

**Brooklyn Borough President Recommendation**  
CITY PLANNING COMMISSION  
120 Broadway, 31<sup>st</sup> 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 #:** 205 PARK AVENUE REZONING – 170164 ZMK, 170165 ZRK

In the matter of applications submitted by 462 Lexington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for zoning map and text amendments to change from M1-2 to R7D the Park Avenue section of a block bounded by Clermont, Flushing, Park, and Vanderbilt avenues, to establish a C2-4 district within the rezoning boundary, and to designate the project area a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate the development of an eight-story, mixed-use building with approximately 71,725 square feet (sq. ft.) of zoning floor area in Brooklyn Community District 2 (CD 2). The building would have its primary frontage on Park Avenue and result in approximately 70 dwelling units. According to MIH Option 1, 25 percent of the residential floor area or an estimated 17 units would be affordable to households earning an average 60 percent of the Area Median Income (AMI). The development would include approximately 7,900 sq. ft. of retail space, 35 parking spaces, and 35 enclosed bicycle parking spots.

COMMUNITY DISTRICT NO. 2

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

A handwritten signature in black ink, appearing to be "Eric Adams", written over a horizontal line.

BROOKLYN BOROUGH PRESIDENT

June 22, 2018

DATE

**RECOMMENDATION FOR: 205 PARK AVENUE REZONING – 170164 ZMK, 170165 ZRK**

462 Lexington, LLC submitted applications pursuant to Sections 197-c and 201 of the New York City Charter for zoning map and text amendments to change from M1-2 to R7D the Park Avenue section of a block bounded by Clermont, Flushing, Park, and Vanderbilt avenues, to establish a C2-4 district within the rezoning boundary, and to designate the project area a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate the development of an eight-story, mixed-use building with approximately 71,725 square feet (sq. ft.) of zoning floor area in Brooklyn Community District 2 (CD 2). The building would have its primary frontage on Park Avenue and result in approximately 70 dwelling units. According to MIH Option 1, 25 percent of the residential floor area or an estimated 17 units would be affordable to households earning an average 60 percent of the Area Median Income (AMI). The development would include approximately 7,900 sq. ft. of retail space, 35 parking spaces, and 35 enclosed bicycle parking spots.

On May 30, 2018, Brooklyn Borough President Eric L. Adams held a public hearing on these zoning map and text amendments.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the representative stated that for households at 40 percent AMI, a one bedroom unit would rent at \$667, and a two bedroom unit would rent at \$810; for households at 60 percent AMI, a one bedroom unit would rent at \$1,058, and a two bedroom unit would rent at \$1,280; for households at 80 percent AMI, a one bedroom unit would rent at \$1,509, and a two bedroom unit would rent at \$1,820. Of the 17 MIH units, 12 are intended to contain one bedroom apartments and five would contain two bedroom apartments. The representative indicated that the developer is interested in accommodating larger families at 205 Park Avenue, and would seek to provide an equitable mix of one- and two- bedroom apartments.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process in order to ensure the highest level of participation from CD 2, the representative stated that the applicant has entered discussions with IMPACCT Brooklyn, which operates 40 Vanderbilt Avenue on the same block, and also has a focus on senior housing.

In response to Borough President Adams' inquiry regarding the applicant's marketing strategy, and whether it would include a financial literacy campaign to assist local residents in becoming lottery-eligible, the representative expressed intent to partner with IMPACCT Brooklyn for these initiatives.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as blue, green, or white roof coverings, passive house design, permeable pavers, rain gardens, solar panels, and/or wind turbines, the representative stated that the building will maximize energy efficiency, and seek to incorporate blue and green roofs. The applicant will also work with the New York City Department of Transportation (DOT) to explore the feasibility of installing rain gardens.

In response to Borough President Adams' inquiry regarding the inclusion and participation of minority- and women-owned business enterprises (MWBES) and locally-owned business enterprises (LBEs) in the construction process, the representative expressed intent to create multiple retail spaces at 205 Park Avenue and market them to LBE/MWBE small businesses. The applicant also owns a healthcare staffing company that will occupy one of the spaces, in order to provide quality jobs for the local community.

## **Consideration**

Brooklyn Community Board 2 (CB 2) voted to disapprove this application on May 9, 2018. CB 2 cited concerns about air quality around the site and the appropriateness of residential development, including affordable housing by the Brooklyn-Queens Expressway.

The project site is located in an M1-2 district. However, in 2009 the portion of the block north of the site was rezoned to R8A/C2-4, in order to facilitate the development of "Navy Green," a 455-unit complex, sponsored by the New York City Department of Housing Preservation and Development (HPD). The rezoning resulted in the disposition of city-owned land, and the construction of two mixed-use buildings, a supportive housing facility, and 74 condominium apartments pursuant to HPD's Multifamily New Construction Program. The development of 205 Park Avenue, a vacant irregular property, would complete the redevelopment of this block as a mixed-use commercial and residential development with a Floor Area Ratio (FAR) of 5.6.

The remainder of the surrounding context includes a mix of manufacturing, commercial and residential uses. The blocks along Park Avenue are situated between Brooklyn Navy Yard, to the north, and the Clinton Hill neighborhood to the south. The site has limited transit access, provided by the Brooklyn-Queens Crosstown Local G train at the Clinton-Washington subway stop and the B57 and B62 bus running along Flushing and Park avenues.

The proposed rezoning would result in a reduction of land zoned for manufacturing in the Wallabout neighborhood. Borough President Adams believes that there are limited and unique circumstances when it is appropriate to rezone manufacturing-zoned blocks. Such blocks must be located outside of the designated IBZs, and existing and/or recent land use should generally exclude those uses that require a manufacturing zoning district designation. The existing context should be adjacent to residential development and uses that are supportive of the residential community. In addition, such resulting development must further Borough President Adams' policies of promoting housing affordability across multiple income tiers. In the case of this zoning map amendment, no portion of the affected block is located within or adjacent to an IBZ. The adjacent uses are newly constructed mixed commercial residential buildings and condominiums. The proposed residential use is therefore compatible with the prevailing character of the block, as well as the mix of uses fronting the north side of Park Avenue.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible.

According to MIH Option 1, the development rights generated from the R7D section of the site would result in, at minimum, 25 percent of the residential zoning floor area made permanently affordable according to MIH. Development adhering to the MIH program is consistent with Borough President Adams' policy for affordable housing development to remain permanently affordable.

Brooklyn is one of the fastest-growing communities in the New York metropolitan area, and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through the creation and preservation of needed affordable housing units for very low- to middle-income Brooklynites. Borough President Adams, therefore, supports developments that provide housing opportunities to a diverse

range of household incomes, allowing a wide range of households to qualify for affordable housing through the City's affordable housing lottery.

The affordability options of the MIH program provide a range of opportunities to address the need for housing that serves a broad range of diverse incomes, consistent with Borough President Adams' objectives to provide affordable housing to households through various income band targets. As a result, the redevelopment of 205 Park Avenue would target units to households at multiple income tiers through the affordable housing lottery.

It is Borough President Adams' policy to advocate for affordable housing non-profits to play a contributing role in maximizing community participation in neighborhood affordable housing opportunities, including serving as non-profit administering agents for new developments involving affordable housing. In a letter to Borough President Adams dated June 11, the applicant, 462 Lexington, LLC expressed intent to retain IMPACCT Brooklyn as the affordable housing administering agent for 205 Park Avenue. Additionally, the applicant plans to market the MIH units set at 40 percent AMI as senior housing.

Borough President Adams is generally supportive of the proposed development. However, he believes that there are opportunities to improve the proposal while furthering his policies, such as adding more family-sized affordable housing units, targeting affordable housing for seniors, advancing the Vision Zero agenda, advancing opportunities for community services and cultural organizations, as well as advancing resilient and sustainable energy and stormwater practices. Furthermore, this development can better serve the nearby public housing communities by providing ground-floor commercial space for much-needed community facility uses.

#### **Achieving a Family-Sized Affordable Housing Unit Mix**

As proposed, the 70 dwelling units would consist of 49 one-bedroom units and 21 two-bedroom units. According to the applicant, 25 percent of the residential floor area will be permanently affordable pursuant to MIH Option 1.

A recent report has identified that rent-burdened households, which typically represent those applying to the City's affordable housing lotteries, are more likely to require family-sized units. Therefore, Borough President Adams is concerned that the proposed affordable unit mix would not adequately reflect the needs of Brooklyn Community District 2 (CD 2)'s low- to middle-income rent-burdened families. Borough President Adams believes in this case that right-sizing the bedroom distribution is a higher priority than maximizing the number of affordable housing units.

Borough President Adams believes that discretionary land use actions are appropriate opportunities to advance policies that constrain what would otherwise be permitted as-of-right. He believes that the proposed rezoning presents an opportunity to achieve more family-sized units for the non-elderly, and advocates increasing the minimum threshold of non-independent residences for senior housing to accommodate family-sized apartments, particularly for units exceeding 40 percent AMI. Borough President Adams ideally supports having at least 50 percent two- or three-bedroom affordable housing units and at least 75 percent one- or more bedroom affordable housing units, consistent with the zoning text for Inclusionary Housing floor area, pursuant to ZR Section 23-96(c)(1)(ii).

Borough President Adams believes that the 205 Park Avenue residential floor area should be designed to provide more two- and three-bedroom dwelling units to accommodate a greater percentage of families with children.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from 462 Lexington, LLC that would incorporate language clarifying how the applicant would

provide as near to 50 percent two- and three-bedroom units as possible in order to accommodate a greater percentage of families with children.

### **Achieving Deeper Affordability for Smaller Units to Improve Affordability for Senior Citizen Households**

In addition to addressing the need for family-sized units, there is a pressing need for affordable apartments for the aging population with limited financial means. Older New Yorkers are a rapidly growing segment of the City's population, with more than 300,000 seniors residing in Brooklyn. As noted in the New York City Department of City Planning (DCP) "Zoning for Quality and Affordability" (ZQA) study, New York's senior population is expected to grow 40 percent by 2040. The study noted that there were 60 applicants for every senior apartment for housing lotteries conducted by HPD for senior housing developments. According to a recent study by LiveOn NY, there are 200,000 New Yorkers aged 62 and older on the City's affordable housing waiting lists, with an average wait of seven years for an apartment.

As a significant number of elderly households have negligible income, providing opportunities for area seniors to secure quality affordable housing and remain in their communities is a priority for Borough President Adams. In an era in which the federal government has moved away from funding affordable housing for seniors, too few affordable apartments for seniors are being produced, leaving tremendous demand for age-based affordable housing in Brooklyn. As a result, many elderly households are experiencing increased rent burden to remain in their homes, exhausting their life savings just to keep up with day-to-day living until they are unable to remain in the area where they have lived for many years.

While Borough President Adams typically seeks a 50/50 blend of studios, one-bedrooms, two-bedrooms, and three-bedrooms, he believes that when studio and one-bedroom apartments are rented at 40 percent AMI or below, such apartments might be more affordable to senior households. Therefore, it is acceptable to set aside a portion of the units equal to or greater than 50 percent, for studios and one-bedrooms. MIH Option 1 regulations would provide an adequate opportunity to create studio and one-bedroom apartments affordable to senior households with its requirement for ten percent of the housing units having rents set at 40 percent AMI (40 percent of the affordable housing units).

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from 462 Lexington, LLC, that would incorporate language clarifying the extent that it would conduct outreach to provide opportunities for senior households, including those who are formerly homeless, in regards to studio and one-bedroom apartments affordable to one- or two-person households with rents at 40 percent AMI.

### **Appropriate Provision of Community Facility and/or Affordable Artisan and Cultural Space**

Borough President Adams supports the inclusion of ground-floor non-residential space in the proposed development, and believes that such permitted use would be an important opportunity to enliven the streetscape of Park Avenue, which is dominated by industrial uses east of the site and residential uses west of the site. By providing a more active streetscape, permitted non-residential ground-floor space has the potential to not only activate the street but also generate more pedestrian foot traffic and an overall brighter, livelier, and safer atmosphere.

In giving consideration to appropriate non-residential occupancy, Borough President Adams notes that the proposed 205 Park Avenue development site is located in close proximity to three New York City Housing Authority (NYCHA) developments: the Farragut, Ingersoll and Whitman houses.

Recently, the Ingersoll Houses Tenants Association had expressed a general need for child care services and urgent care facilities in the area. The ultimate occupancy of 205 Park Avenue's non-residential ground floor provides an opportunity by such uses that would be consistent with Borough President's policies to provide access to child care centers and promote access to affordable health care for all Brooklyn residents. He encourages the applicant to open dialogue with representatives of the three NYCHA developments to help determine appropriate community facility uses for the site.

In a letter to Borough President Adams, dated June 11, the applicant expressed intent to lease one of the ground-floor commercial spaces to White Glove, a healthcare staffing agency, as a satellite office that might serve as a source of job opportunities for local residents. In addition, having White Glove nearby might improve access to its services for seniors requiring full-time and part-time health care attendants in order to continue independent living. There might be an opportunity to provide space with other medical uses that offer compatible healthcare services.

The proposed development site is also located in an area where there is demand for local cultural uses and artisan work spaces.

It is one of Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space. These organizations play an important role in the neighborhoods they serve, though it is too often a challenge to secure sufficient affordable space to grow and maintain their operations. Many cultural organizations have contacted Borough President Adams seeking assistance in securing space to expand and sustain their programming. In response to those concerns, Borough President Adams' policy is to review discretionary land use actions for their appropriateness to promote cultural activities.

In June 2016, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining the challenges facing artists in the borough, along with accompanying recommendations. The report highlighted the benefits of arts and dance, including maintaining physical fitness and enjoying creative self-expression, as well as contributions to the vibrant culture of Brooklyn. Borough President Adams finds many challenges facing the local arts community, such as an absence of diversity — fewer than half of the individuals working in dance in Brooklyn are people of color, based on 2000 United States Census data. Additionally, funding for the arts has decreased dramatically in New York City in recent years, including by 37 percent from the New York State Council of the Arts (NYSCA), 15 percent from the National Endowment for the Arts (NEA), and 16 percent from the New York City Department of Cultural Affairs (DCLA).

Data show that such cultural activities create a variety of positive contributions, including combating the borough's high rate of obesity — 59 percent of adults as of 2013 are obese, according to the New York State Department of Health (NYSDOH) — and helping children succeed in school, a finding supported by research released by the Citizens' Committee for Children of New York, Inc. Demand for cultural programs continues to grow across Brooklyn. A 2015 report from the Center for an Urban Future found a 20 percent increase in attendance at events organized by local cultural institutions since 2006.

The development site is located in an area where artisans practice a full spectrum of disciplines, including many that may be affiliated with the South of Navy Yard Artists (SONYA), a non-profit organization of visual artists creating, exhibiting, and living in the surrounding area. The commercial ground floor at 205 Park Avenue is opportunity to provide studio space to grow and retain artisan small businesses. According to the ZR, the proposed commercial overlay would permit studios for art, dancing, music and theatrical use, which would be consistent with these disciplines.

Subdividing the commercial space into a minimum of four units would make such spaces more affordable to independent tenants than marketing the commercial space in its entirety, which would make it affordable primarily to large, non-local chain businesses. The developer has represented intent to subdivide the commercial space into a minimum of four units would make such spaces more affordable to arts and/or cultural organizations as well as independent artisan tenants than marketing the commercial space to a single tenant.

Borough President Adams also believes that it would be appropriate to set aside some portion of the commercial space to provide a below-market lease to one or more local arts or cultural organizations as well as studio spaces for working artisans, based on reasonable lease terms.

Therefore, prior to considering the application, the City Council should obtain commitments in writing from the developer, 462 Lexington, LLC, regarding the status of opening a satellite facility of White Glove to the commercial space in 205 Park Avenue, as well as outreach for tenants of Farragut, Ingersoll, and Whitman houses for future job placement and training opportunities, as well as healthcare services. In addition, 462 Lexington, LLC should clarify how it would memorialize the extent that a portion of the proposed retail space would be marketed to locally-based community arts, cultural and/or dance groups, as well as local artisan, in consultation with CB 2 and local elected officials.

To the extent that the City Council seeks to provide for below-market rents to accommodate for such artisan studios as well as arts and/or cultural organizations, the developer should actively solicit such organizations for ground-floor occupancy, based on reasonable lease terms as determined in consultation with CB 2 and local elected officials.

### **Advancing Vision Zero Policies**

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

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

Park Avenue is a wide street and through truck route on the BQE, with multiple intersections lacking traffic controls such as stop signs or traffic lights. Given the residential character of Park Avenue blocks west of the site, the number of tenants at HPD's Navy Green development, as well as those who would occupy 205 Park Avenue, it is important to advance improvements that promote pedestrian safety. Borough President Adams believes there is an opportunity to implement the provision of a curb extension, either built or painted protected area, per his CROSS Brooklyn initiative, at the intersections of Park Avenue and Clermont and Vanderbilt avenues.

Borough President Adams recognizes that the costs associated with construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams urges DOT to explore the implementation of either protected painted sidewalk extensions or sidewalk extensions as part of the Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable 462 Lexington, LLC to undertake such improvements after consultation with CB 2, as well as local elected

officials, as part of its Builders Pavement Plan. Where that is not feasible, as painted extensions require a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner, Borough President Adams would expect 462 Lexington, LLC to commit to such maintenance as an ongoing obligation.

Therefore, prior to considering any rezoning, the City Council should seek a demonstration from 462 Lexington, LLC in coordination with the New York City Department of Environmental Protection (DEP) and DOT, and a resulting commitment, to implement curb extensions either as part of a Builders Pavement Plan or as protected painted sidewalk extensions. The City Council should further seek demonstration of the developer's commitment to enter into a standard DOT maintenance agreement for the intersections of Park Avenue and Clermont and Vanderbilt avenues. Furthermore, DOT should confirm that implementation would not proceed prior to consultation with CB 2 and local elected officials.

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

It is Borough President Adams' sustainable energy policy to promote opportunities that utilize blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA) at each project site. Such modifications tend to increase energy efficiency and reduce a development's carbon footprint. The proposed development offers opportunities to explore resiliency and sustainability measures such as incorporating blue/green/white roof finishes, passive house construction principles, solar panels, and wind turbines in the development.

Furthermore, as part of his flood resiliency policy, Borough President Adams also encourages developers to incorporate permeable pavers and/or establish rain gardens that advance DEP's green infrastructure strategy. Blue/green roofs, permeable pavers, and rain gardens would deflect stormwater from the City's water pollution control plants. According to the "New York City Green Infrastructure 2016 Annual Report," green infrastructure plays a critical role in addressing water quality challenges and provides numerous economic, environmental, and social co-benefits.

Borough President Adams believes it is appropriate for the developer to engage government agencies, such as the Mayor's Office of Sustainability, NYSERDA, and/or NYPA, to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per square-foot of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with the aforementioned agencies and further coordination on this matter.

In a letter to Borough President Adams dated June 11, the applicant, 462 Lexington, LLC, expressed interest in incorporating blue and green roofs, sustainable building materials, passive house design and rain gardens at 205 Park Avenue.

Therefore, prior to considering the application, the City Council should obtain in writing from the applicant, 462 Lexington, LLC, commitments that clarify how it would memorialize integrating these resiliency and sustainability features at 205 Park Avenue.

### **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 2015," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses including those that qualify as Locally-Owned Business Enterprises (LBEs) and Minority- and Women-Owned Business Enterprises (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).

In a letter to Borough President Adams dated June 11, the applicant, 462 Lexington, LLC, expressed intent to hire Brooklyn-based contractors designated LBE and provide prevailing wage jobs in the building upon project completion.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments in writing from the applicant, 462 Lexington, LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those that are designated Locally-Owned Business Enterprises (LBE) consistent with section 6-108.1 of the City's Administrative Code and Minority- and Women-Owned Business Enterprises (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.

#### **Prevailing Wages and Local Hiring for Building Service Workers**

Jobs within the building service and industrial sector have long served as a pathway to middle-class living for lower-income individuals, including immigrants and people of color. Like industrial jobs, building service jobs have low barriers to entry and real career prospects. When compensated at prevailing wage standards, such jobs provide average wages twice that of the retail sector. Additionally, building service opportunities are often filled through local hiring.

Borough President Adams believes that it is appropriate to advocate for economic opportunities that allow families to remain in their neighborhoods, by securing sufficient income to alleviate their rent burdens. He further believes that building service positions often result in locally-based employment. Therefore, Borough President Adams strongly encourages 462 Lexington, LLC to commit to hiring locally for building service jobs and paying prevailing wages to this workforce.

#### **Recommendation**

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

1. That prior to consideration by the City Council, the applicant, 462 Lexington, LLC has taken steps to incorporate language clarifying the extent that it would:
  - a. Provide as near to 50 percent two- and three-bedroom units as possible in order to accommodate a greater percentage of families with children, and enable as many studio and one-bedroom units at 40 percent AMI to accommodate seniors, including those who are formerly homeless, consistent with ZR 23-96(c)(ii)

- b. Clarify the extent that it would conduct outreach to provide opportunities for senior households, including those who are formerly homeless, as regards studio and one-bedroom apartments affordable to one- or two-person households with rents at 40 percent AMI
  - c. Clarify the status of establishing a satellite facility for White Glove in the commercial space of 205 Park Avenue, and of future job placement and training opportunities for residents of Farragut, Ingersoll, and Whitman houses
  - d. Clarify the status of integrating arts and or/cultural uses, as well as artisan studio space, into the commercial ground floor, rented below market-rate rents as a means to accommodate cultural and/or retail use, including restrictions on annual rent increases
2. That to the extent the City Council seeks to provide below-market space for arts and/or cultural entities, 462 Lexington, LLC shall actively solicit arts and/or cultural organizations for ground-floor occupancy, based on reasonable lease terms as determined in consultation with CB 2 and local elected officials
  3. That prior to consideration by the City Council, the applicant, 462 Lexington, LLC has taken steps to incorporate language clarifying the extent that it would:
    - a. Commit to implementation of curb extensions as part of a Builders Pavement Plan and/or as protected painted sidewalk extensions, with a developer commitment to enter into a standard New York City Department of Transportation (DOT) maintenance agreement for the intersections of Park Avenue at Clermont and Vanderbilt Avenues, with the understanding that implementation would not proceed prior to consultation with Brooklyn CB 2 and local elected officials
    - b. Incorporate resiliency and sustainability measures such as passive house design, green/blue/white roofs, solar panels, and wind turbines, as well as advancing the New York City Department of Environmental Protection (DEP) green infrastructure/stormwater strategies
    - c. Retain Brooklyn-based contractors and subcontractors, especially those who are designated locally-owned business enterprises (LBE) consistent with section 6-108.1 of the City's Administrative Code and minority- and women-owned business enterprises (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 agent

Be it further resolved that:

1. That 462 Lexington, LLC should commit to a building service workforce that is recruited from the local population and paid prevailing wages, with appropriate benefits

## **462 Lexington, LLC**

85 Bartlett Street  
Brooklyn, NY 11206

June 11, 2018

Hon. Eric L. Adams, Brooklyn Borough President  
Brooklyn Borough Hall  
209 Joralemon Street  
Brooklyn, New York 11201

**Re: ULURP Nos: C 170164ZMK and N 170165 ZRK  
205 Park Avenue, Brooklyn, New York**

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Dear Borough President Adams.

My name is Bruchy Lefkowitz, I am the Managing Member of the 462 Lexington LLC, the owner of the premises known as 205 Park Avenue, Brooklyn (the "Premises"). We would like to thank you and your staff for the opportunity to present the above-referenced application at your public hearing on Wednesday May 30, 2018. The land use application seeks a rezoning and related text amendment to facilitate the construction of an eight story mixed-use, commercial and residential development, including approximately 17 permanently affordable dwelling units (the "Project"). We write in response to certain questions raised during the hearing.

### **Affordable Units and Community Outreach**

The Project will provide permanently affordable dwelling units in accordance with Option 1 of the Mandatory Inclusionary Housing ("MIH") program. This option requires 10% of the building to be permanently affordable at 40% of the Area Median Income ("AMI") and the remaining affordable component of the building at an average of 60% AMI.

Currently the Project calls for 70 units of which approximately 17 will be permanently affordable. The current unit mix showed 50 one-bedroom apartments and 20 two-bedroom apartments. This unit mix was provided to show the bulk of the Project. During the design implementation stage of the project, it is likely that the overall unit count, and the affordable unit count, will change to reflect larger units. The distribution of the MIH units will be proportional to the distribution of the market rate units in the development.

It is our intention to work with a local administering agent to ensure that the units are marketed, first and foremost, to the members of the immediate community. We have begun conversations with IMPACCT Brooklyn and believe that they would be a good fit for our Project. IMPACCT operates the affordable housing building at 40 Vanderbilt, which is directly north of the Premises. As such, they are familiar with the area and experienced with marketing to this community.

Additionally, it is our intention to attempt to market the 40% AMI units to senior housing. IMPACCT has made this a goal of theirs for their other projects as well. We believe that their knowledge and resources will make these efforts a success.

Finally, IMPACCT routinely holds informational meetings in local venues to explain eligibility requirements, application process and the lottery. This ensures that the community is fully informed and educated about the process and Project. As such, we believe that IMPACCT will be a good partner to ensure that the affordable units directly benefit the community.

### **Ground Floor Retail Space and Minority-Owned and Woman-Owned Business Enterprise**

The Project will have four small commercial spaces at the ground floor. These spaces are purposefully small to allow for marketability to Minority-Owned and Woman-Owned Business Enterprise (“MWBE”). Additionally, we would like some of the commercial space to be used for cultural and/or community facility space to benefit the surrounding community. We are committed to working with your office and Council Member Cumbo’s office to find appropriate tenants for the spaces.

For a majority of my day I am involved in White Glove, which offers health and homecare jobs for low and medium income individuals. The company is a majority female work environment that offers excellent benefit packages to our employees. Additionally, we have support programs for low-income households. It is our intention for White Glove to occupy one of the commercial spaces. This would allow us to provide the local residents with a resource for quality jobs.

### **Local Hiring and Prevailing Wages**

The applicant is committed to the hiring Brooklyn-based contractors and subcontractors, especially those who are designated Local Business Enterprises. The applicant has historically used Brooklyn-based contractors and suppliers for all of its development projects, and intends to continue to do so. The applicant is also committed to providing prevailing wage jobs in the building upon project completion.

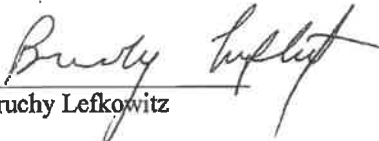
### **Sustainability**

With regards to sustainability, we will work with our architect to develop an energy efficient building as well as a sustainable building in full compliance with the Building Code. Additionally, during the design and construction stage of the project, we will consider the following sustainability measures:

- “Blue roof” to capture and slowly release rainwater to mitigate runoff impact and/or “green roof” to absorb rainwater;
- Bioswale in the form of rain gardens along the street frontages, in conjunction with the Department of Transportation;
- Designing the building with materials to reduce carbon emissions;
- Achieving either LEED-quality or certification; and
- We will explore the feasibility of passive housing to maximize the building’s energy efficiency.

We thank your for your consideration and respectfully request that you recommend approval of our application.

Thank you for your time,

  
Bruchy Lefkowitz