



Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, NY 10271

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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

300 HUNTINGTON STREET REZONING – 210049 ZMK

An application submitted by 300 Huntington Street LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a set of actions involving a block of the Gowanus Canal bounded by Huntington, Ninth, and Smith streets. The applicant seeks a zoning map amendment to change the zoning district from M2-1 to M2-3. There are additional applications for a Chairperson's Certification for Waterfront Public Access and Visual Corridors, and authorizations to modify Waterfront Public Access Area (WPAA) requirements for grade changes, plantings, screening buffers, fences, and tree pits. Such actions would facilitate the construction of a 99,667 square foot (sq. ft.) manufacturing and commercial building at 300 Huntington Street, and a public esplanade along the adjacent portion of the Gowanus Canal 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

Eric L. Adams

February 25, 2021

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: 300 HUNTINGTON STREET REZONING – 210049 ZMK

300 Huntington Street LLC submitted applications, pursuant to Sections 197-c and 201 of the New York City Charter, for a set of actions involving a block of the Gowanus Canal bounded by Huntington, Ninth, and Smith streets. The applicant seeks a zoning map amendment to change the zoning district from M2-1 to M2-3, a Chairperson's Certification for Waterfront Public Access and Visual Corridors, and authorizations to modify Waterfront Public Access Area (WPAA) requirements for grade changes, plantings, screening buffers, fences, and tree pits. Such actions would facilitate the construction of a 99,667 square foot (sq., ft.) manufacturing and commercial building at 300 Huntington Street, and a public esplanade along the adjacent portion of the Gowanus Canal in Brooklyn Community District 6 (CD 6).

On December 21, 2020, Brooklyn Borough President Eric Adams held a remote public hearing on this zoning map amendment and modifications. There were two speakers on the item, both members of the Gowanus Dredgers Canoe Club, who requested that the applicant provide in-water access for boaters at this site.

In response to Borough President Adams' inquiry regarding the projected savings of not providing the required parking, and the expected cost of providing the WPAA, the applicant's representative stated that the proposed development would not be viable without elimination of the estimated 240 parking spaces. The representative quoted a sum of \$3 million for the construction of the bulkhead and esplanade, with additional environmental remediation costs.

In response to Borough President Adams' inquiry regarding any commitment to provide below market-rate space for industrial and/or maker businesses, as well as arts and cultural uses, and how such commitment would be recorded, the representative stated that the applicant has been in discussion with Council Member Brad Lander regarding the retention of light industrial jobs. However, as M2 districts do not permit inclusion of community facility uses, the developer is unable to provide such space.

In response to Borough President Adams' inquiry regarding the feasibility of incorporating open or enclosed rooftop agriculture in the proposed development, and what consideration has been given to this idea, the representative stated that the building's green roof area is limited due to extensive mechanical equipment. Though the developer would include pollinator plants to support the local ecosystem, urban agriculture would trigger expensive code requirements that would render such implementation infeasible.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, New York City Department of Environmental Protection (DEP) rain gardens, and wind turbines, the representative stated all stormwater would be collected onsite and treated prior to entering the site's sewer outfall. The representative also indicated willingness to engage DEP on the subject of rain gardens as part of an effort to improve drainage in the area.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated that the developer would apply to the City's Industrial & Commercial Abatement Program (ICAP), which has a mandatory MWBE outreach component.

Subsequent to the hearing, Borough President Adams received written testimony from two local residents and boaters encouraging the creation of in-water access at the end of Huntington Street via a dock or landing on the site.

Consideration

Brooklyn Community Board 6 (CB 6) voted to approve this application on December 9, 2020.

The proposed land use actions would yield approximately 99,667 sq. ft. of Use Group (UG) 6 commercial and Use Group (UG) 17 manufacturing space, with a total floor area ratio (FAR) of 2.0. The project area includes the entire canal-side block bounded by Huntington, Ninth, and Smith streets. The applicant's property is an irregular 49,854 sq. ft. lot with 334 feet of frontage along Huntington Street currently utilized for a contractor's yard and open bus storage. Other uses on the block include a Metropolitan Transportation Authority (MTA) parcel located partially below the elevated Smith-Ninth Street Station, two single-story commercial buildings occupied by a deli and restaurant, and a one-story vacant former material sales building.

The block is currently zoned M2-1, a district that permits UGs 6 through 13, which cover a variety of commercial uses; UG 16, which includes semi-industrial and automotive uses, and UG 17, characterized by medium-intensity manufacturing uses. The maximum permitted FAR for commercial uses is 2.0. There is no community facility FAR, as such uses are not permitted in M2 districts. UG 17 operations in M2-1 districts with 10,000 sq. ft. of floor area or 15 employees are required to provide one parking space per 2,000 sq. ft. or one space per three employees, whichever is greater. Commercial uses typically have a parking requirement of one space per 300 sq. ft. The applicant is seeking a rezoning to M2-3 to eliminate this obligation, which would require constructing a costly above-grade garage due to the site's location in a Flood Hazard Area. An M2-3 district is functionally equivalent to an M2-1 district in every other regard.

300 Huntington Street would serve as the headquarters for Monadnock Construction, Inc. (Monadnock) a general contractor that has been operating in Brooklyn for 40 years. The development would provide accessory offices for 60 employees, an open contractor yard, and a workshop for the applicant's needs, which would be located on the ground floor. The upper floors would contain office and production space for future tenants. The project includes several storefronts that would be accessed via Huntington Street. Finally, three loading berths would be provided in the building's rear. The building's bulk is intended to be limited to three stories along the Gowanus Canal, and rise to six stories along Huntington Street, to a maximum intended height of 86 feet.

The applicant would provide a WPAA along the site's bulkhead, as required by the New York City Zoning Resolution (ZR) for developments of this size. The WPAA would comprise approximately 7,548 sq. ft. or 15 percent of the site's lot area. A voluntary public access area (PAA) would facilitate pedestrian access from Huntington Street to the WPAA. The landscape design also features a stepped terrace along the Gowanus Canal with public seating and absorptive plantings. The applicant is requesting a certification of the WPAA with authorizations to modify fencing, grade change, planting area, screening, and tree pit requirements.

The development site is part of the Southwest Brooklyn Industrial Business Zone (IBZ), which includes portions of the Gowanus, Red Hook, and Sunset Park waterfronts. The immediate context is defined by a mix of commercial and light industrial uses with some heavy manufacturing operations. However, across Smith Street, the prevailing land use is residential, including older two- and three-family homes and large new apartment buildings. Open space resources are limited to parklets and playgrounds, though the large Red Hook ballfields are located several blocks southwest.

One quirk of manufacturing districts is that office and retail uses have been allowed to proliferate to such an extent that they are now primarily commercial in character. This phenomenon appears contrary to the expectations of the 1961 ZR. Because commercial uses tend to be higher value than industrial ones, without regulation, the private market would not provide land or space for manufacturers. Moreover, the onerous parking requirements imposed by the ZR discourage the development of new buildings in many M-zoned areas. The requested change from an M2-1 to an M2-3 district would not increase the permitted FAR. However, by removing the obligation to provide vehicular parking, the proposed rezoning would enable a financially viable commercial development.

Such discretionary actions provide an opportunity to leverage certainty for maker and other uses deemed beneficial to the community with restrictions on office and retail uses within the new floor area. Establishing effective legal means to ensure maker space and uses would help maximize the project's public purpose, including the creation of a new facility for Monadnock's operations.

Borough President Adams supports land use actions that broaden economic opportunity by providing employment for those with varied skill sets. The proposed rezoning would facilitate new commercial development, promote the growth of a valued local business, and offer replacement space for a legacy construction firm. Such a proposal aligns with the City's industrial and workforce goals, which include the creation and/or retention of quality jobs for those without college degrees. Borough President Adams supports the preservation and expansion of manufacturing floor area to sustain and grow the City's industrial sector.

Borough President Adams supports the creation of new manufacturing floor area through commercial office and retail development in Brooklyn neighborhoods with thriving innovation economies. He further supports actions that establish reasonable height limits, right-size automobile parking and truck loading requirements, and incorporate desired neighborhood amenities.

Borough President Adams believes that it is appropriate to map zoning districts without parking requirements in proximity to public transportation. The development site is directly adjacent to the Smith-9 Streets station, served by the Sixth Avenue Local F and the Brooklyn-Queens Crosstown Local G trains. The B57 bus travels on Smith Street stopping in front of the development site, while the B61 bus makes stops along Ninth Street. The neighborhood is well-served by Citi Bike, with the closest docking station located on the southwest corner of Smith and Ninth streets.

Borough President Adams generally supports the proposed rezoning to facilitate the represented commercial development at 300 Huntington Street. He believes that the elimination of parking required under the current zoning is justified to achieve manufacturing space and preserve industrial jobs in the area, a priority for both the City and the community. However, he seeks assurances of dedicated commercial space for maker businesses, a mechanism to ensure user compliance, a restricted range of permitted use groups, limitations on accessory retail floor area, consideration of bulk redistribution and reduction, integration of resilient and sustainable features including rain gardens, and a high level of local and MWBE hiring for the project. Finally, he calls on the Administration to promote non-motorized boats having greater access to the Gowanus Canal.

Ensuring the Provision and Retention of Space for Innovation and Maker Jobs

According to the applicant, Monadnock would utilize only 30 percent of the proposed floor area, along with the exterior contractor's yard. While adding 100,000 sq. ft. of new commercial space at this location could enhance opportunity for makers who want to locate to Gowanus, the developer is not obligated to tenant such space with industrial businesses or retain the intended construction operation. Should such operation cease, it is important to have mechanisms in place to ensure a segment of the building obligates maker use tenanting.

Therefore, to ensure that the proposed floor area is reserved for such uses, it is necessary to establish compliance standards. ZR Section 74-962 provides a template for required compliance and recordation, including periodic notification by the owner, and annual reporting by a qualified third party. Under the rules of that Special Permit (established as part of the 25 Kent Avenue application), the property owner must file a Notice of Restrictions to receive a building permit from the New York City Department of Buildings (DOB). ZR Section 74-962 also states that "no temporary certificate of occupancy for any portion of the building to be occupied by incentive uses shall be issued until a temporary certificate of occupancy for the core and shell is issued for all portions of the building required to be occupied by required industrial uses." Such regulation was designed to ensure that

the Required Industrial Use area is provided before any Incentive Use area contingent on the provision of such manufacturing floor area is occupied.

Furthermore, each new lease executed for any part of the Required Industrial Use space requires public notification, via electronic resource, of certain information about each new tenant and use, including the total floor area of Required Industrial Uses in the development, a digital copy of all approved Special Permit drawings pursuant to ZR Section 74-962 (a)(1) through (a)(4), and the names of all establishments occupying floor area reserved for Required Industrial Uses. Additionally, for each establishment, public notification must specify the amount of Required Industrial Use floor area, the UG, the subgroup, and the specific use as listed in the ZR.

The property owner is also required to retain a qualified third party, approved by the New York City Department of Small Business Services (SBS), to produce an annual report and conduct an inspection to ensure that the Required Industrial Use area is compliant with the provisions of ZR Section 74-962. Such a report must include a description of each establishment with the North American Industry Classification System (NAICS) code and number of employees, the total amount of vacant Required Industrial Use floor area, as applicable; the average annual rent for the combined total of the portions of the building reserved for occupancy by Required Industrial Uses, and the number of new leases executed during the calendar year, categorized by lease duration, in five-year increments. Such a report must be submitted to the New York City Department of City Planning (DCP), as well as the Brooklyn borough president, the local City Council member, and the community board. This report must be prepared by an organization under contract with the City to provide inspection services, an SBS-certified firm that provides such inspection services, or an entity that the commissioner of SBS determines to be qualified to produce such report, provided that any qualified third party selected by the owner to prepare such a report shall have a professional engineer or a registered architect licensed under the laws of the State of New York to certify the report.

Borough President Adams believes that in order to ensure compliance and the desired ratio of uses, the standards established in ZR 74-962 should be incorporated into the proposed zoning text amendment. In addition, one of the area's industrial non-profits, such as the Southwest Brooklyn Industrial Development Corporation (SBIDC) would warrant consideration as an administering agent for 300 Huntington Street.

Borough President Adams believes that any floor area sublet and/or managed by a not-for-profit agency should comply with periodic notification and annual reporting requirements.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure ongoing monitoring of use floor area compliance.

Use Group Compliance with Innovation and Maker Jobs

According to the applicant, the commercial floor area at 300 Huntington Street not intended for Monadnock's own operations would be tenanted by light industrial and complementary uses.

Borough President Adams believes that such managed manufacturing space should reflect any combination of agricultural, heavy service, manufacturing establishments, as well as studios for art, dancing, motion picture production, music, photography, radio/television, or theatrical, semi-industrial facilities, and trade schools for adults. It should also include service use categories from UG 9A such as blueprinting or photostating establishments, dental or medical laboratories, musical

instrument repair shops, studios, and trade schools for adults, which he deems consistent with maker uses. Studios are also included in Use Group 10A.

Borough President Adams believes that certain uses, such as depositories and automobile showrooms, as well as truck terminals, warehouses and, wholesale establishments, should be excepted from the range of otherwise considered innovation and maker uses.

Borough President Adams recognizes that the effectiveness of innovation and maker uses are dependent on having clear access 24 hours a day, seven days a week, to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces. He believes this should be a requirement of meeting maker floor area as defined above by certain UG 9, 10, 11, 16, 17, and 18 uses noted above.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, a contract with a non-profit business service provider, and/or a government financing agreement to ensure that a segment of ongoing building occupancy would be restricted to innovation and maker uses with clear access to the street.

Restricting Accessory Retail Floor Area

Though the developer has not stated intent to include retail at 300 Huntington Street above the ground floor, Borough President Adams believes that the binding agreement should address the possibility of retail use as auxiliary to manufacturing operations. Industrial floor area utilization for retail, while permitted by zoning, would undermine the spirit of providing dedicated space for innovation and/or maker uses.

There has been a trend for certain uses listed in UGs 11A, 16, 17, and 18 — specifically alcoholic beverages or breweries — in which a small accessory section of floor area is set-aside for retail and/or eating and drinking establishments. For example, such a development might have an interior retail street where one can purchase freshly baked goods from a small accessory retail section off the main baking production area. There are also breweries that contain accessory beer halls and/or restaurants. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. However, other manufacturing uses, such as metal fabrication and woodworking, do not lend themselves to accessory retail. This puts such uses at a disadvantage because permitted uses that profit from accessory retail or eating and drinking components would likely be able to pay more rent. Furthermore, if such accessory retail and/or eating and drinking floor space were of excessive size, it would undermine the purpose of establishing dedicated floor area for desired uses at 300 Huntington Street. The ZR is silent regarding restricting accessory operations.

As Borough President Adams noted in his 2016 recommendations for 25 Kent Avenue, and his subsequent recommendations for Acme Smoked Fish, 12 Franklin Street, 103 North 13th Street, Industry City, and Suydam Street, public benefit would be diminished if the accessory retail and/or eating and drinking establishments were permitted to occupy more than a nominal amount of floor area.

As has been Borough President Adams' recommendation for those prior ULURP applications, he seeks to clearly define the extent of the floor area that would be allotted to accessory retail as well as eating and drinking operations at 300 Huntington Street. He believes that it is appropriate to limit accessory retail operations, specifically for UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, by permitting up to 100 sq. ft. without regard to the size of the industrial/maker establishment, though not more than 1,000 sq. ft. or not exceeding 10 percent of floor area per establishment.

Borough President Adams believes that to maintain the integrity of floor area for maker businesses, it would be appropriate to restrict accessory uses to 100 sq. ft. without regard to the size of the establishment or not exceeding 10 percent of floor area per establishment (though not more than 1,000 sq. ft.).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, a contract with a non-profit business service provider, and/or a government financing agreement to limit accessory retail floor area within any portion meeting the percentage of floor area restricted to maker use occupancy.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

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

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as those undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's white roof mandate. Borough President Adams believes that developers should seek to exceed this mandate by integrating blue roofs with green roof systems. Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings, and those in proximity to the waterfront, micro wind turbines can provide effective sustainable energy generation. Finally, passive house construction achieves energy efficiency while promoting locally based construction and procurement.

In Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021, he outlined an urban agenda based on funding policies that will rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated for renewable energy and battery storage to move beyond reliance upon natural gas and dirty "peaker plants," disproportionately sited in communities of color. He believes that grid-connected rooftop batteries should be a standard consideration for commercial buildings. Between existing flat roofs upgrades and newly developed projects, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes it is appropriate for 300 Huntington Street LLC to engage the Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA), 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 sq. ft. of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with these agencies and further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality,

and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, there would be an opportunity to integrate stormwater retention measures into existing tree pits, with additional plantings, which would increase infiltration and make the site more pleasant for its users. In addition, blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would help divert stormwater from the Red Hook Wastewater Treatment Plant.

The required Builders Pavement Plan for the proposed development provides an opportunity to install DEP rain gardens along the development site's extensive Huntington Street frontage. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption.

Borough President Adams believes that 300 Huntington Street LLC should consult with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) about integrating rain gardens with street trees as part of the development's Builders Pavement Plan. Where the agencies have interest in implementing such enhancements, consultation should be initiated in advance with CB 6 and local elected officials.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC clarifying how it would integrate resiliency and sustainability features at 300 Huntington Street.

Jobs

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 20 percent or greater. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, 300 Huntington Street LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, for both the pending and subsequent development sites, consistent with Section 6-108.1 of the City's Administrative Code and MWBE as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

Accommodating Non-Motorized Boating Access and Life-Safety Measures

In 2010, the Environmental Protection Agency (EPA) designated the Gowanus Canal as a Federal Superfund site. The agency's cleanup plan includes the construction of an elevated steel wall to prevent the flow of contaminants from upland sites into the remediated canal. However, such infrastructure would also function to become obstacles to secure in-water access, as well as exiting the waterway, which could pose certain risks to users of this active waterway. The Gowanus Dredgers Canoe Club, the primary

boating organization on the canal, has advocated for additional docks and landings along the shoreline, to facilitate access in emergency situations, such as in-water rescue.

Borough President Adams recognizes that, pending the outcome of the New York City Department of City Planning (DCP) Gowanus Neighborhood Plan proposal, future commercial and residential construction would draw more of the public to the canal for passive and active recreation. These developments would transform inaccessible and neglected edges along the canal into new amenities and open space. With more residents and visitors, it is important to ensure public safety in case of accidents and emergency situations, by creating in-water access points at strategic locations along the canal. In addition to landing berths, simple measures such as various forms of ladders and other floatation rescue devices could be placed at various locations along the canal. Such life safety mechanisms would be best considered in consultation with the United States Coast Guard (USCG).

Therefore, the Administration and City Council should give comprehensive consideration to advancing non-motorized boating in the Gowanus Canal by determining locations for at least one access point between existing bridge spans, taking into consideration street ends, mapped public parks, public esplanades associated with combined sewer overflow holding tanks developments, and supplemental waterfront access areas.

In addition, the Administration and City Council should give consideration, in consultation with the USCG, to establish life-safety standards along street ends, shore edge of waterfront public parks and waterfront public walkways to promote in-water rescue.

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 and City Council approve this application with the following conditions:

That prior to considering the application, the City Council obtain commitments, in writing, from the applicant, 300 Huntington Street LLC, clarifying how it would:

1. Establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure ongoing innovation and/or maker use occupancy, monitor use floor area compliance, restrict to innovation and maker uses, establish clear access to the street, and limit accessory retail floor area as per the following:
 - a. That compliance and recordation shall be according to New York City Zoning Resolution (ZR) 74-962(d)
 - b. That periodic notification by the owner shall be according to ZR 74-962(e)
 - c. That annual reporting by a qualified third party shall be according to ZR 74-962(f)
 - d. That floor area managed by a not-for-profit agency shall remain part of the zoning lot and be required to comply with annual reporting and periodic notification requirements
 - e. That innovation and maker uses be restricted to Use Groups (UGs) 9A, limited to blue printing or photostatting establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A, limited to studios, 11A, 16A except for automobile showrooms, 16B, 16D except for truck

terminals, warehouses, and wholesale establishments, 17B, 17C, limited to agriculture, and 18A

- f. That such innovation and/or maker uses be provided with clear access to common service corridors, freight elevators, and loading docks on streets 24 hours a day, seven days a week to ensure active industrial spaces
 - g. That accessory retail floor area that would otherwise meet the definition of UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, not exceed the greater of 100 square feet (sq. ft.) or 10 percent of an establishment's floor area (limited to 1,000 sq. ft.) in order to be deemed accessory
2. That the City Council obtain written commitments from 300 Huntington Street LLC to:
- a. Memorialize the incorporation of resiliency and sustainability measures, such as blue and/or green roofs, grid-connected rooftop batteries, passive house design, solar panels and/or facades, and/or wind turbines
 - b. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens as part of a Builders Pavement Plan in consultation with Brooklyn Community Board 6 (CB 6) and local elected officials
 - c. Retain Brooklyn-based contractors and subcontractors, especially those that are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

1. That the Administration and City Council give comprehensive consideration to advancing non-motorized boating in the Gowanus Canal by determining locations for at least one access point between existing bridge spans, taking into consideration street ends, mapped public parks, public esplanades associated with combined sewer overflow holding tanks developments, and supplemental waterfront access areas
2. That the Administration and City Council, in consultation with the United States Coast Guard (USCG), establish life-safety standards along street ends, shore edge of waterfront public parks, and waterfront public walkways to promote in-water rescue.