



CITY PLANNING COMMISSION

November 4, 2020 / Calendar No. 6

C 200056 ZMK

IN THE MATTER OF an application submitted by Bridge Rockaway Housing Development Fund Company, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17d:

1. changing from an M1-1 District to an M1-4/R6A District property bounded by a line 100 feet southerly of Riverdale Avenue, Thatford Avenue, Newport Street, and a line 100 feet westerly of Thatford Avenue; and
2. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southerly of Riverdale Avenue, a line 100 feet westerly of Thatford Avenue, Newport Street, Rockaway Avenue and its southerly and northerly centerline prolongations; and
3. establishing a Special Mixed Use District (MX-19) bounded by a line 100 feet southerly of Riverdale Avenue, Thatford Avenue, Newport Street, Rockaway Avenue and its southerly and northerly centerline prolongations;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated February 3, 2020, and subject to the conditions of CEQR Declaration E-561.

This application for a zoning map amendment was filed by Bridge Rockaway Housing Development Fund Company, Inc. on August 15, 2019 to change an M1-1 zoning district to M1-4/R7A and M1-4/R6A zoning districts and to map a Special Mixed Use District (MX-19), in conjunction with the related application for a zoning text amendment (N 200057 ZRK).

Together, these actions would facilitate the development of a new seven-story, approximately 183,000-square-foot, mixed-use building with 174 units of supportive and affordable housing and ground floor light manufacturing and community facility space at 803 Rockaway Avenue in the Brownsville neighborhood of Brooklyn, Community District 16.

RELATED ACTIONS

In addition to the zoning map amendment (C 200056 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 200057 ZRK Zoning text amendment to modify restrictions for certain uses in MX-19 and to designate a Mandatory Inclusionary Housing (MIH) area.

BACKGROUND

The applicant requests a zoning map amendment to change an M1-1 zoning district to M1-4/R7A and M1-4/R6A zoning districts and to map MX-19. The applicant is also requesting a zoning text amendment to modify the restrictions for certain uses in mixed-use buildings in MX-19 and to create a new MIH area. The area to be rezoned (project area) comprises the majority of Brooklyn Block 3603 (Lots 7, 10, 19, 42, and p/o 25), bounded by Rockaway Avenue, Newport Street, Thatford Avenue, and Riverdale Avenue, containing 79,000 square feet of lot area. The project area contains the development site (Lot 10), as well as other lots (Lots 7, 19, 42 and part of Lot 25) that are not owned by the applicant and currently have no known development plans.

The surrounding area contains primarily residential uses with local retail and community facility uses. Commercial uses are generally local retail and service businesses, and are located on the ground floor of mixed-use buildings and in one-story standalone commercial buildings. Commercial uses are primarily located along Rockaway Avenue, the 80-foot-wide main north-south commercial corridor in the neighborhood, and Livonia Avenue. Institutional uses in the surrounding area include several public schools.

Built form in the surrounding area is mixed. Several apartment buildings are located along Rockaway Avenue ranging from five to seven stories, including a building along Riverdale Avenue partially within the project area. One block to the northeast are two nine-story residential towers. Many midblock side streets in the area contain smaller two- to three-story residential buildings. Directly across Thatford Avenue to the east is a two-story school building. Directly across Newport Street to the south is the three-story Newport Gardens housing complex. Directly across Rockaway Avenue to the west is a one-story supermarket with a surface parking lot.

The project area is well-served by transit. The MTA Rockaway Avenue station, providing service to the 3 train, is located one block to the north. Additionally, the B60 bus runs along Rockaway Avenue with a stop directly in front of the project area and provides service to Bushwick and Williamsburg to the north.

There are several public parks in the surrounding area. Nehemiah Park – a 1.65-acre mapped park – is located two blocks east of the project area. Floyd Patterson Ballfields – a 2.3-acre mapped park – is located three blocks east of the project area. Newport Playground – a 0.92-acre playground operated by the Department of Parks and Recreation (DPR) on the property of PS/IS 41 – is located directly across Thatford Avenue. Betsy Head Park – a 10.5-acre mapped park with a recreation center and pool – is located four blocks to the northwest of the project area. Additionally, a 6,000-square-foot Green Thumb community garden, owned by DPR, is located within the project area.

The majority of the surrounding area is mapped with an R6 zoning district, a medium-density residential zoning district. Isolated M1-1 districts are mapped on portions of three blocks in the surrounding area. There are R7-2 zoning districts located one block to the west of the project area along Chester Street and two blocks northwest along Livonia Avenue. These districts were mapped as part of the Marcus Garvey Apartments rezoning (C 180489 ZMK) approved in 2018, which aimed to convert surface parking lots and vacant areas to mixed-use buildings providing additional affordable housing and retail vitality in the neighborhood, particularly along the key corridor of Livonia Avenue. Commercial overlays are generally found along Rockaway Avenue and Livonia Avenue.

The project area is located within an M1-1 zoning district. M1-1 zoning districts are low-density zoning districts that permit industrial and commercial uses up to a floor area ratio (FAR) of 1.0. Residential uses are not permitted in M1-1 zoning districts. Certain community facility uses, such as hospitals, are allowed only by special permit, but houses of worship are allowed as-of-right up to an FAR of 2.4. Parking requirements vary by use in M1-1 zoning districts. Warehouses require one space per 2,000 square feet. Manufacturing uses require one space per 1,000 square feet. General retail and service uses require one space per 300 square feet.

The project area generally contains one- and two-story industrial and former-industrial buildings, a one-story commercial building, surface parking, and a community garden.

Lot 7 is a 6,000-square-foot, City-owned corner lot with frontage on Rockaway Avenue and Newport Street. The lot contains a community garden operated by DPR's Green Thumb program.

Lot 19 is an approximately 11,000-square-foot interior lot with frontage on Rockaway Avenue, containing a one-story building with laundromat, dry cleaning, and nail salon businesses. The building is set back from the street line, containing an area in front of the building used for parking.

Lot 42 is a 14,000-square-foot interior lot with frontage on Thatford Avenue, containing a two-story building with a warehouse on the first floor and a house of worship on the second floor.

Lot 25 is a 22,000-square-foot corner lot, containing the Riverway Apartments, a seven-story 97,000-square-foot apartment building that was built in 2013 and consists of 115 affordable units for seniors. Only a 10-foot-wide portion along the southern edge of the lot falls within the project area. As such, the zoning change would have no impact on the zoning regulations affecting the property.

Lot 10, the development site, is a 46,000-square-foot through lot with frontage on Rockaway Avenue, Thatford Avenue, and Newport Street. The site contains four one-story vacant buildings, totaling approximately 34,000 square feet, built in 1930, which were formerly used for the production and bottling of sodas and syrups. The existing buildings would be demolished upon approval of the application. The site also contains surface parking lots previously used as accessory parking for the industrial use.

The applicant proposes to develop a new seven-story, mixed-use building. The proposed building would be a total of 183,000 square feet (3.97 FAR), including 39,000 square feet (0.85 FAR) of ground floor light manufacturing space, 2,200 square feet (0.05 FAR) of ground floor community facility space, and approximately 174 units of supportive and affordable housing on the upper floors with supportive services located on-site for building residents.

The proposed development would have a full lot coverage ground floor for the non-residential uses. The residential portion of the building (floors two through seven) would be constructed pursuant to quality housing regulations of the proposed zoning districts and consist of two separate volumes: one fronting on Rockaway Avenue and the other fronting on Thatford Avenue. The portion of the building fronting along Rockaway Avenue would rise to a height of 75 feet (seven stories) and the portion of the building fronting along Thatford Avenue would rise to a

height of 65 feet (six stories). The two residential portions would be separated by a rear yard equivalent, containing residential recreation space on the roof of the first floor.

The residential component of the building would contain approximately 174 units of supportive and affordable housing. Approximately 87 supportive units would be designated for the formerly homeless, and the nonprofit housing provider affiliated with the applicant entity would operate a community facility space on the second floor providing services to building residents, including case management (assistance obtaining benefits, identifying psychiatric and medical treatment, educational and vocation programs) and health care services. The remainder of units would be affordable units for individuals and families ranging from 30 percent to 70 percent of the Area Median Income (AMI).

The proposed ground floor light industrial space is intended to be operated by a nonprofit that specializes in leasing manufacturing spaces to smaller industrial tenants at affordable rates. As proposed, the facility would be divided into approximately 10 leasable spaces ranging from 1,200 to 6,500 square feet in size and would be rented to manufacturing tenants anticipated to produce items such as custom furniture, advertising displays, ceramics, and leather products. The building would have three primary design features that are designed to allow residents to live safely and healthily above the ground-floor manufacturing uses. The design features would be acoustic separation, odor/vapor barrier and prevention, and vibration prevention, and would be effectuated by a restrictive declaration required by the zoning text.

No parking is required or would be provided, as the building is proposed to be 100 percent affordable and is within the Transit Zone. One loading dock for the industrial space would be provided along the Rockaway Avenue frontage near the northwest corner of the building.

To facilitate the proposed development, the applicant proposes zoning map and text amendments.

The applicant proposes a zoning map amendment (C 200056 ZMK) to change the project area from an M1-1 district to an M1-4/R7A district and an M1-4/R6A district and to map MX-19 over the project area. The M1-4/R7A district would be mapped over the portion of the project area with frontage on Rockaway Avenue, which is a commercial corridor in the neighborhood with

widths ranging from 70 to 80 feet in front of the project area. The M1-4/R6A district would be mapped over the portion of the project area with frontage on Thatford Avenue, which is a 60-foot-wide street.

R7A districts are medium-density zoning districts that allow residential and community facility uses. Residential uses are allowed at a maximum FAR of 4.6 for MIH buildings. Community facility uses are allowed at a maximum FAR of 4.0. Building height is regulated by a contextual building envelope, limiting base height to a maximum of 75 feet or seven stories and total height of 95 feet or nine stories. Parking is required for 50 percent of market rate residential units. No parking is required in the Transit Zone for affordable units.

R6A districts are medium-density districts that allow residential and community facility uses. Residential uses are allowed at a maximum FAR of 3.6 for MIH buildings. Community facility uses are allowed at a maximum FAR of 3.0. Building height is regulated by a contextual building envelope, limiting base height to a maximum of 65 feet or six stories and a total height of 85 feet or eight stories. Parking is required for 50 percent of market rate residential units. No parking is required in the Transit Zone for affordable units.

M1-4 districts are medium-density industrial and commercial districts. M1-4 districts allow a range of commercial and light industrial uses at a maximum FAR of 2.0. There is no parking requirement for industrial or commercial uses in the M1-4 district. When paired with a residential district in an MX district, a portion of the set of permitted uses in M1-4 districts may not co-locate with residential uses if certain air quality and hazardous materials thresholds are exceeded.

The applicant proposes a zoning text amendment (N 200057 ZRK) to two separate sections of the zoning resolution to amend requirements for co-location of permitted uses in MX-19 and to create a new MIH area.

Article XII Chapter 3 (Special Mixed Use Districts)

The applicant proposes to add text to ZR 123-222 (Uses permitted with restrictions) to allow a developer to pursue an alternative mechanism in MX-19 to co-locate uses that would otherwise be excluded from co-locating with residential uses. Under the current zoning, certain industrial

uses are allowed to locate in a building with residential uses only if an architect or engineer certifies that the building will contain no processes that exceed certain thresholds for emissions of air contaminants or hazardous materials storage. Under the proposed zoning, uses and processes potentially exceeding air quality and hazard materials thresholds could be approved to locate in a mixed-use building if a developer agrees to certain building design requirements that would provide for appropriate protections for building residents. The building design requirements would need to be filed in a restrictive declaration approved by the New York City Department of Environmental Protection (DEP), and this approval would be required prior to obtaining a building permit.

It is anticipated that the design elements to be included in the restrictive declaration would be acoustic separation, odor/vapor barrier and prevention, and vibration prevention. In addition, a restrictive declaration approved by DEP could limit the uses that are allowed to occupy the industrial space.

Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas)

The applicant proposes to map the project area as an MIH area pursuant to MIH Option 1. The MIH program would require that 25 percent of any new dwelling units developed in the project area must be permanently affordable to an average of 60 percent of the Area Median Income (AMI).

ENVIRONMENTAL REVIEW

This application (C 200056 ZMK), in conjunction with the application for the related zoning text amendment (N 200057 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 19DCP220K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on February 3, 2020. The Negative Declaration included (E) designations to avoid the potential for significant adverse impacts related to hazardous materials and air

quality (E-561). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

In response to the COVID-19 pandemic, the Mayor issued Emergency Executive Order No. 100 on March 16, 2020 that suspended certain time requirements relating to the Uniform Land Use Review Procedure (ULURP) and other land use processes as of March 12, 2020. The suspension included portions of sections 195, 197-c and 197-d of the New York City Charter, as well as sections of the Administrative Code and the Rules of the City of New York, pertaining to time limitations. The CPC ceased meeting immediately after issuance of the Executive Order until August 3, 2020, when the regular schedule of meetings was resumed. The ULURP time requirements suspended by Emergency Executive Order No. 100 began running on September 14, 2020.

This application (C 200056 ZMK) was certified as complete by the Department of City Planning on February 3, 2020 and duly referred to Brooklyn Community Board 16 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 200057 ZRK), which was referred in accordance with the procedures for non-ULURP actions.

Community Board Public Hearing

On June 23, 2020, Brooklyn Community Board 16 held a public hearing on this application (C 200056 ZMK) and on that date, by a vote of 22 in favor and six opposed, adopted a resolution recommending approval of the application with the following condition:

“Community Board 16 approves the project with the recommendation that the developers provide some off-street parking for residential units.”

Borough President Recommendation

This application (C 200056 ZMK) was considered by the Brooklyn Borough President, who on September 2, 2020, issued a recommendation to approve the application with the following conditions:

“That the Bridge Rockaway Housing Development Fund Company provide written commitments to the extent it would:

- a) Retain the residential floor area as permanently affordable
- b) Utilize a combination of locally-based affordable housing non-profits to serve as the administering agent, determined in consultation with Brooklyn Community Board 16 (CB 16) and local elected officials, and have such entities play a role in promoting affordable housing lottery readiness
- c) Identify and recruit, to the extent practical, potential supportive housing tenants among those currently and formerly residing in Brooklyn Community District 16 (CD 16)
- d) Implement outreach efforts to qualify seniors for the supportive housing units, and affordable one-bedroom units, geared toward households under 50 percent Area Median Income (AMI)
- e) Incorporate resiliency and sustainability measures such as New York City Department of Environmental Protection (DEP) rain gardens, blue/green/white roof treatment, passive house design principles, and solar panels
- f) Coordinate with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of a Builders Pavement Plan at 803 Rockaway Avenue in consultation with CB 16 and local elected officials
- g) Coordinate Connecting Residents on Safer Streets (CROSS) Brooklyn implementation with DEP, DOT, and NYC Parks for the installation of curb extensions at the following intersections: the northeast corner of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue (where there are already painted crosswalks), either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions
- h) Enter into a standard DOT maintenance agreement for those intersections, and coordinate with DEP, DOT, and NYC Parks should there be agency implementation of protected and painted areas the northeast intersection of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue, with the understanding that such improvements would not proceed prior to consultation with CB 16 and local elected officials

That the Greenpoint Manufacturing and Design Center (GMDC) provide written commitments to the City Council, clarifying how it would conduct outreach to local manufacturers for the envisioned industrial space, particularly those on sites identified as residential development opportunity areas in the East New York Community Plan

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) modify its affordable housing lottery community preference standards to include the school zone, thus capturing the population of public school children residing at City-funded or -operated shelters
2. That the New York City Department of Homeless Services (DHS) be required to reach out to the New York City Department of Youth and Community Development (DYCD) shelter facilities when identifying and referring homeless individuals for supportive housing, and prioritize older youth for placement in permanently affordable buildings; for those not in need of supportive services, that HPD be required to coordinate its referrals with DYCD to ensure youth participation in newly constructed units for homeless individuals
3. That the City Planning Commission (CPC) and/or the City Council call for the modification of the Mandatory Inclusionary Housing (MIH) section of the New York City Zoning Resolution (ZR) pertaining to the MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status (allow for exceptions to the 30 percent of income threshold for households paying the same or more rent than what the housing lottery offers) to qualify for such affordable housing units pursuant to MIH”

City Planning Commission Public Hearing

On September 16, 2020 (Calendar No. 6), the City Planning Commission scheduled October 7, 2020 for a public hearing on this application (C 200056 ZMK) and the application for the related zoning text amendment (N 200057 ZRK). The hearing was duly held on October 7, 2020 (Calendar No. 13). Six speakers testified in favor of the application, and none in opposition.

A representative of the applicant organization described the proposed building, floor plans, and facades. A representative of the industrial nonprofit affiliated with the applicant described the work of the organization, the types of businesses served, and the quality jobs created in its buildings. An attorney representing the applicant team described the land use actions and rationale.

A representative of the Pratt Center for Community Development testified in favor of the application, stating that the applicant team is a mission-driven collaboration that has the potential for success with a mixed-use model.

A former tenant in the applicant organization's supportive housing testified about the positive impact of the supportive services for formerly homeless individuals.

A representative of the applicant organization described the services provided in the organization's supportive housing programs.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 200056 ZMK), in conjunction with the related application for a zoning text amendment (N 200057 ZRK), is appropriate.

Together, these actions will facilitate the development of a new seven-story, mixed-use building with approximately 174 units of affordable and supportive housing and 39,000 square feet of light manufacturing space to replace an existing vacant warehouse building and parking lots. The site is an opportune location for development, located in a transit-oriented major retail corridor in the Brownsville neighborhood of Brooklyn.

The Commission finds that the zoning map amendment (C 200056 ZMK) to change an M1-1 district to M1-4/R7A and M1-4/R6A districts, and to create Special Mixed Use District MX-19, is appropriate. The action will allow new residential uses and mixed-use development within the project area. The addition of residential districts in the project area is appropriate, as the surrounding area is primarily a residential neighborhood. Mapping MX-19 will create an

opportunity for new industrial uses within the project area, which historically contained industrial uses, along with new residential uses consistent with MX-district regulations.

The density and height allowed under the proposed R7A and R6A districts are appropriate for this location fronting a wide street. The R7A district, allowing an FAR of 4.6 and a maximum 75-foot base height and 95-foot total height, will be mapped along the Rockaway Avenue frontage, a wide street and important neighborhood retail corridor. The lower-density R6A district, allowing an FAR of 3.6 and a maximum 65-foot base height and 85-foot total height, will be mapped along Thatford Street, a narrow street.

The Commission finds that the zoning text amendment (N 200057 ZRK) to Article XII, Chapter 3 to amend requirements for co-location of permitted uses in MX-19 and to Appendix F to create a new MIH area is appropriate.

The amendment to Article XII, Chapter 3 will create an innovative permitting process for mixed-use developments containing a range of light manufacturing uses in the same building as residential uses. By allowing a developer to agree to design requirements in a restrictive declaration approved by DEP prior to obtaining a building permit, this zoning text will permit job-generating industrial uses while ensuring that residents of the building are safely insulated from air emissions, noise, and vibration.

The amendment to Appendix F will create a new MIH area coterminous with the project area. The MIH area will be mapped with MIH Option 1. The MIH program requires that a percentage of any new dwelling units developed in the project area be permanently affordable units, resulting in an affordable housing set-aside for 25 percent of the residential floor area at an average of 60 percent of the AMI. The text amendment is consistent with citywide policy to map an MIH area wherever there is a significant increase in allowable residential floor area and the City's goal of creating additional affordable housing outlined in *Housing New York*.

The Commission acknowledges the Brooklyn Borough President's recommendations for the applicant and the recommendations to make modifications to the MIH program but notes that these recommendations are outside the scope of review for the Commission.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on February 3, 2020 with respect to this application (CEQR No. 19DCP220K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 17d:

1. changing from an M1-1 District to an M1-4/R6A District property bounded by a line 100 feet southerly of Riverdale Avenue, Thatford Avenue, Newport Street, and a line 100 feet westerly of Thatford Avenue; and
2. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southerly of Riverdale Avenue, a line 100 feet westerly of Thatford Avenue, Newport Street, Rockaway Avenue and its southerly and northerly centerline prolongations; and
3. establishing a Special Mixed Use District (MX-19) bounded by a line 100 feet southerly of Riverdale Avenue, Thatford Avenue, Newport Street, Rockaway Avenue and its southerly and northerly centerline prolongations;

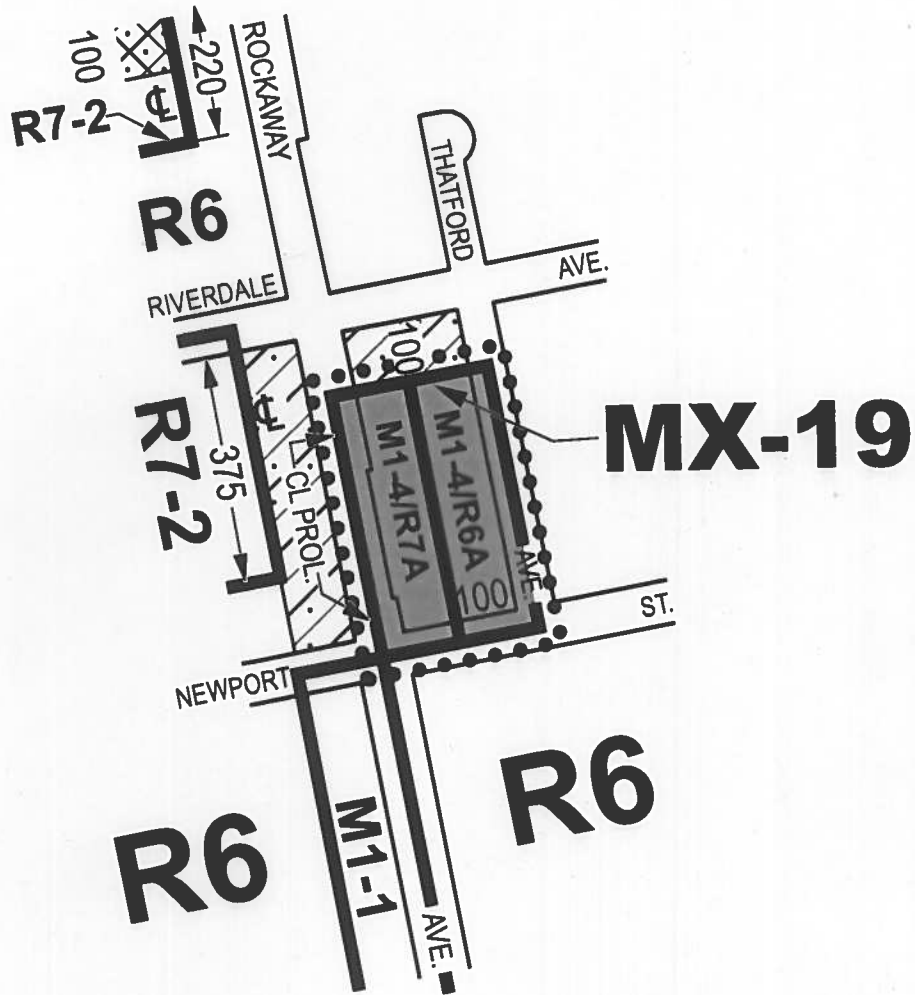
Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated February 3, 2020, and subject to the conditions of CEQR Declaration E-561.

The above resolution (C 200056 ZMK), duly adopted by the City Planning Commission on November 4, 2020 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

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

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



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

17d
 BOROUGH OF
BROOKLYN

S. Lenard
 S. Lenard, Director
 Technical Review Division



New York, Certification Date:
 February 3, 2020



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing an existing M1-1 District to M1-4/R6A and M1-4/R7A Districts, and by establishing a Special Mixed Use District (MX-19).
- Indicates a Special Mixed Use District (MX-19).
- Indicates a C2-3 District
- Indicates a C2-4 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

| | |
|----------------|-------------------------------|
| Application #: | Project Name: |
| CEQR Number: | Borough(s): |
| | Community District Number(s): |

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" ~~XXXXXXXXXX~~
 - 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:

| | |
|---|--|
| Applicant(s): | Applicant's Representative: |
| Recommendation submitted by: | |
| Date of public hearing: | Location: |
| Was a quorum present? YES <input 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: | Location: |
| RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions | |
| <u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u> | |
| Voting # In Favor: # Against: # Abstaining: Total members appointed to the board: | |
| Name of CB/BB officer completing this form | Title |
| Date | |

CONTINUATION OF DESCRIPTION:

3. establishing a Special Mixed-Use District (MX-I9) bounded by a line 100 feet southerly of Riverdale Avenue, Thatford Avenue, Newport Street, Rockaway Avenue and its southerly and northerly centerline prolongations;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated February 3, 2020, and subject to the conditions of CEQR Declaration E-561.

COMMUNITY BOARD RECOMMENDATION:

Community Board 16 approves the project with the recommendation that the developers provide some off-street parking for residential units

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
120 Broadway, 31st Floor, New York, NY 10271
CalendarOffice@planning.nyc.gov



INSTRUCTIONS

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

APPLICATION#: 803 ROCKAWAY AVENUE – 200056 ZMK, 200057 ZRK

An application submitted by the Bridge Rockaway Housing Development Fund Company pursuant to Sections 197-c and 201 of the New York City Charter for the following actions, affecting nine lots on a block bounded by Newport Street, and Riverdale, Rockaway, and Thatford avenues: a zoning map amendment to replace an M1-1 district with an MX district split into M1-4/R6A and M1-4/R7A zones, establish a Mandatory Inclusionary Housing (MIH) area within the rezoning area, modify use regulations in the proposed MX district, and apply inclusionary housing floor area ratios to residential uses. Such actions would facilitate a mixed-use development of two six- and seven-story residential buildings with a shared industrial ground floor in Brooklyn Community District 16 (CD 16). The proposed project would provide 174 affordable apartments, including 87 supportive housing units, 3,040 gross square feet (gsf) of community facility space, and 39,000 gsf of light manufacturing space to be managed by the Greenpoint Design and Manufacturing Center (GMDC).

BROOKLYN COMMUNITY DISTRICT NO. 16

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

September 2, 2020

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: 803 ROCKAWAY AVENUE – 200056 ZMK, 200057 ZRK

The Bridge Rockaway Housing Development Fund Company submitted applications pursuant to Sections 197-c and 201 of the New York City Charter for the following actions, affecting nine lots on a block bounded by Newport Street, and Riverdale, Rockaway, and Thatford avenues: a zoning map amendment to replace an M1-1 district with an MX district split into M1-4/R6A and M1-4/R7A zones, establish a Mandatory Inclusionary Housing (MIH) area within the rezoning area, modify use regulations in the proposed MX district, and apply inclusionary housing floor area ratios to residential uses. Such actions would facilitate a mixed-use development of two six- and seven-story residential buildings with a shared industrial ground floor in Brooklyn Community District 16 (CD 16). The proposed project would provide 174 affordable apartments, including 87 supportive housing units, 3,040 gross square feet (gsf) of community facility space, and 39,000 gsf of light manufacturing space to be managed by the Greenpoint Design and Manufacturing Center (GMDC).

Borough President Eric Adams held a remote public hearing on this application on June 3, 2020. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the applicant's representative stated that the majority of units would be targeted to low- and very low-income households. Overall, rents would range from \$492 to \$919 for a one-bedroom unit, \$582 to \$1,606 for a two-bedroom unit, and \$662 to \$1,844 for a three-bedroom unit. At the lowest AMI tier of 27 percent, qualifying incomes for a one-bedroom unit would range from \$19,715 to \$21,492, for a one-person household, with the maximum being \$27,648 for a three-person household.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process in order to ensure the highest level of participation from CD 16 residents, and whether the applicant's marketing strategy would include a financial literacy campaign to assist local residents in becoming lottery-eligible, the representative disclosed that they would work with the community board to market the units and provide application assistance to local residents. The developer would also like to partner with organizations such as churches and non-profits, to achieve 50 percent community preference. Regarding the supportive units, the developer would want to use this opportunity to place local shelter residents, including seniors and veterans, in permanent housing. The representative expressed interest in working with the Office of the Brooklyn Borough President to navigate the New York City Department of Homeless Services (DHS) client referral process.

In response to Borough President Adams' inquiry as to what marketing strategies would be used to tenant the GMDC-managed space, including efforts to secure businesses from Brownsville, the representative stated that GMDC would seek referrals from the administrator of the nearby Fairfield/Flatlands Industrial Business Zone (IBZ), as well as contacts at the New York City Department of Small Business Services (SBS), and the New York City Economic Development Corporation (EDC). That representative also expects significant interest from businesses along Atlantic Avenue that are at risk of displacement due to gentrification in Brownsville.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, solar panels, blue/green/white roof covering, and/or New York City Department of Environmental (DEP) rain gardens, the representative stated that the project will meet Enterprise Green Communities' criteria for affordable housing construction. The developer intends to incorporate solar panels on a roof area comprising 15,000 square feet (sq. ft.), as well as a green roof and open space for

residents. They are currently exploring the possibility of recycling stormwater onsite, and installing rain gardens, with potential funding from DEP.

Subsequent to the hearing, Borough President Adams received testimony from the chair of Brooklyn Community Board 16 (CB 16) in support of the application, citing non-binding commitments made by the developer in a letter issued prior to the board's meeting and vote.

Subsequent to the hearing, Borough President Adams received a letter from the Arthur Ashe Institute for Urban Health, which served as the public health consultant for the proposed development, in support of the proposed development, citing its potential to advance positive health and social outcomes for Brownsville residents.

Subsequent to the hearing, Borough President Adams received testimony from the New York City District Council of Carpenters, in opposition, expressing concern that the developer had not taken adequate steps to ensure career opportunities for workers of color on this project. The organization further suggested that The Bridge utilize its construction worker apprenticeship program, which provides standard wages and benefits to meet its local hiring goals.

On July 16th, Borough President Adams received a letter from The Bridge, summarizing its plan to provide additional community benefits, which includes efforts to place shelter residents from CD 16 into the supportive housing units, achieve a high degree of local hiring and procurement, and recruit area businesses and non-profits for the non-residential floor area. The letter emphasized that such actions would be carried out in partnership with CB 16 and local elected officials, as well as qualified City agencies and community development organizations (CBOs).

Consideration

CB 16 approved this application with conditions, on June 23rd. The board recommended that the developer provide some off-street parking for the residential units.

The proposed land use actions would affect a block of Rockaway Avenue zoned M1-1, with a C2-3 overlay mapped on its Riverdale Avenue side. The development site covers five lots with a total area of approximately 46,000 sq. ft. It extends for 100 feet along Newport Street and 200 feet along Rockaway Avenue, with the longest frontage, 250 feet, on Thatford Street. Altogether, the property contains four one-story industrial buildings and two unenclosed parking lots. The buildings, which date back to 1930, have been used for various manufacturing purposes, but are currently vacant.

The project sponsor is Bridge Rockaway Housing Development Fund Company, a subsidiary of The Bridge, an affordable housing and social service non-profit that operates shelter, transitional, and permanent supportive accommodations. If approved, these applications would yield a 183,000 sq. ft. mixed-use project with a floor area ratio (FAR) of 3.97, containing 139,000 sq. ft. (3.01 FAR) of affordable housing, including supportive units, 39,000 sq. ft. (0.85 FAR) of ground-floor manufacturing, and 5,000 sq. ft. (0.11 FAR) of community facility space.

The 46,000 sq. ft. project site would be rezoned to M1-4 and paired with one of two medium-density contextual residential districts. The M1-4/R6A zone covers the 21,000 sq. ft. eastern portion of the site, which would be developed to a height of 65 feet, with a building fronting Thatford Avenue. The M1-4/R7A zone covers the 25,000 sq. ft. western portion of the site and would be developed to a height of 75 feet, with a building fronting Rockaway Avenue. Residential access would be provided at Thatford Avenue and Newport Street, while the manufacturing space would have a separate entrance and loading area on Rockaway Avenue. While the requested zoning permits greater height, particularly with the inclusion of MIH units, Borough President Adams expects that the applicant's representation would be memorialized in the developer's funding agreement with HPD.

The surrounding context includes commercial, community facility, and residential uses. The primary zoning district is R6, with pockets of M1-1 zoning. The 803 Rockaway Avenue site is located six blocks west of the East New York IBZ, a large swatch of manufacturing activity centered on Van Sinderen Avenue. Three blocks south of the site is the extensive Fairfield/Flatlands IBZ. Both districts were established in the mid-2000s to retain M-zoned land for industrial businesses.

The area is home to more than 2,500 New York City Housing Authority (NYCHA) units, in the six- and seven-story Brownsville Houses, the 16-story Samuel J. Tilden Houses, and the 14-story Van Dyke Houses, all located north of Livonia Avenue. To the south, the primary housing type is two-family homes and three-story walk-up buildings. There are a significant number of City-owned vacant parcels along Livonia Avenue that are slated for redevelopment as part of Mayor Bill de Blasio's affordable housing agenda and the New York City Department of Housing Preservation and Development (HPD) 2017 Brownsville Plan. Recently-constructed affordable and senior developments in the area include the King Garden Seniors, Riverdale Osborne Towers, Riverrock Apartments Brooklyn, Riverway Apartments Brooklyn, and the Rockaway, all located on Livonia, Riverdale, and/or Rockaway avenues.

Local commercial uses are found on the west side of Rockaway Avenue, where a C2-3 overlay is mapped between Livonia and Sutter avenues. Community facilities in the neighborhood include houses of worship, public health centers, and schools. The closest open space resource is Betsy Head Park and Pool, which received \$30 million for major improvements through the City's Anchor Parks program in 2016.

Brooklyn is one of the fastest-growing communities in the New York metropolitan area, and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their own neighborhoods, which has also exacerbated the City's homelessness crisis. The creation and preservation of quality affordable housing is one of Borough President Adams' top priorities, particularly in disadvantaged parts of Brooklyn that have experienced decades of neglect.

In Brownsville and across New York City, there is a pressing need for affordable and stable housing among elderly adults, homeless households, low-income families, and other vulnerable populations. Increasing the supply of affordable apartments for a range of incomes and household types in mixed-use buildings is a critical strategy for promoting a sustainable neighborhood and city.

The proposal for 803 Rockaway Avenue is consistent with the Brownsville Plan, which provides a blueprint for current and future City investments, as part of a larger revitalization program for the neighborhood. The document resulted from a year-long process that brought together more than 20 government agencies, 30 community-based organizations, and nearly 500 residents to identify neighborhood priorities, set goals, and formulate strategies to achieve them.

Affordable housing, integrated with neighborhood amenities and developed on vacant City-owned land, is a major component of HPD's investment in Brownsville. Implementation of the Brownsville Plan is intended to ensure that redevelopment facilitates a more holistic investment framework for the neighborhood and its residents. Plan implementation is being coordinated with more than \$150 million in critical neighborhood investments, much of which is underway now or already complete. This work includes comprehensive security upgrades at NYCHA campuses, a transformative renovation of Betsy Head Park and Pool expected to break ground this fall, expanded and improved activities for youth, and much more. As a result of extensive community engagement, in addition to more than 880 new high-quality affordable homes, Brownsville is expected to benefit from the provision of vital commercial and community space promoting entrepreneurship, healthy living, and

innovation. These opportunities were developed from ideas that emerged during extensive community engagement and are expected to directly address Brownsville's priorities.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The redevelopment of 803 Rockaway Avenue would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017.

Borough President Adams supports zoning actions that result in a permanently-affordable residential floor area. Of the 85 non-supportive units at 803 Rockaway Avenue, 23 would be permanently affordable, based on MIH zoning rights. While the non-MIH units would be governed by a 30-year agreement with HPD, it is expected that these units would remain affordable for as long as The Bridge continues to advance its core mission to develop affordable housing and provide social services for populations in need. The requested zoning amendment and HPD financing would also help ensure that the project's affordability is maintained beyond the regulatory term. Such development is consistent with Borough President Adams' policy for new residential developments to produce housing that remains affordable in perpetuity.

The proposed affordability program would target low- and moderate-income households, in line with Borough President Adams' objective to provide affordable housing at various AMI tiers. According to the applicant, more than 70 percent of units would be geared toward households below 40 percent AMI, achieving deep affordability for residents within and outside CD 16.

Borough President Adams seeks for new developments to achieve an affordable unit mix that reflects the needs of low- to middle-income rent-burdened families. As represented, 803 Rockaway Avenue would provide 174 units, with 50 percent programmed as affordable, and 50 percent as supportive housing. As noted during Borough President Adams' hearing, the 87 affordable apartments would include 15 one-bedroom units, 46 two-bedroom units, and 25 three-bedroom units. Such unit mix is consistent with Borough President Adams' policy to promote the construction of family-sized affordable housing units.

Borough President Adams advocates the creation of permanent housing for those seeking refuge in shelters. He believes that a new residential development on City-owned land presents important opportunities to integrate such units with affordable apartments for low- and moderate-income households. Due to trending increases in rents versus real income and other circumstances, certain households formerly from this neighborhood have become homeless and have had to rely on the City's cumbersome shelter system. Though it is possible that some would return to the neighborhood by moving into transitional accommodations, such facilities do not provide long-term stability. Supportive housing development provides a cost-effective solution for the City and permanent accommodations for transient households. Furthermore, as more such units become available, steps should be taken to reduce shelter capacity in those communities.

As an evolution of the City's homeless policy and practices, HPD established the Our Space Initiative (formerly homeless household set-asides). This program funds the new construction of rental units affordable to formerly homeless households with incomes at or below 30 percent AMI. Homeless referrals must come from HPD, and rents are underwritten based on public assistance shelter allowance. The Our Space Initiative subsidy is supplementary to funding available through HPD's New Construction Finance programs.

Borough President Adams supports developments that include HPD's Our Space Initiative as a means to provide permanent housing to homeless households. There are three pending developments in Brooklyn expected to include the Our Space Initiative, including Bedford Courts, where 10 percent would be set

aside for formerly homeless families; Ebenezer Plaza, where 20 percent of the units would be set aside for the formerly homeless, and Linden Terrace, with a set-aside of 10 percent.

According to the applicant, 803 Rockaway Avenue will not be utilizing the Our Space Initiative. However, this project would provide deeply affordable housing, with 50 percent of the units reserved for the formerly homeless, including adults with mental health conditions, and seniors and veterans, funded through City and State supportive housing programs. As such, it is consistent with Borough President Adams' policies to implement set-asides for the formerly homeless within developments constructed on public land.

Borough President Adams believes that it is appropriate to zone for increased density in proximity to public transportation. The 803 Rockaway Avenue development site is immediately adjacent to multiple transit modes. The B60 bus travels along Rockaway Avenue, stopping at Newport Street. The Rockaway Avenue subway station, served by the Seventh Avenue Express 2 and 3 trains, as well as the Lexington Avenue Express 4 train, is located one block to the north. The 14th Street – Canarsie Local L train Livonia Avenue stop is located approximately 10 blocks northeast of the site. However, the Metropolitan Transportation Authority (MTA) now provides a free transfer between this station and the 2/3/4 Junius Avenue stop, as Borough President Adams had advocated for several years.

It is Borough President Adams' policy to support land use actions that broaden economic opportunity by providing employment for varied skill sets within the permitted floor area. The redevelopment of these parcels would transform substantially underutilized land to facilitate an innovative mixed-use project combining permanently affordable housing and subsidized manufacturing space. The proposed MX district would permit residential development while assuring zoning certainty for light manufacturing establishments. Such a proposal aligns with the City's industrial policies and workforce goals, which include the creation and retention of quality jobs for those without college degrees. Borough President Adams supports the preservation of manufacturing land as a way to sustain and grow the City's vital industrial sector. With average wages twice that of retail, low barriers to entry, and real career prospects, manufacturing jobs have long provided economic mobility for low-income and immigrant communities of color.

The affordable manufacturing space would be managed by GMDC, a mission-driven non-profit organization established in the 1990s to sustain affordable space for small manufacturers by purchasing and rehabilitating industrial buildings. GMDC functions as both a developer and a landlord, with six properties across Brooklyn and Queens that are home to more than 100 enterprises and 700 employees. Its tenants include fine arts, metalworking, and woodworking businesses, among other small enterprises. Administration by GMDC would ensure that this space remains affordable to manufacturing firms, while helping industrial businesses that might be displaced by residential development maintain their operations in Brownsville and East New York.

In the letter to Borough President Adams dated July 16, 2020, The Bridge noted that CB 16 proposed leasing the envisioned community facility space to a financial services institution. The developer has reached out to the Brooklyn Cooperative Federal Credit Union, along with other institutions that might be seeking to locate in Brownsville/East New York.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2015," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis.

Additionally, promoting Brooklyn-based businesses, including those that qualify as locally-based enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs), is central to Borough President Adams' economic development agenda. This project provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

As funding for 803 Rockaway Avenue includes HPD financing of no less than \$2 million, Bridge Rockaway Housing Development Fund Company would be required to participate in HPD's MWBE Building Opportunity Initiative's Build Up program and meet the State's additional labor participation requirements. Borough President Adams believes that, based on the Build Up program and State requirements, there would be reasonable opportunities to address demonstrated disparities in LBE/MWBE participation in the affordable housing development process. Development projects that receive HPD subsidies are required to spend at least one-quarter of HPD-supported costs on certified MWBEs during the course of design and construction. Developers may adopt a goal higher than the minimum.

Through HPD's initiative, Borough President Adams believes that the project developer should continue the emphasis 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 LBE and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation).

In the letter to Borough President Adams dated July 16, 2020, The Bridge stated that it would work with CB 16, local elected officials, and the Central Brooklyn Economic Development Corporation to implement its local hiring strategy, which includes several planned job fairs and Occupational Hazard and Safety Administration (OSHA) trainings for the community.

While Borough President Adams generally supports the proposed development, he calls on HPD to incorporate the following commitments in its funding agreement with the Bridge Rockaway Housing Development Fund Company: achieving and maintaining permanent affordability, maximizing community participation in the affordable housing units, incorporating best practices in sustainable energy and resilient stormwater management, implementing Vision Zero pedestrian safety improvements, and conducting outreach to local manufacturers for the industrial space. Regarding the affordable housing lottery, Borough President Adams believes that HPD should modify its community preference standards to include homeless students attending local schools. Additionally, he calls on the City Planning Commission (CPC) and the City Council to modify MIH regulations to qualify rent-burdened households for affordable housing developed pursuant to MIH.

Achieving and Retaining Permanent Affordability

Borough President Adams is concerned about the ongoing loss of low and moderate-income housing in Brooklyn and across New York City. Where new developments can be realized through government financing and residential rezoning, President Adams supports the use such incentives to create deeply and permanently affordable housing.

Where HPD has designated for-profit companies to develop affordable housing with substantial City financing, the duration of such affordable housing is often driven by financial considerations. Standard regulatory agreements used by government agencies typically involve 30- to 60-year terms, which may be extended for a duration of 15 years, with further renewals possible. However, property owners are under no obligation to seek such extensions. Without such obligation to retain housing affordability, those units would no longer be an affordable housing resource once tenants move out after the regulatory agreements expire.

Borough President Adams believes that there are effective ways to preserve such housing as permanently affordable. One means is through the prioritization of substantial public financing to one or more well-established non-profit affordable housing development organizations. This provides some assurance that non-MIH units would remain affordable for the lifetime that the non-profit entity remains in operation. Unlike for-profit developers, non-profit community development organizations typically have a core mission to advocate for, preserve, and provide affordable housing. New York City has multiple non-profit entities, including The Bridge, with a successful record of developing and managing affordable housing, as well as fulfilling agreements with City agencies. Borough President Adams supports the substantial public financing of affordable housing to such non-profits for these reasons, as for-profit companies are generally driven by financial considerations.

Finally, HPD structures its financing to require a balloon payment at the end of the regulatory term to induce developers to seek refinancing from the City, with an obligation to extend the duration of affordability. As HPD provides financing to extend the term of affordability, if there were a mandate in the regulatory agreement to obligate the developer/owners to secure such refinancing, based on such public funds remaining available when the initial mortgage term expires, there would essentially be a guarantee of extended affordability.

Specific regulatory measures, when implemented, can ensure that units remain as affordable housing options for the city's residents. Borough President Adams believes that it is reasonable that residential floor area developed through the assistance of substantial public financing, in combination with zoning uses and increased density, should remain permanently affordable. As the City commits substantial resources to developers it should utilize the regulatory agreement as a mechanism to ensure that affordable housing is preserved in perpetuity.

Given the extent of public financing, in combination with the use allowance and increased density via the requested rezoning, Borough President Adams believes it is essential to maintain these apartments as affordable in perpetuity. This would ensure that development at 803 Rockaway Avenue is insulated from variable economic enticements and remains an affordable housing resource in the community.

Therefore, prior to considering the application, the City Council should obtain commitments from the Bridge Rockaway Housing Development Fund Company that would include a mechanism to ensure that even the non-MIH units are maintained as permanently affordable housing, that would be triggered prior to the expiration of the development's regulatory term.

Maximizing Community Participation in Both the Affordable Housing and the Supportive Housing Units

As the developer, the Bridge Rockaway Housing Development Fund Company would enter into a regulatory agreement with HPD governing the project's affordable housing plan. It would be charged with ensuring that all 107 units comply with the regulatory agreement. This may involve verifying a prospective tenant household's qualifying income and approving the rents of affordable housing units. The Bridge Rockaway Housing Development Fund Company would attest to HPD that the initial lease-up of the affordable housing units is consistent with the income requirements and follow up to ensure compliance.

It is Borough President Adams' policy to advocate for mission-driven non-profits to play a role in affordable housing development, specifically as non-profit administering agents for affordable housing lotteries in new buildings. The involvement of these organizations helps maximize community participation in affordable housing opportunities and increases the likelihood that the units will remain permanently affordable. Borough Adams recognizes that CD 16 is served by several non-profit housing advocates with a proven track record of marketing affordable housing units and promoting lottery readiness, including CAMBA, East Brooklyn Congregations (EBC), the Local Development Corporation of East New York (LDCENY), and the Mutual Housing Association of New York (MHANY). He calls on the developer to

engage one or more of these organizations for the leasing of 803 Rockaway Avenue, in consultation with his office, CB 16, and/or local elected officials.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the Bridge Rockaway Housing Development Fund Company to utilize one or more locally-based affordable housing non-profits to serve as the administering agent and have such entities play a role in promoting lottery readiness.

The supportive housing units at 803 Rockaway Avenue would be filled by The Bridge, through referrals from DHS. Tenants are typically located in the homeless shelter system, assessed by professional staff, and then selected by the landlords. Borough President Adams believes that supportive units should be utilized as a permanent housing resource for individuals in transitional accommodations, so that they can remain in the neighborhood, or return if they were displaced. Therefore, The Bridge should work with DHS to identify potential tenants among those living in transient facilities within CD 16 and/or homeless persons who formerly resided in the district. It should be noted that CD 16 has a very high concentration of the City's shelters. Therefore, moving such residents into permanent accommodations should be a priority for supportive housing developments in the area. Such efforts would maximize overall community participation in the development's leasing process and, by extension, the project's public purpose.

In the letter to Borough President Adams dated July 16, 2020, The Bridge disclosed that it had reached out to DHS to express its interest in working with local shelter residents, and that the agency has agreed to identify and refer eligible candidates from Brownsville shelters.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from The Bridge Rockaway Housing Development Fund Company memorializing how it would identify, to the extent practical, potential supportive housing tenants among those currently and formerly residing in CD 16.

Maximizing Affordable Housing Opportunities for Senior Households

Seniors are a rapidly growing segment of the city's population, with more than 300,000 residing in Brooklyn alone. The New York City Department of City Planning (DCP) expects the number of older New Yorkers to grow 40 percent by 2040. With limited financial means, elderly households face a pressing affordable housing crisis. In 2015, there were 60 applicants for every apartment in HPD lotteries for senior housing developments. A more recent study by LiveOn NY found 200,000 New Yorkers aged 62 and older on the City's affordable housing waiting lists, with an average wait of seven years.

Ensuring opportunities for seniors to secure quality affordable housing and remain in their communities is a priority for Borough President Adams. As the Federal government has moved away from funding affordable housing for seniors, the production of such apartments has not kept pace with growing demand for age-based housing in Brooklyn. At the same time, the cost of living in many Brooklyn neighborhoods has increased, leading to the displacement of longtime residents. Elderly households across the borough are experiencing extreme rent burdens and exhausting their life's savings to stay in the neighborhoods where they have lived for many years.

According to the applicant, 35 of the 87 supportive housing units at 803 Rockaway Avenue would be allocated to seniors and veterans. These units, which would be configured as studios, and offered at 27 percent AMI, would be funded through the Empire State Supportive Housing Initiative (ESSHI). Therefore, seniors would receive priority for a percentage of these units.

As represented at Borough President Adams' hearing, 73 of the proposed development's 86 affordable housing units would be targeted below 50 percent AMI, including 15 one-bedroom apartments. Borough President Adams believes that when studio and one-bedroom units are rented below 50 percent AMI,

such apartments might be affordable to senior households. Additionally, there are appropriate means to qualify seniors for affordable housing lotteries, including targeted marketing and financial literacy initiatives. With such efforts, it is reasonable to expect that a greater share of smaller units at lower AMIs would be awarded to senior households.

Borough President Adams believes that the developer should work to maximize the percentage of senior households in both the supportive and the affordable housing portions of the development. Therefore, prior to considering the application, the City Council should obtain written commitments from the Bridge Rockaway Housing Development Fund Company clarifying how it would target outreach to seniors for the supportive housing studio units, as well as smaller affordable apartments at 30, 40, and 50 percent AMI.

Targeting At-Risk Local Businesses in the Leasing Process

Borough President Adams supports the provision of dedicated ground-floor space for manufacturing businesses, as such uses are often at risk of displacement by higher-value residential development. As noted during the ULURP hearing, a number of firms traditionally located in CD 16's industrial corridors are facing instability due to encroaching gentrification and neighborhood change. He is especially concerned about the viability of businesses located in two small MX districts along Atlantic and Liberty Avenues in East New York, where the City is promoting construction of 100 percent affordable housing, as part of his 2016 East New York Community Plan. The loss of these uses would deprive the community of vital economic activity and local jobs with good wages and low barriers to entry.

In the letter to Borough President Adams dated July 16, 2020, The Bridge stated that GMDC would work with the non-profit Business Outreach Center (BOC) Network, which administers the Flatlands/Fairfield IBZ to connect with firms seeking manufacturing space at 803 Rockaway Avenue.

Borough President Adams believes that 803 Rockaway Avenue should serve as a relocation resource to retain industrial businesses that would be permanently displaced by housing redevelopment. Therefore, prior to considering the application, the City Council should obtain written commitments from GMDC clarifying how it would recruit local manufacturers for the envisioned industrial space, particularly those on sites identified as residential development opportunity areas in his East New York Community Plan.

Advancing Sustainable Energy and Resilient Stormwater Management Policies

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as existing roofs undergoing renovation (with some exceptions) incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate. It should be noted that the law exempts HPD projects for the first five years, to allow the agency to study the feasibility of incorporating green roofs.

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

Borough President Adams believes that developments benefitting from substantial public financing should strive for high standards in resiliency and sustainability. Therefore, it is appropriate for the developer to engage the Mayor's Office of Sustainability, NYSERDA, and/or NYPA, to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability 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. The DEP 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 in opening dialogue with the aforementioned agencies and further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces are potential resources that could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, there would be opportunity for street tree pit enhancements to realize enhanced stormwater retention benefits while including more plantings, which would increase infiltration at this location and also make the site more pleasant for its users. The incorporation of blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would also help divert stormwater from the City's water pollution control plants.

The required Builders Pavement Plan for the proposed development provides an opportunity to install DEP rain gardens along the 803 Rockaway Avenue frontages. The New York City Zoning Resolution (ZR) requirement to plant street trees results in the provision of shade on days of excessive heat, as well as other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption. However, the implementation of rain gardens could help advance DEP green water/stormwater strategies, enhancing the operation of the 26th Ward Wastewater Treatment Plant during wet weather. Such rain gardens have the added benefit of serving as a streetscape improvement.

Borough President Adams believes that the Bridge Rockaway Housing Development Fund Company should consult DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the inclusion of rain gardens integrated with street trees, as part of a Builders Pavement Plan. Where the agencies have interest in implementing an enhancement, consultation should be initiated with CB 16 and local elected officials prior to taking action.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments, in writing, from the Bridge Rockaway Housing Development Fund Company memorializing its intent to advance resiliency and sustainability measures at 803 Rockaway Avenue, such as DEP rain gardens, green roofs with photovoltaic systems, and passive house construction principles. The City Council should further seek demonstration of the developer's commitment to coordinate with DEP, DOT, and NYC Parks regarding the installation of rain gardens as part of a Builders Pavement Plan, in consultation with CB 16 and local elected officials.

Advancing Vision Zero Policies via Borough President Adams' CROSS Brooklyn Initiative

Borough President Adams supports Vision Zero policies, including practices that extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, \$1 million was allocated to fund five dangerous intersections in Brooklyn. By installing additional curb extensions, seniors will benefit because more of their commutes will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadways will benefit from safer streets.

The proposed development at 803 Rockaway Avenue would bring a significant number of new residents and employees to a growing section of Brownsville. Given the mix of commercial, community facility, and residential uses along this corridor, the foot traffic stemming from Rockaway Avenue station, and the volume of crossings that would be generated by the new development, it is important to enhance pedestrian safety at this block. Per his CROSS Brooklyn initiative, Borough President Adams believes there are opportunities to provide curb extensions at the northeast intersection of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue. Such enhancements would facilitate safer pedestrian access to 803 Rockaway Avenue.

Borough President Adams recognizes that the costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore the implementation of either protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of a Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable the Bridge Rockaway Housing Development Fund Company to undertake such improvements after consultation with CB 16, as well as local elected officials, as part of its Builders Pavement Plan. The implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. Borough President Adams would expect the Bridge Rockaway Housing Development Fund Company to commit to such maintenance as an ongoing obligation.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments, in writing, from the Bridge Rockaway Housing Development Fund Company that would stipulate the extent of intent to advance CROSS Brooklyn coordination with DEP, DOT, and NYC Parks for the installation of curb extensions at the northeast intersection of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue, either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of the Bridge Rockaway Housing Development Fund Company's commitment to enter into a standard DOT maintenance agreement for those intersections. Finally, DOT should confirm that implementation of such improvements would not proceed prior to consultation with CB 16 and local elected officials.

Community Preference: Inclusion of Homeless Shelter Student Population by School Zone

New York City's community preference policy requires that 50 percent of affordable units filled through affordable housing lotteries be reserved for residents in the local community. There are additional pathways for priority lottery selection such as United States Armed Forces veteran status, certain disabilities, and other categories. Given the significant increase in the number of homeless families with school-aged children entering the public shelter system, Borough President Adams believes it is appropriate for HPD to extend local lottery preference to include the school zone attended by children of households residing at immediate and neighboring City-funded or -operated homeless shelters.

According to an annual report by Advocates for Children of New York, 31,158 Brooklyn students — nearly one in 10 enrolled — experienced homelessness, defined as either living in shelters or doubling up with friends and family, during the 2018-19 school year. The problem is particularly acute in Central Brooklyn,

including Community School District 23 (CSD 23) in Brownsville, where more than 20 percent of students reside in temporary housing. The number of such students in charter and public schools has increased every school year since 2014-2015. Homelessness has profound impacts on school performance, as such students are more likely to have longer commutes or transfer schools in the middle of the year, leading to chronic absences, lower graduation rates, and higher dropout rates.

Many families find it important to maintain school continuity despite challenging circumstances faced by households in the City's homeless shelter system. Borough President Adams believes that the City's should take action to eliminate or reduce such hardships, for example by enabling economically challenged households with school-age children to qualify for community preference based on where they attend public school. According to the Institute for Children, Poverty, & Homelessness (ICPH), there are multiple public schools within several blocks of the proposed development where the proportion of homeless students is 15 to 25 percent.

Borough President Adams believes that HPD should modify its affordable housing lottery community preference standards to include the school zone attended by a child of a household residing at a City-funded or -operated homeless shelter.

Providing Access to Affordable and Supportive Housing for Youth Leaving Age-Based and Temporary Accommodations

Developments that provide deeply affordable and permanent supportive housing create essential stability for low-income seniors and families, particularly those experiencing homelessness. One population that is often overlooked in consideration for such opportunities is homeless youth. Such individuals often face intersectional vulnerability stemming from issues of poverty, gender and/or sexual identity, as well as mental health. The New York City Department of Youth and Community Development (DYCD) funds several types of accommodations for young adults including Crisis Service Programs, Transitional Independent Living, and agency-operated youth shelters, totaling approximately 1,500 beds. Unfortunately, all these facilities stipulate age and occupancy limits, and are not intended to serve individuals over 21, or in need of long-term subsidized housing.

The primary option for older youth is permanent supportive housing maintained by a network of providers under the New York/New York (NY/NY) III supportive housing initiative. This program currently reserves 400 units for youth aged 18 to 25 who are transitioning out of foster care and institutional psychiatric facilities. The initiative is committed to allocating approximately 1,700 supportive housing units to this vulnerable population.

One way to increase the availability of such opportunities is by allowing homeless youth to qualify for low-income housing opportunities in HPD-funded buildings. According to a 2020 City Council report on the City's homelessness crisis, such youth are typically ineligible for permanent affordable housing, public housing, or rental vouchers that would facilitate continuation of housing services when they age out of foster care and other institutional systems. With few options for stable accommodations, older young adults are likely to experience repeat homelessness and loss of vital social services.

Borough President Adams believes that youth who rely on DYCD facilities should be eligible for supportive housing and units set aside for homeless New Yorkers in developments financed by HPD and/or built on public land. To facilitate transition to stable accommodations, DHS should be required to reach out to DYCD shelter facilities when identifying and referring homeless individuals for supportive housing and prioritize older youth for placement in permanently affordable buildings. For those who are not in need of supportive services, HPD should also be required to coordinate its referrals with DYCD to ensure youth participation in newly constructed units for homeless individuals.

Accommodating Rent-Burdened Households in Lieu of Strict Area Median Income (AMI) Standards

Data shows that more than 80 percent of New York City households earning 50 percent of AMI or less are rent-burdened. The crisis is even worse among the lowest income citizens, those making 30 percent of AMI or less, currently \$23,310 for a family of three. Among this population, well over 50 percent pay more than half of their income toward rent. More than one-fifth of New York City households — over two million people — earn less than \$25,000 a year and almost one-third earn less than \$35,000. As the City's housing crisis grows worse, the burden falls most heavily on these low-income households, many of them senior citizens.

Within CD 16, a significant number of households residing in unregulated housing and regulated apartments pay too much of their household income toward rent. According to the Association for Neighborhood Housing and Development (ANHD), 60 percent of Brownsville households are rent-burdened. ICPH found that 32 percent of these households spend 50 percent or more of their income on rent, making them severely rent-burdened. These statistics are of particular concern because CD 16 has the lowest median income of any Brooklyn community district. There is thus a pressing need to increase the supply of permanently affordable housing in Brownsville. Moreover, given the risk of displacement, the City should take steps to increase the probability that rent-burdened households qualify for as many affordable housing lotteries as possible.

A strict rent-to-income requirement of not exceeding 30 percent of income for yearly rent payment ends up disqualifying many income-challenged households from the affordable housing lotteries. As a result, these rent-burdened households do not meet the housing lottery's minimum household earnings because too often they are already paying the same rent or are in excess of the rent stated for the affordable housing unit. Thus, the requirement to pay no more than 30 percent of household income is actually hurting people who are already living in substandard housing and are paying more than 30 percent of their income toward housing.

As first noted in his East New York Community Plan Uniform Land Use Review Procedure (ULURP) recommendation, Borough President Adams believes that it is time to break the mold in which families that are already paying too much rent for substandard housing are disqualified. Borough President Adams seeks to qualify rent-burdened households to be eligible for selection through the housing lottery process. Such eligibility would ensure rent-burdened households receive the maximum opportunity to secure regulated affordable housing units, expanding the number of eligible households for government-regulated affordable housing lotteries.

One means to address rent burden should be achieved by amending the ZR to adjust the AMI qualifications so they include such households that would maintain or reduce their rent burden. For such lotteries resulting from MIH housing lottery offerings, DCP needs to amend the ZR to allow for exceptions to the 30 percent of income threshold so that households that are burdened, though paying the same or more rent than the lottery unit rent, would be eligible to live in affordable, newly-produced, and quality housing accommodations.

Borough President Adams calls on the CPC and/or the City Council to seek the modification of the ZR section pertaining to MIH-designated areas to make rent-burdened households eligible for affordable housing lotteries pursuant to MIH.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. That the Bridge Rockaway Housing Development Fund Company provide written commitments to the extent it would:
 - a. Retain the residential floor area as permanently affordable
 - b. Utilize a combination of locally-based affordable housing non-profits to serve as the administering agent, determined in consultation with Brooklyn Community Board 16 (CB 16) and local elected officials, and have such entities play a role in promoting affordable housing lottery readiness
 - c. Identify and recruit, to the extent practical, potential supportive housing tenants among those currently and formerly residing in Brooklyn Community District 16 (CD 16)
 - d. Implement outreach efforts to qualify seniors for the supportive housing units, and affordable one-bedroom units, geared toward households under 50 percent Area Median Income (AMI)
 - e. Incorporate resiliency and sustainability measures such as New York City Department of Environmental Protection (DEP) rain gardens, blue/green/white roof treatment, passive house design principles, and solar panels
 - f. Coordinate with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of a Builders Pavement Plan at 803 Rockaway Avenue in consultation with CB 16 and local elected officials
 - g. Coordinate Connecting Residents on Safer Streets (CROSS) Brooklyn implementation with DEP, DOT, and NYC Parks for the installation of curb extensions at the following intersections: the northeast corner of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue (where there are already painted crosswalks), either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions
 - h. Enter into a standard DOT maintenance agreement for those intersections, and coordinate with DEP, DOT, and NYC Parks should there be agency implementation of protected painted areas the northeast intersection of Newport Street and Rockaway Avenue, as well as the northwest corner of Newport Street and Thatford Avenue, with the understanding that such improvements would not proceed prior to consultation with CB 16 and local elected officials
2. That the Greenpoint Manufacturing and Design Center (GMDC) provide written commitments to the City Council, clarifying how it would conduct outreach to local manufacturers for the envisioned industrial space, particularly those on sites identified as residential development opportunity areas in the East New York Community Plan

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) modify its affordable housing lottery community preference standards to include the school zone, thus capturing the population of public school children residing at City-funded or -operated shelters
2. That the New York City Department of Homeless Services (DHS) be required to reach out to the New York City Department of Youth and Community Development (DYCD) shelter facilities when identifying and referring homeless individuals for supportive housing, and prioritize older youth for placement in permanently affordable buildings; for those not in need of supportive services,

that HPD be required to coordinate its referrals with DYCD to ensure youth participation in newly constructed units for homeless individuals

3. That the City Planning Commission (CPC) and/or the City Council call for the modification of the Mandatory Inclusionary Housing (MIH) section of the New York City Zoning Resolution (ZR) pertaining to MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status (allow for exceptions to the 30 percent of income threshold for households paying the same or more rent than what the housing lottery offers) to qualify for such affordable housing units pursuant to MIH