

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 #: 1881-1883 McDONALD AVENUE REZONING – 180029 ZMK, 180030 ZRK

In the matter of applications submitted by Quentin Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for zoning map and text amendments to change from R5 to R7A portions of two blocks fronting McDonald Avenue and Quentin Road, 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 48,180 sq. ft. of zoning floor area in Brooklyn Community District 15 (CD 15). The building would contain 35 dwelling units with 30 percent of the residential floor area, or 11 units affordable to households earning an average 80 percent Area Median Income (AMI), according to MIH Option 2. The development would include approximately 5,800 sq. ft. of retail space and 15 voluntary accessory parking spaces.

BROOKLYN COMMUNITY DISTRICT NO. 15

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

July 2, 2018

DATE

RECOMMENDATION FOR 1881-1883 McDONALD AVENUE REZONING – 180029 ZMK, 180030 ZRK

Quentin Plaza, 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 R5 to R7A portions of two blocks fronting McDonald Avenue and Quentin Road, 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 48,180 sq. ft. of zoning floor area in Brooklyn Community District 15 (CD 15). The building would contain 35 dwelling units with 30 percent of the residential floor area, or 11 units affordable to households earning an average 80 percent Area Median Income (AMI), according to MIH Option 2. The development would include approximately 5,800 sq. ft. of retail space and 15 voluntary accessory parking spaces.

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 60 percent of the units would be two-bedrooms, 20 percent would be one-bedrooms, and the remaining 20 percent will be a mix of three- and four-bedrooms. Of the approximately 35 units, 11 would be affordable to households at 60, 80, and 100 percent AMI. A one-bedroom unit at 60 percent AMI will rent at \$1,020 per month, while a three-bedroom unit at 100 percent AMI would rent at \$2,481 per month.

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 15, the representative noted that there is limited experience with MIH affordable housing in the district.

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 work with Borough President Adams' office to identify an appropriate organization to serve as the affordable housing administering agent for this development.

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 expressed interest in implementing blue and green roofs, rain gardens, and solar panels. The development will strive to achieve energy efficiency through insulation and window materials.

In response to Borough President Adams' inquiry regarding the inclusion and participation of minority- and women-owned business enterprises (MWBs) and locally-owned business enterprises (LBEs) in the construction process, the representative expressed intent to maximize local procurement.

Consideration

Brooklyn Community Board 15 (CB 15) voted to approve this application on May 22, 2018.

The proposed rezoning includes four lots on two adjacent blocks along McDonald Avenue and Quentin Road. The development site consists of two lots with a combined 100 feet of frontage on McDonald Avenue, and 11,200 sq. ft. of lot area. Current uses on the site include a mixed-use building and a residential building of approximately two stories. According to the existing R5

zoning, the maximum residential FAR is 1.25. There is no commercial overlay on this block of McDonald Avenue.

The surrounding context includes a mix of commercial, manufacturing, and residential uses. This portion of McDonald Avenue lies opposite a C8-2 district on the west side of the street, while the project area is situated between two M1-1 districts, mapped north of Avenue P, and south of Kings Highway. It is dominated by low-rise buildings containing automotive and warehouse uses. The primary residential building type is older two-story homes, which may be found along the parallel avenues and perpendicular side streets.

The proposed development would rise to a maximum height of 83 feet along McDonald Avenue and Quentin Road, while maintaining a maximum height of 55 feet along the northern portion of the site, which abuts the existing R5 zoning district. The building would utilize approximately 4.3 FAR of the permitted 4.6 FAR. The commercial ground floor will extend along the development's 112-foot Quentin Avenue frontage.

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 2, the development rights generated from the R7A section of the site would result in, at minimum, 30 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.

As represented by the applicant, 80 percent of the 35 apartments at 1881-1883 McDonald Avenue would be two-bedroom units or larger, with 20 percent configured as a mix of three- and four-bedroom units. As required, this distribution would be reflected in the bedroom mix for the estimated 11 affordable units. Therefore, Quentin Plaza, LLC has presented a family-oriented affordable housing bedroom mix consistent with Borough President Adams' policies.

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 1881-1883 McDonald Avenue would target units to households at multiple income tiers through the affordable housing lottery.

Borough President Adams is supportive of increasing density in proximity to areas well-served by public transit. The site is accessible via the Sixth Avenue Local F train, which runs along McDonald Avenue,

and stops at Avenue P and McDonald Avenue, and the B82 bus, which runs along Kings Highway and stops one block south of 1881 McDonald Avenue.

Borough President Adams is generally supportive of the proposed development. He believes that there are opportunities to improve the proposal while furthering a range of his policies such as maximizing community participation to obtain the affordable housing units, advancing the Vision Zero agenda, incorporating resilient and sustainable energy and stormwater practices, and promoting a high level of LBE/MWBE hiring.

Maximizing Community Participation of the MIH Affordable Housing

The New York City Zoning Resolution (ZR) requires the affordable housing units to be overseen by a non-profit administering agent, unaffiliated with the for-profit developing entity, except when otherwise approved by the New York City Department of Housing Preservation and Development (HPD). Such administering non-profit becomes responsible for ensuring that the affordable housing remains in accordance with its regulatory agreement, which governs the development's affordable housing plan. These tasks include verifying a prospective tenant household's qualifying income, and approving the rents of such affordable housing units. The administering non-profit is responsible for submitting an affidavit to HPD attesting that the initial lease-up of the affordable housing units is consistent with the income requirements, and for following up with annual affidavits to ensure conformity.

Various non-profits have proven track records of successfully marketing affordable housing units, as well as promoting affordable housing lottery readiness through educational initiatives. 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 20, 2018, the representative confirmed that the applicant, Quentin Plaza, LLC is currently seeking a local partner to act as the leasing and marketing administering agent for the MIH units at 1881-1883 McDonald Avenue.

Borough President Adams believes that prior to considering the application, the City Council should obtain in writing from the developer, Quentin Plaza, LLC, commitments that clarify how it would memorialize utilizing one or more locally-based affordable housing development non-profits to serve as the administering agent, and having such entities play a role in promoting affordable housing lottery readiness.

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.

McDonald Avenue is a wide street and a designated New York City truck route with multiple intersections lacking traffic controls such as stop signs or traffic lights. Given the residential character of Quentin Road and the number of residents expected to occupy the proposed development and potential

users of its retail establishments, it is important to advance improvements that promote pedestrian safety at McDonald Avenue street crossings. Borough President Adams believes there is an opportunity to implement the provision of a curb extension at the intersection of McDonald Avenue and Quentin Road, either as a raised extension of the sidewalk or as a protected area as defined by the installation of temporary perimeter bollards bordering a section of roadbed where gravel and/or paint is applied, per his CROSS Brooklyn initiative. Such a sidewalk improvement would facilitate safer pedestrian crossings on McDonald Avenue.

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 defined by a roadbed surface treatment or sidewalk extensions as part of the Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable Quentin Plaza, LLC to undertake such improvements after consultation with CB 15, as well as local elected officials, as part of its Builders Pavement Plan. Where that is not feasible, as the implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner, Borough President Adams would expect Quentin Plaza, LLC to commit to such maintenance as an ongoing obligation.

Therefore, prior to considering any rezoning, the City Council should seek a demonstration from Quentin Plaza, LLC in coordination with DEP and DOT, and a resulting commitment to implement curb extensions either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of the developer's commitment to enter into a standard DOT maintenance agreement for the intersection of McDonald Avenue and Quentin Road. Furthermore, DOT should confirm that implementation will not proceed prior to consultation with CB 15 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 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.

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. The required Builders Pavement Plan provides an opportunity to incorporate a rain garden along the development's McDonald Avenue and Quentin Road frontages. Such efforts could help advance DEP green water/stormwater strategies, enhancing the operation of the Owl's Head Water Pollution Control Plant during wet weather, including reducing combined sewage from being routed through the Combined Sewage Overflow (CSO) outlets that empty into Coney Island Creek and/or Gravesend Bay. Such rain gardens have the added benefit of serving as a streetscape improvement.

In a letter to Borough President Adams dated June 20, 2018, the representative confirmed that the applicant intends to include a blue roof, a landscaped recreation area, and reflective roof covering in the design for 1881-1883 McDonald Avenue.

Therefore, prior to considering the application, the City Council should obtain in writing from the applicant, Quentin Plaza, LLC, commitments that clarify how it would memorialize integrating these resiliency and sustainability features at 1881-1883 McDonald 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 who 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 who are designated LBEs consistent with section 6-108.1 of the City's Administrative Code, and MWBEs who meet or exceed standards per Local Law 1 (no less than 20 percent participation).

In a letter to Borough President Adams dated June 20, 2018, the representative affirmed the applicant's commitment to the retention of Brooklyn-based subcontractors, especially those designated as MWBE.

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

Recommendation

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

1. That prior to considering the application, the City Council obtain commitments in writing from the developer, Quentin Plaza, LLC, that clarify how it would memorialize the extent that it would:
 - a. Utilize a combination of locally-based affordable housing development non-profits to serve as the administering agent, and having one or more such entities play a role in promoting affordable housing lottery readiness
 - b. Commit to Connecting Residents on Safer Streets (CROSS) Brooklyn coordination with the New York City Department of Transportation (DOT) and the New York City Department of Environmental Protection (DEP) to implement curb extensions as part of a Builders Pavement Plan and/or as treated roadbed sidewalk extensions, with a developer commitment to enter into a standard DOT maintenance agreement for the intersection of McDonald Avenue and Quentin Road with the understanding of DOT confirming that implementation would not proceed prior to consultation with Brooklyn CB 15 and local elected officials
 - c. Explore additional resiliency and sustainability measures such as incorporating rain gardens, blue/green/white roof treatment, and/or solar panels
 - d. Retain Brooklyn-based contractors and subcontractors, especially those who are designated local 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