289 Kent Avenue Rezoning
Project Description
8-26-25

1. Introduction

This is an application by Web Holdings LLC (the "Applicant") seeking the following actions:

a. A zoning map amendment to rezone the properties located at Brooklyn Block 2403, Lots 1, 15 and 41(the "M1-3A/R7X Rezoning Area") from an M3-1 zoning district to an M1-3A/R7X (MX-8) zoning district (the "M1-3A/R7X Map Amendment");

b. A zoning map amendment to rezone the properties located at Brooklyn Block 2403, Lots 31, 33, p/o 37 and p/o 7501 (the "M1-2A Rezoning Area", and collectively with the M1-3A/R7X Rezoning Area, the "Project Area") from an M3-1 zoning district to an M1-2A zoning district (the "M1-2A Map Amendment", and collectively with the M1-3A/R7X Map Amendment, the "Zoning Map Amendment"); and

c. A zoning text amendment to Appendix F of the Zoning Resolution of the City of New York, effective December 5, 1961, as amended (the "Zoning Resolution" or "ZR") to establish the M1-3A/R7X Rezoning Area within a Mandatory Inclusionary Housing ("MIH") Area (the "Zoning Text Amendment", and collectively with the Zoning Map Amendment, the "Proposed Actions").

The Proposed Actions would facilitate the development of an 18-story mixed-use, primarily residential building with up to 272,759 square feet ("sf") of floor area, including 243,476 sf of residential floor area (approximately 278 dwelling units, of which approximately 56-83 will be permanently income-restricted dwelling units) and 29,283 sf of ground floor commercial retail space (the "Proposed Development") on Lots 1 and 41 (the "Development Site").

2. Background

From 1961 until relatively recently, the Project Area and the majority of the area within 600 feet thereof (the "Surrounding Area") were mapped within an M3-1 manufacturing zoning district -- a low scale, heavy manufacturing district with a maximum permitted floor area ratio ("FAR") of 2.0. The M3-1 zoning district was reflective of the manufacturing uses that predominated in the Williamsburg neighborhood, including the East River waterfront. In 2005, as part of the Greenpoint-Williamsburg Rezoning, portions of the Surrounding Area to the north, east and south of the Development Site were rezoned to districts that permit a mix of uses, including residential uses (the "Greenpoint-Williamsburg Rezoning"). These included M1-2/R6, M1-2/R6B, M1-2/R6A, R6 and R6A/C2-4 districts. In particular, pursuant to the Greenpoint-Williamsburg Rezoning, the northeast quadrant of the subject block and the southeast quadrant of the block to the north was rezoned to an M1-2/R6 district.[1] The Project Area, however, remained mapped within an M3-1 District (presumably due to its use at that time as a warehouse). The Greenpoint-Williamsburg Rezoning facilitated the transition of the Williamsburg waterfront from a primarily industrial area to one characterized by public open spaces, significant residential density and varied retail and entertainment uses.

Additionally, the area along the waterfront features several predominantly residential high-rise towers that are part of the Domino Large-Scale General Development (the "Domino LSGD"), a multiple block redevelopment that was initially approved in 2010 (C 100187 ZSK) and modified in 2014 (C 140132 ZSK).

In 2021, the City also approved "River Ring" a mixed-use development project located northwest of the Project Area on a series of unimproved lots.[2] River Ring proposes to include two predominantly residential high-rise towers (one rising to approximately 560 feet, and the other to

[1] The mixed-use condominium building containing residential uses is located at the southwest corner of Wythe Avenue and South 1st Street. Residential use was permitted pursuant to a previously granted variance.

[2] See CPC Report, C 220062 ZMK for a full list of River Ring's approvals.

710 feet)[3] which together could provide up to 1,050 apartments, of which 263 would be permanently affordable.[4] River Ring will also contain community facility and commercial spaces, as well as approximately 2.9 acres of public open space along the East River waterfront. Currently, the site is being used for industrial and vehicle outdoor storage.

On June 6, 2024 the New York City Council (the "City Council") enacted two (2) City-wide zoning text amendments collectively known as "City of Yes for Economic Opportunity" (N 240010 ZRY; N 240011 ZRY) (the "COYEO Amendment"). The COYEO Amendment updated regulations for local businesses, reducing barriers for expansion, and modernized rules for streetscapes and commercial corridors to support economic growth. For example, and as applicable to the Proposed Actions, the COYEO Amendment created "A" suffix manufacturing districts -- including the M1-3A and M1-2A districts proposed by the Applicant -- and also modified density and height regulations applicable to these manufacturing districts.

On December 5, 2024 the City Council also enacted a City-wide zoning text amendment known as "City of Yes for Housing Opportunity" (N 240290 ZRY) (the "COYHO Amendment"). The COYHO Amendment updated residential bulk regulations to permit and encourage additional housing development -- including with respect to residential floor area ratio, height and setback and other zoning bulk provisions applicable to the Development Site.

3. Description of the Surrounding Area

a. Land Use

The Surrounding Area is characterized by industrial, commercial, institutional, and residential uses. To the east of the Project Area, the predominant uses include commercial retail establishments (specifically along Wythe Avenue and Berry Street), restaurants, offices, and light-manufacturing spaces. Community facility uses within this portion of the Surrounding Area include a public middle school (Jose De Diego Middle School (PS 84)) and William Sheridan Playground northeast of the Development Site. Residential uses mostly comprise of medium-rise multi-family buildings and single and multi-family, low-rise walk-up buildings.

Commercial, community facility, and residential uses also characterize the southern portion of the Surrounding Area. In addition to the large number of ground-floor retail spaces found in this area, commercial and industrial uses are also present, often located in one(1)-story buildings. Community facilities, like the Williamsburg Opera House and Industrial Williamsburg (a photography studio) are also present. Most residential uses in this area consist of low-rise, mixed use multifamily buildings ranging from two to five stories, with the exception of the 16-story building located at 325 Kent Avenue and the 19-story building located at 321 Wythe Avenue.

West of the Project Area, across Kent Avenue, is the East River waterfront. Uses in this portion of the Surrounding Area are primarily commercial or residential, with limited retail space. These uses, including Domino Park, a privately owned, publicly accessible waterfront open space, are part of the Domino LSGD. Southwest of the Project Area is the Refinery at Domino, a 14-story commercial office building, while northwest of the Project Area, is a 42-story mixed use residential tower with ground floor retail, located at 266 Kent Avenue.

To the north of the Project Area, the Surrounding Area includes light manufacturing/industrial, commercial, and residential uses. Manufacturing and industrial uses in this area include, without limitation, warehousing and vehicle storage. This portion of the Surrounding Area (northwest of the Project Area and north of the Domino LSGD) also includes part of the unimproved lots that make up the proposed River Ring development discussed above.

b. Zoning

The Surrounding Area contains of a range of commercial, residential, manufacturing and mixed-use district MX-8 (Special Mixed-Use District).

[3] These figures are exclusive of bulkheads.

[4] The River Ring development will contain up to 1,158,800 sf of floor area and an effective FAR of 6.17.

South of the Development Site, portions of the Surrounding Area between Kent and Wythe Avenues are mapped in M1-5, C2-4/R6, M1-4/R6A, and M1-2/R6 districts; the latter two are also mapped within the MX-8 (Special Mixed-Use District).

- M1-5 districts permit 5.0 FAR of light manufacturing uses and 6.5 FAR of community facility uses.

- M1-2 and M1-4 districts permit 2.0 FAR of light manufacturing uses and 4.8 FAR of community facility uses (M1-2) and 6.5 FAR (M1-4).

- R6A and R6 districts permit residential FAR of up to 3.9, while the C2-4 overlay allows up to 2.0 FAR for commercial use and 4.8 FAR of community facility use.

The majority of the Surrounding Area located east of Kent Avenue is mapped within an R6 district, which permits FAR of community facility use and 3.9 FAR of residential FAR.

West of the Development Site and along the East River waterfront, the majority of the Surrounding Area is mapped in an R8 district with a C2-4 overlay. The R8 district permits a maximum residential FAR of up to 8.64, while the C2-4 overlay allows up to 2.0 FAR for commercial uses and 6.5 FAR for community facility uses. Exceptions include: (1) the portion located between South 2nd and South 3rd Streets within 235 feet of Kent Avenue and (2) the portion north of South 1st Street. Both of these areas are mapped in a C6-2 district, which allows 6.0 FAR for commercial uses, 6.5 FAR for community facility uses, and 8.64 FAR for residential uses.

North of the Development Site and between Kent and Wythe Avenues is an M3-1 district, as well as an M1-2/R6 and an M1-2/R6B districts, both of which are mapped in the (MX) mixed use district. The R6B district permits residential uses at a FAR of 2.4.

c. Open Space

The open spaces within the Surrounding Area are found west of the Development Site along the East River and are part of the Domino Large-Scale General Development. This 4.8-acre publicly accessible open space provides areas for passive and active use along the waterfront and within the development. River Ring, once completed, will provide an additional 2.9 acres of publicly accessible open space.

Additional waterfront open space is located at the northern end of the Surrounding Area in the 1.8-acre Grand Ferry Park. North of the Surrounding Area, but within the "Walk to a Park Service Area" is the 7-acre Marsha P. Johnson State Park, which stretches along the East River from North 7th to North 10th Street and contains open lawns for informal ball games and frisbee, walking and jogging paths, picnic benches, native plant landscaping and connections to Charlotte Beach and Bushwick Inlet Park, a 35-acre public park (located just north of Marsha P. Johnson State Park).

East of the Development Site are the 1.17-acre William Sheridan Playground, a City-owned park, and the approximately 6,000 sf Berry Street Garden, a community garden.

d. Landmarks

The only New York City landmark located within the Surrounding Area is the Havermeyers & Elder Filter, Pan and Finishing House (Individual Landmark, LP-2268), also known as the Domino Sugar Refinery, which is located southwest of the Development Site across Kent Avenue.

e. Transportation

A bus stop for both the B32 and Q59 bus lines is located two blocks south of the Project Area on Kent Avenue. The B32 bus line runs between Williamsburg and Long Island City while the Q59 bus line runs between Williamsburg and Rego Park. The Bedford Avenue stop on the L line and the Marcy Avenue stop on the J, M and Z lines are located 0.5 and 0.6 miles, respectively, from the Project Area. The J, M and Z subway lines service lower Manhattan, Brooklyn and

Queens while the L line runs along 14th Street in Manhattan and various neighborhoods in north Brooklyn. A Citibike station is located immediately adjacent to the Project Area at the corner of South 2nd Street and Kent Avenue. The East River line of the NYC Ferry network stops approximately nine blocks south of the Project Area at Kent Avenue and South 9th Street and approximately eight blocks north of the Project Area at North 6th Street, providing service to Lower Manhattan, and points along the East River in Brooklyn and Queens. The Project Area is also located within the Inner Transit Zone.

4. Description of the Development Site/Project Area

The Project Area is mapped entirely within an M3-1 district, which is a medium-scale, heavy manufacturing district with a maximum floor area ratio of 2.0, and comprises the portions of Brooklyn Block 2403 described below. The existing land use pattern within this M3-1 district is generally characterized by one- and two-story light industrial and commercial office buildings. The Project Area comprises the following:

a. Lot 15 - an approximately 9,500 sf site with approximately 95 feet of frontage along South 1st Street and bounded by Lot 1 to the west, Lots 1 and 41 to the south, South 1st Street to the north and Lot 7501 to the east. Lot 15 is currently improved with a one-story, 9,500-gsf building (~1.0 FAR) containing a produce warehouse.

b. Lot 37 (p/o) - located between Lots 31 and 41 with approximately 101 feet of frontage on South 2nd Street. The portion of Lot 37 located in the Project Area comprises approximately 12,372 sf of lot area and is currently utilized as an unlicensed surface parking lot (0.00 FAR).[5]

c. Lot 7501 (p/o) - located between Lots 31 and 47 with approximately 25 feet of frontage on Wythe Avenue. The portion of Lot 7501 in the Project Area comprises approximately 2,500 sf and is improved with a one-story retail establishment.

d. Lot 31 - located between Lot 33, 37 and 7501 with approximately 50 feet of frontage on Wythe Avenue and 74 feet on South 2nd Street. Lot 31 is approximately 8,633 sf in area and is improved with a one-story commercial building with a gross square footage of approximately 8,633 sf (~1.0 FAR).

e. Lot 33 - an approximately 1,250 sf site with approximately 25 feet of frontage on South 2nd Street and 50 feet on Wythe Avenue and bounded by Lot 31 to the north and west. Lot 33 is improved with a three-story, 3,150 gross square foot building (~2.52 FAR) with ground floor retail and non-conforming residential use above.

f. The Development Site (Lots 1 and 41)

The Development Site has a combined lot area of approximately 45,460 sf and is improved with two (2), vacant commercial buildings that most recently were occupied with office uses (the "Existing Buildings"). The building on Lot 1 contains one and two-story portions and approximately 44,832 sf of floor area. The building on Lot 41 is three-stories and contains approximately 21,600 sf floor area; together, they include approximately 66,432 gross square feet of space. The Existing Buildings do not contain ground floor retail uses or accessory off-street parking.

5. Description of the Proposed Development

The Proposed Development is a mixed-use development containing up to 272,759 sf of floor area, consisting of up to 243,476 sf of residential floor area and approximately 29,283 sf of commercial space (located along Kent Avenue and South 2nd Street). The Proposed Development would include affordable housing pursuant to MIH at an average of 40 to 80 percent AMI depending on the MIH option to be selected (56 to 83 dwelling units).

[5] In total, Lot 37 measures 14,872 sf. The majority of Lot 37 is zoned M3-1 (the portion within the Project Area) with an approximately 2,500 sf portion zoned as M1-2/R6 (MX-8).

6. Actions Necessary to Facilitate the Project

The following actions are necessary to facilitate the Proposed Development:

a. A zoning map amendment to rezone a portion of the Project Area from an M3-1 zoning district to an M1-3A/R7X (MX-8) zoning district;

b. A zoning map amendment to rezone a portion of the Project Area from an M3-1 zoning district to an M1-2A zoning district;

c. A zoning text amendment to Appendix F of the Zoning Resolution to establish the Project Area within an MIH Area.

The Proposed Actions would map an M1-3A/R7X zoning district to enable the Proposed Development on the Development Site and mixed-use development on Lot 15. This district would permit a maximum FAR of 5.0 for manufacturing, commercial, and community facility uses and 6.0 for residential uses. Further, with the Proposed Actions, the Proposed Development could rise to a maximum building height of 181.25 feet (excluding bulkhead). The M1-3A/R7X Map Amendment would be consistent with the higher-density zoning districts to the north (C6-2), south (M1-5), and west (C6-2, R8) of the Development Site and would promote the construction of new housing, including affordable housing, within the Williamsburg neighborhood. Maintaining a light manufacturing district paired with a residential district would also provide flexibility to allow complementary local retail (i.e., maker spaces) and commercial uses, along with light manufacturing uses. The Proposed Actions would also allow for the activation of the Development Site's Kent Avenue frontage with ground floor retail and for development that would create a contextually appropriate transition from the adjacent tall, dense buildings along the East River waterfront to the lower density upland neighborhood located to the east.

Maintaining a manufacturing district paired with a residential district would provide flexibility to include complementary retail uses (e.g., supermarket, eating and drinking establishments, etc.), commercial, and light manufacturing uses (i.e., maker spaces) and would eliminate the requirement for non-residential accessory parking within the Proposed Development. This would provide new opportunities for affordable and market-rate housing development in an area experiencing population growth in line with the City's policy goals to develop housing in "high opportunity" areas.

The Proposed Actions would also rezone an M1-2A zoning district on the remainder of the Project Area in order to replace an outdated, vestigial M3-1 zoning district and permit additional light manufacturing and commercial growth on Lots 31, 33 p/o 37 and p/o 7501 in addition to community facility and commercial uses, in line with the purpose of the newly created “A” suffix manufacturing districts. This district would permit a maximum building height of 95 feet and a maximum FAR of 3.0 for manufacturing, commercial, and community facility uses and would provide a transition from the higher density development along the waterfront to the existing lower density neighborhood to the east. Further, the M1-2A Map Amendment allows for greater flexibility in both use and building envelope, allowing for either a light manufacturing use (i.e., maintaining historical building uses) or a higher density commercial or community facility use. This flexibility would allow owners to better respond to changing real estate trends.

7. Conclusion

The Applicant seeks zoning map amendments and a zoning text amendment to permit the development of the Proposed Development on the Development Site at a density commensurate with completed and proposed residential buildings on the surrounding blocks and within the Williamsburg neighborhood, and to replace a vestigial manufacturing district with a designation that allows for more flexible and neighborhood-appropriate uses. In addition to facilitating the replacement of currently underutilized commercial buildings, the Proposed Actions would provide new opportunities for affordable and market-rate housing development in an area experiencing population growth in line with the City's policy goals to develop housing in "high opportunity" areas.