Acme Fish Expansion Project
30 Gem Street
Block 2615, Lots 1, 6, 19, 21, 25, 50 and 125
Borough of Brooklyn

Description of Proposal

1. Introduction

RP Inlet, LLC (the "Applicant") proposes land use actions to facilitate a mixed-use development with a new four-story industrial facility for the processing of cured fish and a nine-story commercial office building with ground floor retail at 30 Gem Street, Block 2165 (Lots 1, 6, 19, 21, 25, 50, and 125) (the "Development Site"), in Greenpoint, Brooklyn, Community District 1. The proposed development would include approximately 488,479 square feet of office and retail space, and approximately 95,299 square feet of a new Acme Smoked Fish processing facility (the "Proposed Development") to replace the approximately 72,855 square foot existing Acme facility at 30 Gem Street.

The following land use actions are required to facilitate the Proposed Development:

1. Zoning map amendment to rezone the Development Site (also referred to herein as the "Project Area") from an M3-1 zoning district to an M1-5 zoning district; and

2. Large-Scale General Development Special Permit by the City Planning Commission pursuant to ZR 74-743(a)(2) to permit on the Development Site:

    - On Gem Street, the bulk of the Proposed Development without regard to applicable height and setback regulations by allowing a front wall height of 104 feet, in excess of the 85 feet maximum, and penetration of the 2.7: 1 sky exposure plane in the M1-5 zoning district; and
    - On Meserole Avenue, the bulk of the Proposed Development without regard to applicable height and setback regulations by allowing a front wall height of 104 feet, in excess of the 85 feet maximum, and penetration of the 2.7: 1 sky exposure plane in the M1-5 zoning district.

2. Background

A. Previous Land Use Action Approvals

The Development Site straddles the neighborhoods of Williamsburg and Greenpoint in Brooklyn Community District 1. In 2005, the New York City Planning Commission ("CPC") approved a modified application for, among other actions, the rezoning of approximately 200 blocks in Greenpoint-Williamsburg (ULURP No. N 050110(A) ZRK, C 040415 MMK, C 040416MMK, C 040417MMK, C 040418 MMK, and C 050111(A) ZMK). The land use approvals replaced manufacturing and heavy commercial

districts with residential and special mixed-use districts to facilitate the development of thousands of new housing units, while permitting light industrial and residential uses to co-exist. The Development Site abutted, but was not included, within the rezoning area. At that time, upon the request of the Acme Smoked Fish Company, the CPC supported maintaining the M3-1 zoning district on the block to facilitate the continuation of the operation and proposed expansion of the company.

In 2006, the Greenpoint-Williamsburg Industrial Business Zone (IBZ), in which the Development Site is located, was established by the City of New York as a commitment to land use and public policies that encourage the retention and growth of industrial and commercial uses. The Greenpoint-Williamsburg IBZ is generally bounded by Kent Avenue, Franklin Street, Dobbin Street, Nassau Avenue (McCarren Park), and North 9th Street. The Greenpoint-Williamsburg IBZ is managed by the industrial advocacy and non-profit organization Evergreen, a membership organization that assists industrial businesses in North Brooklyn.

In 2016, the CPC and the New York City Council adopted an amendment to the Zoning Resolution (N 160126 ZRK) to create an Industrial Business Incentive Area ("IBIA") in ZR Section 74-96. The goal of the zoning text amendment was to stabilize the loss of industrial space and jobs and to promote a beneficial mix of office and light industrial space in designated IBIA areas. In conjunction with this text amendment, the City also created special permits which allow modifications for use, bulk, and accessory off-street parking and loading requirements for developments in the IBIAs.

As part of this application, the CPC approved two special permits (C 160124 ZSK and C 160125 ZSK), pursuant to ZR 74-96, which allowed an increase in floor area for certain uses, modification of public plaza requirements, and reduction in parking and loading requirements to facilitate 19-25 Kent Avenue (Block 2282, Lot 1), an eight-story industrial and commercial development on a full city block in Williamsburg. On February 28, 2019, the New York City Council approved an application to include the block directly west of the Development Site in the IBIA (N 180388 ZRK) and two special permits (C 180387 ZSK and C 180389 ZSK) pursuant to ZR 74-96 to facilitate a proposed seven-story industrial and commercial building at 12 Franklin Street (Block 2614, Lot 3). On March 9, 2019, the New York City Council approved an application to include a portion of Block 2279, two blocks south of the Development Site, in the IBIA (N 190083 ZRK) and approved two special permits (C 190084 ZSK and C 190085 ZSK) to facilitate the development of a seven-story mixed industrial and commercial development at 103 North 13th Street (Block 2279, Lot 34).

B. <u>New York Works</u>

In 2017, New York City Mayor de Blasio released *New York Works*, a jobs plan for New York City which sought to create 100,000 jobs over the next ten years, combat economic inequality, grow middle class jobs, and adapt the economy to ongoing changes in technology. According to the *New York Works* report, there is an increased demand for office space outside of Manhattan. The Proposed Development would support the goals of *New York Works* by promoting job and business growth, especially tech, advertising, media, and information, in transit accessible areas in Brooklyn.

C. Acme Background

Since its founding, Acme has been owned and operated by four generations of the Caslow family. Acme Smoked Fish first opened their facility on Gem Street in 1954, and the facility was rebuilt in 1966 after a major fire. The existing Acme facility contains fish processing and production, product distribution, and administrative offices.

The business has thrived at its original location at 30 Gem Street (Lot 50) and grown, in a piecemeal manner, from an approximately 10,000 square foot facility to its current size of approximately 72,855 square feet. In 1975, Acme expanded to an adjacent building at 14 Meserole Avenue (Lot 1), previously occupied by Williamsburg Steel, which Acme eventually purchased. In 1994, Acme expanded again to an adjacent building at 192 Banker Street (Lot 21), formerly occupied by Deven Lithographers, a commercial printer and further expanded to 190 Banker Street (Lot 25) in 2003. Thus, Acme's current Brooklyn facility is a cobbled-together agglomeration of four different buildings, assembled over the course of decades. Due to this piecemeal assemblage, Acme's current facility is far from efficient, and is now outdated. Currently, there are approximately 100 workers employed at the site. In 2014, Acme opened a new processing plant in North Carolina, which services its expanding east coast business. Acme now faces an inflection point for its operations: it has thrived in Brooklyn, and as a consequence of the growth of its business and a changed regulatory environment, a modern processing plant has become a necessity to remain in Brooklyn.

3. Description of Surrounding Area

The area within a 600-foot radius of the Development Site (the "Surrounding Area") is located on the northern edge of Williamsburg and southern portion of Greenpoint in Community District 1, Brooklyn. The Surrounding Area is characterized by a wide variety of industrial, commercial, and residential land uses and various building types. In addition to its mix of uses and built character, the Surrounding Area includes large public open spaces including McCarren Park and Bushwick Inlet Park.

Land Use and Built Form

While much of Williamsburg and Greenpoint is residential, the area immediately surrounding the Development Site is, and has historically been, an active industrial neighborhood characterized by older, one and two-story brick and masonry buildings. A majority of the buildings are built to the lot line, creating continuous street walls. Several properties contain surface parking lots and storage yards. Specific operations in this area include fabricators, materials and contractor supply stores, food processing facilities, and storage yards for auto service and supply stores. Conversion of former manufacturing buildings can be found throughout the Surrounding Area and the new commercial uses include creative workspace, restaurants, retail, and studios.

New development in the IBZ has tended toward entertainment, nightlife, and office uses. Hotels located in the surrounding area include the 23-story William Vale Hotel at 111 North 12th Street and the eight-story Wythe Hotel at 80 Wythe Avenue. In 2016, the City designated much of the IBZ as an Industrial Business Incentive Area ("IBIA") to promote the retention of industrial uses within the IBZ by allowing

greater flexibility for the development of buildings containing industrial uses, which facilitated the construction of 25 Kent Avenue and approvals for two proposed mixed-use developments, one at 12 Franklin Street and the other at 103 North 13th Street.

The northeastern portion of the Surrounding Area, predominantly along Cayler Street, Guernsey Street, and Clifford Place, contains residential uses. These buildings are for the most part comprised of low rise three-to-four story multi-family walkup buildings.

Zoning

The Surrounding Area is predominantly zoned with M1-1 and M1-2 districts, and also includes M3-1 (which the Project Area is zoned), Special Mixed-Use District (MX-8) with M1-2/R6A and M1-2/R6B districts, and R6B with a C2-4 commercial overlay district, which are described below:

M3-1

M3-1 zoning districts, which permit a maximum FAR of 2.0 for all manufacturing uses and certain commercial uses, are mapped along limited portions of the East River waterfront in Williamsburg between the Williamsburg Bridge and Bushwick Inlet Park.

M3-1 districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Even in M3 heavy industrial districts, uses with potential nuisance effects are required to conform to minimum performance standards as set forth in the Zoning Resolution. No new residential or community facility uses are permitted. Commercial uses in Use Groups 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, and 16 are permitted. Commercial uses in Use Group 6A are permitted, but are limited to 10,000 square feet of floor area per establishment. Building heights in M3-1 districts are governed by a sloping sky exposure plane, which begins at a height of 60 feet, or four stories, whichever is less, above the street line. M3-1 district are subject to parking requirements based on the type of use and the size of an establishment. For example, one parking space is required per 300 square feet of office floor area.

M1-1 and M1-2

M1-1 and M1-2 zoning districts allow for light industrial uses, wholesale service, storage facilities, and certain commercial and community facility uses. Self-storage facilities are allowed by special permit pursuant to ZR Brooklyn Subarea 2 listed in Appendix J, Designated M Districts, and which is coterminous with the Greenpoint/Williamsburg IBZ area. Hotels are permitted in M1 districts by special permit.

Directly to the south of the Development Site is an M1-2 zoning district. M1-2 zoning districts allow up to 2.0 FAR of permitted industrial and commercial uses and up to 4.8 FAR of permitted community facility uses. The maximum base height is 60 feet or 4 stories, whichever is less, above which buildings must set back either 20 feet (on a narrow street) or 15 feet (on a wide street) and

must comply with a sky exposure plane of 2.7 feet of vertical distance to 1 foot of horizontal distance (on a narrow street) or 5.6 feet of vertical distance to 1 foot of horizontal distance (on a wide street). Accessory off-street parking spaces are required based on use (e.g. 1 space per 300 square feet of floor area for general retail and service uses).

To the north and east of the Development Site is an M1-1 zoning district. M1-1 zoning districts allow up to 1.0 FAR for permitted light industrial and commercial uses and up to 2.4 FAR for permitted community facility uses. The maximum base height in M1-1 zoning districts is 30 feet or 2 stories, whichever is less, above which buildings must set back either 20 feet (on a narrow street) or 15 feet (on a wide street) and must comply with a sky exposure plane of 1 foot of vertical distance to 1 foot of horizontal distance. Accessory off-street parking spaces are required based on use (e.g. 1 space per 300 square feet of floor area for general retail and service uses).

Special-Mixed Use District (MX-8)

In the northwest portion of the surrounding area, a Special Mixed-Use District (MX-8) district is mapped with M1-2/R6A and M1-2/R6B districts. The Special Mixed-Use District (ZR 123-00) was established to promote mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of these uses in a manner to ensure the health and safety of people using the area. M1-2/R6A districts allow residential floor area up to 3.0 FAR and accessory off street parking spaces are required for 50% of the total number of dwelling units. M1-2/R6B districts allow residential floor area up to 2.0 FAR and accessory off street parking spaces are required for 50% of the total number of dwelling units. For manufacturing uses, the maximum permitted FAR is 2.0 and the required number of accessory off-street parking spaces varies by use.

R6B/C2-4

Adjacent to the M1-2/R6A and M1-2/R6B districts, an R6B zoning district with a C2-4 overlay is located within the Surrounding Area. R6B zoning districts, which do not permit manufacturing use, allow up to 2.0 FAR of both residential and community facility uses. Buildings in R6B zoning districts must comply with Quality Housing regulations, which require a minimum base height of 30 feet, up to a maximum base height of 40 feet, above which a 15-foot setback (on a narrow street) or a 10-foot setback (on a wide street) is required, and above which the building may rise to a maximum height of 50 feet. Accessory off-street parking spaces are required for 50 percent of the total number of dwelling units provided. C2-4 overlay districts permit up to 2.0 commercial FAR and have a parking requirement which varies based on use.

The Surrounding Area is well-served by open space. West of the Development Site, the East River State Park and Bushwick Inlet Park are mapped between North 7th and Quay Streets along the waterfront. Bushwick Inlet Park, a City-owned public park, is still under development and will eventually extend from North 9th Street to Quay Street and total 28 acres. In the interim, a 3.5-acre parcel between North 9th and North 10th Streets is improved as a public park and open to the public, as is the land between North 11th

and North 12th Street. McCarren Park, an approximately 36.5-acre public park, is located one block to the east of the Development Site.

Public Transportation

The Surrounding Area is well-served by public transportation, with several transportation options, including two subway stations, several bus lines, and the East River Ferry. The Nassau Avenue station for the G subway line is approximately four blocks to the east of the Development Site, and the Greenpoint Avenue station for the G line is approximately eight blocks to the north. The Bedford Avenue station for the L subway line is approximately nine blocks to the south.

Nearby bus lines include the B32, which runs along Franklin Street between Long Island City and Williamsburg Bridge Plaza; the B62, which runs on Manhattan Avenue between Queens Plaza and Downtown Brooklyn; the B43, which runs on Manhattan Avenue between Prospect-Lefferts Gardens and Greenpoint; and the B24, which runs between Greenpoint and the Williamsburg Bridge Plaza, via Sunnyside, Queens. The Williamsburg Bridge Plaza provides a wide variety of local bus connections, including connections with the B39, B46, B60, Q54 and Q59. Together, these lines provide access from the Development Site to much of north Brooklyn and beyond. The East River Ferry has stops at North 6th Street in Williamsburg (approximately nine blocks south of the Development Site) and at India Street in Greenpoint (approximately nine blocks north of the Development Site). The East River Ferry connects Williamsburg and Greenpoint commuters to East 34th Street, DUMBO, and Wall Street. There are two Citibike stations in the Surrounding Area. One station, which has 25 bikes and 6 docks, is located at the northwest corner of Banker Street and Meserole Avenue. The second station, which has 19 bikes and 4 docks, is located at the northwest corner of Wythe Avenue and North 15th Street.

Much of the Surrounding Area is located in the coastal zone within Flood Zone A which mandates certain construction requirements.

4. Description of the Project Area and Development Site

The Development Site is an approximately 116,756 square feet lot and comprises the entirety of Tax Block 2615 (Lots 1, 6, 19, 21, 25, 50, and 125) and is bounded on the west by Gem Street, on the north by Meserole Avenue, on the east by Banker Street, and on the south by Wythe Avenue and North 15th Street.

The Development Site includes the Acme Smoked Fish facility and three lots containing other uses.

The Acme Smoked Fish facility currently occupies the majority of the Development Site, including Lots 1, 21, 25, and 50, with frontage on the southside of Meserole Avenue, east side of Gem Street, and the west side of Banker Street. The following lots contain the Acme facility comprising four interconnected one- and two-story buildings with a total of approximately 72,885 square feet of built floor area:

a. Lot 1: a 19,475 square foot lot with a one-story factory building and approximately 21,275 square feet of floor area (1.09 FAR) containing the Acme Smoked Fish company;

b. Lot 21: a 15,200 square foot lot with a one-story factory building and approximately 15,950 square feet of floor area (1.04 FAR) containing the Acme Smoked Fish company;
c. Lot 25: a 18,070 square foot lot with a two-story factory building and approximately 20,250 square feet of floor area (1.12 FAR) containing the Acme Smoked Fish company;
d. Lot 50: a 11,400 square foot lot with a one-story factory building and approximately 19,475 square feet of floor area (1.70 FAR) containing the Acme Smoked Fish Company.

The following three properties are vacant or occupied by businesses other than Acme Smoked Fish:

a. Lot 6: a 27,075 square foot lot with a two-story warehouse building and approximately 21,500 square feet of floor area (0.79 FAR) occupied by a stone supplier company which is moving out;
b. Lot 19: a 3,800 square foot lot with a one-story warehouse building and approximately 3,800 square feet of floor area (1.0 FAR) is vacant;
c. Lot 125: a 21,730 square foot lot with one-story field office shed and open storage and contains a utility construction firm which intends to relocate within New York City.

Due to the presence of multiple loading gates on the Development Site buildings, there are a number of curb cuts on the Development Site. One 17-foot curb cut is located along the Development Site's Meserole Avenue frontage, six curb cuts are located along the Development Site's Banker Street frontage (ranging in width from 9 to 56 feet), one 49-foot curb cut located along the Development Site's Wythe Avenue frontage, two curb cuts (41 and 43 feet) located along the Development Site's Gem Street frontage, and there are no curb cuts located along the Development Site's North 15th Street frontage.

5. Description of the Proposed Development

The proposed LSGD, to be constructed on the entire block, will contain the Acme Smoked Fish industrial component and the commercial component totaling 583,778 square feet of zoning floor area (5.0 FAR).

One of the unique challenges facing Acme is the logistics of constructing a new facility without any pause in processing operations. This challenge requires that the new processing facility be constructed prior to the office and retail component of the Proposed Development. By constructing the new facility first, directly next to its existing facility, Acme can transition from the old facility to the new facility with minimal interruption in operations.

Acme Smoked Fish Component

The Acme Smoked Fish facility will be located on the northwestern portion of the block, fronting on Meserole Avenue and Banker Street. The proposed processing facility will be a maximum of four stories with a height of approximately 104 feet and with a 25-foot-high mechanical metal louver screen on the roof. The Acme Fish facility will contain approximately 95,299 square feet of industrial floor area and the entrance will be located on Banker Street closer to Meserole Avenue. The Acme Smoked Fish facility will have one loading berth on Banker Street and two loading berths on Meserole Avenue.

The Acme Fish Processing facility, at heights ranging from four and three stories on Banker Street and four stories on Meserole Avenue, is intended to imitate the form of the surrounding warehouse buildings, and will feature facades of dark grey textured insulated metal panels.

The proposed Acme Smoked Fish building will provide a more efficient and state of the art industrial space for the optimal production of their fish products. The entrance of the building will be on Banker Street near the corner of Meserole Avenue. The raw materials will be delivered through two loading berths on Meserole Avenue. The first floor of the facility will contain the cooler and freezer areas, a brining section, defrosting and cleaning areas, and a storage area to hold the organic waste and refrigerated compactor. The organic waste will be removed through the third loading berth on Banker Street. The second and third floors will contain the salting, smoking, and oven areas for smoking the fish products, hanging cooler area, packaging and packaging cooling areas, and the salad production and mayo storage areas. The administrative office and employee wellness areas will be located on the fourth floor of the facility.

One unique challenge of Acme's operations is the perishability of its product; Acme only holds 1 to 2 days' worth of product at its facility due to the limited shelf life. It is essential for that Acme's (a) fish processes not be disrupted, (b) ability to quickly distribute the finished products, and (c) business remain active during the construction of the new facility.

For these reasons, the Acme fish processing facility will be constructed first. The facility will be constructed on Lot 6, while the current Acme facility will continue to operate on Lots 1, 21, 25, and 50. Once the new Acme fish processing facility is complete, Acme will move its operations to the new facility, with minimal disruption. Only after Acme is operating in the new facility will the Applicant begin demolition and construction on the remaining portion of the Development Site.

Without the Proposed Development, Acme would most likely relocate its processing facility out of state.

Commercial/Retail/Parking Component

The proposed commercial building, which will contain office and retail uses, will occupy the remainder of the block with frontage on Meserole Avenue, Gem Street, North 15th Street, Wythe Avenue, and Banker Street. The nine-story commercial portion of the Proposed Development will have a maximum building height of approximately 178 feet 6 inches, surmounted by a mechanical bulkhead with screening approximately 25 feet high. The Proposed Development will have approximately 488,479 square feet of total commercial floor area, of which the office use will be approximately 454,661 square feet and the ground floor retail use approximately 33,818 square feet. The building will provide 65 accessory bicycle parking spaces. In addition, approximately 150 off-street accessory parking spaces will be provided on the ground level with curb-cut access on Gem Street. It is anticipated the parking garage will be used by Acme Smoked Fish employees, office tenants and visitors, and retail/restaurant patrons. The office/retail portion of the Proposed Development will have three loading berths which will be located on Banker Street.

The Proposed Development is intended to embrace the feeling of the many surrounding warehouse buildings. For the commercial/retail component from grade, the brick vernacular base engages the

ground, the metal industrial commercial segment then rests above the brick portions, and the modern intervention of the glass volume floats above. The proposed glass portion will be a color reflective of the sky. The goal of the façade articulation design is to break down the mass and scale by aggregating the height at nine stories in the center of the building, decreasing the floor heights at five stories on Gem Street and Meserole Avenue, two and six stories on Banker, and two and six stories on Wythe Avenue. The terrace on the roof of the building and the terraces on the setbacks provided at varying roof heights on all facades will offer a visual connection between street and building levels as well as views towards the planned future phases of Bushwick Inlet Park.

Open Space

The Proposed Development's site plan is designed to incorporate architectural and landscape features to provide a physical and visual through-block connectivity to enhance the pedestrian experience. The Proposed Development will provide a total of approximately 21,403 square feet of Public Access Area ("PAA") of which approximately 12,880 square feet will be open to the sky and approximately 8,523 square feet partially covered. Additionally, separate from the PAA, there is approximately 5,775 square feet of open areas adjacent to the retail establishments on the Development Site.

The proposed PAA, occupying four street frontages (Banker Street, Wythe Avenue, North 15th Street, and Gem Street), will be planted with street trees and feature differing levels of plantings establishing a vertical hierarchy of landscaped integration within the Development Site and the adjoining neighborhood. Within the PAA the open areas will include a variety of seating options throughout the site, including accessible companion seating, moveable tables and chairs, benches, and wooden platforms with sculptural seating.

The Proposed Development will feature two pedestrian pathways, with textured and patterned stone pavers, which will be partially covered by the commercial building. The commercial lobby is located on Gem Street with access from both pedestrian pathways. The main pedestrian pathway extends north-south from Wythe Avenue to the mid-block of the Development Site, and the second pedestrian pathway, under the commercial building, extends east-west from Banker Street to Gem Street. Along Banker Street, Wythe Avenue, and North 15th Street the Proposed Development steps back toward the north providing an open to the sky landscaped area. The main pedestrian pathway starts at Wythe Avenue and proceeds from the uncovered public space to the covered public space and the east-west connection. Both proposed pedestrian pathways are flanked by ground level retail frontage (e.g. restaurants with cafes) to promote activity and security.

The open areas adjacent to the retail establishments, which are separate from the PAA, can be accessed from these establishments and provide furnishings for sitting and dining. The proposed furnishings will include dining tables, chairs, outdoor sofas, and lounge chair seating.

The Proposed Development is located in Flood Zone AE which has a Base Flood Elevation of 11 feet. All new construction in this flood zone is subject to Appendix G of the Building Code, which ensures that the Proposed Development will meet or exceed Federal Emergency Management Agency regulations for resiliency. Any entrances to the building, the parking garage, and all loading docks will be wet flood-

proofed; the ground floor of the building will be raised one foot above the existing floodplain; the electric rooms, gas meter room, water meter room, and pump room will all be above the floodplain; and elevator and mechanical equipment would be located in several locations, including portions of the fifth floor roof bulkhead areas and the bulkheads located above the ninth floor terrace.

6. Actions Necessary to Facilitate the Proposed Development

The Applicant proposes the following actions to facilitate the Proposed Development:

1. Zoning map amendment to rezone the Development Site from an M3-1 zoning district to an M1-5 zoning district; and

2. Large-Scale General Development Special Permit by the City Planning Commission pursuant to ZR Section 74-743(a)(2) to permit on the Development Site:

    - On Gem Street, the bulk of the Proposed Development without regard to applicable height and setback regulations by allowing a front wall height of 104 feet, in excess of the 85 feet maximum, and penetration of the 2.7:1 sky exposure plane in the M1-5 zoning district; and
    - On Meserole Avenue, the bulk of the Proposed Development without regard to applicable height and setback regulations by allowing a front wall height of 104 feet, in excess of the 85 feet maximum, and penetration of the 2.7:1 sky exposure plane in the M1-5 zoning district.

<u>Zoning Map Amendment</u>

The Applicant is proposing to rezone the Project Area from an M3-1 zoning district, a heavy industrial, district to an M1-5 zoning district, a light industrial district. The additional FAR would allow the development of a new industrial facility for Acme Smoked Fish, as well as new office and retail space.

M1-5 zoning districts allow permitted commercial and manufacturing uses at a 5.0 FAR and community facility uses at a 6.5 FAR. The proposed M1-5 district allows uses that are consistent with the uses found in the area immediately surrounding the Development Site. M1-5 districts allow for commercial and industrial uses in Use Groups 4 through 17, subject to certain limitations, and Use Group 18 uses, subject to compliance with performance standards. Use Group 5 hotels and Use Group 16 self-storage facilities are allowed only by special permit. The area immediately surrounding the Development Site is, and has historically been, an active industrial neighborhood. Specific operations in this area include fabricators, materials and contractor supply stores, food processing facilities, storage yards for auto service and supply stores, entertainment, nightlife, and office use – all of which are uses that are permitted in M1-5 districts.

New developments in M1-5 districts are subject to a sky exposure plane that begins at a height of 85 feet above the street line (or six stories, whichever is less) with a required setback at or below the 85-foot height of 15 feet on a narrow street and 20 feet on a wide street. Parking is not required in M1-5 districts.

The proposed M1-5 district will encourage the construction of buildings that will complement the character and densities found in the Surrounding Area and neighborhood. Directly west of the Project Area, across Gem Street, is 12 Franklin Street, where a seven-story and 4.8 FAR industrial and commercial building is proposed. Two blocks south of the Project Area is 103 North 13th Street, where a seven-story and 4.8 FAR mixed industrial and commercial development is proposed. Three blocks south of the Project Area is 19-25 Kent Avenue, which features an eight-story and 4.75 FAR industrial and commercial development on a full City block. Three and four blocks south of the Project area, respectively, are the 23-story and 3.70 FAR William Vale hotel, and the eight-story and 6.50 FAR Wythe Hotel. The FAR and height regulations in the proposed M1-5 district will allow for the construction of buildings with densities similar to that of the above-described buildings.

The parking requirements and increased density allowed in M1-5 districts is appropriate due to the Project Area's proximity to public transportation. The Development Site is located only four blocks west of the Nassau Avenue G Train Station and eight blocks south of the Greenpoint Avenue G Train Station. The North Williamsburg stop on the NYC Ferry East River route is approximately nine blocks to the south, and the B32 bus (connecting Williamsburg Bridge Plaza and Long Island City) runs along Franklin Street/Kent Avenue and Wythe Avenue. In addition, the B32 bus also makes a wide variety of connections with the B24, B39, B46, B60, B62, and Q54 and Q59 bus lines. There are also two Citibike stations near the Development Site: one at the corner of Banker Street and Meserole Avenue and the other at the corner of N.15th Street and Wythe Avenue.

The increased density allowed in M1-5 districts will support the character of the Surrounding Area, further the City's goals of creating industrial and office-based jobs, and bring jobs to the growing population in Greenpoint-Williamsburg. M1-5 districts allow for greater density and more flexible building designs which can accommodate a wider range of office-based and industrial firms. In addition, parking requirements in M3-1 districts (e.g. 1/300 sf. for office uses) versus M1-5 district (e.g. no parking required for office uses) is cost prohibitive and would impact useable floor area. The proposed M1-5 district in the Project Area will result in increased density, furthering the City's goals by encouraging the creation of new office and industrial based businesses.

The proposed M1-5 zoning district will also be appropriate because it will be consistent with the *New York Works* initiative. The *New York Works* initiative seeks to create 100,000 new, quality jobs over the next ten years, especially in Brooklyn, Bronx, Queens, and Staten Island. By utilizing multiple resources, the City can incentivize job creation. The City seeks to increase good and accessible jobs across fields ranging from advanced manufacturing to freight, creative and tech-driven, life sciences, and including office jobs.

The M1-5 zoning district allows for the development of this unique mixed-use building which will provide both the retention of manufacturing jobs located on the Development Site and the creation of new office jobs.

<u>Large Scale General Development Special Permit– Height and Setback</u>

The Applicant is seeking a special permit, pursuant to ZR 74-743(a)(2), to waive required height and setback regulations thereby creating a superior site plan. Provision of the Acme fish processing facility with unique programmatic requirements, combined with the need to create adequately sized office floor plates, requires waiver of the required 20-foot front wall setback and penetration of the required sky exposure plane. The LSGD special permit offers flexibility that allows for the Proposed Development to support a state-of-the-art fish processing facility, to provide first-class office space, and maximum PAA space. Without the LSGD special permit, the proposed floor area would need to be redistributed at the expense of the PAA space.

The specific waivers being requested are:

1. Height and Setback: ZR 43-43 requires that the front wall of a development in an M1-5 zoning district be set back 20 feet from a narrow street above a height of 85 feet or 6 stories (whichever is less). The commercial component of the Proposed Development along Gem Street and Meserole Avenue will rise on the lot line to a height of approximately 104 feet before providing the setback. This waiver is requested to allow the roof of the Acme Smoked Fish facility to be unobstructed for ventilation purposes. The waiver will permit the distribution of the commercial floor area on the site to accommodate the factory ventilation requirements and will produce a better site plan with maximum landscaped public areas allowing improved pedestrian access in and through the large block.

2. Sky exposure plane: ZR 43-43 requires that a development in an M1-5 zoning district stay below a sky exposure plane of 2.7 vertical feet to 1 horizontal foot extending from the maximum front wall height of 85 feet. The commercial component of the Proposed Development will penetrate the required sky exposure plane on the Gem Street and Meserole Avenue sides of the building. The redistribution of bulk, along with the provision of the public open space and pedestrian pathways on the site, will result in the wider commercial office floor plates preferred by today's businesses.

This LSGD modification is requested to allow the Proposed Development to shift the bulk into the middle of the block, along Gem Street, and to allow the building to step back on the Wythe Avenue side of the site. This provides the office component of the Proposed Development, with most of its frontage along Gem Street and a portion of Banker Street, a building design that incorporates increased office floor plates. Additionally, this modification is requested to permit the roof of the Acme Smoked Fish facility to be unobstructed for ventilation purposes. The LSGD special permit will allow for a better site plan by permitting the vertical distribution of commercial floor area on the site, which will accommodate the factory ventilation requirements and provide maximum landscape public access areas and improved pedestrian access in and through the large block.

7. Conclusion

The requested zoning map amendment and large-scale general development special permit will facilitate the development of a new, enlarged, and improved Acme Smoked Fish processing facility and a

commercial office/retail building. RP Inlet, LLC will construct the new processing facility in sequence with the new commercial/retail building on the Development Site. The proposed actions will allow Acme to remain in Brooklyn, its home. The Proposed Development will further the goals of *New York Works*, the Greenpoint-Williamsburg IBZ, and the IBIA policy, as it will both create new office jobs in Brooklyn and maintain existing manufacturing jobs in the Acme Smoked Fish facility.