



IN THE MATTER OF an application submitted by Angelina Gatto Trust pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M2-1 District to an M1-4/R7A District property bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue; and
2. establishing a Special Mixed Use District (MX-25) bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue.

Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-670.

This application for a zoning map amendment was filed by the Angelina Gatto Trust on March 30, 2021, to change an M1-2 zoning district to an M1-4/R7A zoning district. This application, in conjunction with the related zoning text amendment (N 210349 ZRK) and special permit (C 210350 ZSK), would facilitate the construction of a nine-story mixed use development containing 48 dwelling units, 13 of which would be permanently affordable, along with ground floor commercial space, at 153-157 9th Street in the Gowanus neighborhood of Brooklyn, Community District 6.

RELATED ACTIONS

In addition to the zoning map amendment (C 210348 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

N 210349 ZRK Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and establish a new Special Mixed Use District (MX-25)

C 210350 ZSK Special permit pursuant to Zoning Resolution (ZR) Section 74-533 to

waive residential off-street parking to facilitate affordable housing

BACKGROUND

The applicant requests a zoning map amendment to change an M1-1 zoning district to an M1-4/R7A zoning district, a zoning text amendment to create an MIH area and establish a new Special Mixed Use District (MX-25), and a special permit pursuant to ZR Section 74-533 to waive residential off-street parking requirements. The project area is comprised of 17 tax lots (Block 1002, Lots 16, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55 and portions of Lots 39 and 56) along the north-facing mid-block frontage of Ninth Street on a block bounded by Eighth Street to the north, Third Avenue to the east, Ninth Street to the south, and Second Avenue to the west.

The project area encompasses a total area of 42,500 square feet and has 425 feet of frontage along Ninth Street, a 60-foot-wide corridor. The project area is comprised of the development site (Lots 16, 48, 49 and 50), as well as several non-applicant-owned lots (Lots 40, 41, 42, 43, 45, 46, 47, 52, 53, 54, 55 and portions of Lots 39 and 56). The development site contains approximately 10,742 square feet of lot area with 82.5 feet of frontage on Ninth Street and 25 feet of frontage on Eighth Street. The development site is a 10,742-square-foot zoning lot, consisting of an 8,242-square-foot surface parking lot and storage area (Lots 48, 49, and 50) along Ninth Street and an adjacent 2,500-square-foot lot (Lot 16) fronting Eighth Street that is improved with a two-story residential building owned by the applicant. The applicant intends to maintain the existing residential building on Lot 16 and transfer available development rights from Lot 16 to Lots 48, 49, and 50, which would contain the proposed development. Among the thirteen non-applicant-owned lots, Lots 39, 40, 41, 42, 46, 47, 53, 54, and 55 contain two- to four-story walk-up apartment buildings, ranging from three to eight residential units, while Lots 45, 52, and 56 consist of one- and two-family homes, all of which are pre-existing non-conforming uses under the existing zoning. Lot 43 is improved with a one-story industrial warehouse building.

The project area is located in the Gowanus neighborhood and surrounded by a mix of industrial, commercial, and residential uses. The blocks between Second and Third avenues contain clusters

of non-conforming residential uses characterized by two- to four-story residential walk-up apartments and one- to two-family homes, as well as one- and two-story warehouse-style buildings with a mix of commercial, light manufacturing, construction, distribution and auto-oriented uses. The Southwest Brooklyn Industrial Business Zone (IBZ), a geographic area established by the City to support industrial businesses through tax credit benefits and various services and programs, is located directly south and west of the project area. Adjacent uses within the IBZ include building supply and fuel storage businesses, a coffee roastery and café, parking lots, and a few non-conforming residential buildings. Ninth Street is a 60-foot-wide corridor, which runs east-west with an at-grade bridge across the Gowanus Canal, connecting the neighborhoods of Gowanus and Park Slope with Carroll Gardens. Third and Fourth avenues serve as local commercial thoroughfares characterized by ground floor retail and services with residential uses above.

The project area is within the Transit Zone and is well-served by public transit. Within one quarter-mile of the project area is the 4th Avenue-9th Street subway station, which provides access to the F, G and R lines, and the Smith Street-9th Street subway station, which provides access to the F and G lines. The B37 and B103 buses also run along Third Avenue, providing access to Downtown Brooklyn, while the B61, running along Ninth Street in front of the project area, provides access to Park Slope and Red Hook.

The area east of Third Avenue consists primarily of contextual zoning districts that were mapped as part of the 2003 Park Slope Rezoning (C 030194 ZMK) sponsored by the Department of City Planning (DCP) with the goals of preserving neighborhood character and promoting residential growth along major thoroughfares, such as Fourth Avenue. In 2021, the 506 Third Avenue application (C 210119 ZMK and N 210120 ZRK), located three blocks south of the project area and adjacent to the IBZ, rezoned the western frontage of Third Avenue between 11th and 13th Streets from M2-1 to C4-4A, a zoning district with an R7A residential equivalent, to facilitate a commercial development and enlargement. The blocks to the west of Third Avenue, encompassing the project area, are zoned M2-1, a low-density industrial zoning district that permits industrial and commercial uses with a maximum floor area ratio (FAR) of 2.0. Buildings

in M2-1 zoning districts have a maximum permitted building height of 60 feet along the street line, after which building heights are governed by a sky exposure plane. Off-street parking requirements for M2-1 zoning districts vary by use and generally require one space for every 300 square feet of commercial use and one space for every 1,000 square feet of industrial use.

The area two blocks north of the project area, located west of the Gowanus Canal and north of Third Street, is part of the Gowanus Neighborhood Plan area. Led by DCP and approved in 2021, in collaboration with agency partners, elected officials and community members, the Gowanus Neighborhood Plan was a long-term planning effort for a sustainable, resilient, inclusive neighborhood with new housing and job growth, anchored by a mix of uses and new waterfront open space. In connection with the Gowanus Neighborhood Plan, DCP led a public engagement effort with businesses, property owners, and other stakeholders to develop a vision for the southern part of Gowanus within the IBZ and adjacent blocks zoned as manufacturing districts, inclusive of the project area. In May 2021, DCP released the Gowanus IBZ Vision Plan, which put forth a land use framework and key infrastructure and workforce recommendations, identifying the north side of Ninth Street as an appropriate location for a mix of uses, including residential, due to the existing land use conditions.

The applicant proposes to develop a new nine-story mixed-use building at 153-157 Ninth Street (Block 1020, Lot 48, 49 and 50) with 48 dwelling units, 13 of which would be permanently affordable, as well as approximately 8,000 square feet of commercial on the ground floor, which the applicant intends to tenant with a supermarket. The proposed development would have a built FAR of 4.0, totaling 41,213 square feet of floor area, and would be designed with a base height of 75 feet, followed by a 15-foot setback, before rising to a building height of 95 feet. No off-street parking is proposed for either the residential or commercial use.

To facilitate the proposed development, the applicant requests a zoning map amendment to change an M2-1 zoning district to an M1-4/R7A zoning district, which would encompass a 425-foot-wide mid-block portion along the northern side of Ninth Street, extending 175 feet from Second Avenue on the west side to 100 feet from Third Avenue on the east side. M1-4/R7A is a

mixed-use zoning district that pairs M1-4, a manufacturing district that supports a mix of low-rise commercial and industrial uses, with R7A, a medium density contextual residential zoning district. Mixed use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. When mapped jointly with Inclusionary Housing areas, M1-4/R7A zoning districts allow industrial and commercial uses with a maximum FAR of 2.0, community facility uses with a maximum of 4.0, and residential uses with a maximum of 4.6. Base heights are permitted to range between 40 and 85 feet, after which buildings must set back either 10 feet on a wide street or 15 feet on a narrow street. The maximum height of buildings is 95 feet (nine stories) with a Qualifying Ground Floor. Parking is generally required for 50 percent of the dwelling units and optional for income-restricted units in the Transit Zone.

In addition to the proposed zoning map amendment, the applicant requests a zoning text amendment to designate the project area as an MIH area mapped with Option 1 and establish a new Special Mixed Use District (MX-25). Option 1 requires that at least 25 percent of the residential floor area be provided as housing affordable to residents with household incomes averaging 60 percent of the Area Median Income (AMI), including a 10 percent band at 40 percent of the AMI. Further, the applicant proposes a zoning text amendment to create a new Special Mixed Use District, which would be designated MX-25 and enable a zoning district that reflects the character of the block.

The applicant also seeks a special permit pursuant to ZR Section 74-533 to waive residential off-street parking. The proposed special permit would waive the requirement to provide an estimated 18 to 20 residential accessory off-street parking spaces.

ENVIRONMENTAL REVIEW

This application (C 210348 ZMK), in conjunction with the related applications for zoning text amendment (N 210349 ZRK) and special permit (C 210350 ZSK), were 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 22DCP091K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on April 25, 2022. The Negative Declaration includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise impacts (E-670). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

WATERFRONT REVITALIZATION PROGRAM

This application (C 210348 ZMK) 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 20-030. This action was determined to be consistent with the policies of the WRP.

UNIFORM LAND USE REVIEW

This application (C 210348 ZMK) and the related special permit application (C 210350 ZSK) were certified as complete by DCP on April 25, 2022 and were duly referred to Brooklyn Community Board 6 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 210349 ZRK), which was referred for information and review on April 25, 2022 in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 6 held a public hearing on this application (C 210348 ZMK) and the related actions for a zoning text amendment (N 210349 ZRK) and special permit (C 210350

ZSK) on May 26, 2022, and on June 8, 2022, by a vote of 31 in favor, six in opposition, and one abstaining, adopted a resolution recommending approval of the application with the following conditions:

“The City Must Rezone the Gowanus IBZ

Last year, the City released its Vision Plan for the Gowanus IBZ. After it was unveiled, our Board commended features of the City's plan, including its proposal for increases in buildable floor area ratio, the reduction of parking requirements, and updated loading requirements to give industrial users the flexibility they need to support a 21st century hub of industrial and commercial jobs.

As the Board made clear in approving the related Gowanus Neighborhood Rezoning, the City must now commit to translating the Vision Plan into a zoning framework that protects existing businesses and helps businesses stay in the Gowanus IBZ and modernize and expand, while carefully managing competing uses that can impede industrial operations such as large-scale entertainment, gyms, and big-box retail. The City should consider lowering the parking requirements for industrial properties; allowing increased density for the creation of industrial space and production-based uses; maintaining the prohibition on new residential uses; and attempting to limit stand-alone office space by only allowing accessory office use at no greater than 20% of floor area. Zoning and land use tools must be legislated, but until new zoning is implemented, there must be a mechanism to encourage expansion, while curtailing uses that are detrimental.

Now that the Neighborhood Rezoning has gone into effect, it is incumbent on the City to begin the process for a rezoning of the IBZ. We urge the City and our local elected officials to begin this process in earnest.

Prioritize Existing 9th Street Residents

The present proposal would add badly needed affordable housing to Ninth Street under the City's Mandatory Inclusionary Housing (MIH) framework. The proposal includes the use of MIH Option 1, which requires 25 percent of the residential floor area be affordable to residents at an average of 60 percent area median income (AMI). In line with prior positions of the Board, the City should mandate that residential developments in the Rezoning adhere to MIH Option 3, which requires that 20 percent of the residential floor area be affordable to residents at an average of 40 percent AMI. This option maximizes the number of units at the most affordable level available. Importantly, in the Board's public hearing on this application, the applicant committed to avail itself of Option 3 if that option is added to the Rezoning, and the City should hold the applicant to that commitment. To the extent mandating Option 3 alone is not legally permissible, the Board nevertheless expects the applicant to fulfill its commitment to adhere to Option 3, and the Board reiterates that Options 2 and 4, which will not create homes at the deepest

levels of affordability, are not acceptable.

Prioritize Existing 9th Street Residents

To reduce concerns about residential displacement and ensure that existing neighborhood residents who need affordable housing benefit from new affordable housing development, the City should give existing residents of units on 9th Street a preference for placement in affordable units created in the proposed rezoning area.

Construction Coordination and the Community Oversight Task Force

Without careful planning and consideration, construction in the Rezoning area can lead to a number of unfortunate consequences, including disruptions to pedestrians and other road users; noise; damage to existing mature street trees, and other impacts on neighboring properties. The Board reiterates the need for developers in the Rezoning area to responsibly abide by all applicable rules and give appropriate notice to city agencies and neighbors. And the Board asks that the applicant and any other developer in the Rezoning area participate in the Community Oversight Task Force created as a part of the Gowanus Neighborhood Rezoning as well as efforts by Community Board 6 to address construction and quality of life in the Gowanus neighborhood.

Addressing and Mitigating Flood Risk

The Gowanus community has endured decades of chronic flooding that climate change threatens to exacerbate. The Board is thankful that the City committed some \$174 million to upgrade sewer infrastructure to alleviate flooding conditions as part of the Gowanus Neighborhood Rezoning. But every stakeholder, including every property owner, must do more to promote resiliency and address the risk of flooding. To that end, the Board calls upon the applicant to reconsider whether its proposed cellar and ground-floor uses are flood-ready and ensure that planned uses on the site are flood-proof. And the Board calls upon the City to account for new development within the Rezoning area in its efforts to upgrade sewer infrastructure and monitor changes in sanitary and storm water loading within the Gowanus Sewershed.”

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 210348 ZMK) and the related actions for a zoning text amendment (N 210349 ZRK) and special permit (C 210350 ZSK) on June 14, 2022, and on July 13, 2022 issued a recommendation to approve the application with the following conditions:

"1. That the CPC and/or City Council modify the application as follows:

- a. Remove the five outparcels west of the applicant's property from the rezoning OR map an M1-4/R6B district on that portion of the project area
 - b. Modify the requested zoning from M1-4/R7A to M1-4/R6B on the eight outparcels east of the applicant's property
 - c. Require affordable housing provision pursuant to MIH Option 3 within the proposed development
2. That prior to consideration by City Council, the Angelina Gatto Trust commit to:
- a. Retain a non-profit administering agent to conduct marketing (including financial literacy training) for the affordable housing lottery
 - b. Provide subsidized ground-floor space for manufacturing tenants, particularly those defined as the “Gowanus Mix”.
 - c. Incorporate sustainability measures, such as blue roofs, passive house design, and/or onsite energy generation
 - d. Coordinate with Department of Environmental Protection (DEP), the Department of Parks and Recreation (DPR) and the Department of Transportation (DOT) to install rain gardens along 9th Street Avenue as part of a Builder’s Pavement Plan (BPP), in consultation with CB 6 and local elected officials
 - e. Retain Brooklyn-based contractors/suppliers, and provide employment opportunities to area residents”

City Planning Commission Public Hearing

On July 13, 2022 (Calendar No. 5), the City Planning Commission scheduled a public hearing on this application (C 210348 ZMK) and the related actions for a zoning text amendment (N 210349 ZRK) and special permit (C 210350 ZSK). The hearing was duly held on July 27, 2022 (Calendar No. 27). There were six speakers in favor of the application and none in opposition.

The applicant’s attorney spoke in favor of the application, providing an overview of the proposal, development site and surrounding context. He described the mix of industrial and residential uses along Ninth Street, noted the height of a nearby train trestle and the project area’s location between two subway stations, and explained that the proposed rezoning area is located outside of the IBZ boundary and consists entirely of non-conforming residential uses, except for a 5,000-square-foot warehouse. He also stated that the site has been undeveloped since the 1970s and has since operated as a parking lot. Regarding precedents for the proposal, he noted DCP’s 2021 Gowanus IBZ Vision Plan, which put forth a land use framework with a recommendation to bring existing residential uses into conformance and support a modest increase in density along

mixed use corridors. He further stated the proposed zoning is consistent with the zoning mapped along Union Street as part of the Gowanus Neighborhood Plan and the C4-4A zoning district along Third Avenue between 11th and 13th streets, which was mapped as part of the 506 Third Avenue application in 2021. With respect to the proposed special permit, he explained that the action is requested to avoid limiting the footprint of the commercial ground floor, better facilitate the project's viability, and eliminate the need for a curb cut along Ninth Street, an active corridor with a bicycle lane, bus route and truck route that experiences traffic congestion. While the application proposes MIH Option 1, the attorney stated a willingness to consider MIH Option 3, as recommended by the community board and borough president.

The architect for the proposed development spoke in favor of the application, stating that the project would be built to a standard of nearly net zero energy consumption and, in order to protect against flooding, utilize best practices in stormwater management by installing rain gardens and dry floodproofing the cellar. A representative of the applicant spoke in favor, explaining that he has lived and worked in Gowanus for several decades and that the proposal will benefit the local community and city.

The Executive Director of Open New York, an advocacy group, spoke in favor, emphasizing that more homes in Gowanus will help alleviate the citywide housing shortage and help fight displacement. He further noted that allowing more market rate and affordable units in Gowanus, a desirable neighborhood with a high median household income, will reduce displacement pressure in other areas. He also explained that the block is predominantly residential and that MIH would not be triggered under the borough president's recommendation to reduce the height and density of the non-applicant-owned lots. A representative of Open New York and resident of Prospect Heights spoke in favor, stating that people struggle to find new housing in Gowanus and that specific locations near public transit, like the project area, should be a target for building new housing.

There were no other speakers, and the hearing was closed. In addition to speakers at the public hearing, written comments were submitted in favor of the application from residents and

property owners within the project area, recommending to redevelop the long-vacant lot with housing, legalize existing housing, and allow for modest enlargements. Additionally, a substantial amount of written testimony was received in opposition to the application with concerns about the appropriateness of residential in close proximity to the IBZ and potential effects on nearby businesses, flooding risks and lack of infrastructure to support new housing, potential displacement of current residents within the project area, and the proposed height and density of the development being out-of-context with the character of the block and surrounding neighborhood.

CONSIDERATION

The Commission believes that this amendment to the zoning map (C 210348 ZMK), in conjunction with the related applications for a zoning text amendment (N 210349 ZRK) and special permit (C 210350 ZSK), is appropriate.

Together, these actions will facilitate the development of a new nine-story mixed use building at 153-157 Ninth Street with 48 apartments, 13 of which will be permanently affordable, and 8,000 square feet of ground floor commercial space. The Commission believes that this proposal will facilitate new mixed-income housing and active ground floor space in a walkable, transit-accessible area, while complementing the mixed-use character of Gowanus, strengthening the Ninth Street corridor, and bringing adjacent pre-existing residential uses into conformance with zoning.

The Commission believes the proposed M1-4/R7A zoning district is appropriate based on the surrounding context and land use conditions. The project area is a suitable location to accommodate much-needed housing and job growth, situated between two proximate subway stations and along a bus route, which provide access to major regional job centers such as Downtown Brooklyn and Lower Manhattan, as well as local job hubs like the neighboring Southwest Brooklyn IBZ. While Ninth Street is a 60-foot-wide corridor, which is classified as narrow under zoning, the corridor serves as an east-west connection across the Gowanus Canal, linking the neighborhoods of Gowanus and Park Slope with Carroll Gardens. Although the

existing residential buildings within the project area are two- to four-stories in height, there are precedents and conditions that support the appropriateness of the bulk envelope permitted under R7A, including the C4-4A zoning district mapped as part of the 506 Third Avenue application, the M1-4/R7A district mapped along Union Street under the Gowanus Neighborhood Plan, and the elevated train viaduct condition, located one block to the south.

The Commission also recognizes that the uses within the project area are predominantly residential, in divergence with the existing M2-1 zoning district, which does not permit new residential uses. Apart from the development site, twelve of the thirteen non-applicant-owned lots within the project area contain existing residential and the remaining lot is a contractor garage. The proposed zoning better matches the current residential character and will bring these homes into conformance and greater compliance with zoning, enabling owners to make much-needed improvements, gain access to financing, and enlarge or redevelop over time. Further, the M1-4/R7A will allow an existing contractor garage and warehouse within the project area to remain a conforming use, while permitting a wide range of light industrial and commercial uses to either locate side-by-side or in the same building, consistent with the corridor's mixed-use character. The proposed rezoning boundary is also drawn to encompass the mid-block frontage of Ninth Street between the IBZ on the west and a distance 100 feet from the Third Avenue corridor on the east – excluding properties within the IBZ. The M2-1 zoning that was mapped across the project area in 1961 did not take into consideration the mixed-use local conditions and any of the residences that pre-date zoning, and it has not been updated in over 60 years. The overwhelming majority of uses on the eastern end of this block between Eighth Street, Ninth Street, and Third Avenue are existing residential uses, and prior to 1961, most of the Ninth Street social block was built with residences, including the proposed development site.

The Commission acknowledges concerns raised during the public review process regarding the proximity to the IBZ, and it supports the broader goals of IBZs and their role as supporting diversified job hubs in New York City. While IBZ boundaries include concentrations of industrial uses, they are separate and distinct from zoning districts, and instead relate to the availability of a variety of public services, programs, and resources to support individual

industrial businesses. The Commission believes that the designation of residential districts in proximity to IBZs should be considered on a case-by-base basis, taking into account local conditions, such as the presence of existing residential within the project area and character of the block.

Regarding the proposed zoning district boundary, the Commission believes that the boundary was carefully drawn to exclude the IBZ and its businesses and where there is a stronger presence of active industrial, manufacturing, and commercial uses. When considering the proposed project area boundaries and the adjacent uses within the IBZ, the Commission observes that the southern frontage of Ninth Street, between Second and Third avenues, contains surface parking lots, rowhomes and an apartment building, warehouses, a moving company, an auto parts retailer, and a fuel service and installation business – a mix of uses consistent with the character of Gowanus. With respect to creating a buffer between the IBZ and the project area’s western boundary, as recommended by the Brooklyn Borough President, the Commission observes that existing residences are already directly adjacent to the IBZ today, and the businesses within the IBZ along Ninth Street include recording studios, a coffee roaster and distributor and, directly adjacent to the proposed rezoning boundary, a coffee shop retailer and event space, all of which can and do operate near residential uses with minimal land use conflicts.

The Commission believes that the proposal complements the goals of DCP’s Gowanus Neighborhood Plan by further strengthening the mixed-use character of the neighborhood, while being consistent with the land use framework set forth in the Gowanus IBZ Vision Plan, which identified Ninth Street as a mixed-use corridor that can support growth of both residential and non-residential uses outside of the IBZ at an appropriate scale. Additionally, the Commission believes that the development’s proposed commercial use will activate the ground floor and promote local job growth, while the proposed residential will increase sorely needed capacity for new housing with more opportunities for lower-income households to live in Gowanus.

The Commission believes that the zoning text amendment (N 210349 ZRK) to Appendix F to create a new MIH area coterminous with the project area and establish a Mixed Use District are

appropriate. The MIH area will be mapped with Option 1 for which permanently affordable housing must be provided equivalent to 25 percent of the residential floor area at an average of 60 percent of AMI. Based on feedback during public review to modify MIH Option 1 to the Deep Affordability option, the Commission is pleased that the applicant is considering adjusting the MIH option.

The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* and *Where We Live*, New York City's HUD-mandated report that outlines goals and strategies to affirmatively further fair housing. The Commission affirms that the proposed text amendment, coupled with the proposed zoning map amendment, will increase housing capacity in a transit-accessible neighborhood with strong demand to accommodate growth, while providing affordable housing opportunities in an area with a high median household income. Additionally, the proposed text amendment to establish a Mixed Use District, designated as MX-25, will enable the mapping of M1-4/R7A and the ability to utilize special regulations for the purposes of mixing residential and light industrial uses.

In response to the recommendation by the Brooklyn Borough President to reduce the allowable density within the proposed rezoning from M1-4/R7A to M1-4/R6B, or remove the non-applicant sites from the rezoning entirely, the Commission believes that the inclusion of non-applicant owned sites presents a strong land use rationale, reinforcing the City's goals of encouraging mixed-income housing production, particularly in higher-income neighborhoods. Reducing the proposed zoning district boundary or reducing the allowable residential capacity may preserve the existing rowhouse built character, but it would limit the potential for any new housing, including the development of new, permanently income-restricted apartments pursuant to MIH. Moreover, such a modification would reduce the potential that these sites could be developed with MIH, and the lower density would result in these lots being below the threshold to provide mixed-income housing. The Commission notes that the vast majority of the existing rowhouses are not currently subject to any income-restrictions or affordability requirements

today and are subject to ongoing residential market pressures without any rezoning.

The Commission finds that the proposed special permit (C 210350 ZSK) is appropriate, as the action would waive approximately 18 to 20 required off-street residential parking spaces. The development site is in a walkable, transit-rich area along a street that can experience traffic congestion from bicyclists, trucks and private vehicles. The special permit will enable the development to be constructed more efficiently in a manner that maximizes use of the ground floor and cellar levels, while eliminating the need for a curb cut, which can worsen traffic congestion and increase conflicts between vehicles and pedestrians.

Regarding the recommendation from Community Board 6 for the city to advance the Gowanus IBZ Vision Plan into a zoning framework, the Commission encourages DCP to continue engaging with local businesses and stakeholders in the Gowanus IBZ, as highlighted in the Gowanus Neighborhood Plan's Points of Agreement (POA). The Commission also acknowledges the recent announcement of a citywide text amendment, Zoning for Economic Opportunity, which aims to provide businesses with more flexibility to grow and operate in a post-pandemic city. The Commission believes the proposed citywide text amendment represents an important opportunity to engage Gowanus-based stakeholders and consider new tools in zoning that can be applied to the Gowanus IBZ and other transit-accessible industrial areas, such as the creation of new, moderate density manufacturing districts.

In response to recommendations from the community board and borough president related to addressing concerns about flooding and sustainability, the Commission is pleased that the applicant's architect has a background in passive house construction and other sustainability practices, and intends to dry floodproof the ground floor and cellar commercial space, as well as install rain gardens to catch stormwater runoff. The Commission also notes broader measures being undertaken to address flooding in Gowanus, including ongoing sewer infrastructure and drainage improvements by the Department of Environmental Protection (DEP), and the citywide

Unified Stormwater Rule, which ensures new buildings on large sites capture storm water on-site.

Regarding the community board recommendation calling upon the applicant to join the community oversight task force for the Gowanus Neighborhood Plan, the Commission encourages the applicant to participate in forthcoming task force meetings and engage with the Community Board and other stakeholders during the development site's construction. In response to the borough president's recommendation to provide subsidized ground-floor space for manufacturing tenants, such as those defined as the "Gowanus Mix," the Commission supports the applicant team's coordination with local elected officials and stakeholders, but notes that the recommended limitation of uses is outside the scope of this application and that requiring a below-market manufacturing tenant may preclude other job-generating uses and constrain the development's physical and economic viability. Lastly, the Commission recognizes the borough president's condition for retention of Brooklyn-based contractors in the proposed development but notes that this is beyond the scope of this application.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS) for which a Negative Declaration was issued on April 25, 2022 with respect to this application (CEQR No. 22DCP091K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City Of New York, effective as of December 15, 1961, and subsequently amended, is further amended by changing the Zoning Map, Section No. 16c:

1. changing from an M2-1 District to an M1-4/R7A District property bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue; and
2. establishing a Special Mixed Use District (MX-25) bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue.

Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-670.

The above resolution (C 210348 ZMK), duly adopted by the City Planning Commission on September 7, 2022 (Calendar No. 3), 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.

DANIEL R. GARODNICK, Esq., *Chair*
KENNETH J. KNUCKLES, Esq., *Vice Chairman*
LEILA BOZORG, DAVID J. BURNEY, ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, DAVID GOLD, LEAH GOODRIDGE,
RASMIA KIRMANI-FRYE, ORLANDO MARIN, JUAN CAMILO-OSORIO,
RAJ RAMPERSHAD, *Commissioners*



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Ninth Street Rezoning	
Applicant: Angelina Gatto Trust	Applicant's Primary Contact: Paul Proulx
Application # 210348ZMK	Borough:
CEQR Number: 22DCP091K	Validated Community Districts: K06

Docket Description:
IN THE MATTER OF an application submitted by Angelina Gatto Trust pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

- changing from an M2-1 District to an M1-4/R7A District property bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue; and
- establishing a Special Mixed Use District (MX-25) bounded by a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 3rd Avenue, 9th Street, and a line 175 feet southeasterly of 2nd Avenue.

Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-670.

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

RECOMMENDATION: Conditional Favorable			
# In Favor: 31	# Against: 6	# Abstaining: 1	Total members appointed to the board: 50
Date of Vote: 6/8/2022 4:00 AM		Vote Location: Zoom https://bit.ly/June8BKCB6	

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

Date of Public Hearing: 5/26/2022 10:30 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	Zoom @ https://bit.ly/CB6May26LMLU

CONSIDERATION:		
Recommendation submitted by	BK CB6	Date: 6/13/2022 11:50 AM



BROOKLYN COMMUNITY BOARD SIX

Peter D. Fleming
Chairperson

Michael Racioppo
District Manager

June 9, 2022

Daniel Garodnick, Chair
Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Chairperson Garodnick:

I am writing to advise you that during our June 8th, 2022, Full Board Meeting, Brooklyn Community Board 6 took action on the **Ninth Street Rezoning ULURP application (C210348ZMK)**.

The application is for a zoning map amendment from M2-1 to M1-4/R7A, a special permit pursuant to ZR 74-533 to waive required residential off-street parking, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area and Mixed Use (MX) district in order to facilitate a 9-story mixed-use development with 48 dwelling units and ground floor commercial space on 9th Street between 2nd & 3rd Avenue located in the Gowanus neighborhood of Brooklyn's sixth Community District.

Brooklyn Community Board 6, by a vote of 31 in favor, 6 in opposition, and 1 in abstention, **recommends approval** of this application **with the following 5 conditions**:

- **The City Must Rezone the Gowanus IBZ**

Last year, the City released its Vision Plan for the Gowanus IBZ. After it was unveiled, our Board commended features of the City's plan, including its proposal for increases in buildable floor area ratio, the reduction of parking requirements, and updated loading requirements to give industrial users the flexibility they need to support a 21st century hub of industrial and commercial jobs.

As the Board made clear in approving the related Gowanus Neighborhood Rezoning, the City must now commit to translating the Vision Plan into a zoning framework that protects existing businesses and helps businesses stay in the Gowanus IBZ and modernize and expand, while carefully managing competing uses that can impede industrial operations such as large-scale entertainment, gyms, and big-box retail. The City should consider lowering the parking requirements for industrial properties; allowing increased density for the creation of industrial space and production-based uses; maintaining the prohibition on new residential uses; and attempting to limit stand-alone office space by only allowing accessory office use at no greater than 20% of floor area. Zoning and land use tools must be legislated, but until new zoning is implemented, there must be a mechanism to encourage expansion, while curtailing uses that are detrimental.

Now that the Neighborhood Rezoning has gone into effect, it is incumbent on the City to begin the process for a rezoning of the IBZ. We urge the City and our local elected officials to begin this process in earnest.

- **The City Should Maximize Deeply-Affordable Housing**

The present proposal would add badly needed affordable housing to Ninth Street under the City's Mandatory Inclusionary Housing (MIH) framework. The proposal includes the use of MIH Option 1, which requires 25 percent of the residential floor area be affordable to residents at an average of 60 percent area median income (AMI). In line with prior positions of the Board, the City should mandate that residential developments in the Rezoning adhere to MIH Option 3, which requires that 20 percent of the residential floor area be affordable to residents at an average of 40 percent AMI. This option maximizes the number of units at the most affordable level available. Importantly, in the Board's public hearing on this application, the applicant committed to avail itself of Option 3 if that option is added to the Rezoning, and the City should hold the applicant to that commitment. To the extent mandating Option 3 alone is not legally permissible, the Board nevertheless expects the applicant to fulfill its commitment to adhere to Option 3, and the Board reiterates that Options 2 and 4, which will not create homes at the deepest levels of affordability, are not acceptable.

- **Prioritize Existing 9th Street Residents**

To reduce concerns about residential displacement and ensure that existing neighborhood residents who need affordable housing benefit from new affordable housing development, the City should give existing residents of units on 9th Street a preference for placement in affordable units created in the proposed rezoning area.

- **Construction Coordination and the Community Oversight Task Force**

Without careful planning and consideration, construction in the Rezoning area can lead to a number of unfortunate consequences, including disruptions to pedestrians and other road users; noise; damage to existing mature street trees, and other impacts on neighboring properties. The Board reiterates the need for developers in the Rezoning area to responsibly abide by all applicable rules and give appropriate notice to city agencies and neighbors. And the Board asks that the applicant and any other developer in the Rezoning area participate in the Community Oversight Task Force created as a part of the Gowanus Neighborhood Rezoning as well as efforts by Community Board 6 to address construction and quality of life in the Gowanus neighborhood.

- **Addressing and Mitigating Flood Risk**

The Gowanus community has endured decades of chronic flooding that climate change threatens to exacerbate. The Board is thankful that the City committed some \$174 million to upgrade sewer infrastructure to alleviate flooding conditions as part of the Gowanus Neighborhood Rezoning. But every stakeholder, including every property owner, must do more to promote resiliency and address the risk of flooding. To that end, the Board calls upon the applicant to reconsider whether its proposed cellar and ground-floor uses are flood-ready and ensure that planned uses on the site are flood-proof. And the Board calls upon the City to account for new development within the Rezoning area in its efforts to upgrade sewer infrastructure and monitor changes in sanitary and storm water loading within the Gowanus Sewershed

Thank you for the opportunity to comment.

Sincerely



Peter D. Fleming
Chairperson

cc: Brooklyn Borough President Antonio Reynoso
New York City Councilmember Shahana Hanif



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

NINTH STREET REZONING – 210348 ZMK, 210349 ZRK, 210350 ZSK

Application submitted by Angelina Gatto Trust pursuant to Section 197-c of the New York City Charter for a zoning map amendment from M2-1 to M1-4/R7A, a special permit pursuant to ZR 74-533 to waive required off-street residential parking, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area and Mixed Use (MX) district in order to facilitate a nine-story mixed-use development with 48 dwelling units and approximately 8,000 square feet of ground floor commercial space in Brooklyn Community District 6 (CD 6).

BROOKLYN COMMUNITY DISTRICT NO. 6

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

July 13, 2022

DATE

RECOMMENDATION FOR: NINTH STREET REZONING – 210348 ZMK, 210349 ZRK, 210350 ZSK

Angelina Gatto Trust submitted an application pursuant to Section 197-c of the New York City Charter for a zoning map amendment from M2-1 to M1-4/R7A, a special permit pursuant to ZR 74-533 to waive required off-street residential parking, and a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area and Mixed Use (MX) district in order to facilitate a nine-story mixed-use development with 48 dwelling units and approximately 8,000 square feet (sf) of ground-floor commercial space in Brooklyn Community District 6 (CD 6).

Brooklyn Borough Antonio Reynoso held a public hearing on this Uniform Land Use Review Procedure (ULURP) application on June 14, 2022. There were 15 speakers with 7 testifying in support and 8 expressing opposition.

Community Board Position

On June 8, 2022, Community Board 6 (CB 6) approved this application with the following conditions:

- That the City rezone the Gowanus Industrial Business Zone (IBZ), with consideration for the board's recommendations on the 2021 Gowanus IBZ Vision Plan
- That the City mandate MIH Option 3 for the proposed development
- That existing 9th Street residents receive priority in the affordable housing lottery
- Developer participation in a community oversight task force created as part of the Gowanus Neighborhood Rezoning to mitigate construction impacts
- That the applicant flood-proof the proposed cellar and ground-floor commercial spaces

Public Testimony

Borough President Reynoso received a record amount of written testimony in opposition, including over 65 form letters from patrons of King Killer Studios on 69 Second Avenue, and 29 comments from nearby residents expressing concerns about threats to manufacturing space, neighborhood character, and flood resiliency. In addition to these issues, it was noted during the hearing that the applicant misrepresented the extent of community engagement conducted as part of the ULURP process. The applicant had assured the Borough President that the development had received support from neighbors on 8th and 9th streets. Moreover, there is now a real possibility that the property may be sold once discretionary approvals are granted, which would severely limit the project's accountability to the community.

Approval Rationale

This application seeks to rezone all or part of 16 contiguous parcels on block 1002, bounded by 8th and 9th streets, and Second and Third avenues. The development site consists of three vacant lots with a total area of 8,242 sf and a combined 82.5 feet of frontage on 9th Street. The proposed building would utilize 3,300 square feet of commercial development rights transferred from an underutilized applicant lot fronting 8th Street. The entire block currently zoned M2-1, a medium-intensity manufacturing district that precludes residential development, though the project area includes 11 non-conforming row homes with 43 dwelling units. It should be noted that 9th Street between Second and Third Avenues contains a shared bike lane, and that the 9th Street corridor links local truck traffic between Hamilton and Third avenues.

The Ninth Street rezoning area is surrounded by the Southwest Brooklyn Industrial Business Zone (IBZ) which covers parts of Gowanus, Red Hook, and Sunset Park. The western edge of the project area directly abuts the Gowanus IBZ, which covers 12 blocks between 2nd and 3rd Avenues. The Southwest Brooklyn IBZ is home to hundreds of manufacturing businesses, as well as transportation and utilities. The Gowanus section is an ecosystem of light industrial uses, including art studios, metal fabrication, and food production.

In the last six months, the Borough President has seen multiple requests to rezone from manufacturing to residential use in South Brooklyn. The following excerpt from the 280 Bergen Street Rezoning application, currently under review by his office illustrates how commercial and residential encroachment on industrial areas leads to permanent loss of manufacturing land:

"As the area surrounding the Project Area has become an increasingly desirable place to live, manufacturing business in the middle of such a residential area has created problems for the residents, as well as for the company. Noise related to manufacturing, truck traffic moving goods in and out the facility and similar issues related to typical industrial operations have led to frequent complaints from residents. For the company, dealing with these issues has been difficult, and receiving and shipping products through a dense urban environment has become cumbersome and expensive. [The Applicant]...is in the process of shifting operations to sister facilities elsewhere, and ...seeks the Rezoning so that the Project Area would better fit with the dominant residential character of the surrounding area."

It has been shown that steady conversion of M-zoned properties to residential use increases development pressures on IBZs, which are not codified in the ZR. Prior rezonings across Brooklyn have shown that residential rezonings tend to push out not only industrial uses but the workers they employ, who often come from low-income communities of color.

The Borough President's Office remains committed to retaining manufacturing land for job-creating uses. As stated in his transition report, Borough President Reynoso intends to "maintain manufacturing capacity in Brooklyn to protect good jobs with low barriers to entry... ensure availability of emergency supplies when supply chains are disrupted and prevent scarcity of the building materials and technologies...as we adapt to climate change." In cases where M zoning would be modified to permit market-rate residential development, he sets a higher standard for approval, and seeks additional public purpose in line with his policies.

The primary benefit of the proposed rezoning is the provision of MIH units (with the added Option 1 requirement of a tier at 40 percent AMI). However, upzoning from an M2-1 district, which does not permit residential construction to an R7A MIH district with a maximum floor area ratio (FAR) of 4.8 results in a windfall of market-rate development rights. The Borough President does not believe that the MIH obligation alone justifies such a giveaway. He therefore calls on the City Planning Commission (CPC) and/or City Council to reduce the proposed rezoning area, modify the requested district, and require deeper affordability. Additionally, he seeks applicant commitments to: affordable space for small manufacturers, retention of a non-profit administering agent, onsite energy generation and stormwater management, as well as local hiring and procurement.

Appropriate Zoning in Proximity to the IBZ

Borough President Reynoso advocates for affordable housing development in proximity to jobs, transit, and amenities across Brooklyn. He supported the Gowanus Neighborhood Plan (approved in November 2021), which would add 8,000 new units (3,000 affordable pursuant to MIH and other programs) to the area north of the IBZ.

Much of the area outside the Gowanus IBZ is still zoned for manufacturing, which creates an effective buffer between residential properties, and active industrial uses. However, the continued conversion of scarce manufacturing space to residential use, coupled with rising land values in Gowanus means that rents for industrial space already exceed what many businesses can pay. By introducing new density along 9th Street without consideration for long-term market-impacts, this application could establish precedent for future rezonings in and around the IBZ. The Borough President believes that it is possible to create new affordable housing while protecting manufacturing uses in Gowanus.

The Gowanus IBZ Vision Plan recognizes Third Avenue as a mixed-use corridor and calls for “continued residential use in midblock residential clusters an appropriate scale.” The report further states that “where there are clusters of residential uses along Third Avenue and 9th Street, it may be appropriate to consider modest increases in density to reinforce those mixed-use corridors.” Borough President Reynoso feels it is inappropriate to allow medium-density residential development adjacent to an IBZ, which would create immediate development pressure on the other side of the boundary. He believes that the current Ninth Street Rezoning boundary area threatens to seriously degrade the industrial land use character of the IBZ. Mapping an R7A MIH district over the non-applicant properties on 9th Street would jeopardize longstanding and viable businesses on the block, as well as tenants of presently non-conforming residential buildings.

Therefore, to mitigate potential adverse impacts, the five westernmost lots abutting the IBZ should be removed from the rezoning. These properties directly abut the adjacent Gowanus IBZ and future residential uses will, if past is prologue, come into conflict with the neighboring industrial land uses. If such reduction is not possible, those parcels should be zoned as R6B MIH to avoid incentivizing displacement and redevelopment. As for the proposed rezoning area east of the applicant property, the Borough President feels that more residential density is appropriate. To reduce potential displacement of existing tenants, the Borough President recommends the properties east of the applicant property should be modified to the M1-4/R6B. Regardless of the chosen mechanism, the Borough President calls on the City Planning Commission (CPC) and/or City Council to map R7A MIH only on the applicant’s portion of the project area.

Achieving Deeper Affordability

In addition to zoning map and text amendments, the application seeks a waiver of the required parking. The Borough President supports this request as the site’s location across from the Fourth Avenue-Ninth Street station obviates the case for car ownership. However, he believes that the grant of such waiver would realize significant savings for the developer; a recent report by the Brookings Institute cites an average of \$50,000 in per-unit costs to construct structured parking. Therefore, approval should be predicated on expansion of the project’s public purpose. In its resolution, CB 6 called for deeper affordability pursuant to MIH Option 3, which designates 20% of residential floor area for an average AMI of 40%. Given the need for low-income housing in CD 6, the Borough President believes that this is an appropriate reciprocal benefit for the requested parking waiver. Therefore, prior to review by City Council, the Angelina Gatto Trust should commit to provide affordable housing pursuant to MIH Option 3.

Affordable Space for Gowanus Businesses

The proposed development falls outside Gowanus Neighborhood Plan project area, the Borough President believes it could address potential displacement of small businesses, including innovation and maker uses. He therefore calls on the applicant to set aside a portion of the proposed non-residential space for such tenants, at below-market rents. The developer should further solicit establishments defined as “Gowanus Mix Uses” in ZR Section 139-12, specifically use groups 9 to 14.

Engaging a Non-Profit Administering Agent

An administering agent is responsible for ensuring that inclusionary housing complies with the regulatory agreement that governs the development’s affordable housing plan. Borough President Reynoso believes that housing non-profits are best positioned to maximize local participation in MIH lotteries. These organizations have the means to provide targeted outreach, marketing, and education for inclusionary housing projects. Therefore, prior to review by City Council, the Angelina Gatto Trust should commit to retain a non-profit administering agent for the affordable housing lottery.

Advancing Sustainability and Resiliency

Borough President Reynoso believes that energy-efficient and environmentally sustainable buildings help mitigate climate change. Local Laws 92 and 94 of 2019 require most new construction to incorporate a green roof and/or solar panels. Developers are increasingly pursuing impactful strategies such as passive house design and onsite energy generation.

Accordingly, the Angelina Gatto Trust should seek City and State incentives to offset costs associated with green/solar roof installation. The New York State Energy Research and Development Authority (NYSERDA) manages various programs to promote efficient buildings. New York City offers the Green Roof Tax Abatement and the Green Infrastructure Grant Program, administered by DEP.

Borough President Reynoso understands that the development site falls below the threshold for required compliance with the Department of Environmental Protection (DEP) Unified Stormwater Rule. Therefore, to mitigate additional strain on the local sewershed and address community concerns about flooding, the applicant should be required to manage stormwater onsite using best practices.

Borough President Reynoso advocates for stormwater management practices that support DEP's green infrastructure strategy and reduces burdens on its wastewater treatment plants. The required BBP for the proposed development provides opportunities to install rain gardens consolidated with new street trees along its frontage on 9th Street. The Angelina Gatto Trust should solicit input from CB 6 and local elected officials in its implementation plan and commit to incorporate sustainability and resiliency measures prior to review by City Council.

Maximizing Local Jobs

According to the NYU Furman Center, double-digit unemployment remains a pervasive reality across Brooklyn, with more than half the community districts reporting poverty rates of 20 percent or higher. One way to boost the borough's economy is to promote local hiring and Brooklyn-based businesses. Therefore, the Angelina Gatto Trust should commit to retain area contractors/suppliers and provide employment opportunities to CB 6 residents.

Recommendation

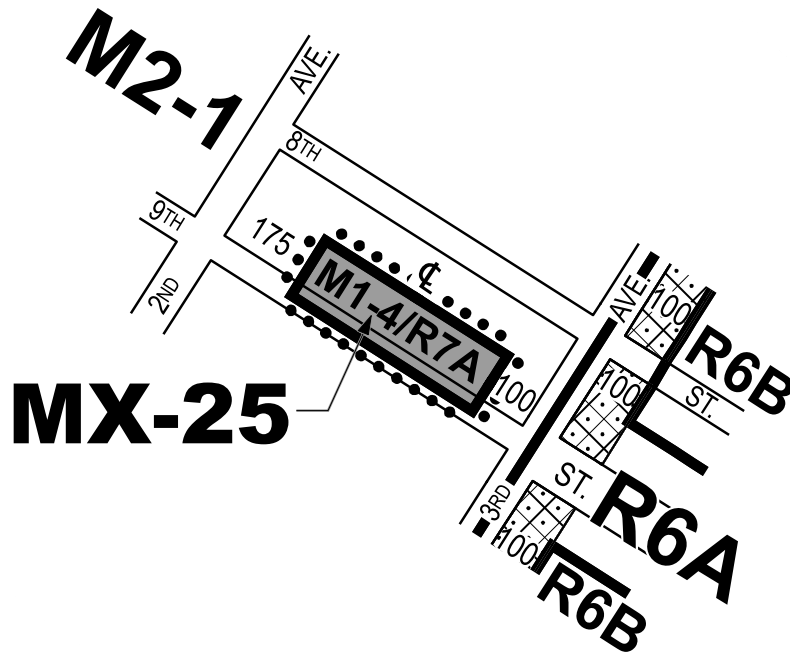
Be it resolved that the Brooklyn Borough President, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. That the CPC and/or City Council modify the application as follows:
 - a. Remove the five outparcels west of the applicant's property from the rezoning OR map an M1-4/R6B district on that portion of the project area
 - b. Modify the requested zoning from M1-4/R7A to M1-4/R6B on the eight outparcels east of the applicant's property
 - c. Require affordable housing provision pursuant to MIH Option 3 within the proposed development
2. That prior to consideration by City Council, the Angelina Gatto Trust commit to:
 - a. Retain a non-profit administering agent to conduct marketing (including financial literacy training) for the affordable housing lottery

- b. Provide subsidized ground-floor space for manufacturing tenants, particularly those defined as the "Gowanus Mix".
- c. Incorporate sustainability measures, such as blue roofs, passive house design, and/or onsite energy generation
- d. Coordinate with Department of Environmental Protection (DEP), the Department of Parks and Recreation (DPR) and the Department of Transportation (DOT) to install rain gardens along 9th Street Avenue as part of a Builder's Pavement Plan (BPP), in consultation with CB 6 and local elected officials
- e. Retain Brooklyn-based contractors/suppliers, and provide employment opportunities to area residents

Be It Further Resolved:

1. That the Department of City Planning (DCP) commit to a timeframe for implementing the Gowanus IBZ Vision Plan.



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

16c
 BOROUGH OF
BROOKLYN



New York, Certification Date:
 April 25, 2022

S. Lenard, Director
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing an existing M2-1 District to an M1-4/R7A District, and by establishing a Special Mixed Use District (**MX-25**)



Indicates a C2-4 District



Indicates a Special Mixed Use District (**MX-25**)