



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

WEST 16TH STREET – 200298 ZSK

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

BROOKLYN COMMUNITY DISTRICT NO. 13

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

March 18, 2021

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: WEST 16TH STREET – 200298 ZSK

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

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

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

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

Consideration

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

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

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

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

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

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

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

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

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

Avoiding Construction During the Amusement Season

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

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

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

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

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

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

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

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

Jobs

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

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

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

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

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

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

Recommendation

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

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

Be it further resolved:

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