Revised

41 Richards Street, Brooklyn NY
Attachment to Form LR
Item 3 – Description of Proposal

I. INTRODUCTION

This is an application made by 54 Richards Street LLC (the "Applicant") to rezone 4 tax lots on Block 512 located along the Richards Street blockfront between Seabring and Commerce Streets within Community District 6 in the Red Hook neighborhood of Brooklyn ("41 Richards Street"). The current zoning district is M1-1 and the proposed zoning district is M1-5.

These Tax Lots are as follows: Block 512, Lot 13, Lot 20, Lot 22, and P/O Lot 25.
The 41 Richards Street rezoning would facilitate the development of one building with approximately 66,319 square feet of mixed light manufacturing/industrial uses, 15,947 square feet of commercial office uses and 2,730 square feet of retail uses.

II. BACKGROUND

The current M1-1 zoning district that the Applicant proposes to rezone has existed since 1961. A review of historical Zoning Map16a from 1961 to date shows only 2 rezonings within either 600 feet of the Richards Street Rezoning or in the surrounding area.

On February 17, 1971 (CP21447), an area located to the southeast of 41 Richards Street, formerly an R5 zoning district, was rezoned to an R6 district. This rezoned area contains Red Hook (Coffey) Park and a portion of the New York City Housing Authority Red Hook Houses.

In February 25, 2002 the City Council passed a resolution approving the decision of the City Planning Commission on ULURP No. C 000539ZMK, a zoning map change to rezone a one block area (Block 523) bounded by Verona Street, Richards Street, Delevan Street and Dwight Street from an M1-1 zoning district to an R6 zoning district to facilitate the residential redevelopment of the predominately vacant existing one-to-four floor loft buildings on Lots 13 and 18, with a 46-space parking lot on the northern portion of Lot 1, which was improved by a contractors' yard and a telecommunications tower.

III. DESCRIPTION OF THE SURROUNDING AREA

41 Richards Street is located in an M1-1 zoning district within Community District 6 in the northern section of the Red Hook neighborhood of Brooklyn. The Project Area is comprised of Block 512, Lot 13, Lot 20, Lot 22, and P/O Lot 25, bounded by Richards Street to the north, Seabring Street to the east, Commerce Street to the West and Columbia Street to the south. Hamilton Avenue and the entrance to the Hugh L. Carey tunnel lie one block north of the project area and Atlantic Basin lies 3 blocks to the northwest of the project area.

The Surrounding Area is primarily zoned M1-1. The maximum Commercial and Manufacturing Floor Area Ratio (the "FAR") in the M1-1 zoning district is 1.0 and the maximum Community Facility FAR in the M1-1 zoning district is 2.40. New residential use is not permitted in an M-1 zoning district.

The existing land uses in the area are primarily comprised of one, two and three story industrial uses (including numerous warehouses and storage) uses, a baking manufacturer, two auto body/collusion and repair shops, a steel fabrication shop, a chocolate manufacturer, a window manufacturer and a realtor's office, open parking facilitates and narrow (12'-24' x 100') two, three and four story single family and mixed used buildings along the eastern and western peripheries of the area. Within the Surrounding Area is a single R6 district containing the loft building built pursuant to the 2002 CPC rezoning described above and the eight-acre Coffey Park.

Both sides of Richards Street, a 60-foot-wide street with a southerly traffic flow from Bowne to Delavan Streets are improved by industrial buildings, with 80 Richards Street, a single 6 story ninety two (92) foot high industrial building that also contains a film studio, artist studios and a woodworking shop that occupies the entire western frontage between Delevan and Verona Streets.

From Verona to Pioneer Streets in the R5 district, the western side of Richards Street is occupied by one, two and three story community facility and two to three story single and two-family residences.

Along both sides of Richards Street, the land uses between Bowne and Seabring Streets, both 60-feet wide, are comprised of one and 2 story industrial buildings, used primarily for warehouse uses. To the west of Richards Street between Seabring and Commerce Streets, also 60 feet wide, are primarily larger one story industrial buildings, with four residential buildings located on the southwest corner of these two streets. To the east of Richards Street between Seabring and Commerce Streets are 1 and 2 story industrial buildings, along with a row of primarily 12 foot wide 3-story residential and mixed-use buildings located along the easternmost portion of the block that fronts on Columbia Street. Between Commerce and Delevan Streets (both 60 feet wide) on both sides of Richards Street are numerous 1, 2 and 3 story industrial buildings, a parking lot and several parcels of vacant land, with 3 larger 1 story through lot buildings located on Block 522 to the west of Richards Street.

The primary commercial corridor in the Surrounding Area is Van Brunt Street, a 70-foot-wide two-way street located one block west of Richards Street.

Van Brunt Street has become the main commercial hub in the area. Along Bowne to Commerce Streets, the buildings that front along both sides of Van Brunt Street are one-story industrial buildings, with the exception of Extech Buildings Materials, a 71,000 square foot warehouse that spans the two blocks from Bowne to Commerce Streets in the M2-1 district along the western side of Van Brunt. Along the east side of Van Brunt between Commerce and Verona in the M1-2 zoning district and the west side of the Van Brunt Street frontage from Seabring to Pioneer Streets in both the M1-1 and M1-2 zoning districts, the buildings fronting Van Brunt Street are primarily narrow (25' x 90') 3-4 story single and two family and multi-family residential dwellings and 3-4 story mixed residential and commercial use buildings, interspersed with parking lots and a few remaining small 1-2 story narrow industrial buildings.

The land uses between Delevan, Verona Streets (both 60 feet wide) and Van Brunt Streets in the M1-1 zoning district along the western side of Richards Street, are comprised of several 1 and 2 story industrial buildings of varying sizes, one very large 6 story industrial building that occupies the entire eastern blockfront, as well as vacant lots, parking and residential uses. The block to the east of Richards Street between Delevan, Verona and Dwight Streets was rezoned to R6 in 2002 to permit residential use and is improved by a forty-three foot, 6 story multiple dwelling on its eastern blockfront fronting on Richards Street.

The 60-foot wide Columbia Street below Hamilton Avenue to the south of Luquer Street forms a portion of the easternmost border of the Surrounding Area. The western and eastern frontages of Columbia Street that lie within the M1-1 zoning district are primarily improved with narrow 2 and 3 story single-and two-family dwellings, 3-story multifamily residential buildings, parking facilities and vacant lots. Columbia Street then branches off into Dwight Street. The northern side of Dwight Street is bordered by a large storage facility between Commerce and Delevan Street and the 3 and 4 floor residential loft building in the R6 zoning district between Delevan and Verona Streets. The southern side of Dwight Street, between Delevan and Verona Streets lies within an R6 zoning district and is improved by 3 story garden apartments. South of Verona Street, the Red Hook NYCHA housing project lies on both the east and west sides of Dwight Street in an R6 zoning district.

Verona Street (60' wide) is located along the southernmost border of the Surrounding Area in an R6 zoning district. Coffey Park is located to the southeast of Richards Street and south of Verona Street in the R6 zoning district.

To the south of the proposed Richards Street Rezoning, the Church of the Visitation and the New York City Civil and Criminal Court-Red Hook Community Justice Center occupy a large portion

of the block between Verona, Visitation, Van Brunt and Richards Streets. Measuring over 80,000 square feet, P.S 15, also known as the Patrick F. Daly Magnet School of he Arts, serving PreK to the 5th grade, is located at 71 Sullivan Street. Red Hook Recreation Area and the Louis J. Valentino Jr. Park and Pier are located approximately one mile from the Development Site along Red Hook's southern border.

The Brooklyn Battery Tunnel approach and the intersection of the Brooklyn Queens Expressway with the Gowanus Expressway lie to the northeast of the Development Site, separating Red Hook from the Columbia Street and Carroll Gardens neighborhoods to north. Delevan Street between Columbia and Van Brunt Streets is a designated local truck route.

The B61 bus route serves the. Surrounding Area. The B61 runs from Smith Street to 19th Street Prospect Park West via Red Hook is as follows: Smith Street — Fulton Street (to "Prospect Park" only) — Boerum Place (to "Prospect Park" only) — Atlantic Avenue — Columbia Street — Hamilton Avenue (backward: Carroll Street) — Van Brunt Street — Beard Street (backward: Van Dyke Street) — (IKEA) — Otsego Street (backward: Dwight Street) — Lorraine Street — Clinton Street (backward: Court Street) — Mill Street (to "Prospect Park" only) — Garnet Street (to "Prospect Park" only) — Smith Street (backward: West Ninth Street) — Ninth Street — Eight Avenue (to "Fulton Street" only) — 15th Street (to "Fulton Street" only) — Prospect Park West — 20th Street (to "Prospect Park" only) — Eight Avenue (to "Prospect Park" only) — 19th Street (to "Prospect Park" only.

The Ferris Street and Clinton Wharf New York City Ferry stop is located to the east of the Project Area along the nearby Atlantic Basin. The walk between the Ferry stop and the rezoning area is approximately 13 minutes. A Citibike stand is now located on Delevan and Richards Street within the proposed re-zoning area.

A portion of the Southwest Brooklyn IBZ is located in the M2-1 zoning district to the west of the 41 Richards Street and extends into the M2-1 and M3-1 zoning districts that lie approximately one mile to the south and southeast of 41 Richards Street.

The Surrounding Area is located within a Transit Zone area and a FRESH Discretionary Tax Incentive area. In addition, the Surrounding Area is located in the Special Flood Hazard Area, also known as the 100-year floodplain or the 1% annual chance floodplain, within an A Zone.

VAN BRUNT STREET

On the east side of Van Brunt Street from Bowne to Verona Streets, eight of the buildings that front on Van Brunt Street are one and two-story industrial buildings, with 4 measuring from twenty-five feet by ninety feet. Three of the remaining buildings are approximately fifty feet wide, one is seventy-five feet wide, with depths varying from ninety to one hundred eighty and one hundred ninety feet. From Verona to Pioneer Streets, 2 of the buildings fronting on Van Brunt are 1-story industrial buildings; 5 are three and four-story single or multi-family residential buildings and 9 are 3 and 4story buildings with ground floor commercial use and residential use above. Fifteen of these sixteen buildings are only 17.5 to twenty-five feet in width and ninety to one hundred feet in depth with only one building measuring one hundred fifteen feet in width and one hundred feet in depth.

On the west side of Van Brunt Street from Bowne to Verona Streets in the M2-1 zoning district, 7 of the buildings are one and two-story industrial buildings; 7 of the buildings are two and three-story single or multi-family residential dwellings; 2 are three and four-story buildings with ground floor commercial use and residential use above and 2 are parking lots. Thirteen of the buildings are seventeen to eighteen feet in width and eighty to ninety feet in depth. One 2-story, twenty-six foot high industrial building occupies 2 blocks, running north to south from Bowne to Commerce Streets and east to west from Van Brunt to Imlay Streets on Block 507, Lot 50. It measures approximately four hundred and sixty feet in length by one hundred and eighty feet in width and contains approximately 59,400 square feet of floor area. The other industrial building on this block (Lot 1) contains 6,500 square feet of floor area and the building located on the corner of Commerce and Imlay Streets (Lot 6) contains approximately 5,000 square feet of commercial floor area.

On the west side of Van Brunt Street from Verona to Pioneer Streets, there is 1 industrial building; 5 two and three-story single or multi-family residential buildings; 8 two, three and four-story buildings with ground floor commercial use and residential use above; one commercial office building; 4 parking lots and two vacant parcels. The majority of the buildings are narrow, with only approximately 8 of the buildings exceeding eighteen feet in width and 3 exceeding eighty to one hundred feet in depth.

Just outside the Surrounding Area along Van Brunt Street, from Visitation Place to Coffey Street, in the R5 zoning district, a C1-3 commercial overlay is mapped along both the eastern and western Van Brunt blockfronts. These 6 blocks have become one of Red Hook's main commercial corridors. Clothing stores, antique furniture stores, restaurants, a vinyl record shop, a bicycle sales and repair shop, bakeries and an ice cream factory are just some of the businesses that have provided the residents of Red Hook with an enlivened and renewed shopping destination and streetscape.

The northern portion of Van Brunt Street that runs from Bowne to Sea bring Street is primarily industrial uses. A gas station, Stumptown Coffee (wholesale), Extech Building Materials, a building material wholesaler and delivery service, and Cross-Fit health club are some of the uses found along this rather stark and uninviting stretch of Van Brunt Street.

COLUMBIA STREET

Columbia Street is a 60 foot-wide two-way street. The three blocks along Columbia Street from Bowne to Delevan Streets are located within the M1-1 zoning district. The one hundred thousand (100,0000) square foot block between Delavan and Verona Streets that was the subject of the 2002 rezoning described above, along with the small triangular shaped parcel located on Block 524 between Delevan, Dwight, Verona and Columbia Streets, lie within an R6 zoning district. Also within this R6 zoning district on Block 538, Lot 1 is the 24 building New York City Housing Authority Red Hook Houses East.

On the west side of Columbia Street, from Bowne Street (Hamilton Avenue to Verona Street, there is a one-story sixty-five foot high industrial loft building containing approximately fifty-eight thousand (58,000) square feet of floor area; a one hundred fifty-eight foot tall single story sixty thousand (60,000) square foot transportation/utility building owned by the MTA Bridge and Tunnel Authority; 1 three-story commercial building and 7 three-story single, two family or multi-family residential buildings measuring approximately18 feet wide; a 4-story multi-family elevator building measuring 43 feet high and containing approximately one hundred thirteen six hundred and twenty-eight (113,628) square feet of floor area on a forty thousand (40,000) square foot lot and 3 three-story buildings with ground floor commercial use and residential use above. Two of these buildings are approximately 18 by 86 feet and one measures approximately thirty-five by eighty-six feet.

The affordable housing development known as Red Hook Gardens Housing is located on Block 524 in the R6 zoning district to the west of Columbia Street, between Delevan, Dwight (a 60 foot south running street along Block 524), the north side of Verona and Columbia Streets. Red Hook Gardens is comprised of two tax lots. One lot, 9-18 Dwight Street, is improved by 5 three-story twenty by forty-one foot multi-family residential dwellings and the other lot, 2-12 Columbia Street is improved by foot 3 three-story forty by ninety-two foot multi-family residential dwellings. Also within the R6 district, to the south of Red Hook Gardens Housing between the south side of Verona, Lorraine, Dwight and Columbia Streets, contains another portion of the Red Hook Houses, Red Hook West consisting of 7 six-story, fifty-six foot high buildings containing seven hundred and twenty (720) dwelling units with approximately five hundred eighty-six, six hundred and eighteen (586,618) square feet of floor area on this five hundred sixty-six, six hundred and eighteen (566,618) square foot lot.

On the east side of Columbia Street on Coles Street (50 feet wide running west to east), Luquer Street (50 feet wide running west to east) to Nelson Street (50 feet wide running east to west) in the M1-1 zoning district, there are 2 narrow vacant lots; 3 three-story single, two-family or multi-family buildings measuring approximately twenty-five by one hundred feet; 4 two, three and four-story buildings with ground floor commercial use and residential use above also measuring twenty-five by one hundred feet; and a one-story industrial building containing twelve thousand, five hundred (12,500) square feet of floor area. P.S. 27 school and playground, a

forty-nine foot, one-story building on an eighty-eight thousand (88,000) square foot lot containing approximately 85,302 square feet of floor area, occupies the entirety of Block 525 located between Nelson Street and Huntington Street (50-foot wide running east to west) in an R5 zoning district.

EXISTING USES

The Surrounding Area is primarily zoned M-1 The maximum Commercial and Manufacturing Floor Area Ratio (the "FAR") is 1.0 and the maximum Community Facility FAR zoning is 2.40. New residential use is not permitted in an M1-1 zoning district.

In M1-1 districts, the maximum front or streetwall height is 30 feet or two stories, whichever is less, within the initial setback distance and an initial setback distance of 20 feet on a narrow street and 15 feet on a wide street. Beyond such maximum height and initial streetwall distance, the maximum building height may not exceed sky exposure plane regulations of a ratio of 1 vertical distance to 1 horizontal distance on both narrow and wide streets.

A 20-foot rear yard is required. No front or side yards are required. However, if any open area extending along a side lot line is provided, it shall be at least 8 feet in width. The amount of required parking is determined by the use or uses within the building. There is no lot coverage requirement in the M1-1 zoning district.

In the M1-1 zoning district, parking is required for almost every commercial and manufacturing use. Manufacturing or semi-industrial uses in Use Group 17 B and D and in certain Use Group 10 or 16 with a minimum of either 7,500 square feet of floor area or 15 employees: 1 space per 1,000 square feet of floor area; storage or miscellaneous uses in Use Group 10 or 16, 17A, C and D with a minimum of either 10,000 square feet of floor area or 15 employees: 1 space per 2,000 square feet of floor area; Food stores with 2,000 or more square feet of floor area, certain Use Group 6 uses: 1 space per 300 square feet of floor area; General retail or services uses, food stores with less than 2,000 square feet of floor area, certain Use Group 6, 8, 9 or 10 or certain uses in Use Group 6, 7 ,8, 9,10,11,13,14 or 16 or when permitted by special permit: 1 space per 300 square feet of floor area; Certain uses in Use Group 6, 7, 9, 13, 14 or 16: I space per 600 square feet; Places of Assembly or certain uses in Use Groups 6, 8, 9, 10 or 13: 1 per 8 persons capacity; Certain uses in Use Group 13: 1 per 500 square feet of lot area; Floor area in hotels used for sleeping accommodations in hotels: 1 per 8 guest rooms; Floor area in hotels used for meeting halls, wedding chapels or banquet halls, auditoriums: 1 per 8 persons-rated capacity, Post Offices: 1 space per 1,200 square feet of floor area; Funeral Establishments: 1 space per 400 square feet of floor area; and for most Community Facility Uses.

In the M-1 zoning district, ZR loading requirements depend on the uses within the buildings. For commercial uses, such as all retail or service uses listed in Use Group 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A, there are no loading requirements for the first 8,000 square feet of floor area, 1 additional loading dock is required for the next 17,000 square feet of floor area, 1 additional loading dock is required loading dock for the next 15,000 square feet of floor area, 1 additional loading dock is required for the next 20,000 square feet of floor area, 1 additional loading dock is required for the next 40,000 square feet of floor area and , thereafter. 1 additional loading dock is required for each additional 150,000 square feet of floor area or fraction thereof. For all commercial retail or service uses in Use Groups 6A, 6C, &B, 8B, 9A, 9B, 10A, 14A or 16 A, no loading docks are required for the first 25,000 square feet of floor area, 1 additional loading is required dock for the next 15,000 square feet of floor area, 1 additional loading dock is required for the next 60,000 square feet of floor area and thereafter, 1 additional loading dock is required for each additional 150,000 square feet of floor area or fraction thereof. For services, wholesale, manufacturing or storage uses listed in Use Groups 7C, 10B, 11B, 16D or !7A and all manufacturing uses listed in Use Groups 11A, or 17B, no loading docks are required for the first 8,000 square feet of floor area, 1 additional loading dock is required for the next 17,000 square feet of floor area, 1 additional loading dock is required or the next 15,000 square feet of floor area, 1 additional loading dock is required for the next 20,000 square feet of floor area and thereafter, 1 additional loading dock for each additional 80,000 square feet of floor area or fraction thereof. The Proposed Development's commercial (including retail) uses at 41 Richards Street would exceed 17,000 square feet of floor area and therefore 2 loading docks would be

required for commercial uses. Since the total floor area allocated to manufacturing uses at 41 Richards Street Proposed Development will not exceed 80,000 square feet, 2 additional loading docks would be required to accommodate the manufacturing uses. Therefore, 4 loading docks would be required for the Proposed Development in an M1-1 zoning district.

In the M1-1 zoning district, permitted uses are certain Community Facility UG 4 Uses;[1] and those commercial uses with certain limitations as set forth in ZR§ 32-12. Permitted Commercial uses include Use Group 6 uses, such as retail and personal service establishments; Use Group 7 uses such as home maintenance and repair services, Use Group 8 uses such as amusements, services such as repair establishments, automotive rental establishments and public parking lots or garages with a capacity of 150 spaces or less; Use Group 9 uses such as business retail and service establishments, art, music dancing or theatrical studios and trade schools. Use Group 10 uses such as large retail establishments, department stores, eating and drinking establishments and radio or television studios; Use Group 11 uses such as custom manufacturing establishments, jewelry or clothing and small wholesale establishments; Use Group 12 uses, such as large entertainment facilities, arenas, bowling alleys and large eating and drinking establishments with entertainment or dancing; Use Group 13 uses, such as open or low coverage amusement establishments, camps, children's small amusement parks and commercial swimming pools; Use Group 14 uses, such as boating and related activities, Use Group 16 semi-industrial uses, wholesale or storage uses[2] and automotive uses and Use Group 17 manufacturing uses, subject to M1 performance standards.

Commercial Use Group 5 transient hotels permitted pursuant to a City Planning Commission ("CPC") special permit set forth in the Zoning Resolution[3]

No Commercial or Manufacturing uses are permitted in the R6 zoning districts.

In the R6 zoning District, the maximum height factor FAR is 2.43 (Mandatory Inclusionary Housing required) and the maximum community Facility FAR is 4.80. In an R6 zoning district, the maximum Residential Quality Housing FAR is 2.20 on a narrow street, and 3.60 FAR on a wide street, with a maximum 3.60 FAR on a wide or narrow street in the Mandatory Inclusionary Housing Area. The maximum Community Facility FAR in an R6 zoning district is 4.80.

An R6 zoning district is permitted to choose either sky exposure plane or Quality Housing height and setback regulations. R6 sky exposure plane regulations require building envelopes as set forth in ZR §23-641. The maximum front or streetwall height is 60 feet or six stories, whichever is less, within the initial setback distance and an initial setback distance of 20 feet on a narrow street and 15 feet on a wide street. Beyond such maximum height and initial streetwall distance, the maximum building height may not exceed sky exposure plane regulations of a ratio of 2.7 vertical distance to 1 horizontal distance on a narrow street and 5.6 to 1 on a wide street. R6 Quality Housing regulations require building envelopes as set forth in ZR §23-662(a). Since all of the buildings within the Richards Street Rezoning front on narrow streets, the minimum base height is 30 feet, the maximum base height is 45 feet and the maximum building height is 55 feet.

The R6 zoning district permits Use Group 1 detached single-family residential homes and Use Group 2 detached, semi-detached and attached single and two-family residences, as well as all other residential uses such as garden apartments and small to medium sized multiple dwellings. In addition, R6 zoning districts permit Community Facility Use Group 3 uses, such as schools, libraries, museums and not-profit institutions with sleeping accommodations, and Use Group 4 Community Facility uses such as ambulatory diagnostic or treatment health care facilities, houses of worship, non-commercial recreation centers, non-profit institutions without sleeping accommodations and community centers.

No front yard is required in the R6 zoning district. No side yards are required, but if provided, each side yard must be at least 8 feet in width. As in the R5 zoning district, a 30-foot rear yard is required.

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[1] See ZR § 42-11
[2] See ZR § 32-25, 42-121 and 74-932
[3] See ZR §§ 42-111 and 74-803

The R6 density factor is 680, which factor when divided into the maximum residential floor area permitted on a particular zoning lot, results in the maximum number of dwelling units allowed in the building located on such zoning lot.[4]

The parking requirement in the R6 zoning district is one space for 70 percent of the dwelling units within the building. For Quality Housing buildings, one space for 50 percent of the dwelling units within the building is required.

IV. DESCRIPTION OF THE PROPOSED PROJECT AREA

The proposed Project Area in connection with 41 Richards Street consists of a portion of one block located in the northeastern section of Red Hook, Brooklyn, Community District 6. Located in an M1-1 zoning district, the Project Area fronts on the south side of Richards Street to west and is bounded by Seabring Street to the north, Commerce Streets to the south and Columbia Street to the east.

Block 512

The Project Area includes Block 512, Tax Lot 13 located at 37 Richards Street, Lot 20 located at 41-47 Richards Street, Lot 22 located at 29 Richards Street and a 25' portion of Lot 25 located at 17 Seabring Street. The remainder of Block 512 consists of Lot 1 located at 12 Commerce Street, Lot 6 located at 20 Commerce Street and Lot 8 located at 28 Commerce Street.

Lot 13 is a 12,500 square foot corner lot with frontage on Richards and Commerce Streets. It is improved with an approximately 5,375 square foot, one-story 14' high building with a floor area ratio ("FAR") of .43 and was constructed in 1918. It contains 1 unit and is currently used as a warehouse, auto dealer and truck parking and employs 8 people. Lot 13 is owned by the Applicant and is part of the development site.

Lot 20 is a 4,000 square foot interior lot with frontage on Richards Street. It is improved with an approximately 4,000 square foot, 1-story 15' high building with an FAR of 1.00 and was constructed in 1962. It contains 1 unit and is currently used to manufacture bakery products and employs 10 people. Lot 20 is owned by the Applicant and is part of the development site.

Lot 22 is a 6,000 square foot corner lot with frontage on Richards and Seabring Streets. It is improved with an approximately 7,134 square foot, 2-story 31' high building with an FAR of 1.19 and was constructed in 1958. It currently houses the city-owned New York City Fire Department Engine 201/Ladder 101/ Battalion 32. 30 people are employed in two 12-hour shifts.

Lot 25 is a 22,534 square foot interior lot with frontage on Seabring Street. It is improved with an approximately 29,672 square foot, 4-story 44' high building with an FAR of 1.32 that was constructed in 2009. This lot is improved by a transient hotel containing 81 Class B units.

V. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

37-41 Richards Street is comprised of the two Applicant-owned Lots (Lot 13 and 20) on Block 512 described above. These lots will be combined into a single zoning lot with sixteen thousand, five hundred (16,500) square feet of lot area (the "Development Site")

VI. DESCRIPTION OF THE PROPOSED DEVELOPMENT

37-41 Richards Street is comprised of the two Applicant-owned lots (Lots 13 and 20) on Block 512. These lots be combined into a single zoning lot with16,500 square feet of lot area (the "Proposed "Development"). The Applicant proposes a rezoning from an M1-1 zoning district to an M1-5 zoning district. The proposed M1-5 zoning district will extend 125 feet in depth southeast of Richards Street between Seabring and Commerce Streets.

[4] See ZR §23-22

The FAR for all manufacturing and commercial uses at the Proposed Development is 5.0. and the Community Facility FAR is 6.50. New residential use is not permitted in an M1-5 zoning district.

The Applicant proposes to construct a new building to be used for light manufacturing and related office uses. It is anticipated that there will be a total of 86,266 zoning square feet of new development, with 66,319 zoning square feet attributable to light manufacturing, 15,947 zoning square feet of commercial office and other commercial uses and 2,730 gross square feet attributable to ground floor commercial retail uses. The existing two buildings will be demolished and rebuilt pursuant to M1-5 bulk parameters. The Applicant intends to create a Proposed Development that will: (i) create a development that is consistent with the existing character of the Red Hook community; (ii) enhance the existing streetscape and (iii) provide parking in a zoning district in which no parking is required in order to accommodate the proposed workforce.

The Applicant's core purpose and vision is to bring manufacturing /industrial uses back to the Red Hook community in the emerging form of light manufacturing known as "boutique manufacturing" and to create new opportunities for start-up and small businesses to remain in New York City.

The Proposed Development will implement the purposes of Article VII, Chapter 4 "Special Regulations Applying in Flood Zones", adopted in 2021. The Proposed Development will be constructed pursuant to flood-resistant construction standards with a comparable amount of usable interior space to what is generally permitted within the M1-5 zoning district, to allow sea level rise to be incorporated into the design of buildings in flood zones to provide longer-term and greater protection from flood risk than what is currently required by Appendix G of the New York City Building Code. These measures will promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues as described in detail in Section VII below.

I. Manufacturing/ Industrial Uses

The manufacturing /industrial uses at the Proposed Development will include an eclectic mix of small custom manufacturing uses found in:

(a) Use Group 11, such as weaving, needlework, ceramic products, custom clothing and jewelry, art needlework, hand bookbinding and tooling, graphic arts and custom printing;

(b) Use Group 16 uses such as carpentry, custom woodworking and custom furniture, tool, die or pattern making establishments, and custom silverplating shops; and

(c) Use Group 17 uses that are mainly small "artisanal uses" such as specialty food and bakery products, leather products, novelty products, paper products, perfumes, cosmetics and toiletries, pottery and glazed tiles, textile products, metal stamping and extrusion for costume jewelry, glass products, textile weaving and dying, knit goods, toys and wood products.

The Proposed Development building will be designed to accommodate the growing need for incubator and start-up businesses that require, if needed, the expansion of such businesses as they begin to diversify or become more successful.

II. Commercial Uses

In order to bring pedestrian amenities and to create an enlivened streetscape, the Applicant intends to provide ground floor Use Group 6 local retail uses, such as delicatessens, copy shops, bakeries, drug stores and a "pop-up" shop with booths that will display the products manufactured within each of the buildings within the Proposed Development.

The Proposed Development will include approximately twenty (20) percent Use Group 6 commercial office uses and a limited amount of Use Group 9 commercial uses. These uses are intended to serve, or be related to, the maintenance, growth and development of the Proposed Development's manufacturing/industrial uses listed above.

In addition to offices accessory to the primary manufacturing /industrial uses within the buildings, it is envisioned that a variety of separate professional or business offices will locate at the Proposed Development. These uses will include Use Group 6 design studios (including design engineering studios), architectural studios, fledgling IT firms, a small accounting firm familiar with needs of manufacturing clients, marketing offices, advertising offices (no production), logistic offices (involving ways and means of movement of freight and products) and Use Group 9 printing (limited to 2,500 square feet of floor area per establishment for production, graphic art offices, blueprinting or photostatting (photographic) establishments and plumbing, heating or ventilating equipment showrooms (without repair facilities).

A critical business Use Group office use at the Proposed Development will be what is known as "Distributor Representative" firms. More and more producers are relying on industrial distributors to serve key markets. These firms will represent local manufacturers and companies within and without the Development Site building. Industrial distributor "reps" take a lead role in the sale and distribution of the products of a particular manufacturer, company or industry. These distributors are independent firms, usually consisting of 1-4 sales and support workers. There is a need for distributors for the followings manufacturing uses: industrial, electrical, power transmission and bearings; HVAC and plumbing; industrial PFV; building materials and construction electronics; fasteners; fluid power, gases and welding equipment; hose and accessories; plastics; pharmaceuticals and safety products. An individual distributor representative or distributor representative firm may represent one manufacturer, company or industry, several manufactures, companies or industries in the same field or a combination of differing manufacturers, companies or industries. In addition to the above conventional type of distributors, there will be "Manufacturer's Representative" firms that target a specific company, such as General Electric, or the growing food related niche manufacturers.

A. BULK

The Proposed Development has a combined lot area of 16,500 square feet. The M1-5 FAR of 5.0. will permit a maximum building floor area of 82,500 square feet. The proposed total building floor area is 82,266 square feet and the total building FAR is 4.99.

An 82,266 square foot seven-story building is planned for the Proposed Development, with a base height of 75 feet, a maximum building height of 100 feet (there will be a 20-foot setback at the 5th story) and a 20-foot rear yard above the first story. Retail stores totaling 2,730 square feet of gross floor area are planned along the Richards Street frontage, 66,319 square feet of zoning floor area will be comprised of a mix of light manufacturing uses and 15,947 square feet of zoning floor area will be used for Use Group 6 commercial office use and limited Use Group 9 uses as described above

The retail entrances will be located along the Richards Street frontage. The 15' wide commercial and manufacturing tenant entrance into the lobby will be located along Commerce Street, directly behind the retail uses. The 30' loading dock entrance and the ground and first floor parking entrances, each approximately 17 feet wide, will also be located along the Commerce Street frontage. The BFE for this site is 12'. 2 double height accessory loading docks comprising 4,000 square feet will be located on the ground and first floors in order to accommodate standard high cube tractor trailers that are 14 feet in height (5-foot chassis with 9 feet high cube trailers located above). Although parking is not required in the M1-5 zoning district, 15 accessory parking spaces will be provided on the ground floor (10,127 SF) and 26 accessory parking spaces (11,890 SF) on the first floor, for a total of 41 accessory parking spaces. The ground floor parking and loading areas are located below the first story above the flood elevation. This floor area will comply with the flood-resistant construction standards for wet-flood proofing up to the flood-resistant construction elevation. Therefore, as per ZR Section 64-322(c)(2), the ground floor area may be excluded from zoning floor area for purposes of calculating the Proposed Development's total square footage. Similarly, the first-floor accessory parking and loading areas fall below 23 feet above curb level and are not considered floor area for building floor area calculations as per ZR Sections 12-10(6)(iv) and (7). One passenger elevator will originate next to the ground floor lobby and one freight elevator will originate on the ground floor alongside the loading docks. The lobby, elevators and retail uses will use dry flood-proofing and the parking and loading area will use wet-flood proofing.

As shown on the Plans, all the parking will be screened. There will be 2 building curb cuts located along Commerce Street. The curb cut for the loading docks is 30'-0''wide and is located

approximately 50 feet south of Richards Street. The second curb cut for vehicular entrance and egress measures 27'-4" and is located to the south of the loading dock cur

VII. ACTIONS NEESSARY TO FACILITATE THE PROPOSED DEVELOPMENT

In order to facilitate the Proposed Development, the Applicant requires a zoning map amendment to rezone the Project Area from an M1-1 zoning district to an M1-5 Zoning district that will extend 125 feet south of the Richards Street blockfront between Seabring and Commerce Streets. The rezoning will encompass the entire buildings on Block 512, Lots 13, 20 and 22 and the portion of Lot 25 along Seabring Street that extends 125 feet south of Richards Street.

M1-5 bulk requirements, such as height and setback, require building envelopes as set forth in ZR §43-43. The maximum front or streetwall height is 60 feet or four stories, whichever is less, within the initial setback distance and an initial setback distance of 20 feet on a narrow street and 15 feet on a wide street. Beyond such maximum height and initial streetwall distance, the maximum building height may not exceed sky exposure plane regulations of a ratio of 2.7 vertical distance to 1 horizontal distance on narrow streets and 5.6 horizonal distance to 1 vertical distance on wide streets.

While no accessory off-street parking is required in an M1-5 zoning district, except for hospitals and related facilities, where 1 space is required per 10 beds[5], permitted accessory off-street parking may be provided for all permitted uses[6]. Permitted off-street accessory group parking facilities shall not exceed 150 spaces[7]. All accessory off-street parking spaces, open or closed, shall not exceed 300 square feet for unattended parking and 200 square feet for attended parking and the entrances and exits to such accessory off-street group parking spaces shall not be located less than 50 feet from the intersection of two street lines[8].

Required loading berths in the M1-5 zoning district also depend on the uses within the buildings. For commercial uses, such as all retail or service uses listed in Use Groups 6A, 6C, 7B, 8B, 9A, 9B, 10A, 14A or 16A, there are no loading requirements for the first 25,000 square feet of floor area, for the next 15,000 square feet of floor area, 1 loading dock is required, for the next 60,000 square feet of floor area, 1 additional loading dock is required and for each additional 150,000 square feet of floor area, a second additional loading dock is required. Service, manufacturing or storage, and wholesale uses listed in Use Groups 7C, 10B, 11B, 16D or 17A and all manufacturing uses listed in Use Groups 11A or17B, no loading berths are required for the first 15,000 square feet of floor area. For the next 25,000 square feet of floor area, 1 additional loading berth is required, for the next 40,000 square feet of floor area, 1 additional loading berth is required and for each additional 80,000 square feet of floor area or fraction thereof, 1 additional loading berth is required in the M1-5 zoning district[9]. Since the total commercial (including retail) use in the Proposed Development would not exceed 25,000 square feet of floor area, a loading dock for commercial use would not be required. The total floor area allocated to manufacturing use in the Proposed Development would not exceed 80,000 square feet. Therefore, 2 loading docks would be required in order to accommodate the manufacturing uses at the Proposed Development.

Permitted as-of-right uses in an M1-5 zoning district are the same as those permitted in the M1-1 zoning district: certain Community Facility UG4 Uses and the same Commercial Use Group 6, 7, 8, 9, 10, 11,12, 14 and 16 Uses as described above and light Manufacturing Uses as set forth in ZR Use Group 17. Commercial Use Group 5 transient hotels that have been granted a City Planning special permit are also permitted in the M1-5 zoning district

The proposed rezoning will provide the opportunity to locate these uses in new building that, unlike the existing, outmoded structures, will be:

[5] See ZR§ 44-21.
[6] See ZR§ 44-11.
[7] See ZR §44-12.
[8] See ZR §§ 44-42 and 44-43.
[9] See ZR § 44-52.

- Resilient to hurricane conditions, as the Project Area is located in the Special Flood Hazard Area, also known as the 100-year Floodplain or 1% annual chance floodplain, within an A zone;
- Equipped with modern facilities;
- Efficiently designed with loading docks with freight elevators, independent utilities (i.e., gas, electric, water, backup generators for necessary services);
- Designed with large windows to provide natural light;
- Designed to maximize building square footage;
- Designed to maximize parking square footage;
- Designed to provide the ability to combine spaces to meet the needs of the individual manufacturing uses (i.e., expansion for the user business as it grows or incorporates new uses and requires additional floor area).

The Applicant proposes to redevelop the site for light manufacturing uses, accessory Use Group 6 offices uses, related and supportive Use Group 6 commercial office use and limited Use Group 9 commercial use. The increase in FAR to 5.0 will permit this type of redevelopment, thereby creating a light manufacturing and related office use district that is viable resiliently, structurally, architecturally and economically.

The once thriving manufacturing sector in New York City has been drastically reduced over the last 20 years. This has meant the loss of employment, erosion of the City's real estate tax base and the relocation of lower and middle class New Yorkers to out of state locations. Huge income disparities now exist in New York City.

The Richards Street Rezoning will restore and permit the growth of light manufacturing, which has long been an essential component of the Southwest Brooklyn area.

The manufacturing buildings that currently exist in the M1-1 zoning district along Richards Street were built in the early part of the 20th century and are no longer configured to meet the requirements of modern manufacturing. They have small floor plates, low ceiling heights, and numerous floor columns. There is insufficient space within the buildings for necessary loading docks. There are no freight elevators in the majority of the 2 or 3 story buildings. This has led to the disappearance of a once-thriving manufacturing district that was the economic livelihood of the Red Hook neighborhood. A lifeless and unproductive sector will be revitalized by the Richards Street rezoning, which will attract the growing need for light manufacturing and related office and commercial uses in Red Hook.

New forms of light manufacturing are being attracted to Red Hook. Artisanal entrepreneurs, incubator, start-up businesses and traditional small specialty businesses, as well as commercial offices uses that serve and support these uses, are seeking to locate in New York City. However, for both design and economic factors, the outmoded M1-1 district buildings in the Project Area are not designed to accommodate this growing trend.

The M1-5 zoning district that is being proposed is uniquely suited to accommodate these new and growing trends in manufacturing. The existing buildings will be replaced with buildings that will utilize the M1-5 zoning district regulations to better fulfill the needs of modern buildings, accommodate their growth and provide the flood resistant construction necessary at this locati

The Proposed Development is uniquely located for ease of transportation of manufacturing raw materials and finished product. The Brooklyn Queens Expressway lies little more than 600 feet from the proposed rezoning area, with the Gowanus Expressway lying less than a mile away. The Brooklyn Battery Tunnel and approaches also lie within 600 feet of the proposed rezoning area. These expressways and the tunnel permit truck traffic and provide ready access to northern and western Brooklyn, Queens, the Bronx, Staten Island and New Jersey. Proximity to these large roadways greatly reduces the necessity of traversing City streets or driving through residential areas, thus permitting faster and more economical transportation of raw materials and finished product to end users throughout New York City and the metropolitan area. In addition,

the proximity of the Proposed Development to these roadways will allow the loading docks and freight elevators to be used more efficiently by accommodating a larger amount of goods and products.

As was noted above, the entire proposed rezoning area is located in the Special Flood Hazard Area, also known as the 100-year Floodplain or 1% annual chance floodplain, within an A zone. The Proposed Development will result in a new building that will conform to the current "Special Regulations Applying to Flood Hazard Areas" set forth in Zoning Resolution Article V1, Chapter 4. This will promote a resilient building in a neighborhood that is one of New York City's most vulnerable areas.

Proposed resiliency measures will include the following:

- The entire cellar floor structural elements will be treated with a fabric mesh and liquid applied membrane from the top of footings to a height of 20' above current mean sea level (13 feet above grade). This is intended to stabilize and rustproof structural members should they be exposed to saltwater flooding. This material is an epoxy-based roofing-type membrane fabricated by American Hydrotech. This system will be flashed into a continuous sub-slab waterproofing membrane creating a flood barrier on five surfaces (floor, walls and demountable barrier) to a height of 13 feet above grade. There will be no penetrations permitted through this system and all building systems will be delivered above or pumped to the first-floor level and then sent to the sewer system.

- All cellar floor walls will receive a similar covering as proposed around the outside of the walls along under the finish surfaces to a height of 20' above current mean sea level (13 feet above grade). All first-floor unglazed walls for spaces to remain dry will be designed with the structural capacity to resist of 20' of seawater.

- Glazed curtainwalls along Richards and Commerce Streets will utilize a floodproofing system as manufactured by Flood Control America, employing a series of demountable dams as illustrated in detail on the accompanying plans. Each section comes in 1' high increments and uses pressure-applied gaskets and a demountable gasketed structural column that can be built to a height of 13' above grade. This system will be fully flashed into the waterproofing system as outlined above to create a continuous dam throughout the habitable cellar floor spaces.

- All building services, (plumbing, electrical, emergency power and HVAC) will be delivered from the first floor. All drains toilets and sumps will be pumped to this level to mitigate any internal flooding created by sewers backing up under flooding conditions.

- It is anticipated that the building will be evacuated at the time of a flood. As an additional precaution, exit stairs are designed to flood and will therefore be equipped with a large grille and man door in the street facade. These doors can be opened prior to a flood and can also be operated after the commencement of a flood, allowing access to the stairs, as the grille will permit the passage of water in order to empty the stairs. There will be security gates at the first-floor level to keep the building secure. These gates will permit the entry of zodiac or other small boats to evacuate trapped occupants, should it be required at whatever the water level is at the time of evacuation.

The proposed M1-5 density is essential to enable the Proposed Development to a construct a building that will incorporate the necessary, but enormously costly necessary resiliency requirements, while at the same time providing tenants affordable rents. The M1-5 density will enable the developer to afford to incorporate ground floor active uses such as dry-flood proofed retail space.

The Applicant envisions applying to the following sources of tax credit, loan and rebate programs: the New York City Department of Finance's Industrial and Commercial Abatement Program (ICAP), the Construction Loan Program through New York City's Industrial Development Association (IDA) and the New York State Energy Research and Develop Authority's (NYSERDA) Energy Efficiency Program.

The Surrounding Area is improved by several buildings with similar heights to the proposed project. The recently built 160 Imlay Street, located between Verona and Commerce along Imlay Sreet, is a 6 story plus 5 penthouse building one hundred and twelve (112) feet on height. Directly north of 160 Imlay Street between Commerce and Bowne Street along Imlay Street, is 62 Imlay Street (a/ka 100 Imlay Street), a 6 story, eighty-six (86) foot renovated building that is a warehouse for Christie's Auction House. Formerly the Monarch Luggage building, 5 Delevan

Street located between Verona, Van Brunt and Richards Streets is a 4-story, forty-three (43) foot building that was the subject of the 2002 rezoning from M1-1 to R6 in order to convert the building into 100 units of rental housing. 80 Richards Street, fronting along Richards Street between Verona and Delevan Streets, is a six story, ninety-two (92) foot industrial building that houses various manufacturing use, film and artists' studios and a glass company and a woodworking company.

There are approximately one hundred and fifty-six (156) buildings on the twelve blocks (or portions thereof) in the 600-foot radius that surrounds the Proposed Development. Forty-one (41) of these buildings are warehouse uses, 9 of the lots are licensed or unlicensed parking lights or parking facilities, 3 are commercial/offices, 2 are transportation/utility uses, 7 of the lots are vacant, sixty-six (676 are residential buildings containing approximately 178 residential units, 1 building is a transient hotel, I building is a NYC Firehouse, 1 building is a NYC public school and 6 buildings are of unknown use. Only sixteen (16) of these buildings are used for industrial uses, with an additional 3 lots/buildings used for autobody/collision shops.

Within this M1-1 600-foot radius intended for industrial uses, there are thirty-four warehouses where average employment is often less than one job per 2,500 square feet. Only nineteen thirty-four buildings are used for industrial uses. This cannot be considered a thriving industrial area for production of product or meaningful employment.

The single truly functioning industrial building in this area is 80 Richards Street, the 6-story building that is overbuilt by some 95,000 square feet. This building contains various compatible uses as envisioned by the Project Development at 41 Richards Street. However, due to its age, 80 Richards Street does not incorporate any of the resilient measures that are necessary in this Flood Zone.

Under M1-5 height factor regulations, the maximum height of the front wall would increase from the M1-1 zoning districts 30' or 2 stories to 85' or 6 stories. While there is no height limit in either the M-1 or Mi-5 zoning districts, despite the increased FAR in the M1-5, district, the Applicant will voluntarily cap the height of the proposed Development Site at one hundred feet.

While there are currently no commercial or manufacturing loading docks in the existing development building, the M1-1 zoning district's loading dock requirements are too restrictive and would require more loading docks than the Project Development could accommodate on the existing footprint. The M1-5 zoning district's loading requirements will accommodate both the required number of loading docks, permit accessory parking on the cellar level of the Project Development and at the same time achieve sufficient density to support necessary design and floodplain resiliency measures. Despite the absence of the accessory parking requirement in the M1-5 zoning district, the Applicant will voluntarily provide approximately 1 parking space per 2,000 square feet of floor area in the Development Site's building in order to accommodate the portion of the workforce that is anticipated will drive to work.

5.0 FAR will provide the developer with sufficient density to design a building with loading docks, freight elevators and independent utilities. The increased FAR will provide new businesses with the ability to meet the needs of the individual manufacturing uses, allowing for the expansion of the user business as it grows or incorporates new uses and requires additional floor area. The M1-5 zoning district will permit additional building height to maximize above-ground parking square footage, allow for retail space, provide large floor plate manufacturing space and a greater amount of manufacturing use in a single building.

The increased FAR and additional floor area will provide the developer with the incentive to create an up-to-date resilient building with loading docks, elevators, on-site parking and flexible floorplates, while at the same time realizing a reasonable return on its investment. The M1-5 zoning district's 5.0 FAR provides sufficient density to enable the development of a building that will accommodate modern manufacturing needs, while at the same time achieving the proposed resiliency features.

This proposed M1-5 zoning district would facilitate the light in industrial development , thus making a valuable contribution to the goals of the *New York Works* policy that envisions 20,000 industrial jobs over the coming decade.

CONCLUSION

This rezoning will transform an outmoded, under-utilized manufacturing district into one that will attract and accommodate the needs of a unique and growing mode of modern manufacturing. The land-use rationale for an M1-1 zoning district mapped in 1961 no longer supports the manufacturing uses, design and floodplain sustainability required in 2022 and beyond. The principles of a well-considered zoning plan will be implemented by increasing the manufacturing/industrial sector of New York City and benefit the entire Red Hook community through the rezoning to M1-5.

Through the rezoning of the Project Area, a resilient, efficient, and cost-effective Project Development building can be erected to attract, retain and increase the light manufacturing sector in Brooklyn's Red Hook neighborhood.