



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

2840 KNAPP STREET – 200203 ZMK, 200204 ZRK

Applications submitted by Lipkaw Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change the northern portion of a block bounded by Brigham Street, Emmons Avenue, Knapp Street, and Shore Parkway from R5 to R6, and a zoning text amendment to establish the project site as a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate interior renovations to the existing six-story and basement Sheepshead Nursing and Rehabilitation Center, located in Brooklyn Community District 15 (CD 15), and increase the building's floor area ratio (FAR) from 2.74 to 2.91. The improvements would enable the construction of a dialysis center in the basement, and relocation of mechanical systems from the basement to the building's roof. The renovated basement would contain a new 20-space attended parking area.

BROOKLYN COMMUNITY DISTRICT NO. 15

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE

APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE

DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

Ethi L. Adams

July 8, 2021

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: 2840 KNAPP STREET – 200203 ZMK, 200204 ZRK

Lipkaw Realty LLC submitted applications, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change the northern portion of a block bounded by Brigham Street, Emmons Avenue, Knapp Street, and Shore Parkway from R5 to R6, and a zoning text amendment to establish the project site as a Mandatory Inclusionary Housing (MIH) area. Such actions would facilitate interior renovations to the existing six-story and basement Sheepshead Nursing and Rehabilitation Center, located in Brooklyn Community District 15 (CD 15), and increase the building's floor area ratio (FAR) from 2.74 to 2.91. The improvements would enable the construction of a dialysis center in the basement, and relocation of mechanical systems from the basement to the building's roof. The renovated basement would contain a new 20-space attended parking area.

On June 2, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on these zoning map and text amendments. There were no speakers on the item.

In response to Borough President Adams' inquiry as to how the eventual renovation plans would take advantage of updated waterfront zoning regulations, the representative noted that the relocation of mechanical equipment above ground would be in line with the City's resiliency goals.

In response to Borough President Adams' inquiry as to why the applicant is seeking a height factor zoning district in lieu of its height-limited contextual equivalent, the representative stated that the existing building's bulk would not be compliant under mandatory contextual height regulations.

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 the nursing home often awards construction projects to contractors who employ minority workers and subcontractors.

In response to Borough President Adams' inquiry as to how the Sheepshead Nursing and Rehabilitation Center would maximize community outreach when hiring additional staff, the representative stated that the nursing home disseminates information about open positions at Brooklyn Community Board 15 (CB 15) meetings, community fairs, and local churches.

Consideration

CB 15 voted to approve this application on May 25, 2021.

The proposed actions would facilitate interior renovations to the Sheepshead Nursing and Rehabilitation Center, which would enlarge the building by approximately 5,096 square feet (sq. ft.). The applicant is seeking to add a Use Group (UG) 4 dialysis center in the basement and add a new stairwell to the ground floor, which would increase the total zoning floor area from 80,875 to 85,971 sq. ft.

The existing facility is a six-story group nursing home situated on a 29,519 sq. ft. through lot, with 90 feet of frontage on Knapp Street, 205 feet of frontage on Brigham Street, and 231 feet of frontage along Shore Parkway. The facility contains 200 beds and employs a staff of 300. The building was constructed in 1969, with subsequent renovations in 1997 and 2007. Surface parking is located on the south side of the property, while the basement provides space for 18 cars and seven bicycles.

While the project site is zoned R5, the building's floor area, height, parking provision, and side yards are all non-compliant under existing regulations. Its 2.71 FAR bulk exceeds the permitted 2.0 FAR for community facility uses; its height is greater than the 40-foot maximum; it lacks either of the

required side yards, and it does not contain sufficient parking. Notably, the nursing home was constructed as a non-compliant building, with approval from the New York City Department of Buildings (DOB).

The proposed zoning map amendment would facilitate the requested enlargement and resolve the building's zoning noncompliance. The requested R6 zone permits 4.8 community facility FAR, which would accommodate both the current and proposed bulk. Building height is governed by a sky exposure plane, which would legalize the nursing home's massing. Furthermore, R6 districts do not mandate provision of side yards and permit a waiver of parking requirements below 25 spaces. The proposed text amendment, while not necessary to enable the renovations, would designate the site an MIH area to ensure that any future housing on this property would incorporate affordability.

The surrounding context is primarily residential, with elevator buildings around the site, and one to three-story homes to the north and west. Nearby community facilities include medical centers and nursing homes. The project area is within the New York City Waterfront Revitalization Plan (WRP) coastal zone boundary and was included in the 2017 Resilient Neighborhoods Sheepshead Bay study. However, it is not located in the one percent chance annual flood zone.

Borough President Adams supports proposals to upgrade skilled nursing homes, particularly where the objectives include job creation opportunities and flood adaptation measures. He also supports actions to bring existing buildings into zoning compliance and conformance. If approved, this application would allow the nursing home to serve its residents medical needs onsite and relocate vulnerable mechanical equipment above ground.

Borough President Adams supports efforts that facilitate the creation or growth of Brooklyn-based businesses. Among his priorities is to have accessible, affordable, and state-of-the-art medical services available in all neighborhoods of Brooklyn. Borough President Adams recognizes that health care and related professions are a major source of employment for Brooklyn residents. Moreover, these job sectors are projected to grow significantly in the coming years.

While the requested R6 district would provide a permanent solution to the above issues, its regulations enable future high-rise residential construction on the site. As R6 zoning tends to promote "tower in the park" development, given the size and orientation of the property, it could enable a residential tower approaching the height to the recently developed Avalon Brooklyn Bay permitted as-of-right. Given the adjacent lower-density residential districts, such height would not be desirable in the community. However, given the extent the nursing home has already been developed, it is not economically reasonable to expect that it would eventually be demolished to construct a building of similar floor area.

Therefore, Borough President Adams believes that the requested zoning district is justified as a means to accomplish the applicant's near-term objective to modernize the building. Consistent with his policies, Borough President Adams seeks LBE/MWBE participation in the construction process and local hiring for medical jobs.

Maximizing Local Hiring Opportunities

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. Borough President Adams believes that 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 proposal 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 who meet or exceed standards per Local Law 1 (no less than 20 percent participation).

In Sheepshead Bay, mission-driven organizations that work to connect residents to job opportunities include adult education and social service providers. One such entity, CAMBA, offers academic and skills training to residents of Sheepshead Bay Houses, a nearby New York City Housing Authority (NYCHA) complex.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, Lipkaw Realty LLC, to retain 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 such standards. Borough President Adams calls on the Sheepshead Nursing and Rehabilitation Center operator to engage CB 15, local elected officials, and non-profit organizations, to maximize community hiring.

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:

1. That prior Lipkaw Realty LLC provide written commitments to City Council clarifying intent to:
 - a. Retain Brooklyn-based contractors and subcontractors, especially those who 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
 - b. Engage Brooklyn Community Board 15 (CB 15), area elected officials, and non-profit organizations to maximize local hiring