



## CITY PLANNING COMMISSION

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May 5, 2021 / Calendar No. 7

C 200298 ZSK

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**IN THE MATTER OF** an application submitted by Bedford Carp Realty III, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(a) of the Zoning Resolution to allow a commercial use (Use Group 16 use) not permitted by the provisions of Section 106-31 (Special Provisions for As-of-Right New Buildings for Use Group M or Commercial Use) to facilitate the development of a 2-story commercial warehouse building, on property located 2706 West 16th Street (Block 6995, Lot 74), in an M1-2 District, within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13.

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The applicant, Bedford Carp Realty III, LLC filed this application on March 26, 2020, pursuant to Section 106-32 (a) of the Zoning Resolution (ZR). This special permit would facilitate the development of an approximately 9,950-square-foot, two-story commercial warehouse in a M1-2 zoning district within the Special Coney Island Mixed Use District at 2706 West 16<sup>th</sup> Street located in the Coney Island neighborhood of Brooklyn, Community District 13.

### **BACKGROUND**

The proposed development site is located at 2706 West 16<sup>th</sup> Street (Block 6995, Lot 74) on the western side of West 16<sup>th</sup> Street between Hart Place to the north and Neptune Avenue to the south. The proposed development site is on a 5,504-square-foot rectangular interior zoning lot with 40 feet of frontage along West 16<sup>th</sup> Street and it is currently vacant. West 16<sup>th</sup> Street is categorized as a narrow street as it is 60 feet in width. Block 6995 is bounded by Hart Place to the north, West 16<sup>th</sup> Street to the east, Neptune Avenue to the south, and Cropsey Avenue to the west. In addition to the development site, Block 6995 also contains commercial retail buildings, auto repair shops, light manufacturing building and two-three story residential buildings.

Bordering the development site one block north (Block 6995, Lot 32) are a pet supply, Auto Zone and T-Mobile stores. Lot 29 borders the development site to the southwest and is currently used for parking facilities. All of the additional adjacent lots bordering the development site are (Lots 30, 31, and 76) are vacant.

The area surrounding the development site is primarily characterized by a mix of light manufacturing and commercial uses along Neptune, Cropsey and Stillwell avenues. The residential and commercial uses are primarily along Hart Place, and West 15<sup>th</sup> and West 16<sup>th</sup> streets. The predominant built form in this area is low-rise one- to three-story buildings containing residential, commercial and light manufacturing uses. There are also several light manufacturing uses, including auto body and repair shops, and metal manufacturers within a few blocks of the development site.

Land uses in the surrounding area are generally categorized as two- to three-story residential buildings, as well as commercial, light industrial and manufacturing uses. Commercial uses in the surrounding area primarily consist of local retail stores, storage facilities, bakeries, auto

repair shops and warehouses. Retail establishments are located approximately one to two blocks to the north of the development site on Cropsey Avenue and Hart Place. On the same block to the south along West 16<sup>th</sup> Street and one block from the development site on both Neptune and Cropsey avenues, there are commercial uses serving local retail needs, including bakeries, eating and drinking establishments, a gas station, auto body shops and a liquor store. There are three big box retail stores, including Raymour & Flanigan, located one block to the north of the development site, the Home Depot, located one quarter mile to the northwest of the development site, and a Stop and Shop supermarket north of the development site along Cropsey Avenue.

Community facilities in the surrounding area include the Brooklyn Public Library - Coney Island Branch (Block 7019, Lot 43) located southwest of the development site along West 19th Street, P.S. 90 Edna Cohen Public School (Block 7266, Lot 40) located southeast along West 12th Street, Coney Island Tabernacle Church (Block 7247, Lot 173) located east along Stillwell Avenue, Shrine Church of Our Lady of Solace (Block 7020, Lot 39) located south along Mermaid Avenue, and Coney Island Kingdom Hall of Jehovah's Witness (Block 7022, Lot 75) located south along West 16th Street.

Major roadways near the development site include the Belt Parkway, and Cropsey, Neptune and Stillwell avenues. All four of these major roadways are over 100 feet wide. The Belt Parkway is located north of Coney Island Creek and accessible via Cropsey Avenue, which carries large amounts of traffic among Brooklyn, Queens and Long Island. Cropsey and Stillwell avenues are north-south arterial thoroughfares. Cropsey Avenue is located one block to the west and Stillwell Avenue is located two blocks to the east of the development site. Neptune Avenue is an east-west thoroughfare that is located one block south of the development site. Local roads within the surrounding area include Hart Place, and West 15<sup>th</sup> and West 16<sup>th</sup> streets, all of which are narrow streets between 50 and 60 feet wide and primarily support only one-way traffic.

The development site is well served by public transit from the Coney Island/Stillwell Avenue D, F, N and Q subway station located approximately one-half mile to the south. Bus service includes the B64, B68, B74, B82, X28 and X38. All bus stops are located within one to four blocks from the development site, and the B64, B68, B74, and B82 provide service to a wide range of locations within Brooklyn such as, Bay Ridge, Windsor Terrace, Sea Gate, Spring Creek and Bensonhurst. The X28 and X38 provide express bus service to Midtown Manhattan from Coney Island.

The development site is located within FEMA's Preliminary (2015) 1% Chance Flood Zone. Any new structures on the site would be subject to all applicable flood regulations including Appendix G of New York City Building Code.

The surrounding area is located in the Special Coney Island Mixed Use District (CO), which is comprised of four large blocks and bounded by Coney Island Creek to the north, Neptune

Avenue to the south, Stillwell Avenue to the east and Cropsey Avenue to the west. The CO is within a M1-2 zoning district and contains provisions to stabilize residential uses in the area while allowing modest growth of manufacturing and commercial uses. The CO was enacted to promote the opportunity for residents to work near their homes. The CO regulates the location of residential, commercial and certain manufacturing uses to specified streets, limits the size of zoning lots for as-of-right development and provides measures to ensure the general safety of the district.

The goals of the CO include stabilizing the residential future of this mixed residential and industrial area by permitting the expansion and development of residential and light manufacturing uses where adequate environmental standards are assured; promoting the opportunity for people to work in the vicinity of their residences; providing a safe circulation system in this area of mixed residential and manufacturing use; and retaining adequate wage, job-intensive, seasonally stable industries within New York City.

The CO requires special permits for light manufacturing or commercial uses not specified as Use Group M, which consist of lighter manufacturing uses within Use Group 16 and 17 (ZR 106-311) or commercial uses not permitted as-of-right (ZR 106-31). Changes of use from residential to Use Group M or commercial uses require a special permit pursuant to ZR 106-32, as well as modifications in yard regulations for Use Group M or commercial uses in developments or enlargements.

M1-2 zoning districts allow for light manufacturing uses such as repair shops, wholesale service and storage facilities. Commercial and light industrial uses are permitted at a maximum FAR of 2.0 and 4.8 for certain community facilities. A minimum rear yard of 20 feet is required at every rear lot line. Building heights for M1-2 districts are governed by a sky exposure plane that begins at 60 feet or four stories, whichever is less. Off-street parking and loading facilities requirements vary according to the type and size of the use on the property.

The special permit would facilitate the construction of a Use Group 16 commercial warehouse that would be used for storage of construction materials, such as lumber and steel. The proposed development would be a two-story, 28-foot-tall building with a built FAR of 1.81 resulting in an approximately 9,950-square-foot structure. The first floor would include an atrium of approximately 250 square feet, and an open rooftop area would be provided on the second floor. One loading berth would be provided for trucks to access the development site. The entire building would meet the flood requirements of the New York City Building Code. No parking is required.

## **ENVIRONMENTAL REVIEW**

This application (C 200298 ZSK), was reviewed pursuant to the New York State Environmental

Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 20DCP112K.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on December 14, 2020.

## **UNIFORM LAND USE REVIEW**

This application (C 200298 ZSK) was certified as complete by the Department of City Planning on December 14, 2020 and duly referred to Brooklyn Community Board 13 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 202(b).

### **Community Board Public Hearing**

Brooklyn Community Board 13 held a public hearing on this application (C 200298 ZSK) on January 11, 2021 and on January 27, 2021, by a vote of 31 in favor, none opposed, and one abstaining, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

The application (C 200298 ZSK) was considered by the Brooklyn Borough President, who held a public hearing on January 25, 2021 and issued a recommendation to approve the application with the following conditions:

“That pursuant to the New York City Resolution (ZR) Section 106-32, the CPC prescribe the following appropriate conditions and safeguards to minimize adverse impacts on the character of the surrounding area:

- a. Preclude the New York City Department of Buildings (DOB) from issuing any construction work permits effective weekdays after to the Friday prior to Memorial Day and not before Labor Day, and for weekends after the Friday prior to Easter, and not before the second Monday of October

That prior to considering the application, the City Council obtain written commitments from the applicant, Bedford Carp Realty III LLC, to:

- a. Memorialize the incorporation of resiliency and sustainability measures such as blue/green/white roofs and/or solar panels
- b. Retain Brooklyn-based contractors and subcontractors, especially those designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City’s Administrative Code, and minority- and women-owned business enterprises (MWBEs) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

That Brooklyn Community Board 13 (CB 13) and elected officials take the initiative to establish an appropriate development vision for the Cropsey Avenue Gateway to Coney Island between Hart Place and Neptune Avenue, with technical support from the New York City Department of City Planning (DCP).”

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

On March 17, 2021 (Calendar No. 5), the City Planning Commission scheduled April 7, 2021 for a public hearing on this application (C 200298 ZSK). The hearing was duly held on April 7, 2021 (Calendar No. 23). Three speakers appeared in favor of the application and none in opposition.

The applicant’s representative described the development site, the action requested and explained the need for a special permit to facilitate the proposal for a new commercial warehouse. He stated the commercial warehouse would be used as an outpost for construction materials and the owners of the warehouse would work within the surrounding area and other areas of the city for improvements to sewers and roadways.

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

### **Waterfront Revitalization Program Consistency Review**

This application (C 200298 ZSK) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.). The designated WRP number is 18-188.

This action was determined to be consistent with the policies of the WRP.

### **CONSIDERATION**

The Commission believes that this application for a special permit (C 200298 ZSK) is appropriate.

Since the creation of the CO in 1975 and the requirement for a special permit for new commercial developments, there have been few new commercial developments within the past 10 years. Commercial developments that received special permits are located at 2702 West 15<sup>th</sup> Street (Block 6996, Lots 53 and 59) and 2700 Stillwell Avenue (Block 6997, Lot 69). The Commission recognizes the unique provisions within the CO to stabilize residential uses, allowing for modest growth of manufacturing and commercial uses in specified locations, and protecting existing businesses within the area.

The requested action will facilitate the development of a two-story commercial warehouse on a site that is currently vacant. The Commission believes that the development of the proposed warehouse will meet the goals of the special district by providing an active use on an underutilized site. The Commission also notes that the proposed warehouse will comply with the performance standards for M1 districts, as the development will be used for storage of construction materials.

Traffic generated by the proposed warehouse will be minimal, as only two trucks will be traveling to and from the site each weekday. One loading berth will be provided to allow truck access and parking and to not obstruct the street when loading and unloading materials. The Commission believes that the proposed warehouse will not create harmful, congested, or dangerous conditions in the CO.

The Commission acknowledges the Brooklyn Borough President's recommendation to minimize adverse impact on the character of the surrounding area by precluding the New York City Department of Buildings from issuing any construction work permits on certain days but notes that this recommendation is outside the scope of this application.

The Borough President's recommendation to memorialize the incorporation of resiliency and sustainability measures such as blue, green, or white roofs and/or solar panels, as well as the recommendation for hiring of Brooklyn-based contractors and subcontractors, the Commission notes that these are beyond the scope of this application.

Regarding the Borough President's recommendation to establish an appropriate development vision for the Cropsey Avenue Gateway to Coney Island between Hart Place and Neptune Avenue is outside the scope of this application. However, the Commission supports further discussions or initiatives with Community Board 13 and local elected officials with support from the Department of City Planning.

## **FINDINGS**

The City Planning Commission hereby makes the following findings pursuant to Section 106-32 (a) (Special Permit Provisions for Manufacturing and Commercial Uses) of the Zoning Resolution:

- 1) that such use will comply with the regulations on performance standards of M1 Districts; and
- 2) that additional truck traffic generated by such use or the modification of yard regulations will not create harmful, congested or dangerous conditions;
- 3) not applicable.

## RESOLUTION

**RESOLVED**, that the City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

**RESOLVED**, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on December 14, 2020 with respect to this application (CEQR No. 20DCP112K) that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and be it further

**RESOLVED**, by the City Planning Commission pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, an application submitted by Bedford Carp Realty III, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(a) of the Zoning Resolution to allow a commercial use (Use Group 16 use) not permitted by the provisions of Section 106-31 (Special Provisions for As-of-Right New Buildings for Use Group M or Commercial Use) to facilitate the development of a 2-story commercial warehouse building, on property located 2706 West 16th Street (Block 6995, Lot 74), in an M1-2 District, within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13, is approved subject to the following terms and conditions:

1. The property that is the subject of this application (C 200298 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Joseph M. Morace A.I.A, filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
CPC-001	Zoning Data	July 7, 2020
CPC-002	Site Plan & Zoning Data	July 7, 2020
CPC-003	First Floor Plan	July 7, 2020
CPC-004	Building Sections	July 7, 2020

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operating and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

The above resolution (C 200298 ZSK), duly adopted by the City Planning Commission on May 5, 2021 (Calendar No. 7), 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 BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,  
JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,  
ORLANDO MARIN, RAJ RAMPERSHAD**, *Commissioners*



## Brooklyn Borough President Recommendation

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

### INSTRUCTIONS

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

### APPLICATION

WEST 16<sup>TH</sup> STREET – 200298 ZSK

An application submitted by Bedford Carp Realty III LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit to allow a Use Group (UG) 16 commercial warehouse in an M1-2 district on West 16<sup>th</sup> Street in the Special Coney Island Mixed Use District. Such use is currently permitted as-of-right only on Cropsey, Neptune, and Stillwell avenues. The requested action would facilitate a two-story, approximately 9,957 square feet (sq. ft.) commercial warehouse, including a loading berth, at 2706 West 16<sup>th</sup> Street in Brooklyn Community District 13 (CD 13).

BROOKLYN COMMUNITY DISTRICT NO. 13

BOROUGH OF BROOKLYN

### RECOMMENDATION

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

*Eric L. Adams*

March 18, 2021

\_\_\_\_\_  
BROOKLYN BOROUGH PRESIDENT

\_\_\_\_\_  
DATE

## **RECOMMENDATION FOR: WEST 16<sup>TH</sup> STREET – 200298 ZSK**

Bedford Carp Realty III LLC submitted an application pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit to allow a Use Group (UG) 16 commercial warehouse in an M1-2 district on West 16<sup>th</sup> Street in the Special Coney Island Mixed Use District. Such use is currently permitted as-of-right only on Cropsey, Neptune, and Stillwell avenues. The requested action would facilitate a two-story, approximately 9,957 square feet (sq. ft.) commercial warehouse, including a loading berth, at 2706 West 16<sup>th</sup> Street in Brooklyn Community District 13 (CD 13).

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

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, and/or New York City Department of Environmental Protection (DEP) rain gardens, the representative stated that the design would integrate a white roof and rainwater collection systems. The applicant would also file for bioswales in the public right of way.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated that the applicant works extensively with the City and the State, and has experience complying with LBE and MWBE requirements.

### **Consideration**

Brooklyn Community Board 13 (CB 13) approved this application on January 27, 2021.

The requested action would affect a 5,505 sq. ft. lot on West 16<sup>th</sup> Street between Hart Place and Neptune Avenue. It is situated within an M1-2 zone on the north end of Coney Island. The site, which is currently used as a contractor's yard, has 40 feet of frontage on West 16<sup>th</sup> Street with a 20-foot curb cut. The proposed Use Group (UG) 16 commercial warehouse would be used to store construction materials for the applicant's business. The building would contain approximately 9,950 sq. ft., and a floor area ratio (FAR) of 1.81, just under the 2.0 commercial/industrial permitted in M1-2 zones. It would rise to a height of two stories, or 28 feet. Truck access would be facilitated via a 12 by 50-foot-wide loading berth. The development would not provide any parking, though would accommodate overnight storage of panel trucks.

The applicant is seeking a special permit as the property is located in the Special Coney Island Mixed Use District (CO), bounded roughly by Cropsey Avenue to the west, Hart Place to the north, Neptune Avenue to the south, and Stillwell Avenue to the east. CO regulations stipulate that UG 16 warehouses may be built as-of-right only on Cropsey, Neptune, and Stillwell avenues. Per New York City Zoning Resolution (ZR) Section 106-32, the City Planning Commission (CPC) may permit such use on other streets, provided that the operation would comply with M1 district performance standards and that resultant truck traffic would not create congestion or dangerous conditions.

As the applicant's warehouse would be built in a flood zone, its design would meet New York City Building Code requirements for flood-proof construction. The ground floor would be dry proofed via removable metal flood shields at the loading berth and pedestrian entrances.

The surrounding context reflects commercial uses typically found in M1 zones, such as automotive service, big-box retail, and self-storage businesses. Industrial uses include contractor's yards, ironworks, and warehouses. There are several legally non-conforming residences, constructed prior

to 1961, as well as various community facilities, such as churches, libraries, and schools. Adjacent zoning districts vary from heavy commercial and manufacturing to medium-density residential.

The site is located three blocks northwest of the Stillwell Avenue terminal, served by the Sixth Avenue Express D, the Sixth Avenue Local F, the Broadway Express N, and the Second Avenue/Broadway Express Q trains. The B82 bus travels along Cropsey Avenue stopping at Hart Place, just north of the site. The Belt Parkway provides non-commercial vehicular access to and from this portion of the Coney Island peninsula via Cropsey Avenue.

Borough President Adams generally supports efforts to facilitate the growth of Brooklyn-based businesses. This includes approving land use actions consistent with underlying zoning to maximize job creation opportunities. He believes that the requested special permit is appropriate based on the mixed commercial/industrial context of West 16<sup>th</sup> Street north of the Amusement Zone. Therefore, the CPC and/or City Council should approve this application.

However, Borough President Adams believes that the construction of this project should not exacerbate traffic conditions at Cropsey and Neptune avenues. Consistent with his policies, Borough President Adams seeks the incorporation of resilient and sustainable measures and high level of local and MWBE hiring in the project. Finally, he seeks a new community-based development vision for the Cropsey Avenue gateway to Coney Island.

#### **Avoiding Construction During the Amusement Season**

There is often congestion at the intersection of Cropsey Avenue at Neptune Avenue entering Coney Island. For drivers familiar with the area, a percentage of Coney Island-bound vehicles would turn left at Hart Place and then turn right onto West 16<sup>th</sup> Street as a means of bypassing the intersection. During the amusement and beach season, which attracts more vehicles to Coney Island, local residents rely on the essential Hart Place to West 16<sup>th</sup> Street bypass to minimize time spent in traffic. The amusement and beach season is in full swing from Memorial Day weekend through Labor Day though weekends just prior to Easter through Columbus Day also tend to be busy on Coney Island.

During this time of the year, the influx of visitors by vehicle overwhelm the intersection of Cropsey and Neptune avenues. Given the importance of the Hart Place-West 16<sup>th</sup> Street bypass to local residents, Borough President Adams believes that the construction schedule for the proposed development should be aligned with the Coney Island amusement season. Pursuant to ZR Section 106-32, the CPC may prescribe additional appropriate conditions and safeguards to minimize adverse impacts on the character of the surrounding area. Therefore, as a condition of the grant of the requested special permit, the CPC should mandate that the applicant, Bedford Carp Realty III LLC, be bound in a manner that would preclude the New York City Department of Buildings (DOB) from authorizing construction and/or permits that would interfere with amusement season operations.

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

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed buildings and existing ones undergoing renovation (with some exceptions) incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate. Borough President Adams believes that developers should seek to exceed this mandate by integrating blue roofs with green roof systems.

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

Though 2706 West 16<sup>th</sup> Street is a relatively small project, Borough President Adams believes it is appropriate for Bedford Carp Realty III LLC to engage the Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA), regarding government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per sq. ft. of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with the aforementioned agencies and further coordination on this matter.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, Bedford Carp Realty III LLC, clarifying how it would memorialize integrating sustainability features at 2706 West 16<sup>th</sup> Street.

### **Jobs**

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 2017," 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 20 percent or greater. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, is central to Borough President Adams' economic development agenda. This site 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).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, Bedford Carp Realty III LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those designated LBEs consistent with Section 6-108.1 of the City's Administrative Code and MWBE as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

### **Establishing an Appropriate Vision for the Cropsey Avenue Gateway to Coney Island**

While zoning in the Coney Island amusement area has been thoroughly studied and modified via the 2009 Coney Island Comprehensive Rezoning Plan, the same cannot be said of areas to the north, particularly the M-zoned Cropsey Avenue gateway between Coney Island Creek and Cropsey Avenue. This portion of the neighborhood is defined by a concentration of automotive and construction businesses, but also provides a gateway to both the amusement district and the residential communities of Coney Island and Seagate. At times, these functions come into conflict. For example, on the east side of Cropsey Avenue, automotive repair shops unable to handle the number of cars

requiring work on a given day have taken to storing vehicles in the right of way including the sidewalk area, creating a dangerous environment for motorists, cyclists, and pedestrians.

The underlying zoning, established in the 1960s and 1970s, was mapped based on its consistency with prevailing land use patterns. Borough President Adams believes that it is time to re-envision appropriate uses and zoning for this gateway. He encourages CB 13 and local elected officials to work toward a vision for Cropsey Avenue between Hart Place and Neptune Avenue, with technical support provided by the New York City Department of City Planning (DCP).

**Recommendation**

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

1. That pursuant to the New York City Resolution (ZR) Section 106-32, the CPC prescribe the following appropriate conditions and safeguards to minimize adverse impacts on the character of the surrounding area:
  - a. Preclude the New York City Department of Buildings (DOB) from issuing any construction work permits effective weekdays after to the Friday prior to Memorial Day and not before Labor Day, and for weekends after the Friday prior to Easter, and not before the second Monday of October
2. That prior to considering the application, the City Council obtain written commitments from the applicant, Bedford Carp Realty III LLC, to:
  - a. Memorialize the incorporation of resiliency and sustainability measures such as blue/green/white roofs and/or solar panels
  - b. Retain Brooklyn-based contractors and subcontractors, especially those designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

That Brooklyn Community Board 13 (CB 13) and elected officials take the initiative to establish an appropriate development vision for the Cropsey Avenue Gateway to Coney Island between Hart Place and Neptune Avenue, with technical support from the New York City Department of City Planning (DCP).



**BROOKLYN COMMUNITY BOARD 13**  
1201 Surf Avenue – 3<sup>rd</sup> Fl., Brooklyn, NY 11224  
(718) 266-3001 FAX (718) 266-3920  
<http://www.nyc.gov/html/bkncb13>

**ERIC L ADAMS**  
Borough President

**LUCY ACEVEDO**  
Chairperson

**EDDIE MARK**  
District Manager

February 24, 2021

To Whom It May Concern:

At the Community Board 13 General Board meeting which was held on Wednesday, January 27, 2021 vote was taken to approve the Special Use Permit for building located at 2706 West 16<sup>th</sup> Street. This permit will allow the building to be used for storage of building materials.

The vote was as follows: In Favor: 31 Opposed: 0 Abstentions:1  
Motion carried. Quorum was present. Roll call on file at C.B. office.

If any further information is needed, please do not hesitate to contact the office.

Best Regards,

Eddie Mark  
District Manager  
Community Board 13



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> West 16th Street Special Permit	
<b>Applicant:</b> Bedford Carp Realty III LLC	<b>Applicant's Primary Contact:</b> Eric Palatnik
<b>Application #</b> 200298ZSK	<b>Borough:</b>
<b>CEQR Number:</b> 20DCP112K	<b>Validated Community Districts:</b> K13

**Docket Description:**

IN THE MATTER OF an application submitted by Bedford Carp Realty III, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(a) of the Zoning Resolution to allow a commercial use (Use Group 16 use) not permitted by the provisions of Section 106-31 (Special Provisions for As-of-Right New Buildings for Use Group M or Commercial Use) to facilitate the development of a 2-story commercial warehouse building, on property located 2706 West 16th Street (Block 6995, Lot 74), in an M1-2 District, within the Special Coney Island Mixed Use District.

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

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

<b>RECOMMENDATION: Favorable</b>			
<b># In Favor:</b> 31	<b># Against:</b> 0	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 50
<b>Date of Vote:</b> 1/27/2021 12:00 AM		<b>Vote Location:</b> via Webex	

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

<b>Date of Public Hearing:</b> 1/11/2021 7:00 PM	
<b>Was a quorum present?</b> Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
<b>Public Hearing Location:</b>	Public Hearing via Webex

**CONSIDERATION:**

Recommendation submitted by	BK CB13	Date: 2/24/2021 3:55 PM
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