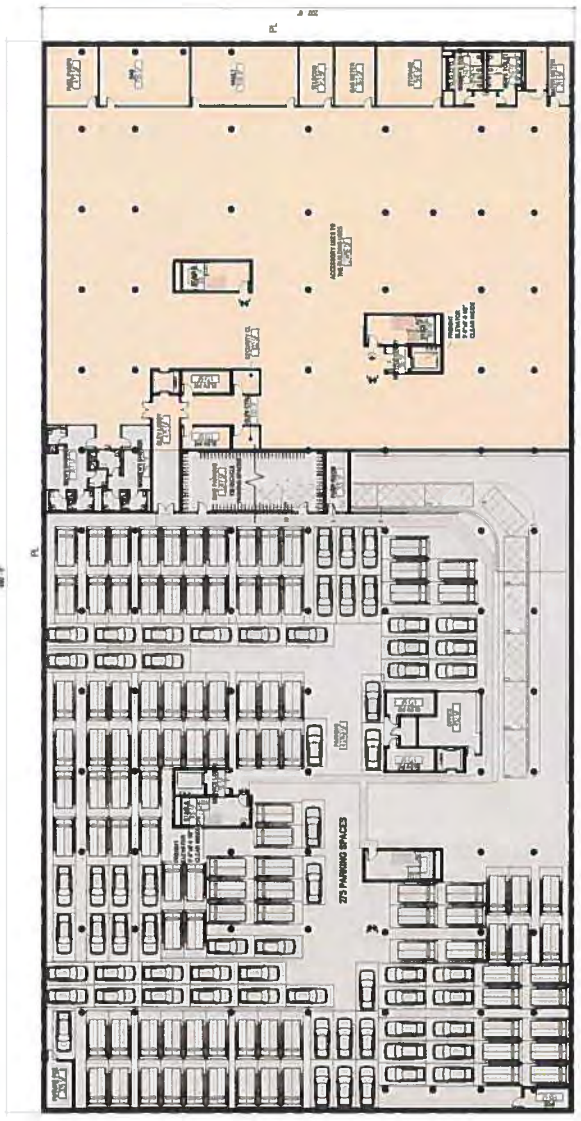
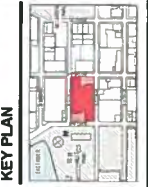
LEGEND

- RESERVOIR SPACES
- STACKER SPACES
- PARKING
- TENANT AMENITY
- ZONING LOT LINE DEVELOPMENT SITE
- PUBLIC PLAZA
- - - SIDEWALK WIDENING LINE



GENERAL NOTES

- BASE PLANE (CURB LEVEL (0'-0"))
- ELEVATION (13.447) REFER TO 2-002 FOR CALCULATION
- ALL SPOT ELEVATION SHOWN REFER TO MVD-1986.
- STANDARD TREE POT DIMENSION 5'-0" x 18'-0"
- GROUND FLOOR OF PEDESTRIAN WALKWAY RESPONSE FOR ILLUSTRATIVE PURPOSES ONLY



DRAWING CERTIFICATION NOTE
 ARCHITECTS, ENGINEERS AND SEAL
 CORRESPONDS TO THE
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 ONLY

**19 KENT
 ACQUISITION LLC**
 25 KENT AVENUE WILLIAMSBURG
 BROOKLYN
 Borough: **BROOKLYN**
 Block: **2282**
 Lot: **1**
 ULURP: **16012428K**
16012928K

Genstler
 Registration: **Genstler**
 State: **NY**
 No. **1001**
 Issue Date: **07/14/2011**
 Expiration: **07/14/2016**
 Fee: **212-861-1177**

DESIMONE
 18 West 18th Street
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 E-mail: info@desimone.com

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 Associates**
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By: Clerk
 100 West 18th Street
 10th Fl
 New York, NY 10011
 Telephone: 212-222-7211
 Fax: 212-222-7211
 Website: www.clerk.com
 E-mail: info@clerk.com

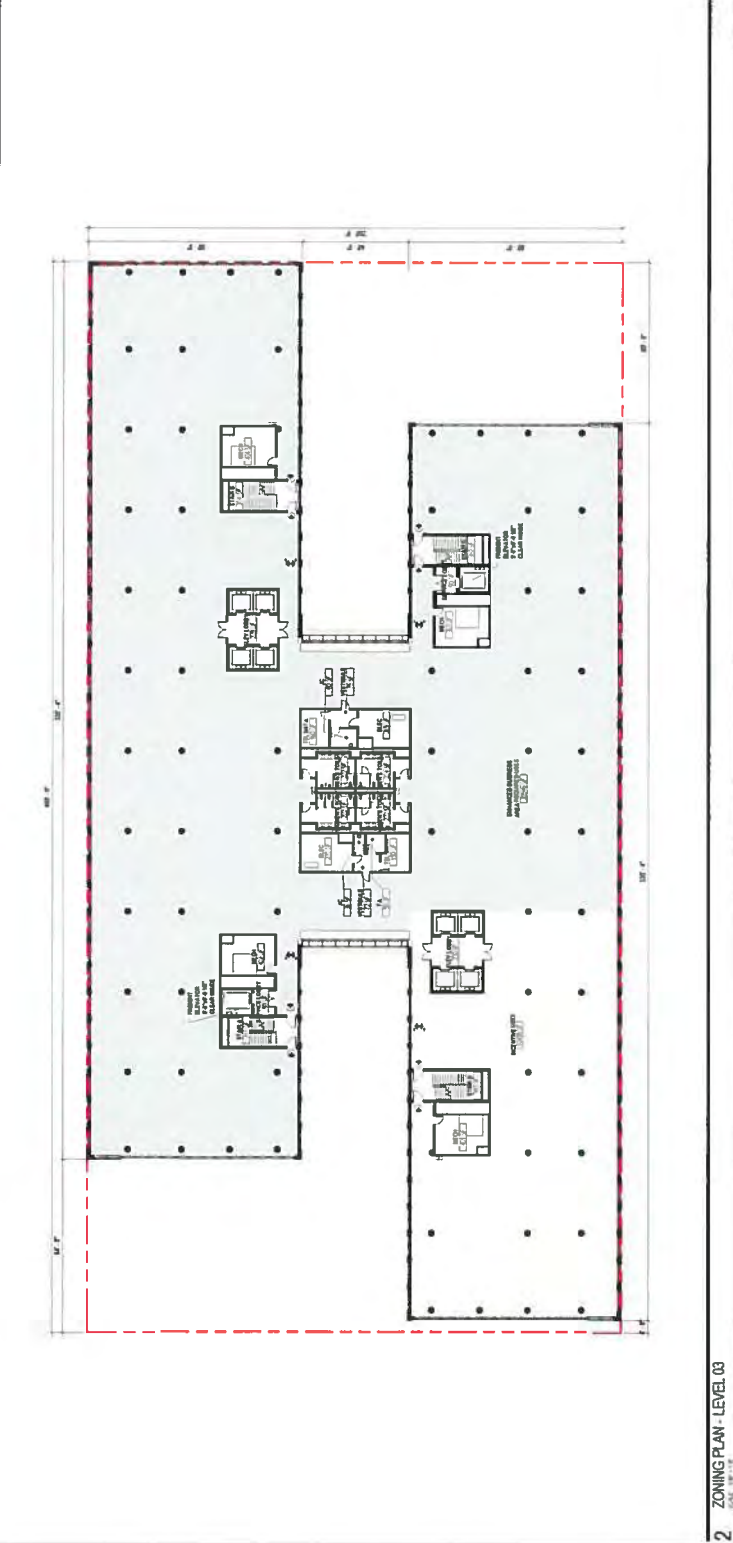


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Project Address:
Project Block:
Project Lot:

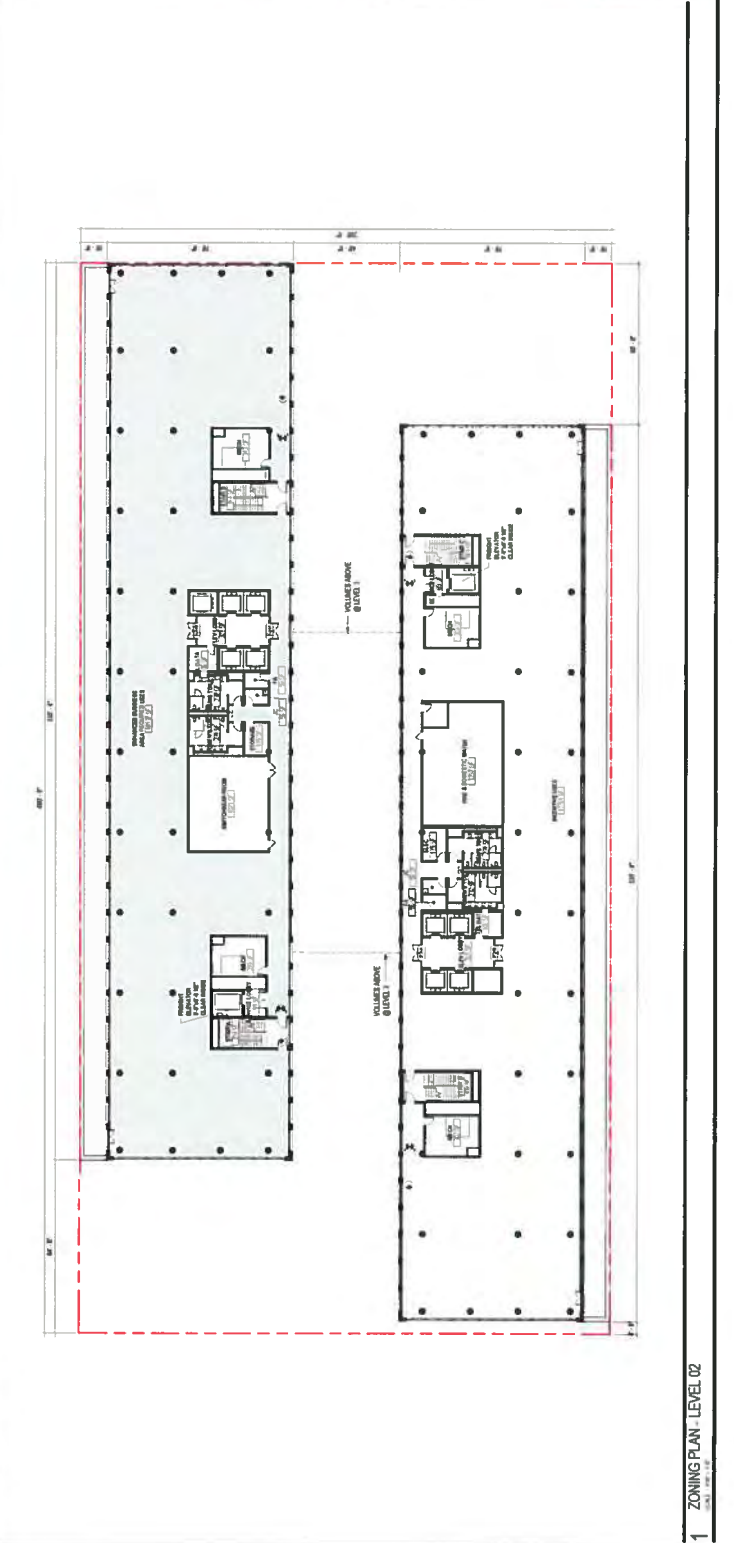
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North Arrow:

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Sheet Title:

**19 KENT
 ACQUISITION LLC**

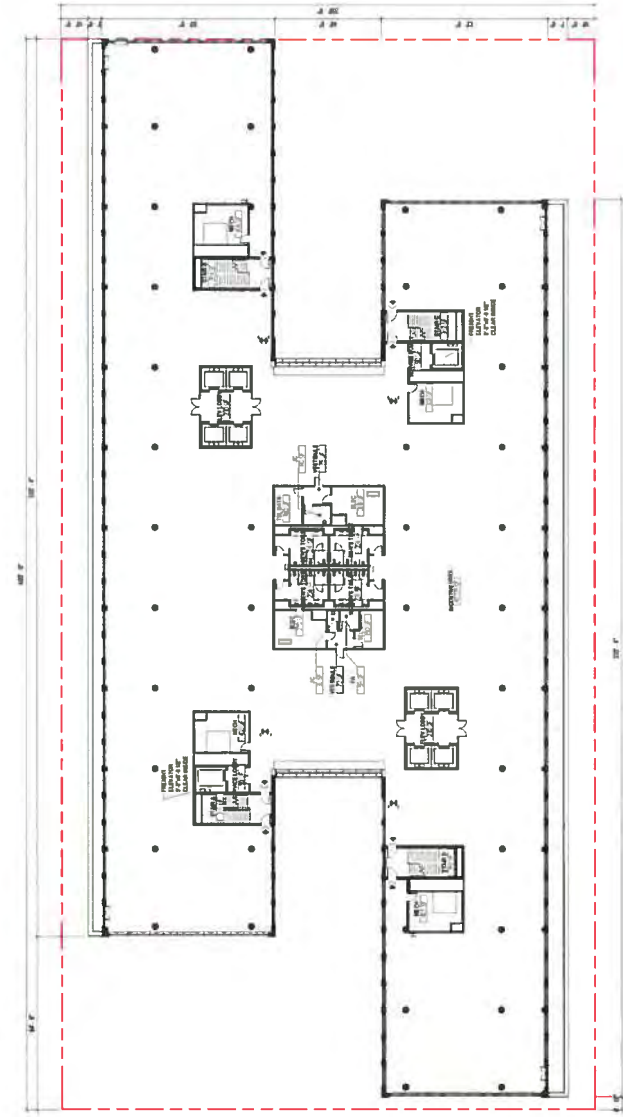


2 ZONING PLAN - LEVEL 03

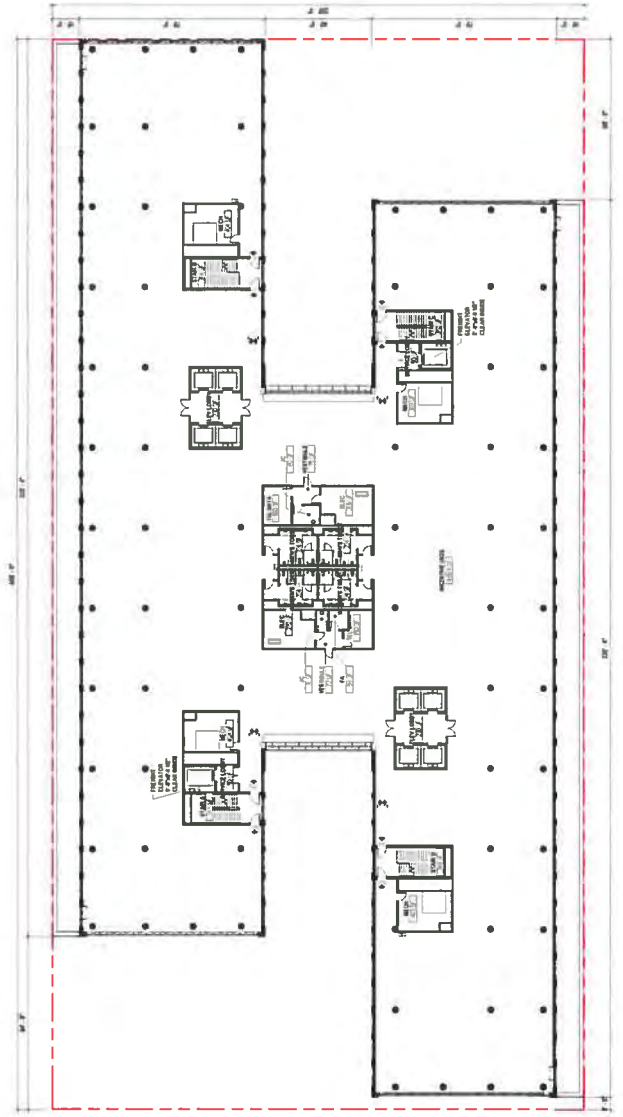


1 ZONING PLAN - LEVEL 02

DRAWING CERTIFICATION NOTE
 ARCHITECTS, ENGINEERS AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING AND RELATED CURB CUTS SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY



2 ZONING PLAN - LEVEL 05



1 ZONING PLAN - LEVEL 04

19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2322
 Lot: 1
 ULURP: 16012425K
 16012325K

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 400 Madison Avenue of the Americas
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 Fax: 212 491 3003
 212 491 1177

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 212 279 7211

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 Fax: 212 279 7211
 212 279 7211

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 Fax: 212 279 7211
 212 279 7211

MPPF
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 New York, NY 10013
 Tel: 212 279 7211
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 212 279 7211

By Date
 1. 10/21/15
 2. 10/22/15
 3. 10/23/15
 4. 10/24/15
 5. 10/25/15
 6. 10/26/15
 7. 10/27/15
 8. 10/28/15
 9. 10/29/15
 10. 10/30/15
 11. 10/31/15
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 68. 12/27/15
 69. 12/28/15
 70. 12/29/15
 71. 12/30/15
 72. 12/31/15

PROPOSED USE
 INCENTIVE USES
 ZONING LOT LINE DEVELOPMENT SITE
 PUBLIC PLAZA
 SIDEWALK WIDENING LINE



GENERAL NOTES
 1. BASE FRAME CURB LEVEL (6'-0") ELEVATION (13.417) REFER TO Z-002 FOR CALCULATION.
 2. ALL SPOT ELEVATION SHOWN REFER TO 1040.1960.
 3. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0".
 4. GROUND FLOOR OF PEDESTRIAN TRANSFER STATION FOR ILLUSTRATIVE PURPOSES ONLY.



KEY PLAN



Project Name:
19 KENT

Project Number:
16012425K

Scale:
AS SHOWN

UPPER FLOOR PLAN - LEVEL 04

Z-073

DRAWING CERTIFICATION NOTE
 APPLICANT'S STAMP AND SEAL
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 INFORMATION REGARDING THE
 PROPOSED DEVELOPMENT USES
 FOR ILLUSTRATIVE PURPOSES
 ONLY

19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012423K
 16012828K

Registered Office
 130 Avenue of the Americas
 New York, NY 10022
 212 491 1472

Gensler

DESIMONE

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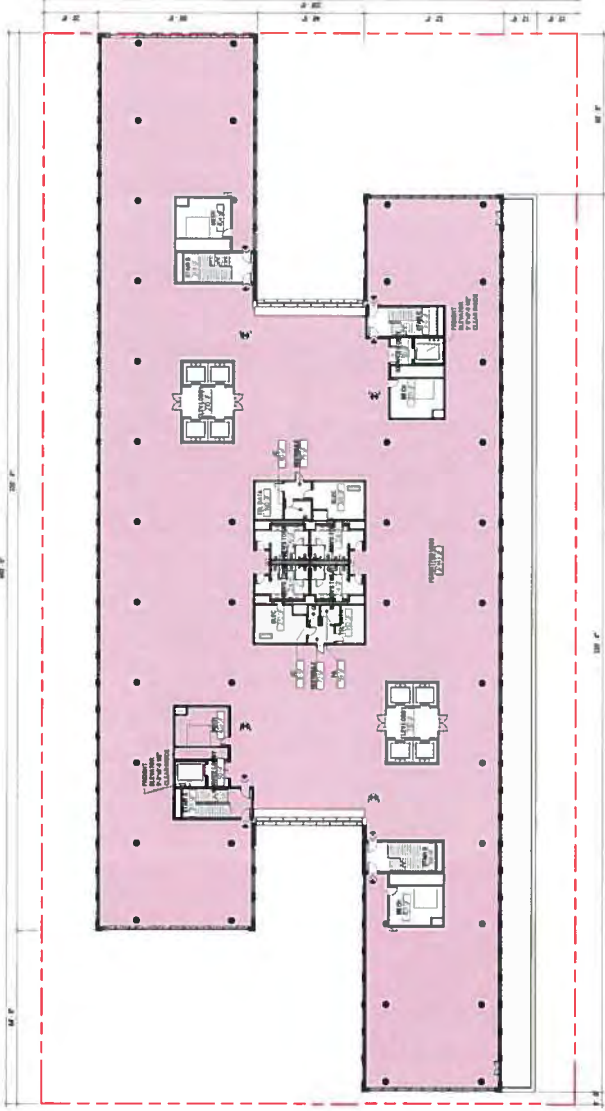
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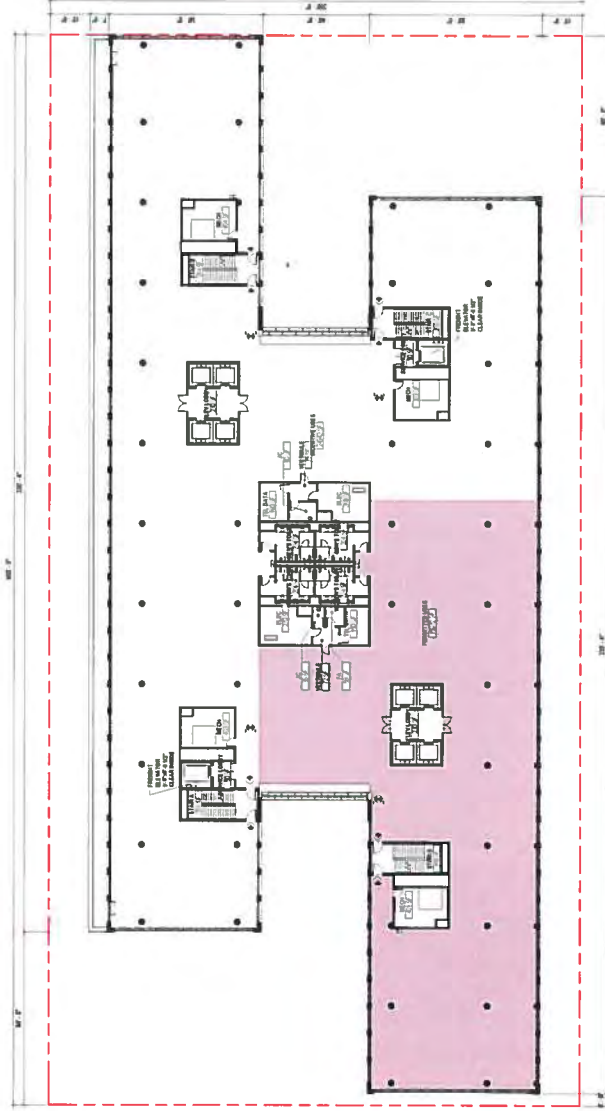
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2 ZONING PLAN - LEVEL 07



1 ZONING PLAN - LEVEL 06

LEGEND

- INCENTIVE USES
- PERMITTED USES
- ZONING LOT LINE, DEVELOPMENT SITE
- PUBLIC PLAZA
- SIDEWALK WIDENING LINE



GENERAL NOTES

1. BASE PLANE CURB LEVEL (67.07)
2. SETBACK AVERAGE CURB TO 2.002 FOR CALCULATION
3. REFER TO NAVD-1988
4. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0"
5. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

KEY PLAN



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 Fax: 212 261 2108
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19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012428K
 16012828K

Gensler
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 New York, NY 10017
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 Fax: 212 493 2401

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 18 West 18th Street
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MPPF
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 Tel: 212 493 2400
 Fax: 212 493 2401

By: Check
 Name: John A. Breen
 Title: Professional Engineer
 No. 10015
 Exp. 12/31/2018
 License: 10015
 State: NY
 No. 10015
 Exp. 12/31/2018
 License: 10015
 State: NY



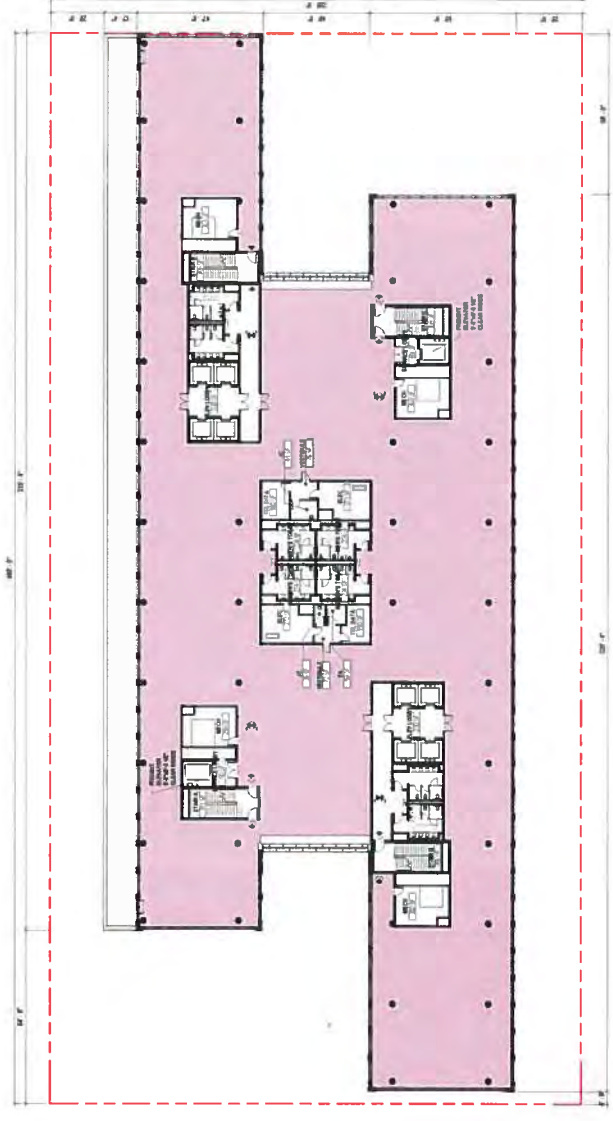
Project Name: 19 KENT ACQUISITION
 Project Number: 16012428K
 Date: 08/15/18

Scale: AS SHOWN
 North Arrow

Z-075



2 ZONING PLAN - MECH. PENTHOUSE/ROOF



1 ZONING PLAN - LEVEL 08

LEGEND

- PROPOSED USE
- PERMITTED USES
- ZONING LOT LINE
- DEVELOPMENT SITE
- PUBLIC PLAZA
- SEWALK WIDENING LINE



GENERAL NOTES

1. BASE PLANE / CURB LEVEL (B/C)
2. ELEVATION (13.447) REFER TO Z-002 FOR CALCULATION.
3. ALL SPOT ELEVATION SHOWN REFER TO HAND-188.
4. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0"
5. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

KEY PLAN



DRAWING CERTIFICATION NOTE
 ARCHITECTS MUST STAMP AND SEAL
 THIS DRAWING TO PROVIDE
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 IN ACCORDANCE WITH THE
 SURROUNDING PROPERTIES IS
 FOR ILLUSTRATIVE PURPOSES
 ONLY

19 KENT
ACQUISITION LLC
 25 KENT AVENUE, WILLIAMSBURG
 BROOKLYN
Borough: BROOKLYN
Block: 2282
Lot: 1
ULURP: 16012422K
16012822K

Gensler
 Registration Center
 100 Park Avenue
 10th Floor
 New York, NY 10017
 Tel: 212 512 2000
 Fax: 212 512 2020
 212 512 1172

DESIMONE

18 West 18th Street
 10th Floor
 New York, NY 10011
 Tel: 212 512 2000
 Fax: 212 512 1198

Cosentini Associates

100 West 18th Street
 10th Floor
 New York, NY 10011
 Tel: 212 512 2000
 Fax: 212 512 1198

Philip Habib & Associates

181 Madison Ave
 10th Floor
 New York, NY 10017
 Tel: 212 512 2000
 Fax: 212 512 1198

Van Deusen & Associates

100 West 18th Street
 10th Floor
 New York, NY 10011
 Tel: 212 512 2000
 Fax: 212 512 1198

Construction Consulting Associates

100 West 18th Street
 10th Floor
 New York, NY 10011
 Tel: 212 512 2000
 Fax: 212 512 1198

MPPF

120 Broadway
 10th Floor
 New York, NY 10017
 Tel: 212 512 2000
 Fax: 212 512 1198

By: Chen

Name: Chen, Chen
Title: Architect
Registration No.: 10011
Expiration Date: 12/31/2018
Project No.: 16012422K
Project Name: 19 KENT



Project No.: 16012422K
Project Name: 19 KENT

Scale: AS SHOWN

Date: 08/15/2018

Sheet: Z-091

Scale: AS SHOWN

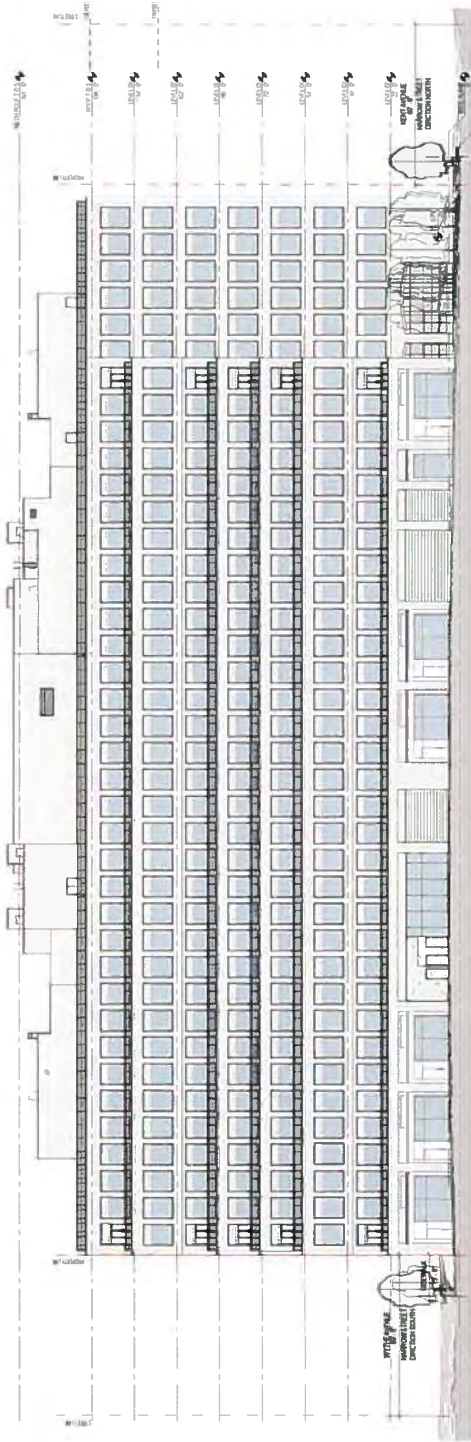
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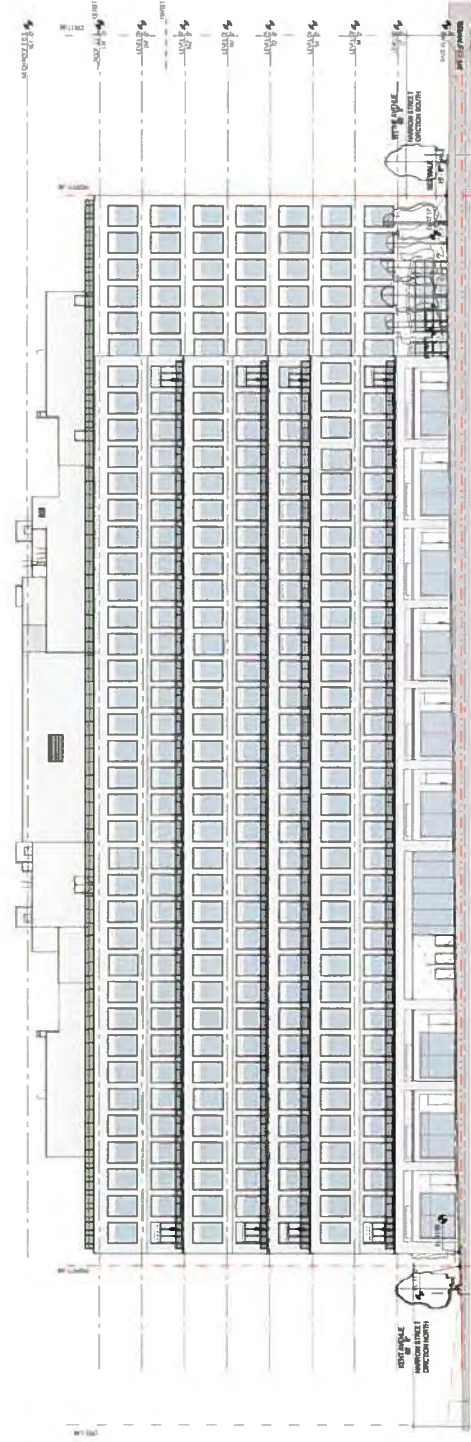
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Date: 08/15/2018

Sheet: Z-091



2 ZONING ELEVATION - NORTH



1 ZONING ELEVATION - SOUTH

LEGEND

ZONING LOT LINE, DEVELOPMENT SITE



GENERAL NOTES

1. BASE PLANE CURB LEVEL (0'-0")
2. ALL SPOT ELEVATIONS SHOWN REFER TO HAND-1989
3. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0"
4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

KEY PLAN



DRAWING CERTIFICATION NOTE
 APPLICANTS, STAMP AND SEAL
 CORRESPONDS TO THE
 INFORMATION REGARDING THE
 DEVELOPMENT SITE, ZONING
 REGULATIONS AND THE
 INFORMATION REGARDING THE
 SURROUNDING PROPERTIES IS
 FOR ILLUSTRATIVE PURPOSES
 ONLY

**19 KENT
 ACQUISITION LLC**
 25 KENT AVENUE, WILLAMSBURG
 BROOKLYN
Borough: BROOKLYN
Block: 2282
Lot: 1
ULURP: 16012422K
16012322K

Gensler
 Evolution Center
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

DESIMONE
 18 West 18th Street
 10011 New York, NY 10011
 Tel: 212 252 2011
 Fax: 212 252 2011
 212 252 2011

Cosentini Associates
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

Philip Habib & Associates
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

Van Deusen & Associates
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

Construction Consulting Associates
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

MPEP
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172

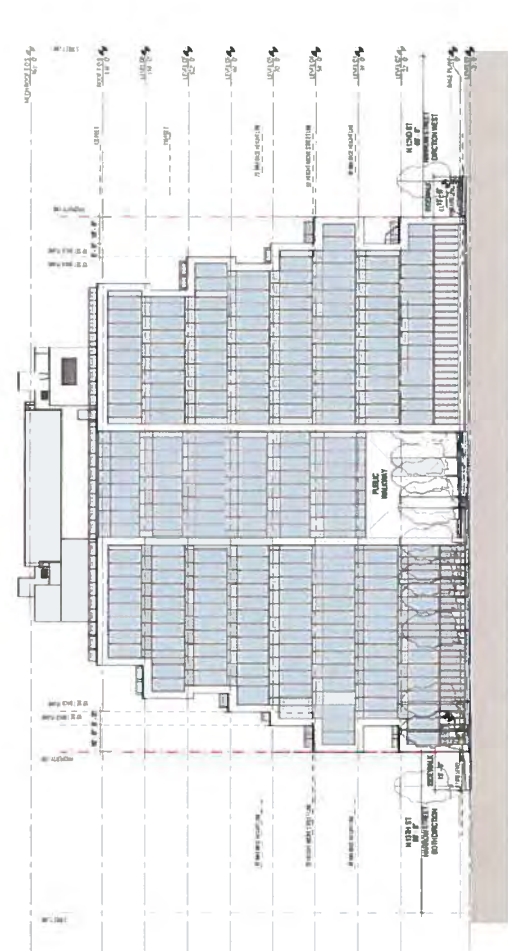
By: Check
 Name: Bill L. Green
 Title: President
 100 Park Avenue
 New York, NY 10022
 Tel: 212 477 1000
 Fax: 212 477 1000
 212 462 1172



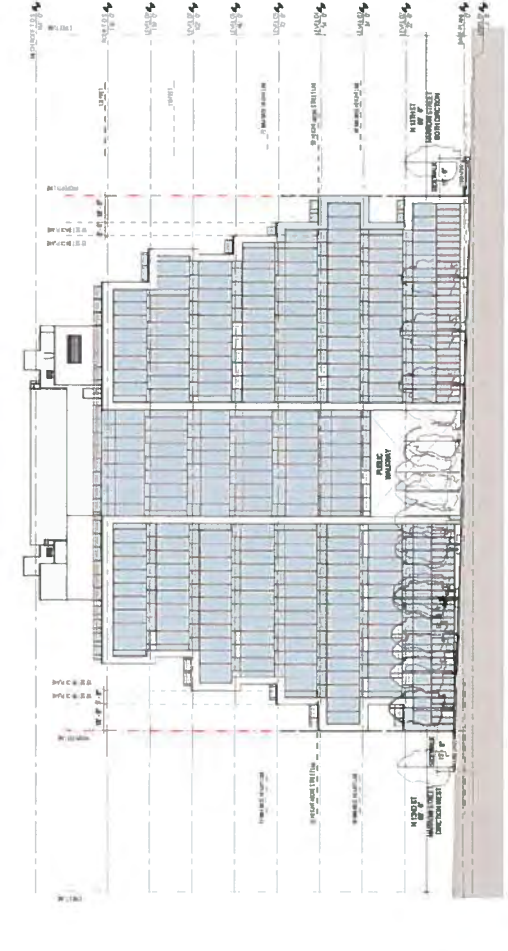
Project Name: 19 KENT
Project Number: 16012422K
Scale: 1/8" = 1'-0"

Sheet: Z-092
Project: 19 KENT

DATE: 12/15/18



2 ZONING ELEVATION - WEST



1 ZONING ELEVATION - EAST

LEGEND

ZONING LOT LINE,
 DEVELOPMENT SITE



GENERAL NOTES

1. EASE PLANE CURB LEVEL (P-07) IS TO BE USED FOR ALL ELEVATION CALCULATIONS. REFER TO ELEVATION (13.447) REFER TO 2.002 FOR CALCULATION.
2. ALL SPOT ELEVATION SHOWN REFER TO NAVD-1989.
3. STANDARD TREE FT DIMENSION 8'-0" x 10'-0"
4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHALL BE CONSTRUCTION ILLUSTRATIVE PURPOSES ONLY.

KEY PLAN

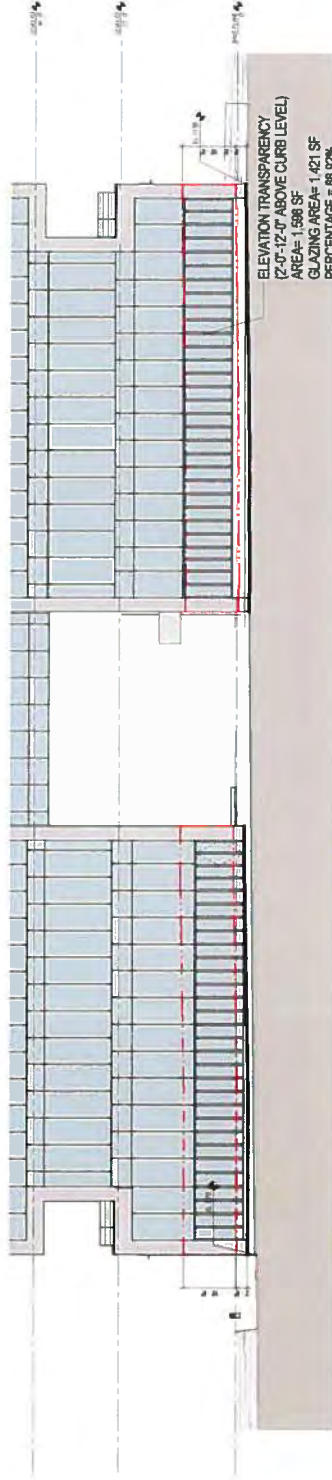


DRAWING CERTIFICATION NOTE
 APPLICANTS, STAMP AND SEAL
 CORRESPONDS TO THE
 DEVELOPMENT SITE, ZONING
 AND ALL APPLICABLE CURB CUTS
 AND RELATED PROPERTIES IS
 SURROUNDING PROPERTIES IS
 FOR ILLUSTRATIVE PURPOSES
 ONLY

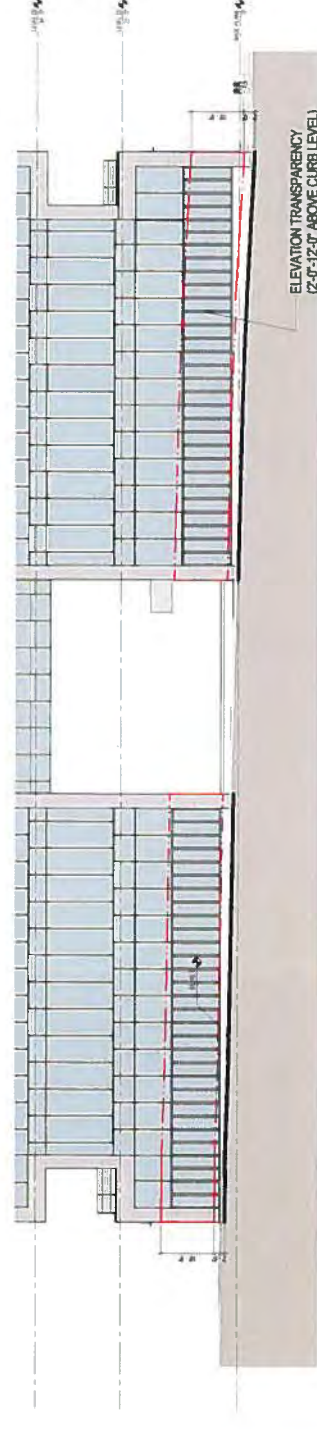
GROUND FLOOR TRANSPARENCY SCHEDULE *

FACADE	GLAZING AREA	TOTAL WALL AREA (2'-0" - 12'-0")	TRANSPARENCY PERCENTAGE (%)
1 - NORTH	1,989 SF	3,201.00 SF	61.51
2 - SOUTH	2,415 SF	3,950.00 SF	61.14
3 - EAST	1,442 SF	1,598.00 SF	90.24
4 - WEST	1,421 SF	1,598.00 SF	88.92
TOTAL	7,247 SF	10,347.00 SF	70.04

*NOTE: GLAZING AREA EXCLUDES MASONRY PIER AND CURB



2 DETAIL ELEVATION - WEST



1 DETAIL ELEVATION - EAST

19 KENT ACQUISITION LLC
 25 KENT AVENUE, WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16015428K
 16013228K

Gensler
 Registration Center
 110 West 47th Street
 10th Floor
 New York, NY 10036
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DESIMONE
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 Tel: 212 333 2211
 Fax: 212 333 2212

Cosenini Associates
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 Fax: 212 475 1101

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 New York, NY 10011
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Van Deusen & Associates
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 Tel: 212 475 1100
 Fax: 212 475 1101

Construction Consulting Associates
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 10th Floor
 New York, NY 10011
 Tel: 212 475 1100
 Fax: 212 475 1101

MPPF
 122 Broadway
 10th Floor
 New York, NY 10037
 Tel: 212 363 1818
 Fax: 212 363 1819

By Date

- 1. 10/13/16: LAMP SUBMISSION
- 2. 11/15/16: LAMP SUBMISSION
- 3. 11/15/16: LAMP SUBMISSION
- 4. 11/15/16: LAMP SUBMISSION
- 5. 11/15/16: LAMP SUBMISSION

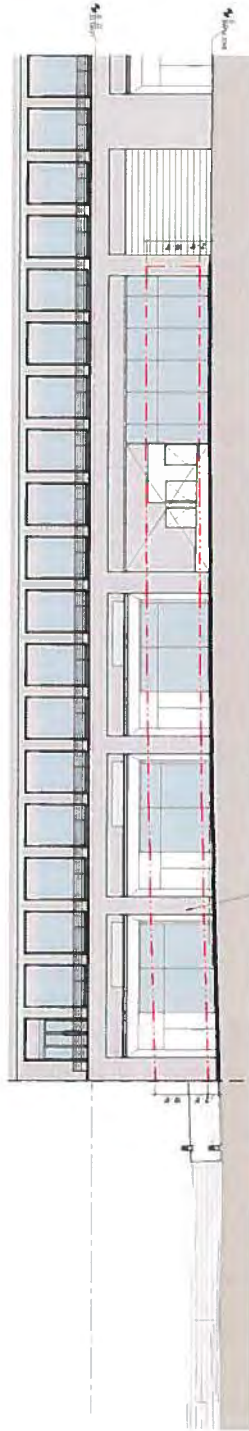


Project Name: 19 KENT AVENUE
Project Number: 16015428K
Scale: AS SHOWN
Date: 10/13/16
Sheet Number: Z-113

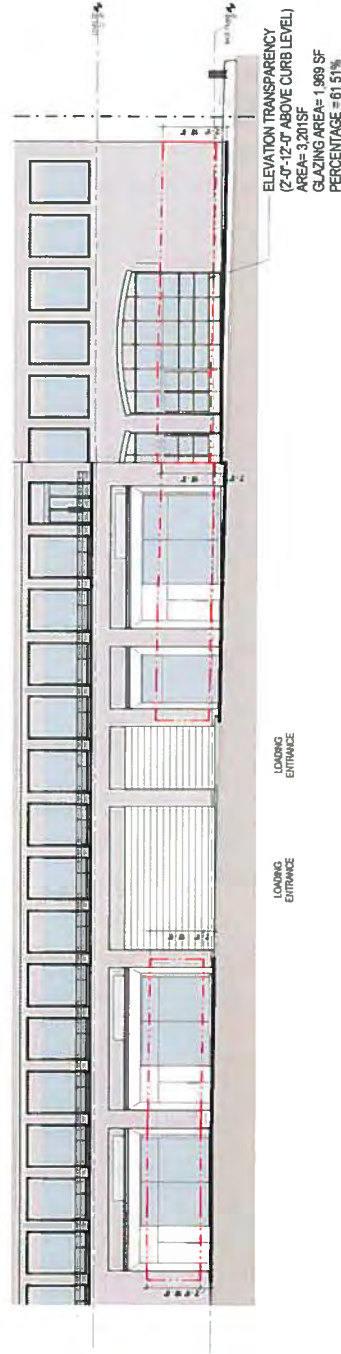
DRAWING CERTIFICATION NOTE
 APPLICANT'S STAMP AND SEAL
 INFORMATION REGARDING THE
 PROJECT IS TO BE PLACED ON
 LOT AND RELATED CURB CUTS
 INFORMATION REGARDING THE
 SURROUNDING PROPERTIES IS
 FOR ILLUSTRATIVE PURPOSES
 ONLY

GROUND FLOOR TRANSPARENCY SCHEDULE *			
FACADE	GLAZING AREA	TOTAL WALL AREA (2'-0" - 12'-0")	TRANSPARENCY PERCENTAGE (%)
1 - NORTH	1,969 SF	3,201.00 SF	61.51
2 - SOUTH	2,415 SF	3,950.00 SF	61.14
3 - EAST	1,442 SF	1,588.00 SF	90.24
4 - WEST	1,421 SF	1,588.00 SF	88.92
TOTAL	7,247 SF	10,347.00 SF	70.04

*NOTE: GLAZING AREA EXCLUDES MASONRY PIER AND CURB



1 DETAIL ELEVATION - NORTH - PART 1



2 DETAIL ELEVATION - NORTH - PART 2

19 KENT
 ACQUISITION LLC
 35 KENT AVENUE, WILLIAMSBURG
 BROOKLYN
 Borough: BROOKLYN
 Lot: 1
 ULURP: 16012423K
 16012523K

Gensler
 120 Avenue of the Americas
 New York, NY 10020
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 Fax: 212 491 1001

DESIMONE
 18 West 88th Street
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 Tel: 212 462 1000
 Fax: 212 462 1001

Cosentini Associates
 100 West 11th Street
 New York, NY 10011
 Tel: 212 462 1000
 Fax: 212 462 1001

Philip Habib & Associates
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 New York, NY 10011
 Tel: 212 462 1000
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Van Deusen & Associates
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 New York, NY 10011
 Tel: 212 462 1000
 Fax: 212 462 1001

Construction Consulting Associates
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 New York, NY 10011
 Tel: 212 462 1000
 Fax: 212 462 1001

MPPF
 100 West 11th Street
 New York, NY 10011
 Tel: 212 462 1000
 Fax: 212 462 1001

By: Clerk
 100 West 11th Street
 New York, NY 10011
 Tel: 212 462 1000
 Fax: 212 462 1001



Project Name: 19 KENT AVENUE
 Project Number: 16012423K
 Drawing Title: ELEVATION
 Date: 10/15/16

DRAWING CERTIFICATION NOTE
 APPLICANT'S STAMP AND SEAL INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT AND RELATED CURB CUTS INFORMATION REGARDING THE DEVELOPMENT SITE IS FOR ILLUSTRATIVE PURPOSES ONLY

GROUND FLOOR TRANSPARENCY SCHEDULE *			
FACADE	GLAZING AREA	TOTAL WALL AREA (2'-0" - 12'-0")	TRANSPARENCY PERCENTAGE (%)
1 - NORTH	1,989 SF	3,201.00 SF	61.51
2 - SOUTH	2,415 SF	3,950.00 SF	61.14
3 - EAST	1,442 SF	1,598.00 SF	90.24
4 - WEST	1,421 SF	1,588.00 SF	89.52
TOTAL	7,247 SF	10,347.00 SF	70.04

*NOTE: GLAZING AREA EXCLUDES MASONRY PIER AND CURB

19 KENT ACQUISITION LLC
 25 KENT AVENUE WILLIAMSBURG BROOKLYN
 Block: 2282
 Lot: 1
 ULURP: 16012423K
 16018223K

Gensler
 18 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.512.2011
 Fax: 212.512.2000
 Website: gensler.com

DESIMONE
 37 West 17th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

Cosenini Associates
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

Philip Habib & Associates
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

Van Deusen & Associates
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

Construction Consulting Associates
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

MPPF
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212.413.2011
 Fax: 212.413.2000

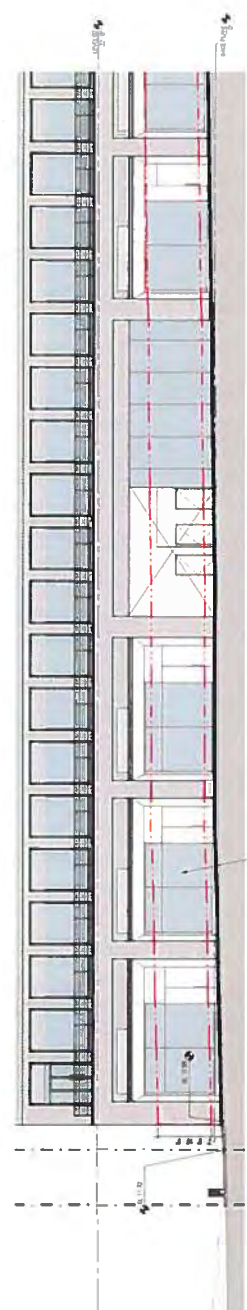
By Class
 1 - 1000 S.F. OR LESS
 2 - 1001 S.F. TO 10,000 S.F.
 3 - 10,001 S.F. TO 50,000 S.F.
 4 - 50,001 S.F. TO 100,000 S.F.
 5 - 100,001 S.F. TO 500,000 S.F.
 6 - 500,001 S.F. TO 1,000,000 S.F.
 7 - 1,000,001 S.F. TO 5,000,000 S.F.
 8 - 5,000,001 S.F. TO 10,000,000 S.F.
 9 - 10,000,001 S.F. TO 50,000,000 S.F.
 10 - 50,000,001 S.F. TO 100,000,000 S.F.
 11 - 100,000,001 S.F. TO 500,000,000 S.F.
 12 - 500,000,001 S.F. TO 1,000,000,000 S.F.
 13 - 1,000,000,001 S.F. TO 5,000,000,000 S.F.
 14 - 5,000,000,001 S.F. TO 10,000,000,000 S.F.
 15 - 10,000,000,001 S.F. TO 50,000,000,000 S.F.
 16 - 50,000,000,001 S.F. TO 100,000,000,000 S.F.
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 18 - 500,000,000,001 S.F. TO 1,000,000,000,000 S.F.
 19 - 1,000,000,000,001 S.F. TO 5,000,000,000,000 S.F.
 20 - 5,000,000,000,001 S.F. TO 10,000,000,000,000 S.F.
 21 - 10,000,000,000,001 S.F. TO 50,000,000,000,000 S.F.
 22 - 50,000,000,000,001 S.F. TO 100,000,000,000,000 S.F.
 23 - 100,000,000,000,001 S.F. TO 500,000,000,000,000 S.F.
 24 - 500,000,000,000,001 S.F. TO 1,000,000,000,000,000 S.F.
 25 - 1,000,000,000,000,001 S.F. TO 5,000,000,000,000,000 S.F.
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 28 - 50,000,000,000,000,001 S.F. TO 100,000,000,000,000,000 S.F.
 29 - 100,000,000,000,000,001 S.F. TO 500,000,000,000,000,000 S.F.
 30 - 500,000,000,000,000,001 S.F. TO 1,000,000,000,000,000,000 S.F.
 31 - 1,000,000,000,000,000,001 S.F. TO 5,000,000,000,000,000,000 S.F.
 32 - 5,000,000,000,000,000,001 S.F. TO 10,000,000,000,000,000,000 S.F.
 33 - 10,000,000,000,000,000,001 S.F. TO 50,000,000,000,000,000,000 S.F.
 34 - 50,000,000,000,000,000,001 S.F. TO 100,000,000,000,000,000,000 S.F.
 35 - 100,000,000,000,000,000,001 S.F. TO 500,000,000,000,000,000,000 S.F.
 36 - 500,000,000,000,000,000,001 S.F. TO 1,000,000,000,000,000,000,000 S.F.
 37 - 1,000,000,000,000,000,000,001 S.F. TO 5,000,000,000,000,000,000,000 S.F.
 38 - 5,000,000,000,000,000,000,001 S.F. TO 10,000,000,000,000,000,000,000 S.F.
 39 - 10,000,000,000,000,000,000,001 S.F. TO 50,000,000,000,000,000,000,000 S.F.
 40 - 50,000,000,000,000,000,000,001 S.F. TO 100,000,000,000,000,000,000,000 S.F.
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 47 - 100,000,000,000,000,000,000,000,001 S.F. TO 500,000,000,000,000,000,000,000,000 S.F.
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 49 - 1,000,000,000,000,000,000,000,000,001 S.F. TO 5,000,000,000,000,000,000,000,000,000 S.F.
 50 - 5,000,000,000,000,000,000,000,000,001 S.F. TO 10,000,000,000,000,000,000,000,000,000 S.F.



GENERAL NOTES
 1. BASE PLANE / CURB LEVEL (2'-0")
 2. ALL SPOT ELEVATIONS SHOWN REFER TO NAVD-1988.
 3. STANDARD TREE PIT DIMENSION 2'-0" x 10'-0"
 4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY



Z-115

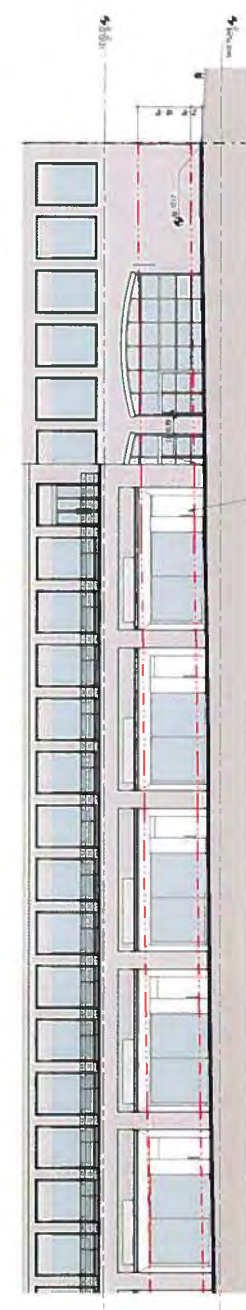


ELEVATION TRANSPARENCY (2'-0"-12'-0" ABOVE CURB LEVEL)
 AREA= 3,950 SF
 GLAZING AREA= 2,415 SF
 PERCENTAGE = 61.14%

ACCESS TO PEDESTRIAN WALKWAY

OFFICE BUILDING ENTRANCE

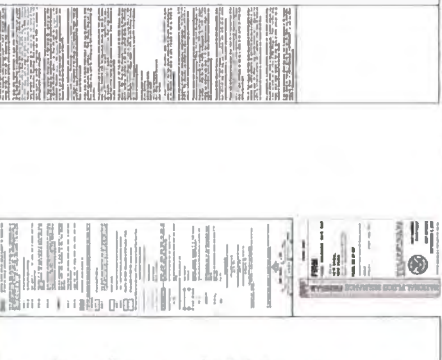
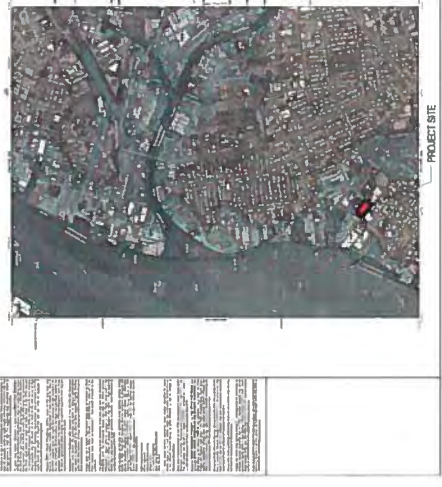
1 DETAIL ELEVATION - SOUTH - PART 1



ELEVATION TRANSPARENCY (2'-0"-12'-0" ABOVE CURB LEVEL)
 AREA= 3,950 SF
 GLAZING AREA= 2,415 SF
 PERCENTAGE = 61.14%

2 DETAIL ELEVATION - SOUTH - PART 2

2007 FIRM - ZONE AE - BASE FLOOD ELEVATION=10'-0"



2013 PRELIMINARY FIRM - ZONE AE - BASE FLOOD ELEVATION=11'-0"



DRAWING CERTIFICATION NOTE
 DRAWING IS MADE AND SEAL INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT AND RELATED CURB CUTS SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY

FLOOD NOTES
 STRUCTURAL OCCUPANCY CATEGORY = III
 DESIGN FLOOD ELEVATION = 11'-0"
 BASE FLOOD ELEVATION = 10'-0"
 ALL BUILDING OPENINGS AND ENTRANCE FLOOD ELEVATION WILL BE WITHIN A DRY FLOODPROOFED ENCLOSURE.
 THE FOUNDATION HAS BEEN DESIGNED TO SUPPORT THE GRAVITY WEIGHT AND BALANCE AS WELL AS THE BELOW-GRADE PRESSURE. THE DESIGN WATER LEVEL IS CONSISTENT WITH ALL APPLICABLE CODES OF A FULLY DEVELOPED URBAN AND FOUNDATION WALLS. HYDROSTATIC UPLIFT FORCES ON THE MAT FOUNDATION SHALL BE WITHIN THE DESIGN CAPACITY OF THE FOUNDATION. THE MAT FOUNDATION SHALL BE WITHIN THE DESIGN CAPACITY OF THE FOUNDATION. THE MAT FOUNDATION SHALL BE WITHIN THE DESIGN CAPACITY OF THE FOUNDATION.

GENERAL NOTES
 1. BASE PLANE / CURB LEVEL (R.F.)
 2. ALL SPOT ELEVATIONS SHOWN REFER TO NAVD-1988
 3. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0"
 4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

LEGEND

- DESIGN FLOOD ELEVATION (NON) BASE ON 2013 PRELIMINARY FIRM - ZONE AE - BASE FLOOD ELEVATION
- 11'-0" FLOOD ELEVATION IN ZONE AE FROM 2013 PRELIMINARY FIRM
- BASE FLOOD ELEVATION IN ZONE AE FROM 2007 FIRM

GENERAL NOTES
 1. BASE PLANE / CURB LEVEL (R.F.)
 2. ALL SPOT ELEVATIONS SHOWN REFER TO NAVD-1988
 3. STANDARD TREE PIT DIMENSION 5'-0" x 10'-0"
 4. GROUND FLOOR OF PEDESTRIAN WALKWAY SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

KEY PLAN

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

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PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

PROJECT SITE

19 KENT ACQUISITION LLC
 25 KENT AVENUE, WILLAMSBURG BROOKLYN
 Borealis: BROOKLYN Block: 2282
 Lot: 1
 ULURP: 160124228K 160128228K

Gensler
 25 West 18th Street
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 New York, NY 10011
 Phone: 212 512 2111
 Fax: 212 512 2110
 Website: gensler.com

DESIMONE
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 10th Floor
 New York, NY 10011
 Phone: 212 512 2111
 Fax: 212 512 2110
 Website: desimone.com

Cosentini Associates
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 Fax: 212 512 2110
 Website: cosentini.com

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 Fax: 212 512 2110
 Website: philip-habib.com

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 Fax: 212 512 2110
 Website: vandensen.com

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 10th Floor
 New York, NY 10011
 Phone: 212 512 2111
 Fax: 212 512 2110
 Website: construction-consulting.com

MPPF
 110 West 18th Street
 10th Floor
 New York, NY 10011
 Phone: 212 512 2111
 Fax: 212 512 2110
 Website: mppf.com

By Class
 1. 10-15 LAMP SUBSTATION
 2. 15-20 LAMP SUBSTATION
 3. 20-25 LAMP SUBSTATION
 4. 25-30 LAMP SUBSTATION
 5. 30-35 LAMP SUBSTATION
 6. 35-40 LAMP SUBSTATION
 7. 40-45 LAMP SUBSTATION
 8. 45-50 LAMP SUBSTATION
 9. 50-55 LAMP SUBSTATION
 10. 55-60 LAMP SUBSTATION

Scale
 1" = 10'-0"
 1" = 20'-0"
 1" = 40'-0"
 1" = 80'-0"
 1" = 160'-0"
 1" = 320'-0"
 1" = 640'-0"
 1" = 1280'-0"

North Arrow
 0° 00' 00"
 90° 00' 00"
 180° 00' 00"
 270° 00' 00"

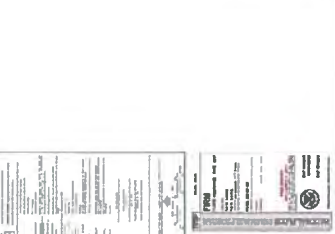
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 19 KENT ACQUISITION LLC

Project Number
 160124228K

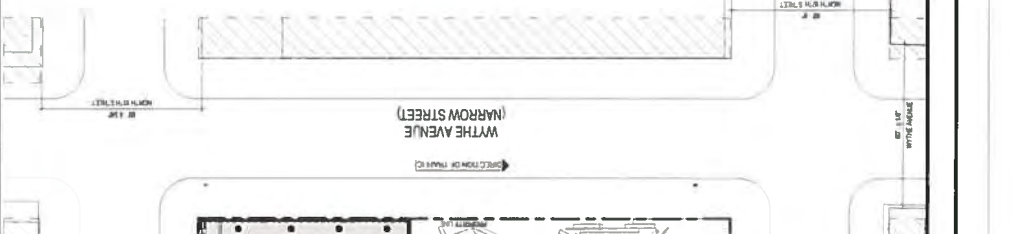
Project Address
 19 KENT AVENUE, WILLAMSBURG BROOKLYN

Scale
 1" = 10'-0"
 1" = 20'-0"
 1" = 40'-0"
 1" = 80'-0"
 1" = 160'-0"
 1" = 320'-0"
 1" = 640'-0"
 1" = 1280'-0"

2 FLOOD MAP
 SCALE: 1" = 10'-0"



1 SITE PLAN - FLOOD
 SCALE: 1" = 10'-0"





COMMUNITY BOARD NO. 1

435 GRAHAM AVENUE – BROOKLYN, NY 11211

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyn1

HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



RABBI ABRAHAM PERLSTEIN
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

STEPHEN J. WEIDBERG
THIRD VICE-CHAIRMAN

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GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33RD CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34TH CD

March 9, 2016

Mr. Carl Weisbrod, Director
NYC Department of City Planning
120 Broadway (31st Floor)
New York, NY 10217

RE: Application # N160126 ZRK

Dear Mr. Weisbrod:

Please be advised that at the regular meeting of Brooklyn Community Board No. 1 held on March 8, 2016 (at 211 Ainslie Street) the board members voted to **Disapprove with Modifications/Conditions the Department of City Planning's Application # N160126 ZRK** (Proposed zoning text amendment to create a new Section 74-96 Modification of Use, Bulk, Parking and Loading Regulations in Enhanced Business Areas).

The following are the modifications/conditions:

1. The text amendment be limited to the block of 25 Kent Avenue.
2. To insure affordability and long term viability of manufacturing space, applicants for "Special Use Permit in the Enhanced Business Zone" be required to lease space at 20% below current market rate for leases to similar companies in the same use groups.
3. To insure proper and effective monitoring and enforcement of the "Special Use", the developer of property within the "Enhanced Business Area" must contract with a local mission-based nonprofit to serve as an administrating agent that will assist in marketing vacancies and certify that lease rates and comparables are accurate and affordable.

Additionally, the administrating agent shall report on rental rates, tenants, and employment annually to the EDC.

4. Request the NYC Department of City Planning to develop a tool for industrial businesses in the nearby M1-1 districts to add height and bulk to expand their operations without the need to request a variance or go through a U.L.U.R.P. action.
5. Require the applicant to provide good, quality, family sustaining service jobs with prevailing wages.
6. Reduce the F.A.R. to a more reasonable scale.

The vote was as follows:

22 "YES"; 4 "NO"; 2 "ABSTENTIONS"; 3 "RECUSALS"

Working for a Better Williamsburg-Greenpoint.

Sincerely,



Dealice Fuller
Chairperson

DF/mbw

cc: Brooklyn Borough President Eric L. Adams
Council Member Stephen Levin
Council Member Antonio Reynoso

Application #: C 160124 ZSK	Project Name: 25 Kent Avenue
CEQR Number: 16DCP065K	Borough(s): Brooklyn Community District Number(s): 1

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

SUBMISSION INSTRUCTIONS

1. 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 #C10000ZSQ"
 - **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"
2. 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 19 Kent Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-962* of the Zoning Resolution to allow an increase in the maximum permitted floor area for a development occupied by Business-Enhancing uses and Incentive uses, and to allow modifications of the public plazas regulations of 37-70, in connection with a proposed 8-story commercial building, on property located at 19-33 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, within an Enhanced Business Area*, Borough of Brooklyn, Community District 1.

* Note: A zoning text amendment is proposed to create a new Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Enhanced Business Areas) under a concurrent related application N 160126 ZRK.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): 19 Kent Acquisition LLC 1274 49th Street, Suite 184 Brooklyn, NY 11219		Applicant's Representative: Raymond Levin, Esq. Slater Beckerman, P.C. 61 Broadway, Suite 1801 New York, NY 10006	
Recommendation submitted by: Brooklyn Community Board 1			
Date of public hearing: 2/9/2016		Location: 211 Ainslie Street Brooklyn, NY 11211	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<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>	
Date of Vote: 3/8/2016		Location: 211 Ainslie Street Brooklyn, NY 11211	
RECOMMENDATION			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 20 # Against: 8 # Abstaining: 0 Total members appointed to the board: 48 # Recusals: 3			
Name of CB/BB officer completing this form Dealice Fuller		Title Chairperson	Date 3/9/2016



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **C 160125 ZSK**

Project Name: **25 Kent Avenue**

CEQR Number: 16DCP065K

Borough(s): Brooklyn

Community District Number(s): 1

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

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 19 Kent Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-963* of the Zoning Resolution to allow a reduction in the parking requirements of Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES) and a reduction in the loading berth requirements of Section 44-50 (GENERAL PURPOSES), in connection with a proposed 8-story commercial building on property located at 19-33 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, within an Enhanced Business Area*, Borough of Brooklyn, Community District 1.

* Note: A zoning text amendment is proposed to create a new Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Enhanced Business Areas) under a concurrent related application N 160126 ZRK.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): 19 Kent Acquisition LLC 1274 49th Street, Suite 184 Brooklyn, NY 11219		Applicant's Representative: Raymond Levin, Esq. Slater Beckerman, P.C. 61 Broadway, Suite 1801 New York, NY 10006
Recommendation submitted by: Brooklyn Community Board 1		
Date of public hearing: 2/9/2016	Location: 211 Ainslie Street Brooklyn NY11211	
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: 3/8/2016	Location: 211 Ainslie Street, 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	
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting		
# In Favor: 24	# Against: 4	# Abstaining: 0
	# Recusals: 3	Total members appointed to the board: 48
Name of CB/BB officer completing this form Dealice Fuller	Title Chairperson	Date 3/9/2016

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

25 KENT AVENUE – BUSINESS ENHANCING USE – 160124 ZSK, 160125 ZSK, AND 160126 ZRK

In the matter of applications submitted by 19 Kent Acquisition LLC, seeking approval of two Special Permits, and for a text amendment to establish a Special Permit applicable in the M1-2 zoning designation, with the Department of City Planning as co-applicant, to facilitate development of the block bounded by Wythe and Kent Avenues, and North 12th and 13th streets, in the Williamsburg section of Brooklyn, within the Greenpoint-Williamsburg Industrial Business Zone, in Community District 1.

COMMUNITY DISTRICT NO. 1

BOROUGH OF BROOKLYN

RECOMMENDATION

- APPROVE (160124 ZSK and 160125 ZSK)
- APPROVE WITH (160126 ZRK) MODIFICATIONS/CONDITIONS

- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

April 8, 2016

DATE

RECOMMENDATION FOR – 160124 ZSK, 160125 ZSK, AND 160126 ZRK

The applicant, 19 Kent Avenue Acquisition LLC, is seeking authorization of two Special Permits, and a text amendment together with the New York City Department of City Planning (DCP) as co-applicant, to facilitate the development of a privately-owned site in the Williamsburg section of Brooklyn, within Community District 1 (CD 1). The site encompasses an entire block, bound by Wythe and Kent avenues, and North 12th and 13th streets, and is located within the M1-2 zoning district, in the Greenpoint-Williamsburg Industrial Business District (IBZ).

On March 21, 2016, Brooklyn Borough President Eric L. Adams held a public hearing on these applications. There were 13 speakers for this item: five in favor, six in opposition, and two neutral. Organizations represented by these speakers include: Evergreen, Business Outreach Career Network, Friends of Bushwick Inlet Park, Association for Neighborhood and Housing Development (ANHD), Downtown Brooklyn Partnership, Brooklyn Chamber of Commerce, Pratt Center, North Brooklyn Development Corporation, Open Space Alliance, and Madwell.

Speakers in opposition voiced numerous concerns regarding:

- The IBZ's failure to maintain and preserve manufacturing space because of the language in the zoning text, resulting in the continued development of entertainment and hotel venues
- The ongoing displacement of industrial businesses due to rising rents
- The text amendment moving forward without the completion of the North Brooklyn Industry and Innovation Plan
- The lack of outreach and communication done by DCP
- The lack of analysis to support a text change that has the potential to impact a large area
- The low ratio set aside for industrial uses not being favorable to what is actually needed in the IBZ
- The uncertainty of affordability of the proposed industrial spaces
- The lack of proposed monitoring and enforcement of the industrial spaces
- The application of a site-specific formula to a much broader area with potentially different needs
- The fear that once the text is created it will set a precedent and become applicable citywide
- The M1-1 district being left out of the text amendment and missed opportunities for businesses to expand their operations
- The new development attributing to increased traffic congestion
- The developer's lack of commitment to providing high quality jobs and prevailing wages
- The broken promises of the 2005 rezoning, as Bushwick Inlet Park has yet to be completed

Speakers in support voiced numerous comments regarding the development of 25 Kent Avenue:

- Being able to provide a large number of construction and long-term jobs
- Fostering innovation and economic engine to grow much-needed commercial and industrial space in Brooklyn
- Providing the type of design that encourages local employment
- Creating an ecosystem for commercial and industrial uses that benefit from being in close proximity to each other

More testimony was provided subsequent to the hearing, including Greenpoint Waterfront Association for Parks and Planning (GWAPP).

The applicant originally was seeking a rezoning of the development site, from the existing M1-2 zoning district to an M1-5 zoning district. DCP stated that there was concern regarding the types of permissible uses, extent of the requested density, and inadequacy of height restrictions that would be allowed in an M1-5 zoning district. DCP recognizes that the ongoing displacement of industrial and manufacturing space in this area is directly attributed to the continued hotel and entertainment venue construction and conversion. In taking into consideration broader policy implications, DCP developed a text amendment as a means to generally obtain the applicant's intended density with restrictions on use and height, linked to an obligation to ensure the provision of floor area dedicated to light industrial and manufacturing uses. The amendment would establish two Special Permits to permit such buildings on a case by case basis. The text amendment is not intended to be a comprehensive answer to strengthening the industrial sector citywide. It is intended to be a specific and focused tool to allow the applicant to move forward in a way that addressed the policy concerns raised by the applicant's original proposal. DCP has been using this application to learn more about the needs of this industrial business area, and overall understanding of the industrial policy citywide, by utilizing the questions, concerns, and ideas as they arise throughout the process.

The text amendment was limited to only 14 blocks of the M1-2 zoning district, as opposed to the entire IBZ because the ratio and the structure of the Special Permit was specifically created to complement the existing M1-2 zoning district, with the 25 Kent Avenue proposal in mind. DCP stated that the M1-1 zoning district was left out of the proposed text amendment due to the implications associated with increasing density, based on the existing commercial floor area ratio (FAR) of 1.0 and considering the M1-1 zoning district is bordered by residential uses.

Recognizing concerns shared pertaining to hotels, retail, entertainment, and mini-storage being allowed in manufacturing zoning districts, the zoning text amendment contains specific preclusion of now permitted uses as a means to designate floor area for meaningful industrial uses. It was deemed premature to consider a more comprehensive update of the permitted uses, given the narrow scope of this proposal.

DCP stated that accessory retail uses are permitted within the Business Enhancing Uses floor area as long as they are recognized as accessory retail. Prohibiting a retail component of such space may deny a certain synergy between the industrial and retail space that a specific business may have. While it is possible to further refine the text to exclude such uses from the Business Enhancing Use floor area, it may prove challenging as accessory uses could mean different things.

DCP clarified that the ratio of one square foot to 3.5 square feet is used for these applications because 17 percent the floor area equals approximately one floor of industrial space. The ratio is not meant to be the end of the conversion but rather a minimum requirement for the provision of industrial space, which is not a requirement under the existing zoning.

Regarding monitoring and enforcement of the Business Enhancing Uses, and possible considerations for existing precedents set by other districts within the Zoning Resolution, DCP stated that reporting is the most straight forward tool that could be used. DCP is willing

to explore the idea of having a single administering agent but requires a more institutional approach.

With regard to the specificity of requirement for parking garage attendants, DCP stated that the approved drawings for the Special Permit indicate that the parking garage will be an attended facility without regard to specifying the number of attendants on premise. If, during the City Planning Commission (CPC) review, it is concluded that there is a need for further review regarding such details, the New York City Charter permits CPC to introduce changes to the application as part of its recommendation.

In response to Borough President Adams' policy to promote the use of sustainable and renewable energy resources, as well as promoting practices to retain stormwater runoff, the applicant's representative noted that the project incorporates water retention plantings within the plazas and on the roof. Because the site is currently contaminated, there will also be an extensive cleanup of the existing ground contamination.

In response to Borough President Adams' policy to maximize job opportunities for Brooklynites, the representative noted that the developer uses local sourcing and hiring at all sites and will be providing documentation of such efforts subsequent to the hearing. The representative stated that the Industrial and Commercial Abatement Program (ICAP) will be this site's monitoring agent for local hiring efforts. The applicant/developer stated that while the bidding process is not finished, the supplier of the glass, which is extensively used throughout this site's design, would most likely be an MWBE-registered business. The applicant/developer also stated that a lot of the engineers used in past projects have been MWBE-certified and, as part of ICAP, they will continue vetting MWBEs for this project as well.

Subsequent to the hearing, the applicant provided a letter dated March 29, 2016 addressing concerns with regard to the comparisons made between the proposed text amendment and the recently passed zoning initiative in San Francisco, the applicant cautions that not a single square foot of manufacturing space resulted since the initiative was created. San Francisco's own economic feasibility study showed that the 33 percent requirement for development of Production, Distribution, and Repair use spaces was not feasible for most typical projects. The zoning structure intended to create value and recapture some of it to subsidize development of manufacturing space has not worked to date. The applicant committed to providing 29 percent of the newly created commercial use space, or 17 percent of the whole development, for light manufacturing uses and is committed to make this number work within the context of the New York City marketplace.

Consideration

Community Board 1 (CB 1) disapproved the zoning text change application with several conditions and approved both Special Permit applications. CB 1 recommended that:

- DCP's text amendment be limited to the block of 25 Kent Avenue
- the business enhancing use space be required to lease at 20 percent below current market rate
- there be local nonprofit oversight of the required industrial spaces, including assistance in marketing vacancies and certifying accurate and affordable lease rates (must report to Economic Development Corporation)
- DCP be required to develop a tool to enable industrial businesses in adjacent M1-1 districts to add height and bulk in order to expand their operations without a variance or ULURP
- the applicant be required to provide service jobs with prevailing wages

- the FAR be reduced

The text amendment would create two Special Permits available within a 14-block area of the M1-2 zoning district in the Greenpoint-Williamsburg Industrial Business Zone (Greenpoint-Williamsburg IBZ), generally bounded by Banker Street to the north, North Ninth Street to the south, Kent Avenue to the west, and a line approximately equidistant between, and running parallel with, Berry Street and Wythe Avenue to the east (Enhanced Business Area).

The zoning amendment is an attempt to respond to both the applicant's interest in developing this site, demonstrated by efforts to obtain construction clearance, as well as concerns raised about the uses developed within this IBZ. As for the applicant/developer, in early 2014, approval was granted to begin site clearance for an intended as-of-right 11-story commercial and community facility office building containing 383,040 square feet of floor area and 1,100 parking spaces, permitted by the M1-2 zoning district. That summer, approval was granted to begin construction of the foundations for this building. Near the end of 2014, a new building permit was granted by the New York City Department of Buildings (DOB) to construct to a height of 157 feet above curb level. Site clearance has been completed and 19 Kent Acquisition LLC intends to start excavation, foundation work, and site remediation within the coming weeks, though the intent remains to modify what is built according to the two Special Permit applications.

The zoning text is also an attempt to address once unforeseen as-of-right development trends. The 14-block M1-2 zoning district was rezoned in 2005, as part of the much larger Greenpoint-Williamsburg waterfront area rezoning, to preclude heavy industrial uses as much of the rezoning encouraged residential development nearby. Additionally, a park was designated across Kent Avenue. The rezoned M1-2 zoning district better reflected the types of manufacturing uses that had come to occupy it, and with the intention to ensure that new industrial uses in the area would be fully enclosed and compatible with the nearby residential and mixed use neighborhoods. This was complemented in 2006, as this area was included within the newly established Greenpoint-Williamsburg IBZ, signaling a commitment to land use policies that encourage the retention and growth of such businesses. Subsequently, the IBZ has seen a loss of active industrial uses, particularly in the M1-2 zoning district section, as a preponderance of new nightlife, entertainment, and hotel uses contribute to displacement of manufacturing and industrial uses. This is evidenced by the growing number of hotels, nightclubs, restaurants, and other entertainment venues in the area that have recently opened or are under construction. In the areas that were not transformed, many properties remain largely underutilized. The application cites the M1-1 zoning district section, which comprises the northeastern boundary of the IBZ, as a remaining active industrial area.

Land uses in the area include a mix of industrial, restaurant, entertainment, hotel, open and enclosed storage, and warehouse uses. The uses by zoning lot break down to approximately 49 percent manufacturing or industrial uses, 20 percent commercial office or retail uses, 12 percent hotel or eating/drinking establishment uses, two percent residential uses, and 16 percent currently under construction for a hotel, eating/drinking establishment, or medical office use. However, the already developed, and still under development, construction floor area is much more characterized by hotel use. In addition, there has been a trend of office development, including Amazon's conversion of 35 Kent Avenue, a one- and two-story manufacturing building adjacent to the development site on North 12th Street, from manufacturing to office and photography studio space.

While new development in the IBZ has tended toward entertainment and nightlife uses, there has also been office development that appears to be reflective of the resurgence of Brooklyn's office base. A spike in demand from the media, tech, and creative industries has led to very low inventory of available commercial space in Downtown Brooklyn, DUMBO, and Williamsburg. Commonly cited reasons given for this demand include the desire of tenants to occupy converted loft-spaces, and the attraction of operating in close proximity to the communities in which their workforces reside.

The text amendment provides an opportunity to leverage the potential rental income from office development while providing financially viable alternatives to hotel, retail, and entertainment uses, leveraging permanent space of the majority of manufacturing listed zoning uses. By allowing commercial uses and light manufacturing uses to occupy floor area beyond what is permitted by the M1-2 use limitations, the text amendment seeks to diversify the economic base within the proposed Enhanced Business Area and increase employment opportunities. The intent of the text amendment is to protect and preserve the manufacturing base in the IBZ while simultaneously allowing a limited amount of commercial office development. According to the application, the section of the IBZ zoned as an M1-1 zoning district, has not experienced the degree of manufacturing and industrial displacement that the proposed Enhanced Business Area has. Therefore, a development-inducing mechanism was not deemed appropriate in the context of stabilization, preservation, and growth of the IBZ's manufacturing and industrial base.

The text amendment would allow, through grant of two new Special Permits by the City Planning Commission (CPC), a change of use from the as-of-right 4.8 community facility FAR to a 4.8 FAR for certain commercial and manufacturing uses. The text amendment allows such a use change by creating three categories of uses. The first category is uses permitted as-of-right in the underlying M1-2 zoning district, which are permitted at a maximum 2.0 FAR as-of-right (Permitted Uses). The second category is uses permitted in the underlying M1-2 zoning district, with the exception of hotels, moving and storage facilities, and certain other uses (Incentive Uses). By grant of Special Permit, in addition to the as-of-right 2.0 FAR for certain commercial and manufacturing uses, up to an additional 2.0 FAR may be used for Incentive Uses. The third category is an even more narrowly tailored list of Permitted Uses that comprises certain light industrial uses (Business Enhancing Uses). To achieve the 2.0 additional FAR for certain commercial and manufacturing uses, a minimum of 0.8 FAR must be provided for Business Enhancing Uses. Buildings utilizing the Special Permit would be capped at a maximum 4.8 FAR.

Though the built context of the area surrounding the site is characterized primarily by one- and two-story manufacturing and storage buildings occupying large lots, the zoning envelope of the M1-2 zoning district permits very tall construction. This is represented by the nine-story Wythe Hotel, located one block south, and the taller hotel buildings that are presently in the construction pipeline. The William Vale Hotel will rise to a height of 250 feet; the Hoxton Hotel will rise to a height of 96 feet as a nine-story hotel; and, another hotel will be eight-stories. In response, the proposed Special Permit would cap height at 110 feet unless the development contains plaza space, which would allow up to 135 feet.

DCP identified recordation, a Notice of Restrictions, the form and content of which would be satisfactory to the CPC, as part of the proposed zoning text as the mechanism to ensure appropriate use of the Business Enhancing Use spaces. Specifically, for developing floor area pursuant to the Enhanced Business Area Special Permit, use restrictions or requirements, as applicable, would be according to ZR Section 74-962(d). It would mandate a recording requirement against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's office, in the county where the lot is located. The filing and

recordation of such Notice of Restrictions would be a precondition to the issuance of any building permit utilizing the provisions set forth in Section 74-962(d). The recordation information would be referenced on the first certificate of occupancy to be issued after such notice is recorded, as well as all subsequent certificates of occupancy, for as long as the restrictions remain in effect.

The applicant's two Special Permits, pursuant to the zoning text amendment, would facilitate development of an 80,000 square foot city block composed of a privately-owned assemblage of lots. The site is bounded to the north by North 13th Street, to the south by North 12th Street, to the west by Kent Avenue, and to the east by Wythe Avenue. Historically, the site has been used for manufacturing and industrial purposes. The site was partially occupied by four one- and two-story buildings of approximately 20,000 square feet of floor area, consisting of storage uses that were demolished and cleared in 2005. Subsequent uses included open temporary parking and a construction equipment rental operation.

The proposed development site would contain approximately 380,000 square feet of floor area, 275 attended accessory parking spaces and 150 bicycle parking spaces, in a parking garage located in the cellar, three accessory loading docks, and two public plazas totaling 14,400 square feet. The proposed building would contain the three categories of uses within the existing maximum FAR of 4.8. These categories include nearly 160,000 square feet (42 percent) of Permitted Uses, approximately 63,700 square feet (17 percent) of Business Enhancing Uses, and more than 156,500 square feet (41 percent) of Incentive Uses.

In addition to bike and car accommodations, access to the development would be supported by two subway stations, including the G line, at Nassau and Bedford avenues, and L line at Bedford Avenue and North Seventh Street, both approximately a seven- to eight-minute walk from the site. Several bus lines — the B32 directly, and B24, B39, B46, B60, B62, Q54, and Q59 by connection — also serve this area.

The proposed building design utilizes brick and glass, as well as 16-foot floor to ceiling heights and open floor plates, to reflect the character of the Greenpoint-Williamsburg industrial past. The public plazas would be linked by a 40-foot wide partially covered pedestrian walkway located at grade, approximately midway between North 12th and North 13th streets, as an additional route to connect the neighborhood to the waterfront park. This pedestrian walkway further serves as the primary point of access to the proposed development and would include ground floor retail spaces and lobbies serving upper floors.

It is Borough President Adams' policy to support land use actions that broaden economic opportunity within the permitted floor area through actions that facilitate utilization of such floor area for occupancy of a wider range of job generating uses as a means to provide much needed employment opportunities for varied skill sets. Borough President Adams supports the development of floor area for manufacturing use groups and for added density of office uses, in sections of Brooklyn where it supports innovation, creative, and maker economies. He further supports such actions that establish reasonable height limits, more need-based car parking and truck loading berth requirements, and that promote developments that incorporate amenities serving a benefit to the neighborhood.

The development of this entire city block would transform substantially underutilized land to facilitate a mix of commercial and light industrial uses that would support the economy and create a substantial number of construction and permanent jobs. This development provides dedicated space that assures light manufacturing use group establishments would be operating in a manufacturing zoning district. Such development assures retention of the

City's industrial sector as a means to retain and create good jobs for those without degrees from institutions of higher learning. The industrial sector has long been an avenue leading to equitable economic opportunity for immigrant populations, people of color, and low income communities. Borough President Adams supports the preservation of Industrial Business Zones for the creation of jobs that serve as pathway to the middle class. With low barriers to entry and real career pathways, industrial and manufacturing jobs — whose average wages are twice that of the retail sector — are a crucial avenue of opportunity and equitable economic development for low-income communities.

Borough President Adams supports the concept of encouraging development of industrial and manufacturing space through incentivizing commercial office and retail uses and creating an ecosystem for a mix of light industrial and commercial spaces in close proximity to the workforce. Such office space is in great demand in certain neighborhoods and the choice is not whether or not such innovation, creative, and/or maker office space belongs in traditional office districts or to what extent in manufacturing zoning districts. The choice is whether growth can adequately be accommodated where the industries want to locate in New York City as opposed to other regions of the United States and in the global community.

It is Borough President Adams' sustainable energy policy to promote opportunities to utilize solar panels and/or blue/green/white roofs, as well as Passive House construction. He encourages developers to coordinate with the Mayor's Office of Sustainability, New York State Energy Research and Development Authority (NYSERDA), and/or New York Power Authority (NYPA) at each project site. Such modifications would reduce the development's carbon footprint and increase energy efficiency. Furthermore, as part of his flood resiliency policy, Borough President Adams also encourages developers to incorporate permeable pavers and/or establish bioswales that advance the Department of Environmental Protection's (DEP) green-water/stormwater strategies. Blue/green roofs, permeable pavers, and bioswales would deflect stormwater from entering the City's water pollution control plants. According to the NYC Green Infrastructure 2014 Annual Report, green infrastructure has a critical role in addressing water quality challenges and provides numerous environmental, social, and economic co-benefits.

The development is consistent with Borough President Adams' policy regarding sustainability design. Borough President Adams acknowledges the applicant's pursuit of sustainable and resilient rooftop and plaza features. This includes using the building's roof for a combination of blue, green, and/or white roof improvements. The required Builders Pavement Plan and the site's paved plaza surface areas provide opportunities to incorporate permeable pavers and bioswales as well as blue and/or green roofs. Such efforts could help advance DEP green-water/stormwater strategies, enhancing the operation of the Newtown Creek Water Pollution Control Plant during wet weather. Such bioswales have the added benefit of serving as a streetscape improvement.

It is also appropriate for the developer to engage government agencies such as the Mayor's Office of Sustainability, NYSERDA, and/or NYPA, to give consideration to government programs and grants that might offset costs associated with enhancing the sustainability and resiliency of this development 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 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. Borough President Adams encourages the developer to reach out to his office for any help opening dialogue with any of the aforementioned agencies and further coordinating on this matter.

As further clarified in the March 29, 2016 letter from the applicant's representative, it is the applicant's intent to have stormwater collected on-site, which would also be diminished by the incorporation of rain/gardens and green roof areas. The gardens would recharge stormwater into the ground rather than directly to the City's combined sewer system. The green roof would contribute to the stormwater retention while protecting the roof from solar heat gain. The applicant is also committed to achieving the maximum sustainability practicable through installation of fixtures aimed at reducing the consumption of energy throughout the building, as well as incorporation of a monitored ventilation system.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development to create more employment opportunities. According to averaged data from 2008 to 2012, double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, with more than half of our community districts experiencing poverty rates of 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses and including those that qualify as MWBE and LBE is central to Borough President Adams's economic development agenda. This site provides opportunities for the developer to retain Brooklyn-based contractors and subcontractors, especially those who 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 (no less than 20 percent participation). It was estimated that this project has the potential to provide, on average, approximately 175 daily construction jobs over the 18-month period of construction.

Borough President Adams encourages responsible development and good practices by contractors and subcontractors. He believes that workers should be able to work in a non-threatening environment while promoting his agenda for achieving employment for Brooklynites through discretionary land use actions.

Borough President Adams believes that such standards would be met by the developer of 25 Kent Avenue, according to the clarification in the March 29, 2016 letter from the applicant's representative. It is the applicant's intent to seek the construction workforce for this project in conformance with the requirements of the ICAP program, which includes outreach to MWBE firms and submission of Employment Reports to the Division of Labor Services. It is also the applicant's intent to seek a goal of 20 percent for MWBE involvement and put forth commercially reasonable efforts to hire Brooklyn residents and Brooklyn-based subcontractors.

The March 29, 2016 letter further notes that the owner will cooperate with the Department of Transportation (DOT) should they explore the possibility of locating Citi Bike stations adjacent to the property. In addition, the developer shares Borough President Adams' interest in promoting car-share utilization in the neighborhood and is committed to accommodating, to the extent reasonably possible, space for a car-sharing program within the parking garage.

The applicant also commits to report, on an annual basis, to Borough President Adams, Council Member Stephen Levin, and other interested parties, the names of and amount of square feet occupied by the tenants in the manufacturing component of the building.

Though Borough President Adams is generally supportive of the proposed zoning text amendment as it establishes the two Special Permits to enable the development of 25 Kent Avenue, he believes the text should incorporate a few modifications now and be further amended in the future through follow-up action by DCP. Immediate modifications should

pertain initially to the extent of site applicability, enhancement of regulatory oversight, the list of business enhancing uses, and clarifying size of accessory retail use within the business enhancing floor area. In addition, he believes the City should promote non-profit ownership of the Business Enhancing Uses. Furthermore, DCP should take proactive steps to promote development within the entire Greenpoint-Williamsburg IBZ, including: upzoning the remaining M1-1 zoned blocks to M1-2 where appropriate; and, expanding the Enhanced Business Area to include both M1-1 and M1-2 zoned blocks in the IBZ, with applicability to all zoning lots — including recognition of outdated parking and loading berth standards. Borough President Adams also has recommendations pertaining to expanding the area's Citi Bike network, prevailing wages for building service workers, North Sixth Street ferry service, and funding toward completing the acquisition and construction of Bushwick Inlet Park.

Appropriate Lot Size of Applicability

While Borough President Adams seeks for Brooklyn to reap the economic benefits associated with the development of 25 Kent Avenue, he believes that more comprehensive zoning changes should be in place before a significant number of properties would be eligible to pursue the transformation of permitted community facility floor area to commercial floor area. Borough President Adams seeks assurances that certain oversight and use restrictions are in place along with regulations that provide economic equity for both zoning lots of all sizes and where the present M1-1/M1-2 zoning district boundary appears arbitrary. He believes that without providing the opportunity to smaller lots and the M1-1 zoning district would render these properties vulnerable to conversion, from traditional manufacturing use groups to entertainment and retail use groups, for economic gain. As there is no known interest to apply for the Special Permits where DCP has defined eligibility, Borough President Adams believes that it is important to advocate for all subsequent property owners, as equally as practical, to maximize future floor area regulated for business enhancing uses. Until such modifications are in place, eligibility to pursue the Special Permits should be defined by a substantial amount of zoning lot size. Such practice is consistent with other Special Permits incorporated into the Zoning Resolution. Recently, there was a newly-adopted zoning text to establish a Special Permit for the Special Sheepshead Bay District, which became the latest example of a Special Permit to specify a minimum zoning lot size for enabling applicability.

Borough President Adams believes that the Special Permit text should be amended to initially limit applicability of the Special Permit to lots of at least 80,000 square feet. Therefore, he encourages the City Planning Commission or the City Council to initiate such an amendment to the text prior to granting its approval.

Regulatory Oversight of Business Enhancing Use Floor Area

The proposed zoning text amendment identifies recordation as the mechanism to ensure the integrity of Business Enhancing Use space. Recordation is absent of ongoing oversight and, therefore, has limitations as a regulatory tool. The Zoning Resolution provides other examples of methods to encourage compliance with the Zoning Resolution that are worth investigating. These include reporting requirements, such as those required according to the Special 125th Street District and the Inclusionary Housing Program, and visual displays, such as those drawn from the City's Plaza Program, which provides signage placed in prominent areas of a plaza that identifies required elements.

Borough President Adams believes that, in addition to the recordation requirement, more stringent enforcement and monitoring tools should be implemented, as a means to adequately provide regulatory oversight of Business Enhancing Use floor area. The zoning

text proposal should require both the establishment of monitoring and reporting procedures, as well as signage, as additional conditions prior to permitting legal occupancy of the business enhancing and incentive use floor area.

The Special Permit should require oversight to be pursuant to a regulatory agreement obligating reporting to an agency such as the New York City Department of Small Business Services (SBS) to receive notification of compliance with each new occupancy as well as providing for annual reporting, pursuant to a regulatory agreement, that each lease or condominium space is occupied in compliance with the regulatory agreement at initial occupancy and upon each subsequent vacancy.

The zoning text should include definition terms such as administering agent and regulatory agreement. The responsibilities of the administering agent should be defined in a manner modeled to that in the Inclusionary Housing text. The regulatory agreement should be defined as an agreement between SBS and the owner of the Business Enhancing Use space that requires compliance with the approved Special Permit(s).

The administering agent should be approved by SBS, with the agency having the authority to revoke such status at any time, before or during the regulatory period. The administering agent should be a non-profit entity and should not be, or be an affiliate of, an owner or managing agent unless SBS approves such entity to serve as the administering agent upon determination that there are adequate safeguards to ensure compliance with the regulatory agreement. This section of Brooklyn has three non-profit organizations — Evergreen, Greenpoint Manufacturing and Design Center (GMDC), and North Brooklyn Development Corporation — which serve industrial providers. These non-profit organizations should be considered as candidates to serve in such oversight capacity of the Business Enhancing Use floor area. The administering agent should be made responsible to maintain all records, setting forth the facts that form the basis of any affidavit submitted to SBS. The administering agent should maintain such records, and such other records as SBS may require, at the offices of the administering agent or at such other location, as may be approved by SBS. The administering agent should make such records, and all facets of the operations of the administering agent, available for inspection and audit by SBS upon request.

The regulatory agreement should require that SBS be provided with documentation including, but not be limited to, plans approved pursuant to the Special Permit according to ZR 74-962. Submitted information should indicate the zoning floor area calculations and zoning references, as well as floor plans delineating Business Enhancing Use floor area. The regulatory agreements should be recorded against all tax lots comprising the portion of the zoning lot within which the Business Enhancing Use floor area is located. Additionally, the regulatory agreements should set forth the obligations, running with such tax lots, of the owner and all successors interested in providing Business Enhancing Uses, in accordance with the adopted Special Permit.

Such requirements should apply to tenanted Business Enhancing Use space, specifying that upon initial occupancy and any subsequent vacancy, Business Enhancing Use space would only be leased to and occupied by Business Enhancing Uses, as applicable. No lease or sublease of a Business Enhancing Use space would be executed, and no tenant or subtenant would commence occupancy without prior approval of the administering agent. After initial occupancy, in the month specified in the regulatory agreement, the administering agent should submit an affidavit to SBS attesting that each lease or sublease of a Business Enhancing Use floor area or renewal thereof during the preceding year

complied with the list of permit Business Enhancing Uses at the time of execution of the lease or sublease or renewal thereof.

In tandem with the reporting requirement, Borough President Adams believes that properly displayed signage can be a deterrent to non-conformance with the zoning use regulations. The two plazas of the proposed development would already be regulated in such a manner. According to the City's Plaza Program, each plaza will contain a mounted sign depicting the type and number of amenities including hours open to the public, linear square feet of seating, the number of movable tables and chairs, light poles, drinking fountains, and bike racks. Such signage also provides a phone number for any associated complaints.

As a means to adequately provide additional regulatory oversight of Business Enhancing Use floor area, Borough President Adams believes it is appropriate to mandate signage depicting the Business Enhancing Uses on the floor plans. Such signage should be placed opposite elevators leading to such spaces, in the corridors upon entering such spaces, and within the building lobby. This should be achieved by amending the proposed text to require visible plaques depicting floor plan representation of Enhanced Business Area Required Use floor area, consistent with Special Permit application drawing Z-072, Zoning Plan Levels 02 and 03. Mounting requirements should specify wall-mounted placement within each building lobby entrance, on walls both opposite elevator doors, and along corridor boundary entering/exiting the Business Enhancing Use area.

Therefore, Borough President Adams encourages the CPC or the City Council to initiate such amendments to the text prior to granting its approval in order to adequately provide regulatory oversight of Business Enhancing Use floor area.

Appropriateness of Listed Business Enhancing Uses

Recent development trends in manufacturing zoned districts, and this IBZ, have primarily resulted in hotels, offices, retailers, eating and drinking establishments — including entertainment venues — and mini storage facilities. Such trends demonstrate that often these tenants are more lucrative for landlords and property investors than uses that are generally restricted to occupancy in such zones. By establishing a list of excluded uses, the Enhanced Business Area zoning text promotes opportunities for such manufacturing listed uses to more effectively compete in the real estate market and secure space in this IBZ.

In reviewing the list of Business Enhancing Uses, Borough President Adams notes that it contains the opportunity to have showrooms for automobile, motorcycle, trailer, or boat sales. Such uses, when not supported by a service department, might be more financially lucrative as tenants and, as a result, deny other listed Business Enhancing Uses from occupying floor area achieved through the Special Permit. Reportedly, an upscale showroom would be occupying space in the Banker Street section of the IBZ and it is possible that other dealers might follow if an appropriate opportunity was presented. In addition, technological improvements have transformed certain traditional manufacturing space into office-like space. Certain firms now limit production to the digital format product supported by desktop computer work stations, similar to office space, and often are able to compete with more traditional office uses when renting floor area. In order to guarantee the quality of the 17 percent of the building's floor area to be set aside for Business Enhancing Uses, the uses identified about should not be allowed to qualify for floor area set aside through the Special Permit.

Therefore, Borough President Adams believes it is appropriate to modify the ZR Section 74-961 definition of Business Enhancing Uses to exclude automobile, motorcycle, trailer, or

boat sales from Use Group 16A, and processes limited exclusively to digital format product from Use Group 17B in order to keep the integrity of such spaces to serve the businesses most in need. He encourages the City Planning Commission or the City Council to initiate such an amendment to the text prior to granting its approval.

Extent of Accessory Retail as part of a Business Enhancing Use

There has been a trend for certain uses listed within Use Groups 11A, 16, 17 and 18 — beverages, alcoholic, or breweries — where a small accessory section is set-aside for retail or eating and drinking establishments. For example, the Chelsea Market has an interior retail street, where one can purchase freshly-baked goods from a small accessory retail section off the main baking production area. There are also breweries that contain accessory beer halls and/or restaurants. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. However, other manufacturing uses, such as metal fabricating and woodworking, do not lend themselves to accessory retail. This puts such uses at a disadvantage because the permitted uses profiting from accessory retail, or eating and drinking, components would likely be able to pay more rent. In addition, if such accessory retail and/or eating and drinking floor space was of excessive size, it would seem to undermine the spirit of the intent of establishing Enhanced Business Areas. The proposed zoning text does not specify whether such accessory operations occupy part of the 17 percent, meant to be set aside for Business Enhancing Use.

Therefore, Borough President Adams seeks to more clearly define the extent that floor area would be allotted for supporting such accessory operations. He believes that it is appropriate to modify ZR Section 74-961 to limit Business Enhancing Use accessory retail operations, specifically for Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, by permitting up to 100 square feet without regard to the size of the Business Enhancing Use floor area, though not more than 1,000 square feet based on not being more than 10 percent of floor area per establishment. Where such business plan supports an accessory use, in excess of such size limitation, such floor area should be designated as permitted use floor area and be delineated as such on the floor plans filed with the DOB.

Borough President Adams encourages the City Planning Commission or the City Council to initiate such an amendment to the text prior to granting its approval.

Encouraging Non-Profit Ownership of Business Enhancing Use Floor Area

Borough President Adams supports the Mayor's commitment to preserve and expand the City's industrial sector, which plays an important role in ensuring equitable economic development. Recently, the New York City Economic Development Corporation (EDC) has released an important new tool to achieve this vision by issuing a Request for Proposals for a Not-for-Profit Industrial Developer Fund. This fund aims to increase the capacity of non-profit organizations to develop industrial real estate and support the growth of a more robust mission-driven industrial development ecosystem. A comprehensive industrial policy is a crucial piece of the puzzle in the City's effort to reduce income inequality and develop safe, vibrant, and affordable neighborhoods.

Non-profit ownership has resulted in affordable rents for industrial establishments, shielding such tenants from rent increases based on real estate speculation. In addition, such entities are able to be selective of potential tenants to ensure that sub-sectors of uses are adequately accommodated. Mission-driven focus allows such entities to take into account displacement trends as opposed to settling for users that would pay the most rent.

Brooklyn's portfolio of mission-driven non-profit space includes the Brooklyn Navy Yard and multiple sites owned by Evergreen and GMDC.

The EDC fund will allocate up to \$41 million of City capital — and \$150 million of total support — for non-profit developers that plan to acquire, construct, and/or renovate industrial real estate in the City. Mission-driven, non-profit developers are uniquely positioned to use the Fund to increase the supply of affordable industrial real estate with the intention to maximize the number of quality jobs for those in the community that depend on such job availability to enhance their quality of life. The Fund's goal is to catalyze private-sector financing by providing three financing tools: City capital, a credit-enhancing guarantee backed by EDC, and a low-interest subordinate loan from EDC. The importance of putting space in the hands of non-profit, mission-driven developers has been seen time and time again in the development of affordable housing.

Borough President Adams believes it is appropriate for the City to award a portion of the \$41 million Not-for-Profit Industrial Developer Fund to enable the sale of the Business Enhancing Use floor area to local non-profit organizations. Therefore, Borough President Adams encourages the Mayor to allocate a portion of the Not-for-Profit Industrial Developer Fund to stimulate non-profit ownership of Business Enhancing Use floor area.

Amending the Special Permit Parameters to Enhance Utilization

Borough President Adams believes that the intention behind establishing the Enhanced Business Area is diminished because too many properties within the IBZ would not be eligible for the Special Permits. For such properties, the zoning lot size precludes meeting the requirement of having 5,000 square feet of horizontally contiguous business enhancing use floor space, or the text precludes use for zoning lots in the M1-1 zoning district.

In addition, there is a financial burden imposed upon applicants seeking to rectify archaic car parking and truck loading berth requirements. By maintaining such requirements, DCP is essentially promoting the continuation of the trend to convert property from traditional manufacturing Use Groups to hotel, eating, and drinking establishments — including those serving as entertainment venues, and retail. This trend would likely be magnified by such uses seeking proximity to the disposable incomes of future employees at 25 Kent Avenue if more compelling alternatives are not available to property owners of these smaller lots and lots in the M1-1 zoning district.

Therefore, Borough President Adams believes that in order to improve the attractiveness of the Enhanced Business Area Special Permits to property owners, and to facilitate the enlargement of existing buildings in this IBZ's M1-1 zoning district, in addition to upzoning the M1-1 to M1-2 where appropriate, DCP prepares an application to amend the Zoning Resolution according to the following sections:

Extending Applicability to All Zoning Lots

As proposed, the Special Permit requires a minimum of 5,000 square feet of horizontally contiguous business enhancing use per floor. This is a deterrent because there are approximately 20 properties within the proposed Enhanced Business District that do not exceed 5,000 square feet of zoning lot size. Therefore, these properties would not be eligible to apply for the additional commercial floor area pursuant to the Special Permit. Borough President Adams believes it is appropriate to reduce the horizontally contiguous floor plate for business enhancing uses to as little as 1,000 square feet as a means to accommodate zoning lots area as small as 2,000 to 2,500 square feet.

Borough President Adams believes that the Special Permits should be applicable to zoning lots without minimum lot size. He also believes that for zoning lots up to 6,000 square feet of lot area, modification of ZR Section 74-962 (b)(1) conditions for minimum amount of business enhancing use floor area to be no less than 1,000 square feet of horizontally contiguous floor area.

Parking and Loading Berth Requirements

Under the M1-2 zoning district, parking and loading berth requirements are primarily based on outer-borough car-accommodating policies. Current trends demonstrate the need to accommodate the unique market of creative and innovation offices and light industrial spaces in proximity to the neighborhoods where such workforce resides. This enables the workforce to be much less dependent on a vehicle as a means of transportation, entirely in contrast to the standard requirements of both the M1-1 and M1-2 zoning districts.

Current requirements include a provision (ZR Section 44-22) that is based on the most burdensome use where the developer always has to provide the highest required number of parking spaces just in case of future conversion to a use that might require more parking. The basis for such requirement would allow for eventual return of commercial occupancy to light manufacturing use. ZR Section 44-21 requires one parking space per 300 square feet of floor area. Per the Special Permit, findings are required in order to justify any parking and loading berth reductions. The associated extensive studies and expensive traffic consultant costs make the permit less attractive to owners of smaller businesses and properties. Set standards would make the permit more applicable to other users who may not otherwise be able to afford the costs associated with completing the necessary studies, while allowing the right-sizing of standards.

Borough President Adams believes that in order to appropriately establish parking requirements within the Greenpoint-Williamsburg IBZ for developments approved by the Special Permit for floor area increase pursuant to ZR Section 74-962, ZR Section 74-963 should be modified accordingly. Borough President Adams believes it is warranted to introduce a zoning text change to reduce such parking requirements by incorporating a more reasonable zoning district standard. The most fitting example can be derived from ZR Section 36-21 for C8-3 zoning districts, for Commercial Use Groups 6-16, which requires one parking space per 1,000 square feet of floor area. Furthermore, ZR Section 44-22 should be made inapplicable as it is not logical to suspect that such office development would revert to light manufacturing or warehouse or distribution use.

To alleviate the pressure of providing an excess amount of vehicle parking, and promote a more sustainable form of transportation, Borough President Adams believes it is appropriate to introduce a zoning text change to offset vehicle parking by providing more bicycle parking. Currently, ZR Section 44-60 requires the provision of one bicycle parking space per 10,000 square feet of floor area. Borough President Adams believes that developers providing bicycle parking spaces above and beyond this requirement should permit the offsetting of one vehicle parking space per each such bicycle parking space, for up to 33 percent of the required number of otherwise required car parking spaces.

Additionally, to simplify the burden of parking requirements on smaller developments, Borough President Adams believes it is appropriate to introduce a zoning text change to regulate an automatic waiving of required parking according to ZR Section 36-232 for C8-3 zoning districts. ZR Section 36-232 for C8-3 zoning districts precludes applicability of parking requirements to commercial uses if the total number of accessory off-street parking spaces required for all such uses on the zoning lot is fewer than 40. Any applicant of the Special Permit pursuant to ZR Section 74-963 would still have the option of exceeding the automatic

standard reductions upon provision of supportive studies, ultimately dependent on CPC approval.

Parking Attendants

Earlier this month, DOT Brooklyn Borough Commissioner Keith Bray and Council Member Stephen Levin stated that the City will begin a comprehensive study to look at traffic and transportation in the rapidly-growing North Williamsburg and Greenpoint sections of Brooklyn. The study will be used to evaluate transportation and traffic congestion, and develop recommendations to mitigate congestion and enhance mobility and safety for the area. Borough President Adams recognizes that traffic congestion and parking are growing concerns for this neighborhood, as acknowledged by the anticipated DOT study.

It has become more common to utilize stacked parking lifts in combination with horizontal parking of vehicles within new parking garages. Stacked parking necessitates the provision of parking attendants in order to move and rearrange parked vehicles. The efficiency and adequacy of such a parking garage determine its appeal, as opposed to promoting a culture of double-parking or searching area streets for limited on-street parking. Double parking can disrupt movement of traffic and can shift traffic patterns to residential streets. The search for street parking might bring vehicles to residential blocks and results in added competition with those already residing or working in the area who have been dependent on the adequacy of the availability of street parking. Therefore, the operation of the garage directly reflects quality-of-life impacts within the community.

In accordance with ZR Section 74-963, the proposed zoning text provides for CPC to prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area. Borough President Adams believes that this section should explicitly note that CPC give consideration to determining a minimum number of parking attendants based on hour of day and day of the week according to the intended hours of operations of the establishments within the building. Additionally, the Zoning Resolution's provision regarding accessory parking pursuant to Article 4 Chapter 4 does not provide any use restrictions for the development's parking spaces. Therefore, with proper management of this attended parking resource, Borough President Adams believes this garage would serve as a fee-based community amenity for area residents and employees.

Loading

ZR Section 44-54 requires that 50 percent of the floor area be subject to loading berth requirements for manufacturing use, for buildings with both manufacturing (Business Enhancing) and Commercial (Permitted/Incentive) floor area. For manufacturing floor area between 140,000 square feet and 220,000 square feet, the requirement is five loading berths. The remaining floor area is subject to the requirement of five loading berths for commercial floor area between 120,000 square feet and 200,000 square feet. Such onerous loading berth requirements are just as archaic as the parking requirements for the intended predominant commercial use and to require consultant analysis could potentially deter property owners from engaging in the Special Permit process. Borough President Adams believes that off-street loading berth requirements under ZR Section 36-92, per C8-3 zoning district, are appropriate for such Special Permit-driven, incentive-use development.

According to C8-3 zoning district standards pursuant to ZR Section 36-92, no loading berths are required for manufacturing use within development not exceeding 8,000 square feet and for retail up to 25,000 square feet and office use up to 100,000 square feet. For example, one loading berth is required for manufacturing and retail use within a development of up to 40,000 square feet, and for office use of up to 200,000 square feet. Two loading berths are required for manufacturing use within developments of up to 80,000

square feet, for retail of up to 100,000 square feet and office use of up to 500,000 square feet. Three loading berths are required for manufacturing use within developments of up to 160,000 square feet, for retail of up to 250,000 square feet and office use up to 800,000 square feet. Borough President Adams believes that, in lieu of ZR Section 44-54, it is appropriate for minimum off-street loading berth requirements for truck loading to be applicable to ZR Section 36-92 per C8-3 zoning district standard.

Borough President Adams urges DCP to follow-up this proposed text change with a corrective action amendment of the Special Permit in order to improve the attractiveness of the Enhanced Business Area Special Permits to more property owners.

Facilitating Investment in the M1-1 Zoning District in the Greenpoint-Williamsburg Industrial Business Zone

The M1-1 zoning district appears to have been initially established to reflect pre-dated building height. The adjacent then-M3-1 zoning district appears to have been established to reflect more noxious uses. The boundary between the M1-1 and M3-1 zoning districts was generally established to allow for a 400-foot buffer from residential districts, as well as McCarren Park. The M3-1 zoning district permitted double the commercial floor area, as did M1-1, though building heights were generally comparable to what exists on the M1-1 designated properties. As part of the 2005 rezoning, all but one M3-1 zoned blocks were rezoned to M1-2 to replicate the commercial floor area permitted by the M3-1 district. It was beyond the scope of the 2005 rezoning to consider economic opportunity of the overall industrial pocket. Though, during the public review process, the New York Industrial Retention Network and the North Brooklyn Alliance recommended that blocks in manufacturing zoning districts with 1.0 FAR, be increased to 2.0 FAR on the premise that real estate conditions will be more favorable to preserving and encouraging businesses. The Brooklyn borough president in office during 2005 noted that there should be a rezoning to maximize the density of the manufacturing zoning district.

As a result, examining the boundary between the M1-1 and M1-2 districts reveals that there is no longer a valid basis to support the boundary as it is today. These remaining M1-1 zoned blocks include a number of existing light industrial and manufacturing businesses, property owners of which have stated that it would be beneficial to enlarge their buildings. Changing the zoning to M1-2, where appropriate, whether or not in tandem with filing for the Special Permit, would provide a means for businesses to be enlarged within their existing buildings. This would enable the expansion of business operations, providing increased employment opportunities, as well as economic growth citywide. The economic feasibility, through a DCP sponsored rezoning, might encourage these property owners to resist the temptation to convert their developments to eating and drinking establishments — including those serving as entertainment venues, hotels, mini-storage, and retail use. Therefore, Borough President Adams believes it is appropriate for DCP to undertake a zoning study for the purposes of determining where it is appropriate to change the M1-1 zoning to M1-2 and then file an application to amend the zoning map and a text amendment to expand the Enhanced Business Area.

The proposed text amendment identifies the Enhanced Business Area as a 14-block area within the Greenpoint-Williamsburg IBZ, just a few blocks short of encompassing the entire IBZ. The few blocks left out of the proposal are primarily zoned M1-1 and may include some properties that might not be appropriate to rezone to M1-2, yet may include a number of existing light industrial and manufacturing businesses in which property owners have stated that it would be beneficial to enlarge their buildings. Expanding the applicability of the Special Permit would provide another means for businesses to be enlarged within their

existing buildings to achieve expansion of business operations. In addition, the availability of the Special Permit might induce these property owners to resist temptation to have their developments converted to eating and drinking establishments — including those serving as entertainment venues, hotels, mini-storage, and retail use. Therefore, Borough President Adams believes it is appropriate to expand the applicability of the proposed permits to the properties within the M1-1 zoning district of this IBZ.

In concert with the requested DCP ULURP application to change M1-1 zoned blocks to M1-2, it should prepare an application to amend ZR Section 74-96 to make the Special Permit applicable to the remaining M1-1 zoned properties in the IBZ with customized regulations reflecting that such zone permits half of the floor area of what a M1-2 zoning district permits. Such regulations should include: modification of ZR Section 74-962, with regard to the M1-1 floor area increase standard, to be consistent with the M1-1 maximum community facility floor area of 2.4 FAR; and, modification of ZR Section 74-962 (b)(3) to require maximum permitted street wall height be 60 feet, or where a public plaza is provided, maximum height may be 75 feet. The amendment noted for the M1-2 zoning district would otherwise be applicable to the M1-1 zoning district. As a result, parking waiver standards for zoning lots under 18,000 square feet would be eligible for a waiver of parking requirements.

Borough President Adams urges DCP to follow-up this proposed text change with corrective action amendments to properly map the M1-1 designated blocks and, where not appropriate, to have the Enhanced Business Area Special Permit made applicable in order to facilitate appropriate investment in the existing M1-1 designated blocks.

City Bike Station Expansion

Citi Bike has expanded in popularity as it offers a cheap and environmentally-friendly option for mobility around the City. Currently, Citi Bike is in the midst of a rapid expansion, with the promise of 700 stations and 12,000 bikes by 2017. So far, 33 new stations have been installed around Williamsburg. With the intended development at 25 Kent Avenue, Borough President Adams believes that it is appropriate for DOT to take this added destination into consideration to best serve Citi Bike members, as well as to encourage membership growth. He calls on DOT to investigate the feasibility of establishing one or more Citi Bike stations along the perimeter of the development block in order to accommodate the users of the proposed building and its tenants. Additionally, Borough President Adams calls on DOT to undertake an assessment of the existing Citi Bike stations, in coordination with the affected industrial property owners and in consultation with CB 1, to determine the appropriateness of adding more bike docks. Similarly, consideration should be given to removing bike docks that have hindered business operations of the adjoining industrial uses.

Prevailing Wages for Permanent Jobs for Building Service Workers

The industrial sector has long been an avenue leading to equitable economic opportunity for immigrant populations, people of color, and low-income communities. Jobs within the industrial and building service sector serve as a pathway for lower-income earning individuals toward middle class living. With low barriers to entry and real career pathways, industrial, manufacturing, and building service jobs, according to prevailing wage standards, often provide average wages twice that of the retail sector, and often result in local hiring. Such jobs are crucial avenues of opportunity and equitable economic development for those having to manage households based on very-low and low-income wages.

Borough President Adams believes that it is appropriate to leverage public discretionary actions that result in significantly increased economic potential to create pathways toward

securing sufficient income-enabling families to remain in their neighborhoods and lead an adequate quality-of-life, without rent burden. He believes that building service employment often results in locally-based employment. He also believes that whenever there is increased increment of development rights — significantly improving the economic viability of a property — it is appropriate to link prevailing wages to discretionary approvals. Converting a significant amount of community facility floor area to uses such as offices is an example of such discretionary benefit that should trigger prevailing wage requirements for building service workers. Borough President Adams believes that it is worth investigating a legislative approach to achieve such an outcome.

Therefore, Borough President Adams encourages collaboration between himself, the City Administration, and City Council in order to introduce legislation mandating provision of prevailing wage salaries for building service workers where discretionary land use actions have realized an increase (e.g. of at least 100,000 square feet) of floor area without market restrictions.

Maintaining East River Ferry Service

Borough President Adams has concerns regarding the potential disruption in ferry service after the release of an article earlier this month, in POLITICO New York, regarding the New York Water Taxi announcement that it would terminate East River ferry service, ceasing all operations by the end of 2016. New York Water Taxi has a location within walking distance of the proposed site under consideration.

Borough President Adams is concerned that any disruption in ferry service will have direct negative impacts on economic growth and quality of life for Brooklynites who depend on a variety of transportation modes. The continued rapid population growth, both residential and workforce, in coastal areas such as Williamsburg, needs to be supported by multiple reliable modes of transportation. Such service would also be of benefit to those working at 25 Kent Avenue — whether commuting or attending outside meetings. Therefore, Borough President Adams urges the City Administration to ensure continued uninterrupted ferry service at North Sixth Street.

Furthering Development of Bushwick Inlet Park

The adopted rezoning for the waterfront sections of Williamsburg and Greenpoint was anticipated to ultimately result in the creation of more than 50 acres of new parkland along the East River waterfront. Due to unanticipated circumstances, the CitiStorage section of Bushwick Inlet Park remains unfunded for both acquisition and construction. Borough President Adams shares the community's concerns regarding the delay in development of the park. He is aware that, even with ICAP status, the City would ultimately be rewarded with a significant real property increase from this tax lot being developed adjacent to the park. This presents an opportunity for the City to investigate committing a portion of the realized post-occupancy real property tax increment to secure bond financing for the acquisition and development of the remaining sections of the Bushwick Inlet Park, instead of directing the full amount into the general fund. Borough President Adams urges the City Administration to immediately take steps to identify funding sources to secure the completion of promised new parkland along the East River waterfront. The City Administration should explore setting aside the tax increment earned from the development of 25 Kent Avenue to secure bond financing for the acquisition and development of the remaining sections of the Bushwick Inlet Park.

Recommendation

Be it resolved that Brooklyn Borough President Eric L. Adams, pursuant to section 197-c of the New York City Charter and Article 16 of General Municipal Law for New York State, recommends that the City Planning Commission and City Council approve the land use action requested according to the following conditions pertaining to the zoning text amendment:

That the City Planning Commission or City Council amends the proposed text for ZR 74-96 as follows:

1. Initially limit applicability to zoning lots of at least 80,000 square feet
2. In addition to ZR 74-962 (d) Recordation requirement, as a means to adequately provide regulatory oversight of business enhancing use designated area:
 - a. Require oversight be pursuant to a regulatory agreement obligating reporting to the New York City Department of Small Business Services by an administering agent that shall be consistent with ZR 23-961 (c)(3) and (c)(4)
 - i. That defined terms in ZR 74-961 include:
 1. An administering agent, and that such agent be the entity responsible for ensuring, pursuant to the regulatory agreement, that each lease or condominium space is for occupancy in compliance with such regulatory agreement at initial occupancy, at annual reporting and following each subsequent re-occupancy, and
 2. A regulatory agreement, and that such agreement is an agreement between the Department of Small Business Services and the owner of the required Business Enhancing Use floor area requires compliance with all applicable provisions of the Special Permit
 - ii. The administering agent shall be governed by DSBS consistent with ZR 23-96 (e)(1), (e)(2)(ii) and (e)(3), with removal consistent with ZR 23-961 (e)(1)
 - iii. The regulatory agreement shall be consistent with ZR 23-96 (f)(1), (f)(2) and (f)(3)
 - iv. The administering agent shall play a role in the occupant selection process to confirm for business enhancing use consistent with ZR 23-961 (a)(1)
 - b. Require plaques depicting floor plan representation of Enhanced Business Area Required Use area consistent with Special Permit application drawing Z-072 Zoning Plan Levels 02 and 03 to be required to be wall-mounted at each building lobby entrance, walls opposite elevator doors, and corridor boundary entering/exiting from Enhanced Business Area Required Use area

3. That ZR 74-961 definition for Business Enhancing Use exclude automobile, motorcycle, trailer, or boat sales from Use Group 16, and limit manufacturing processes in Use Group 17 to exclusively digital format product
4. That ZR 74-961 Business Enhancing Use accessory retail use (Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12) be limited by permitting up to 100 square feet without regard to the size of the Business Enhancing Use floor area, though not more than 1,000 square feet based on not being more than 10 percent of floor area per establishment

Be it further resolved that:

1. The City awards from its \$41 million non-profit industrial allocation to such non-profits that enable the purchase of Business Enhancing Use floor area from willing developers
2. The Department of City Planning, in order to improve the attractiveness of the Enhanced Business Area Special Permits to property owners, prepares an application to amend Zoning Resolution Section 74-96 as follows:
 - a. That the Special Permits be applicable to zoning lots without any minimum lot size
 - b. That for zoning lots up to 6,000 square feet of lot area, modification of 74-962 (b)(1) conditions for minimum amount of Business Enhancing Use floor area to be not less than 1,000 square feet of horizontally contiguous floor area
3. That in order to appropriately establish parking and loading berth requirements for developments approved by the Special Permit, within the Greenpoint-Williamsburg Industrial Business Zone, for floor area increase pursuant to ZR 74-962, ZR 74-963 shall be modified as follows:
 - a. Shall regulate Commercial Use Groups 6-16, according to ZR 36-21 for a C8-3 zoning designation, and that ZR 44-22 be made inapplicable
 - b. Shall permit every bike space provided above and beyond the requirement of ZR 44-60 to reduce automobile parking by one space for up to 33 percent of the required number of automobile parking spaces
 - c. Shall regulate an automatic waiving of required parking according to ZR 36-232 for a C8-3 zoning designation
 - d. Shall specifically note that the City Planning Commission may prescribe to require a set standard for a number of parking attendants as an additional condition and safeguard to minimize adverse effects on the character of the surrounding area
 - e. Shall regulate minimum off-street loading berth requirements for truck loading to be applicable to ZR Section 36-92 instead of Zoning Section 44-54, per the C8-3 District

- f. Shall restrict City Planning Commission findings (a) - (d) for applications seeking to exceed such automatic reductions
4. That in order to facilitate the enlargement of existing buildings in the M1-1 zoning district in the Greenpoint-Williamsburg Industrial Business Zone, Department of City Planning:
- a. Undertake a study of the M1-1 blocks to determine to what extent they would be appropriate for upzoning to M1-2 and then to implement such a rezoning
 - b. Prepare an application to amend Zoning Resolution Section 74-96 to make the Special Permit applicable to M1-1 properties in the Greenpoint-Williamsburg IBZ and to include:
 - i. An M1-1 floor area increase standard modification of ZR 74-962 consistent with the M1-1 maximum community facility floor area of 2.4 FAR
 - ii. Modification of ZR 74-962 (b)(3) conditions of maximum permitted street wall height be 50 feet, maximum height be 60 feet, though where a public plaza is provided, maximum height may be 75 feet
5. That Department of Transportation investigates feasibility of adding one or more stations to the 25 Kent Avenue development block and review existing Citi Bike stations to determine appropriateness of adding bike docks, as well as reducing, where they have hindered business operations, in coordination with the affected industrial property owners and in consultation with CB 1.
6. That, in collaboration with Borough President Adams, the City, and City Council, legislation shall be introduced mandating provision of prevailing wage salaries for building service workers where discretionary land use actions have realized an increase (e.g. of at least 100,000 square feet) of floor area without market restrictions.
7. That the City:
- a. Ensure uninterrupted ferry service at North Sixth Street in response to New York Water Taxi's announcement of terminating service
 - b. In lieu of directing the full amount of the post-occupancy real property taxes in the general fund, the City Administration should explore setting aside of the tax increment earned from the development of 25 Kent Avenue to secure bond financing for the acquisition and development of the remaining sections of the Bushwick Inlet Park