150 Mill Street Rezoning
150 Mill Street, 595 Clinton Street, 338-354 Hamilton Avenue, and 159, 157, and 149 Centre Street
February 13, 2024

1. Introduction

B.P. Mill Street, LLC (the "Applicant") proposes a zoning map amendment to change an existing M1-1 zoning district to an M1-5 district in the Red Hook neighborhood within Brooklyn Community District 6. The proposed project area consists of Block 552, Lots 13, 21, 22, 23, 24, 25 and parts of 5, 17, 18, 34, 31, and 29 (the "Project Area"). The proposed zoning map amendment would facilitate the development of 150 Mill Street (Block 552, Lot 13) (the "Development Site") with a new ten-story mixed commercial and community facility building.

2. Background

The Development Site has not been subject to any recent zoning map amendments. The current M1-1 zoning district has existed since 1961.

In 2009, a large portion of the Carroll Gardens neighborhood to the northeast of the Project Area was rezoned as part of the Carroll Gardens and Columbia Street Rezoning (C 090462 ZMK, effective October 28, 2009). The Carroll Gardens and Columbia Street Rezoning established contextual zoning districts over approximately 89 blocks from R6 to R6B, R6A, and R7A zoning districts. The rezoning included neighborhoods characterized by three- and four- story row houses and four- and five- story multi-family apartment buildings. The rezoning permitted new development and modest expansions at a height and scale consistent with the built context of the neighborhood by supporting and promoting local retail corridors while protecting the neighborhood's residential character.

3. Description of Surrounding Area

The proposed Project Area is located in the northeastern portion of the Red Hook neighborhood, within Brooklyn Community District 6. Existing land uses within 600 feet of the Project Area (the "Surrounding Area") primarily consist of industrial, commercial, and multi-family walk-up and elevator buildings. The commercial and manufacturing buildings range from one- to five-stories in height and are located predominantly to the south and east of the Project Area. The residential building range includes two- to seven-story multi-family buildings, three-story walkups located to the north of the Gowanus Expressway and Hamilton Avenue, and six-story multi-family buildings (NYCHA Red Hook Houses) to the west. Community facilities are located to the west of the Project Area including the Strong Place for Hope Day Care (partially located within the Project Area), the New Brown Memorial Baptist Church and a Post Office. The neighborhood's manufacturing uses are generally located to the south and southeast of the Project Area, while the residential uses are generally located to the north and west of the Project Area. The Gowanus Expressway, a major elevated highway containing six lanes of traffic that is located directly east of the Project Area.

There are contextual zoning districts mapped to the north of the Project Area including R6A and R6B zoning districts, which were mapped as part of the Carroll Gardens and Columbia Street Rezoning. There are manufacturing districts mapped to the south of the Project Area including M1-1 and M3-1 zoning districts. The existing zoning districts in the Surrounding Area include:

M1-1
The Project Area is located at the edge of an M1-1 zoning district established in 1961, which extends beyond the Project Area generally to the south. The existing M1-1 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses (houses of worship and ambulatory diagnostic facilities are permitted as-of-right), and commercial uses. Residential use is not permitted in M1-1 districts. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses. The maximum height of a front wall can be 30 feet or two stories, whichever is less. There are no front yard or side yard requirements in an M1-1 zoning district. A 20-foot rear yard is required for interior lots. Building heights are governed by the sky exposure plane. In an M1-1 zoning district, the sky exposure plane begins at 30 feet or two stories. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area. In M1-1 districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required.

M3-1
A small portion of an M3-1 zoning district is located to the east of the Project Area. M3-1 zoning districts manufacturing districts for heavy industrial uses. Uses with potential nuisance effects are required to conform to performance standards. M3-1 districts have a maximum FAR of 2.0 and a maximum base height before setback of 60 feet. M3-1 districts require 1 parking spot per 300 square feet of floor area.

R5 and R5/C1-3
The Project Area is located adjacent to R5 and R5/C1-3 zoning districts. R5 zoning districts permit a variety of housing with a maximum FAR of 1.25 and a maximum height of 40 feet. R5 zoning districts provide a transition between lower-and higher density neighborhoods. The maximum streetwall height is 30 feet and a 15-foot setback is required above a height of 30 feet. Detached houses are required to have two side yards that total at least 13 feet (each a minimum width of five feet) and semi-detached houses need one eight-foot-wide side yards. Off-street parking is required for 85% of the dwelling units in the buildings, but lower for Income Restricted Housing Units and further modified within a Transit Zone.

C1-3 commercial overlays are mapped within residential zoning districts and are generally mapped along streets that serve local retail needs. C1 retail uses generally include neighborhood grocery stores, restaurants, and beauty parlors. C1-3 overlays have a maximum commercial FAR of 1.0 when mapped within an R5 zoning district. C1-3 overlays required 1 parking spot per 400 square feet of commercial floor area.

R6B
An R6B zoning district is mapped to the north and east of the Project Area. R6B zoning districts permit residential uses with a maximum FAR of 2.0 (2.20 within Inclusionary Housing Designated Areas ("IHDA") or MIH Areas), a minimum streetwall height of 30 feet, a maximum streetwall height of 40 feet, and a maximum building height of 50 feet. R6B zoning districts require off-street parking for 50% of the dwelling units in a building, with an exemption from parking for income-restricted units within the Transit Zone. The Quality Housing program is mandatory for all residential developments.

R6A and R6A/C2-4
An R6A zoning district is mapped to the east of the Project Area along Court Street. R6A zoning districts are medium-density contextual districts which permit residential and community facility uses. R6A districts allow a maximum FAR of 3.0 for residential and community facility uses (up to 3.6 for residential uses within MIH or IHDAs). Bulk regulations for R6A districts require a base height between 40 feet and 65 feet and have a maximum total height limit of 75 feet for Quality Housing buildings with qualifying ground floors (up to 85 feet with IHDAs). R6A zoning districts require off-street parking for 50 percent of the dwelling units in a building with an exemption from parking for income-restricted units within the Transit Zone.

C2-4 commercial overlays are mapped within residential zoning districts and are generally mapped along streets which serve local retail needs. C2-4 overlays permit a wider range of uses than a C1 commercial overlay such as repair services and limited wholesale establishments, The maximum FAR is 2.0 when mapped within an R6A zoning district. C2-4 commercial overlays require 1 parking spot per 1,000 square feet of commercial floor area.

Manufacturing uses are generally located to the south of the Project Area in the existing M1-1 zoning district. The built form ranges from one- to five-story manufacturing buildings consisting of construction and home goods stores, self-storage, art studios, and auto-repair and storage.

Mixed-residential buildings ranging from three to six stories are located to the north and east of the Project Area across the Gowanus Expressway, an elevated approximately 180 ft wide expressway. Ground floor local retail – restaurants, offices, cleaners – line the major streets, including Court Street, adjacent to the Project Area. The Project Area is located along Hamilton Avenue, a three-lane 55 ft. wide street. The midblocks are mostly lined with single- and multifamily row houses. The NYCHA Red Hook Houses, developed in 1938, are located to the west of the Surrounding Area in an R5 zoning district. The Red Hook Houses is the largest NYCHA development in Brooklyn and consist of approximately 24 6-story buildings.

The Surrounding Area also contains several notable community facility uses, particularly to the west of the Project Area. Strong Place for Hope Daycare is located partially in the Project Area along Clinton Street. In addition, the Choo Choo Train day care is located approximately 400 feet east of the Project Area. There is a senior center approximately 400 feet northwest of the Project Area. The United States Postal Service has a post office on the block directly south of the Project Area. New Brown Memorial Baptist Church is located on the southwest corner of subject block

552.

Public Transportation

The Project Area is served by public transportation and is within the transit zone with multiple options for subway and bus service. The Smith – 9th Street subway station for the F and G lines is located approximately three blocks northeast of the Project Area. The B61 and B57 bus routes stop within a block of the Project Area. The B61 bus connects Park Slope to Downtown Brooklyn via Red Hook. The B57 bus connects Gowanus to Maspeth via Downtown Brooklyn. Four Citi Bike stations are within two blocks of the Project Area and there are bicycle lanes on Smith, Court, West 9th, and Garnet (the continuation of Mill Street to the east of the Gowanus Expressway) Streets in the Surrounding Area.

Parks

Approximately 500 feet southwest of the Project Area is the Red Hook Recreation Area. This approximately 58.5-acre park includes extensive active and passive recreation facilities, including facilities for baseball, basketball, swimming, handball, soccer, and running. This major park is undergoing extensive environmental remediation in phases that are anticipated to be complete in 2023. Approximately 100 feet east of the Project Area is the 0.03-acre Cough Triangle, named for the surrounding streets (Court Street, Garnet Street, and Hamilton Avenue), that contains seating facilities. Approximately 600 feet northwest of the Project Area is the 0.43-acre Admiral Triangle that contains a playground.

Other Zoning Designations

The Project Area is located within the Southwest Brooklyn Industrial Business Zone ("IBZ"). In 2006, the City designated the Southwest Brooklyn Industrial Business Zone, which includes the Project Area, in an aim to encourage the retention and growth of manufacturing and commercial uses. The IBZ designation is intended to signal a commitment to land use and public policies that encourage the retention and growth of industrial businesses. The Southwest Brooklyn IBZ covers the Brooklyn waterfront from Atlantic Avenue in Brooklyn Heights to the Brooklyn Army Terminal in Sunset Park. Southwest Brooklyn Industrial Development Corporation is the Industrial Business Solutions Provider for the Southwest Brooklyn IBZ, responsible for offering industrial firms guidance accessing appropriate financial and business assistance programs, navigating and complying with regulatory requirements, developing workforces, and ensuring the neighborhood is well maintained.

4. Description of the Proposed Project Area

The proposed Project Area is located within the Red Hook neighborhood within Brooklyn Community District 6. The Project Area consists of Block 552, Lots 13, 21, 22, 23, 24, 25 and parts of 5, 17, 18, 34, 31, and 29 The Project Area is bounded by Mill Street to the north; a line 100 feet east of and running parallel to Clinton Street to the west; a line 100 feet south of and running parallel to Mill Street to the south; Centre Street to the south; the center of Hamilton

Avenue to the east; and a line running parallel to and 70 feet southwest from the street widening line of Hamilton Avenue to the southwest. The Project Area is described below:

The Development Site

Block 552, Lot 13 (150 Mill Street) is a 9,903 sq. ft. lot, with one curb cut, improved with a one-story 1,020 sq. ft. (0.11 FAR) industrial building and open lot used by a scaffolding rental business.

Non-Applicant Controlled Sites

Block 552, Lot 5 (595 Clinton Street) is a 14,000 sq. ft. lot, of which 4,000 is in the Project Area, improved with a 23,000 square foot (1.64 FAR) NYC DCAS Community Facility Day Care.

Block 552, Lot 17 (338 Hamilton Avenue) is an approximately 1,897 sq. ft. lot improved with a three-story 3,744 sq. ft. (1.97 FAR) residential building with a ground floor restaurant.

Block 552, Lot 18 (340 Hamilton Avenue) is an approximately 4,480 sq. ft. lot, with one curb cut, improved with a one-story 4,480 sq. ft. (1.0 FAR) industrial building tenanted by a contractor.

Block 552, Lots 21, 22, 23, 24, 5, and 29 (346, 348, 350, 352, and 354 Hamilton Avenue and 159 Centre Street) have a total lot area of approximately 7,738 sq. ft. and are improved with an approximately 0.5 FAR gas station with four large curb cuts.

Block 552, Lot 31 (157 Centre Street) is a 3,825 sq. ft. lot improved with a two-story, approximately 3,789 sq. ft. (0.99 FAR) warehouse. Only a small portion of the lot is within the Project Area.

Block 552, Lot 34 (149 Centre Street) is a 7,346 sq. ft. lot improved with a one-story approximately 1,125 sq. ft. (0.15 FAR) auto-body facility. Only a small portion of the lot is within the Project Area.

5. Description of Proposed Development Site

The proposed Development Site is located at 150 Mill Street and consists of one tax lot (Block 552, Lot 13) of approximately 9,903 sq. ft. The Development Site is an irregularly shaped lot with approximately 93 ft. of frontage along Mill Street and approximately 46 ft. of frontage along Hamilton Avenue. The Development Site is currently improved with a contractor's establishment and scaffolding rental business for Pilku Construction Services.

6. Description of the Proposed Development

The proposed development is a new ten-story mixed-use commercial and community facility building with approximately 64,345 sq. ft. of floor area with an FAR of 6.49. The proposed building has a total height of 155 ft., a base plane height of 85 ft. before a 20 ft. setback. The proposed building would consist of approximately 7,779 sq. ft. (0.79 FAR) of retail space currently

contemplated as a supermarket, approximately 14,832 sq. ft. (1.5 FAR) of ambulatory diagnostic uses, and approximately 41,734 sq. ft. (4.21 FAR) of office uses.

7. Actions Necessary to Facilitate the Project

The applicant seeks a zoning map amendment to rezone the Project Area from an M1-1 zoning district to an M1-5 zoning district. The Project Area is located on the northern portion of a large M1-1 zoning district and the edge of the Southwest Brooklyn IBZ. Given the Project Area's proximity to transit and active commercial and industrial corridors, the applicant proposes mapping a higher density manufacturing district with lower parking requirements that would be consistent with the surrounding area's built context and area-wide planning goals.

The proposed change from the existing M1-1 zoning district to an M1-5 district would increase the maximum FAR from 1.0 to 5.0 FAR for commercial or manufacturing use and from 2.4 to 6.5 for permitted community facility uses. New developments and enlargements within M1-5 districts are subject to a sky exposure plane that commences at a height of 85 feet above the street line (or six stories, whichever is less) with required setback at or below the 85-foot height of 15 feet on a narrow street and 20 feet on a wide street. Parking is not required in M1-5 districts.

The proposed M1-5 zoning district would permit uses consistent with the existing M1-1 zoning district, but would increase the building's capacity for new tenants by increasing the FAR and removing any parking requirements. The location of the Project Area adjacent to transit makes it an appropriate location to increase job density. The Project Area is located within walking distance of the Smith-9th Streets subway station and is accessible by two bus lines. The proposed rezoning is in line with the City's goals to reinforce and increase job-generating uses and to enhance the vitality of manufacturing and industrial districts. The City is in the process of reassessing the existing M districts, in order to create suitable business environments for job growth for a range of industries. The City has released three related studies within the past four years: the North Brooklyn Plan, the Bushwick Neighborhood Plan, and New York Works. New York Works is a 2017 citywide jobs plan released by Mayor de Blasio which set a goal of spurring 100,000 new, quality jobs over the next ten years. These strategies include: (1) building on the technology economy, (2) supporting the creation of 15,000 jobs within the life sciences and healthcare sectors, (3) creating 20,000 industrial and manufacturing jobs, and (4) creating 10,000 jobs within creative and cultural sectors. These plans encourage the creation of new mid-density contextual manufacturing districts by generally raising the FAR of existing manufacturing districts from 1.0 to 3.0 to 5.0 for permitted uses in areas close to transit, permitting more building space and eliminating parking requirements.[1] The City found that low density limitations and high parking requirements make development of new office space challenging or infeasible.[2] The City aims to facilitate the development of new commercial and industrial space for jobs by increasing allowable

[1] *See* Bushwick Neighborhood Plan Update, 64 available at https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/bushwick-neighborhood-plan/plan/bushwick-neighborhood-plan-low-res.pdf?r=1 and the North Brooklyn Industry and Innovation Plan, page 102 available at https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/north-brooklyn-vision-plan/north-brooklyn-full-low.pdf

[2] *See* North Brooklyn Plan, 99.

FAR and reducing the amount of required parking.[3] Additionally, the nearby Gowanus Neighborhood Plan (ULURP Nos.: C210177 ZMK, N210178 ZRK, C210179 MMK, C210180 MMK, C210052 HAK, C210053 PPK) (currently in ULURP), aims to promote economic development and increased access to jobs and training opportunities.[4] The Gowanus Neighborhood Plan aims to apply land use strategies that balance a mix of uses while removing certain barriers in zoning that unnecessarily limit business expansion and growth, including promoting non-residential uses in certain areas, making off-street parking regulations more flexible by reducing unnecessarily high parking requirements and updating bulk regulations, and working with IBZ stakeholders to identify potential additional interventions to assist business to grow and thrive in the IBZ.

The Project Area is underutilized and is well-suited to foster the additional density. The Project Area is located in close proximity to existing commercial, manufacturing and residential zoning districts and exists at the confluence of these uses. As discussed above, the northern portion of the Surrounding Area primarily contains mixed-residential and commercial uses and the southern portion of the Surrounding Area is primarily used for manufacturing. It is close enough to existing residential and job-generating uses that it enables walk to work opportunities. The Project Area is near existing amenities for workers, such as local restaurants and open space resources, that are conducive to employment centers. The Project Area is also transit-oriented, with several adjacent bus and subway options, and can accept additional density as such.

The Project Area's boundaries are rationally defined by the proximity to the Gowanus Expressway. Higher density development would facilitate the development of more locally oriented, job generating uses. As such, the Project Area is defined so that lots fronting on this major, wide, elevated highway are included in the Project Area, while portions of lots defined by other uses, such as the residential use directly west of the Project Area are unaffected by the proposed rezoning.

8. Conclusion

The Applicant proposes a zoning map amendment to map an M1-5 zoning district in the Project Area currently zoned as M1-1. The proposed actions would facilitate a new 10-story mixed commercial and community facility building within the Red Hook neighborhood Brooklyn Community District 6. The proposed rezoning would provide increased opportunities for new walk to work jobs in an underutilized, transit-oriented area.

[3] *Id.* At 100
[4] https://zap.planning.nyc.gov/projects/2018K0382