CITY PLANNING COMMISSION

October 6, 2021 / Calendar No. 23 C 210482 ZRK

IN THE MATTER OF an application submitted by Maspeth Manager, LLC and the NYC Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1.

The New York City Department of Housing Preservation and Development (HPD) and the Co-applicant Maspeth Manager LLC filed an application on June 14, 2021, to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed R7-2 and R7-2/C2-4 district mapped on the project area bounded by Jackson Avenue, Debevoise Avenue, Maspeth Avenue and Kingsland Avenue (Block 2885, Lots 1, 10, 20, 23, 28 and 32). This application in conjunction with related action (C 210480 ZMK) would facilitate the redevelopment of the former Greenpoint Hospital campus into a mixed-use development with two new buildings and the enlargement of two existing buildings containing 556 units of affordable housing, senior housing, replacement of a 200-bed homeless shelter, community facility uses, and light retail on the site located in the East Williamsburg neighborhood of Brooklyn, Community District 1.

RELATED ACTIONS

In addition to the zoning text amendment (N 210482 ZRK) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC or Commission) on the following applications, which are being considered concurrently with this application:

C 210480 ZMK	Zoning map amendment to rezone the project area from an R6 district to R7-2 and R7-2/C2-4 zoning district.
C 210481 ZSK	Special permit to establish a Large-Scale General Development (LSGD) pursuant to ZR Section 74-74 and 74-743(a)(2)
C 210483 HAK	Urban Development Action Area (UDAA) designation, Urban Development Action Area Project (UDAAP) approval, and disposition of City-owned property
C 210484 PPK	Disposition approval to change use restriction from a health care facility to

a general community facility use

BACKGROUND

A full background discussion and description of this application (N 210482 ZRK) appears in the report for the application of the UDAA designation, project approval, and disposition of City-owned property (C 210483 HAK).

ENVIRONMENTAL REVIEW

This application (N 210482 ZRK), in conjunction with the applications for related actions (C 210480 ZMK, C 210481 ZSK, C 210483 HAK, and C 210484 PPK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91of 1977. The designated CEQR number is 20HPD007K. The lead is HPD.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on June 18, 2021.

Community Board Review

Brooklyn Community Board 1 held a public hearing on this application (N 210482 ZRK) and the related actions (C 210480 ZMK, C 210481 ZSK, C 210483 HAK, and C 210484 PPK), on July 14, 2020, and on that date, by a vote of 20 in favor, none opposed and seven abstaining, adopted a resolution recommending approval of the application.

Borough President Review

The Brooklyn Borough President held a public hearing on this application (N 210482 ZRK) and the related actions (C 210480 ZMK, C 210481 ZSK, C 210483 HAK, and C 210484 PPK). The Brooklyn Borough President submitted a recommendation on September 9, 2021, approving this application and the related actions with conditions. A summary of the Borough President's recommendation appears in the report for the application of the UDAA designation, project

approval, and disposition of City-owned property (C 210483 HAK).

City Planning Commission Public Hearing

On August 18, 2021 (Calendar No. 5), the CPC scheduled September 1, 2021, for a public hearing on the applications (N 210482 ZRK) and the related actions (C 210480 ZMK, C 210481 ZSK, C 210483 HAK, and C 210484 PPK). The hearing was duly held on September 1, 2021 (Calendar No. 47). Six speakers testified in favor of the application and none in opposition, as described in the report for the related action (C 210483 HAK), and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application for zoning text amendment (N 210482 ZRK) is appropriate. A full consideration and analysis of the issues and reasons for approval of this application appear in the report for the related application for the UDAA designation, project approval, and disposition of City-owned property (C 210483 HAK).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on June 18, 2021, with respect to this application (CEQR No. 20HPD007K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter <u>underlined</u> is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 1

[EXISTING MAP]

Map 2 – (3/23/11)



Inclusionary Housing designated area

Excluded Area

[PROPOSED MAP]

Map 2 – (date of adoption)



Inclusionary Housing designated area

Excluded Area

Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 1, Brooklyn

* * *

The above resolution (N 210482 ZRK), duly adopted by the City Planning Commission on October 6, 2021 (Calendar No. 23), is filed with the Office of the Speaker, City Council, and the Brooklyn Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

ANITA LAREMONT, *Chair*
KENNETH J. KNUCKLES, Esq., *Vice-Chairman*
DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Cooper Park Commons			
Applicant:	HPD - NYC Dept of Housing Preservation & Development	**Applicant's Primary Contact**:	Lin Hua Zeng
Application #	210480ZMK	**Borough**:	Brooklyn
CEQR Number:	20HPD007K	**Validated Community Districts**:	K01

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: **Favorable**			
# In Favor: 20	**# Against:** 0	**# Abstaining:** 7	**Total members appointed to the board:** 27
Date of Vote: 7/12/2021 12:00 AM		**Vote Location**: WEBEX	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 7/12/2021 6:00 PM	
Was a quorum present? Yes	*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*
Public Hearing Location:	WEBEX

CONSIDERATION: Please see the attached.

Recommendation submitted by	BK CB1	Date: 7/16/2021 4:45 PM

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Cooper Park Commons			
Applicant:	HPD - NYC Dept of Housing Preservation & Development	**Applicant's Primary Contact**:	Lin Hua Zeng
Application #	210481ZSK	**Borough**:	Brooklyn
CEQR Number:	20HPD007K	**Validated Community Districts**:	K01

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Favorable			
# In Favor: 20	**# Against:** 0	**# Abstaining:** 7	**Total members appointed to the board:** 27
Date of Vote: 7/12/2021 12:00 AM		**Vote Location**: WEBEX	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 7/12/2021 6:00 PM	
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Public Hearing Location:	WEBEX

CONSIDERATION: Please see the attached.

Recommendation submitted by	BK CB1	Date: 7/16/2021 4:45 PM

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Cooper Park Commons			
Applicant:	HPD - NYC Dept of Housing Preservation & Development	**Applicant's Primary Contact**:	Lin Hua Zeng
Application #	210482ZRK	**Borough**:	Brooklyn
CEQR Number:	20HPD007K	**Validated Community Districts**:	K01

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: **Favorable**			
# In Favor: 20	**# Against:** 0	**# Abstaining:** 7	**Total members appointed to the board:** 27
Date of Vote: 7/12/2021 12:00 AM		**Vote Location**: WEBEX	

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Public Hearing Location:	WEBEX

CONSIDERATION: Please see the attached.

Recommendation submitted by	BK CB1	Date: 7/16/2021 4:45 PM

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Cooper Park Commons			
Applicant:	HPD - NYC Dept of Housing Preservation & Development	**Applicant's Primary Contact**:	Lin Hua Zeng
Application #	210483HAK	**Borough**:	
CEQR Number:	20HPD007K	**Validated Community Districts**:	K01

Docket Description:
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a. the designation of property located at 288 Jackson Avenue (Block 2885, Lot 1) as an Urban Development Action Area; and

b. an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the enlargement of two existing buildings and the construction of two new buildings containing approximately 556 affordable and senior housing units, a 200-bed homeless shelter and community facility and commercial space, Borough of Brooklyn, Community District 1.

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Favorable			
# In Favor: 20	**# Against:** 0	**# Abstaining:** 7	**Total members appointed to the board:** 27
Date of Vote: 7/12/2021 12:00 AM		**Vote Location**: WEBEX	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 7/12/2021 6:00 PM	
Was a quorum present? Yes	*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*
Public Hearing Location:	WEBEX

CONSIDERATION: Please see the attached.

Recommendation submitted by	BK CB1	Date: 7/16/2021 4:45 PM

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Cooper Park Commons			
Applicant:	HPD - NYC Dept of Housing Preservation & Development	**Applicant's Primary Contact**:	Lin Hua Zeng
Application #	210484PPK	**Borough**:	Brooklyn
CEQR Number:	20HPD007K	**Validated Community Districts**:	K01

Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c of the New York City Charter, to modify the restriction limiting use of property located at 20 Kingsland Avenue (Block 2885, Lot 10) from a health care facility use to general community facility uses, Borough of Brooklyn, Community District 1.

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Favorable			
# In Favor: 20	**# Against:** 0	**# Abstaining:** 7	**Total members appointed to the board:** 27
Date of Vote: 7/12/2021 12:00 AM		**Vote Location**: WEBEX	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 7/12/2021 6:00 PM	
Was a quorum present? Yes	*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*
Public Hearing Location:	WEBEX

CONSIDERATION: Please see the attached.

Recommendation submitted by	BK CB1	Date: 7/16/2021 4:45 PM

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 #: COOPER PARK COMMONS – 210480 ZMK, 210481 ZSK, 210482 ZRK, 210483 HAK

An application submitted by the New York City Department of Housing Preservation and Development (HPD) and Maspeth Manager, LLC for land use actions to redevelop the former Greenpoint Hospital campus occupying an entire block bounded by Jackson Street, and Debevoise, Kingsland, and Maspeth avenues in Brooklyn Community District 1 (CD 1).

a) A zoning map amendment to change the project area from R6 to R7-2 and R7-2/C2-4 districts
b) A zoning text amendment to create a Mandatory Inclusionary Housing (MIH) area coterminous with the project area
c) A special permit to establish a Large-Scale General Development (LSGD) to modify regulations governing distance between buildings, height, and setbacks on the site
d) Urban Development Action Area (UDAA) designation, Urban Development Action Area Project (UDAAP) designation, and disposition of Lot 1, comprising 146,105 square feet (sq. ft.)
e) Approval to modify a specified community facility use for the disposition of Lot 10, to permit and continue general community facility uses

The requested actions would facilitate a phased, mixed-use complex involving the construction of two new 14- and 18-story buildings, the enlargement of two existing ones, and the replacement of a 200-bed homeless shelter. The resulting development would yield 553 units of affordable and senior housing augmented by community facility uses and light retail. The project would establish connections among four privately-owned residences on the site and ensure the continued operation of the Greenpoint Renaissance Center.

BROOKLYN COMMUNITY DISTRICT NO. 1 BOROUGH OF BROOKLYN

RECOMMENDATION

☒ APPROVE
☐ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITION

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

September 9, 2021

DATE

RECOMMENDATION FOR: COOPER PARK COMMONS – 210480 ZMK, 210481 ZSK, 210482 ZRK, 210483 HAK

The New York City Department of Housing Preservation and Development (HPD) and Maspeth Manager, LLC submitted the following applications to redevelop the former Greenpoint Hospital campus, which occupies an entire block bounded by Jackson Street, and Debevoise, Kingsland, and Maspeth avenues in Brooklyn Community District 1 (CD 1).

a) A zoning map amendment to change the project area from R6 to R7-2 and R7-2/C2-4 districts
b) A zoning text amendment to create a Mandatory Inclusionary Housing (MIH) area coterminous with the project area
c) A special permit to establish a Large-Scale General Development (LSGD) to modify regulations governing distance between buildings, height, and setbacks on the site
d) Urban Development Action Area (UDAA) designation, Urban Development Action Area Project (UDAAP) designation, and disposition of Lot 1, comprising 146,105 square feet (sq. ft.)
e) Approval to modify a specified community facility use for the disposition of Lot 10, to permit and continue general community facility uses

The requested actions would facilitate a phased, mixed-use complex involving the construction of two new 14- and 18-story buildings, the enlargement of two existing ones, and the replacement of a 200-bed homeless shelter. The resulting development would yield 553 units of affordable and senior housing augmented by community facility uses and light retail. The project would establish connections among four privately-owned residences on the site and ensure the continued operation of the Greenpoint Renaissance Center.

Brooklyn Borough President Eric Adams held a hybrid in-person and virtual public hearing on this application on July 26, 2021. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the developer stated the bedroom mix would be 23 percent studios (130 units of which 53 would be reserved for seniors), 36 percent one-bedroom units (202 apartments, of which 53 would also be senior residences), 26 percent (146) two-bedroom apartments, and 13 percent (75) three-bedroom units.

The rentals would be targeted to 167 formerly homeless households (including 33 units within the Affordable Independent Residence for Seniors [AIRS] building) and 73 households with project-based Section 8 vouchers where earnings would not exceed 50 percent of Area Median Income (AMI) for the other seniors. For the remaining units, 51 would be targeted to households at 30 percent AMI, an additional 51 would be set at 40 percent AMI, 75 would be geared to 50 percent AMI, 89 would be targeted at 60 percent AMI, and 121 would not exceed 80 percent AMI. Each tier is underwritten with a three percent qualifying range. Excluding formerly homeless households and those with vouchers, earning limits would range from $25,140 to $67,040 for a one-person household to $38,790 to $103,440 for a five-person household. Rents would range from $412 for a studio at 30 percent AMI ($215 for formerly homeless residents) to $1,638 for a three-bedroom at 80 percent AMI.

In response to Borough President Adams' inquiry regarding the affordability term, it was noted that because Cooper Park Commons is a public site, an additional 15 percent of the units would be regulated through the New York City Zoning Resolution (ZR) on top of the 25 percent required by MIH Option 1. The St. Nicks Alliance (SNA) attested that it would retain all units as permanently affordable without regard to any regulatory term established by HPD.

In response to Borough President Adams' inquiry regarding what steps would be taken in the tenant selection process to ensure the highest level of participation from CD 1, and whether the applicant's marketing strategy would include a financial literacy campaign to assist local residents in becoming lottery-eligible, it was noted that SNA would conduct extensive outreach to the community, including residents of Cooper Park Houses and area senior centers. Per its standard procedure, SNA would work to familiarize applicants with HPD's Housing Connect system.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, wind turbines, and/or New York City Department of Environmental Protection (DEP) rain gardens, the developer stated that the tallest buildings would accommodate a solar energy system. Otherwise, roofs would be white, new construction would be passive house standard or LEED Gold, and Skillman Avenue rain gardens and tree pits along Maspeth Avenue would capture stormwater, though this is under discussion with City agencies. It is believed that wind-turbines would not provide enough energy to justify the investment. Consideration would be given to solar facades though dark tile would not mesh well with the color of the existing buildings.

Consideration

Brooklyn Community Board 1 (CB 1) voted to approve this application with conditions on July 12, 2021.

The development site is part of the former Greenpoint Hospital campus, which includes four privately-owned affordable residences, operated by the Neighborhood Women Housing Development Fund Company, Inc. (the "Neighborhood Women HDFC"), an affiliate of SNA. Two of the buildings are located near the intersection of Jackson Street and Kingsland Avenue, and two abut the intersection of Debevoise Avenue and Jackson Street. All will be retained in their current configuration and continue to provide affordable housing. The Greenpoint Renaissance Center (operated by SNA) is also part of the rezoning, though it is not included in the LSGD.

The development site contains three existing buildings on the City-owned disposition area. The five- and six-story former Greenpoint Hospital, situated in center of the project area, contains the Barbara Kleinman Residence. This 200-bed shelter would be relocated to the four-story former Nurses' Residence to facilitate the Hospital building's renovation. The four-story former Nurses' Residence, at the intersection of Maspeth and Debevoise avenues, would also be rehabilitated. Finally, the Hospital's former power plant and current New York City Department of Homeless Services (DHS) laundry facility, located on the south side of Jackson Street midway between Kingsland and Debevoise avenues, would be demolished to allow for residential development.

Cooper Park Commons would be constructed in four phases. The vacant Nurses' Residence would be rehabilitated with a small one-story enlargement. The adult male shelter would be operated by Project Renewal in consultation with a community advisory board. The building would also house a medical clinic, and social services offices. This would be followed by the construction of a mixed-use, 12- to 18-story 100 percent affordable development on vacant land fronting on Maspeth Avenue. This building would contain 310 studio, one-bedroom, two-bedroom, and three-bedroom units, plus a health clinic, social services such as a career center, and a café. It would also provide enclosed parking for 156 bicycles. Following the relocation of the Barbara Kleiman homeless shelter, the Greenpoint Hospital would be converted and enlarged into a 106-unit AIRS, with a mix of studio and one-bedroom apartments. Following the demolition of the laundry and power plant, 14-story mixed-use building with 137 affordable units would be constructed on Jackson Street. It would contain a mix of studio, and one-, two-, and three-bedroom units and 5,318 sq. ft. of community facility floor area, proposed as a senior center. It would have enclosed parking for 69 bicycles.

Cooper Park Commons would contain approximately 70,650 sq. ft. of publicly accessible open space, of which 10,860 sq. ft. would be developed in the first phase; 24,880 sq. ft. would be developed in the second phase, followed by 29,900 sq. ft. in the third phase, and the final 5,000 sq. ft. in the fourth phase.

Pursuant to the ZR, income-restricted housing units are exempt from off-street parking requirements, and no such parking is mandated for non-residential uses. The developer would voluntarily provide a 15-space parking lot for the social service program staff south of the Jackson Street building that would be accessed via Kingsland or Debevoise avenue and exited on Jackson Street. A second parking lot containing five spaces for building and program staff is proposed along Debevoise Avenue, north of the former Nurses' Residence.

The underlying zoning on the block is R6 with a maximum residential floor area ratio (FAR) of 2.2 on narrow streets and 3.0 on wide streets, according to Quality Housing regulations. Up to 3.90 FAR, with a maximum height of 75 feet may be permitted with the inclusion of AIRS. The community facility FAR is 4.8 for buildings without sleeping accommodations. The proposed R7-2 and R7-2/C2-4 districts permit 4.6 MIH residential FAR, 5.01 for AIRS and 6.5 for community facilities without sleeping accommodations. As proposed, the development would be constructed to 3.49 FAR, including 107,358 sq. ft. (0.59 FAR) of AIRS, and 528,698 sq. ft. (2.9 FAR) of non-AIRS floor area.

The proposed LSGD Special Permit would allow greater flexibility for better site planning and urban design. The LSGD Special Permits waivers would yield a better site plan and relationships among buildings and open areas to streets surrounding the development.

The restricted use of the Greenpoint Renaissance Family Health Center would be expanded from family health care to general community facility use to reflect the proposed independent job skills program, and a preparation and placement center for careers in health care.

The surrounding context includes a wide range of uses including one- and two-family residences, elevator apartment buildings, as well as local retail and manufacturing. Directly to the east and north is a superblock containing the New York City Housing Authority (NYCHA) Cooper Park Houses made up of 11 eight-story buildings with 700 units. The remainder of the superblock is defined by two-story one- and two-family homes along Maspeth Avenue that adjoin the southeast corner of the project site. The blocks to the south and west are characterized by one- and two-family homes ranging from one to three stories. Commercial uses are generally limited to ground-floor retail within residential buildings on Kingsland and Metropolitan avenues. The blocks to the east of Cooper Park Houses contain a concentration of industrial and manufacturing uses. Immediately south of the site is the 6.4-acre mapped Cooper Park, which includes a dog run, small playgrounds, pocket parks, and various sports courts.

Brooklyn is one of the fastest growing boroughs in the New York City metropolitan area. Its ongoing renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their neighborhoods. Borough President Adams is committed to addressing Brooklyn's affordable housing crisis through the creation and preservation of units for very low- to middle-income households.

Borough President Adams supports the development of underutilized land to address the City's need for affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible.

Borough President Adams supports actions to facilitate Cooper Park Commons based on the expectation of permanently affordable residential floor area. A percentage of the anticipated 553 units, including an additional 15 percent required for public sites, would be pursuant to MIH. Such residential floor area, resulting from additional zoning rights, would be affordable in perpetuity. While the non-MIH apartments would be governed by a regulatory agreement with HPD, it is expected that these units would be preserved as part of SNA's core mission. The requested zoning amendment and HPD financing would also ensure that the project's affordability is maintained beyond the regulatory term. Such development is consistent with Borough President Adams' policy for new residential developments to produce permanently affordable housing.

The Cooper Park Commons affordability program would target low- and moderate-income households, in line with Borough President Adams' objective to provide affordable housing at various AMIs. According to the applicant, approximately 50 percent of the rental units would be geared toward households below 50 percent AMI, achieving deep affordability for residents within and outside CD 1.

In addition, as a mission-driven non-profit, SNA would be expected to act as a capable administrator of the proposed development. Their involvement would also help guarantee that the non-MIH units remain affordable in perpetuity. The Cooper Park Commons UDAAP would be consistent with Borough President Adams' policy for new development on City-owned sites to result in permanently affordable housing.

Borough President Adams advocates permanent housing for those seeking refuge in shelters. Cooper Park Commons presents an opportunity to integrate such units with affordable apartments for low- and moderate-income households. Due to a rise in rents versus real income and other recent trends, some former residents of CD 1 have been swept into the City's cumbersome shelter system. Though it is possible that some would return by moving into local transitional accommodations, such facilities do not provide long-term stability.

In 2016, HPD established its Our Space Initiative, which funds supportive services for rental units affordable to formerly homeless households at or below 30 percent AMI. The subsidy supplements funding available through HPD's New Construction Finance programs. Though Cooper Park Commons would not incorporate the Our Space Initiative, it would reserve a 31 percent of units for formerly homeless households, including seniors. According to the applicant, As such, it is consistent with Borough President Adams' policies to set-aside units for the formerly homeless in developments built on public land.

Moreover, in CD 1 and across New York City, there is a pressing need for affordable and stable housing among elderly adults, homeless households, low-income families, and other populations. Increasing the supply of affordable apartments for a range of incomes and household types in mixed-use buildings is a critical strategy for promoting a sustainable neighborhood and city.

Borough President Adams is particularly concerned about affordable housing for New York City's rapidly growing senior population, which numbers 300,000 in Brooklyn alone. DCP's "Zoning for Quality and Affordability" (ZQA) study cited 60 applicants for every apartment in HPD's senior housing developments. LiveOn NY estimates that seniors on those waiting lists face an average wait of seven years. Borough President Adams seeks to advance more City projects, such as this proposal, that prioritize permanently affordable units for older residents.

A recent report has identified that rent-burdened households applying for apartments through affordable housing lotteries are more likely to need family-sized units. Borough President Adams seeks an affordable unit mix that adequately reflects the needs of low- to middle-income rent-burdened families. Such targeted distribution is especially vital in subsidized development on public land, which tends to provide deeper affordability than privately financed, market-rate construction.

The MIH program targets affordable housing units to a broad range of incomes, consistent with Borough President Adams' objective to extend such opportunities to households at various AMI tiers. MIH Option 1 would designate 25 percent of the floor area as affordable to households at an average 60 percent AMI, of which 40 percent must be offered at 40 percent AMI. As Cooper Park Commons would be built on City land, an additional 15 percent of its 553 units would have to be pursuant to MIH. Development adhering to the MIH program is consistent with Borough President Adams' policy that income-restricted housing remains affordable in perpetuity.

It is Borough President Adams' policy for housing non-profits to play a role in maximizing community participation in neighborhood affordable housing opportunities. Administering non-profits are responsible for ensuring that the affordable housing units comply with the regulatory agreement that governs a project's affordable housing plan. Tasks include verifying a prospective tenant household's qualifying income, approving the rents of affordable units, and submitting an affidavit to HPD attesting that the initial lease-up is consistent with the income requirements.

Borough President Adams recognizes that SNA is an established and successful non-profit housing developer in CD 1. They participate in HPD's Housing Ambassadors Program, which trains local community groups to provide free technical assistance and financial counseling to residents who wish to apply for affordable housing. HPD's Housing Ambassadors Program and other locally based non-profits have proven track records of successfully marketing affordable housing units, as well as promoting affordable housing lottery readiness through educational initiatives. It is expected that SNA would implement such an outreach process as part of their marketing strategy for Cooper Park Commons.

Borough President Adams is also concerned that too many Brooklyn residents are currently unemployed or underemployed. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2015," double-digit unemployment remains a pervasive reality in in the borough with more than half of community districts reporting poverty rates of 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as locally based enterprises (LBEs) and minority- and women-owned business enterprises (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 who 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).

As funding for Cooper Park Commons includes financing for which HPD contributes no less than $2 million, Maspeth Manager, LLC would be required to adopt HPD's MWBE Building Opportunity Initiative Build Up program and meet additional New York State labor participation requirements. Borough President Adams believes that, based on the Build Up program and State requirements, there would be reasonable opportunities to address LBE/MWBE participation disparities in affordable housing development. Additionally, projects that receive HPD subsidies are required to spend at least one-quarter of HPD-supported costs on certified MWBEs in the design and construction process. Finally, the project would participate in both Hire NYC and SNA workforce programs, which are both focused on local hiring.

Borough President Adams believes that the requested density is appropriate, as the development site is convenient to public transportation. The Graham Avenue subway station on the 14th Street – Canarsie Local L line is approximately 0.4 miles away from the project area. The B24 bus line runs along Kingsland Avenue with two stops proximate to the development block.

Borough President Adams supports applications enabling the development of Cooper Park Commons. He calls on HPD and the developers Maspeth Manager, LLC to provide a family-oriented bedroom mix, maximize outreach to seniors, incorporate resiliency and sustainability measures, implement

Vision Zero improvements and promote car-sharing. Finally, he calls on the Administration to extend community preference to families of homeless students in local schools and qualify rent-burdened households for affordable housing lotteries.

Bedroom Mix

When reviewing rezoning proposals for affordable housing developments, Borough President Adams seeks a unit mix that adequately reflects the needs of low- and moderate-income families. Maspeth Manager, LLC has expressed intent to provide a mix of studio, and one-, two-, and three-bedroom units, with at least 39 percent configured as family-sized apartments (excluding the AIRS component, about half of the project's 447 affordable units would have two and three bedrooms). However, there is no guarantee that the Cooper Park Commons bedroom mix would be consistent with Borough President Adams' policy to achieve family-oriented affordable housing units.

Borough President Adams believes that right-sizing the bedroom distribution within the affordable housing floor area is more important than maximizing the number of MIH units. Though the applicant is interested in providing larger apartments, development pursuant to MIH lacks leverage to require affordable units with multiple bedrooms. Borough President Adams believes that it is appropriate to use discretionary land use actions to advance policies that constrain what would be permitted as-of-right.

Borough President Adams seeks a binding commitment to secure what has been represented to the community. For this project, it is important to mandate that the developer provide affordable housing pursuant to ZR Section 23-96(c)(1)(ii), with at least 50 percent of the units containing two or three bedrooms and at least 75 percent configured with one or more bedrooms.

Therefore, prior to considering the application, the City Council should obtain written commitments from HPD that its LDA with Maspeth Manager, LLC would require that at least 50 percent of the Cooper Park Commons apartments to have two or three bedrooms, and at least 75 percent to have one or more bedrooms.

Maximizing Affordable Housing Opportunities for Seniors

In addition to family-sized units, there is a pressing need to build affordable apartments for the elderly, many of whom have limited means. As noted in DCP's ZQA study, New York's senior population is expected to grow 40 percent by 2040. The combination of rising housing costs across Brooklyn and declining production of age-based affordable housing has created a severe rent burden for seniors. Many elderly households are struggling to remain in their homes and are exhausting their life's savings to keep up with living expenses until they are displaced from their communities.

A significant number of elderly households have negligible income and are at risk for displacement. As the Federal government has moved away from funding affordable housing for seniors, too few such rental apartments are being built, leaving tremendous demand for age-based affordable housing. As a result, many elderly households are experiencing increased and unsustainable rent burdens. One of Borough President Adams' top priorities is to help Brooklyn seniors secure affordable housing and remain in their neighborhoods. He seeks the advancement of more City projects, such as this proposal, which would result in permanently affordable units for older residents.

While Borough President Adams typically seeks a 50/50 blend of studios, one-bedrooms, two-bedrooms, and three-bedrooms, he believes that when studio and one-bedroom units are rented at 30, 40, and 50 percent AMI, such apartments might be more affordable to senior households. Beyond the dedicated AIRS units, there should be opportunities to accommodate eligible seniors through set-asides for the formerly homeless and units geared to 30, 40 and 50 percent AMI.

With targeted marketing efforts, it is reasonable to expect that a greater share of studios and one-bedrooms at lower AMIs would be awarded to seniors. Borough President Adams calls on SNA to ensure significant outreach to area seniors as part of their marketing and financial literacy efforts, to ensure that the AIRS units benefit older residents of Greenpoint/Williamsburg.

Therefore, prior to considering the application, the City Council should obtain written commitments from HPD that its LDA or regulatory agreement with Hudson Inc. would implement outreach efforts to seniors earning up to 40 percent AMI for single- and dual-person households, including the formerly homeless, to maximize their participation in the Gowanus Green affordable housing lottery.

Therefore, prior to considering the application, the City Council should obtain written commitments from HPD that its LDA with Maspeth Manager, LLC would memorialize outreach efforts to seniors, including the formerly homeless, to maximize their participation in the Cooper Park Commons housing lottery.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

It is Borough President Adams' policy to advocate for 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 newly constructed buildings as well as those undergoing renovation (with some exceptions) to incorporate a green roof and/or solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate, which Borough President Adams believes developers should exceed 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. Micro wind turbines can generate sustainable energy for taller buildings and developments near the waterfront. Finally, passive house construction achieves energy efficiency while promoting local construction and procurement.

Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021 outlined policies to rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated investments in renewable energy and battery storage to move beyond reliance on natural gas and dirty "peaker plants" disproportionally 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 new developments, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes it is appropriate for Maspeth Manager, 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 development. One such program, the City's Green Roof Tax Abatement (GRTA) provides a reduction of City property taxes by $4.50 per sq. ft. of green roof space, 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 applicant to contact his office for further coordination on this matter.

As part of his resiliency policy, Borough President Adams seeks to advance stormwater management best practices including permeable pavers and/or rain gardens that promote DEP's green infrastructure agenda. 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 comprehensive green infrastructure strategy. Where it is not advisable to remove street trees, it's possible to integrate stormwater retention measures into existing tree pits, with additional plantings to 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 Newtown Creek Wastewater Treatment Plant.

The required Builders Pavement Plan (BPP) for the proposed development provides an opportunity to install DEP rain gardens along the development site's Jackson and Maspeth avenues frontages. The ZR requirement to plant street trees provides shade on excessively hot days, helps combat the urban heat island effect, and provides other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris that can clog the inlet/outlet and prevent water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to ensure proper water absorption.

Borough President Adams believes that Maspeth Manager, LLC should consult DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) about the integration of rain gardens with street trees as part of the BPP. If there is interest in implementing an enhancement, advance consultation should be initiated with CB 1 and local elected officials.

Therefore, prior to considering the application, the City Council should obtain written commitments from HPD that the LDA with Maspeth Manager, LLC would memorialize integration of additional resiliency and sustainability measures at Cooper Park Commons.

Advancing Vision Zero Policies

Borough President Adams supports Vision Zero policies, including practices that extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams launched his own initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, $1 million was allocated to fund five dangerous intersections in Brooklyn. Curb extensions provide additional sidewalk space for seniors and families especially near dangerous intersections. At the same time, all roadway users benefit from safer streets.

The Cooper Park Commons site is located just outside the North Brooklyn Industrial Business Zone (IBZ). Moreover, the eastern portion of Maspeth Avenue is a designated DOT local truck route with intersections that lack stop signs or traffic lights. Per his CROSS Brooklyn initiative, Borough President Adams believes there is an opportunity to implement curb extensions at the northeast corner of Maspeth and Debevoise avenues. Given the mixed community facility and residential character of this section of CD 1, the site's proximity to Cooper Park, and NYCHA's Cooper Park Houses, as well as the anticipated new residents, it is vital to enhance pedestrian safety at this location. Such improvements would also benefit the Greenpoint Renaissance Center, which provides community enrichment programs during work hours and after school.

Borough President Adams recognizes that costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore protected painted sidewalk extensions as roadbed surface treatment or as part of a BPP. Implementing a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. If the

implementation meets DOT criteria, Maspeth Manager, LLC should consult CB 1 and local elected officials, and then undertake the improvements as part of its BPP.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from HPD that its LDA with Maspeth Manager, LLC would memorialize coordination with DEP, DOT, and NYC Parks for a curb extension at the northeast corner of Maspeth and Debevoise avenues as a BBP element or a treated roadbed sidewalk extension. All parties should affirm that implementation would be premised on advance consultation with CB 1 and local elected officials. The City Council should seek an additional commitment from Maspeth Manager, LLC to enter a standard DOT maintenance agreement if the curb extension is provided as a treated roadbed sidewalk extension.

Promoting Access to Car-Share Vehicles

Borough President Adams supports the establishment of Transit Zones in the ZR to enable affordable housing development without parking requirements for affordable housing floor area. He also advocates alternatives to car ownership such as bicycle and car share services. A rental car can provide mobility in certain cases, though it is not as flexible as car ownership and can be expensive for longer trips. Car rental requires, at minimum, a full day reservation as well as time and effort to access such facilities. However, there are times when affordable access to automobiles can provide a quality-of-life enhancement, even for wealthier households. Furthermore, research suggests that car-share achieves environmental benefits by reducing automobile use among car owners.

Borough President Adams believes that facilitating car-share at this location would benefit residents of the proposed development, Cooper Park Houses, and adjacent communities. As noted earlier, this 100 percent affordable housing development would not be required to provide parking. However, the developer has expressed intent to accommodate 20 ground-level spaces, primarily for support staff. Based on ZR regulations for provided accessory parking, such spaces could also accommodate car-sharing vehicles. According to ZR Section 36-46(a)(1), a car-sharing entity is permitted to occupy up to five parking spaces, though no more than 20 percent of all spaces in group parking facilities. Cooper Park Commons is expected to add more than 500 households to the area; they would be less likely to own cars. A significant number of Cooper Park Houses residents also lack access to automobiles. Borough President Adams believes that a limited number of the 20 spaces at Cooper Park Commons should be set aside for car-share vehicles through dialogue with car-sharing companies.

To accommodate such rental vehicles within the garage, the developer would have to provide visible signage, per ZR Section 36-523, and state the total number of spaces, as well as the maximum number of car-sharing vehicles. Therefore, prior to considering this application, the City Council should obtain written commitments from HPD that the LDA with Maspeth Manager, LLC engage car-sharing companies to lease parking spaces at Cooper Park Commons.

Community Preference: Inclusion of Homeless Shelter Student Population by School Zone

New York City's community preference policy requires that 50 percent of affordable units filled through affordable housing lotteries be reserved for residents in the host community. There are additional pathways for priority selection through the lottery such as United States Armed Forces veteran status, certain disabilities, and other categories. Given the significant increase in the number of homeless families with school-aged children entering the public shelter system, Borough President Adams believes it is appropriate for HPD to extend local lottery preference to the school zone attended by children of households residing at immediate and neighboring City-funded or -operated homeless shelters.

According to an annual report by Advocates for Children of New York, 31,158 Brooklyn students — nearly one in 10 enrolled — experienced homelessness during the 2018-2019 school year, defined as either living in shelters or doubling up with friends and family. The number of such students in charter and public schools has increased every school year since 2014-2015. Homelessness has profound impacts on school

performance, as such students are more likely to have longer commutes or to transfer schools in the middle of the year, leading to chronic absences, lower graduation rates, and higher dropout rates.

Many parents and students find it important to maintain school continuity despite the circumstances faced by households dependent on the City's shelter system. Borough President Adams believes that the City should take responsible action to eliminate or reduce such hardships, by enabling economically burdened households with children attending public schools to qualify for community preference in the school's community district. According to the Institute for Children, Poverty & Homelessness (ICPH), there are multiple public schools in proximity to the proposed development in Community School District 14 (CSD 14), where the proportion of homeless students is eight to 17 percent.

Borough President Adams believes that HPD should modify its affordable housing lottery community preference standards to include the school zone attended by a child of a household residing at a City-funded or -operated homeless shelter.

Accommodating Rent-Burdened Households in Lieu of Strict Area Median Income Standards

Data shows that more than 80 percent of New York City households earning 50 percent of AMI or less are rent-burdened. The crisis is even worse among those making 30 percent of AMI or less, currently $32,220 for a family of three. More than 50 percent of this population pays more than half of their income toward rent. Finally, nearly one third of New York City households earn less than $35,000 and more than one-fifth — over two million people — earn less than $25,000 annually. As the City's housing crisis grows worse, the burden falls most heavily on these low-income households, exacerbating racial disparities. According to the CHPC, one in four households of color is severely rent-burdened, which is 11 percent more than Caucasian households.

A strict rent-to-income requirement of no more than 30 percent prevents many rent-burdened households, who are often paying the same or greater rent for an apartment from applying for new affordable housing. As noted in his East New York Community Plan ULURP recommendation, Borough President Adams believes it's time to stop excluding families paying too much for substandard accommodations from affordable housing lotteries. He seeks to qualify rent-burdened households for the lottery process, which would maximize their opportunities to secure affordable housing and expand the number of households eligible for affordable housing lotteries.

One way to address this disparity is by amending the ZR AMI qualifications to include households that would maintain or reduce their rent burden. For MIH lotteries, DCP needs to modify the ZR to allow exceptions to the 30 percent of income limit so that those who are rent-burdened and paying equal or greater rent than that of the lottery unit would be eligible to live in new and quality affordable housing. Borough President Adams believes that the CPC and/or the City Council call for modification of the ZR MIH section pertaining to special bulk regulations, to allow rent-burdened households to qualify for MIH affordable housing units.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) incorporate in its Land Disposition Agreement (LDA) or Regulatory Agreement with Maspeth Manager, LLC commitments to:

a. Provide an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-bedroom and larger units, but for studios targeted to households not exceeding 40 percent AMI

b. Implement outreach efforts to seniors earning up to 40 percent AMI for single- and dual-person households, including the formerly homeless, to maximize their participation in the affordable housing lottery

c. Install curb extensions at the northeast corner of Maspeth and Debevoise avenues either as part of a Builders Pavement Plan (BPP) or as treated roadbed sidewalk extensions, with the understanding that New York City Department of Transportation (DOT) implementation would require advance consultation with Brooklyn Community Board 1 (CB 1) and local elected officials

d. Enter into a standard DOT maintenance agreement for the northeast corner of Maspeth and Debevoise avenues

e. Advance protected painted areas as an enhanced community amenity for northeast intersection of Maspeth and Debevoise avenues as part of a BPP and/or as treated roadbed sidewalk extensions, with the understanding that DOT implementation would require advance consultation with CB 1 and local elected officials

f. Coordinate with the New York City Department of Environmental Protection (DEP), and the New York City Department of Parks and Recreation (NYC Parks) to install DEP gardens as part of a BPP along Jackson and Maspeth avenues, in consultation with CB 1 and local elected officials

g. Integrate resiliency and sustainability measures, such as blue/green/white roof treatment, grid-connected rooftop batteries, passive house construction, solar panels and/or façades, and/or wind turbines

h. Engage car-sharing companies to lease multiple spaces within the development's parking facilities in consultation with CB 1 and local officials

2. That HPD modify its affordable housing lottery community preference standards to include the school zone, thus capturing the population of public schoolchildren residing at City-funded or -operated shelters

3. That the CPC and/or the City Council call for modification of the ZR MIH section with a requirement that permits households with rent-burdened status to qualify for MIH affordable housing lotteries (allow for exceptions to the 30 percent of income threshold for households paying the same or higher rent than what the housing lottery offers).