

Greenpoint-Williamsburg Rezoning:

ULURP Applications:

050111ZMK, N050110ZRK, 040415MMK, 040416MMK, 040417MMK, 040418MMK

Brooklyn Community Board 1 Position and Recommendations

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I. Introduction

The Rezoning Task Force (RTF) of Community Board 1 was created by Chairman Vincent Abate in the summer of 2002 to analyze and respond to the Department of City Planning's rezoning proposal for approximately 1.5 miles of East River waterfront and adjacent upland areas in Greenpoint/Williamsburg. The RTF is made up of 16 voting members, of which four members also serve as chairs of the following sub-committees: Affordable Housing; Parks and Open Space; Height & Bulk; and Economic Development.

The RTF has worked tirelessly for over two years to respond to the City's rezoning plan for Greenpoint/Williamsburg. The RTF met with DCP on numerous occasions both in public forums as well as in smaller sub-committee meetings to communicate its concerns and put forward suggestions for improving the plan. Many excellent community leaders, urban planners, architects, and business leaders have joined the RTF in analyzing and debating the pros and cons of DCP's rezoning proposal and developing alternative recommendations, adhering above all to the guidelines set forth in the Greenpoint 197-a Plan and the Williamsburg Waterfront 197-a Plan. These plans, developed through an inclusive community planning process spanning almost 15 years, represent a broad consensus among all stakeholders in the district on how to balance diverse and sometimes competing needs and interests. They offered a chance for the existing community to, as one social scientist put it, "...[find] efficient trade-offs between economic growth and environmental quality [where] attention is on the total relationship between the human population of the urban region...and the sustainability of the resource base."¹

The major objectives of the 197-a plans, as summarized, are to:

- Create new opportunities for residential and commercial development while preserving the community's low-density, mixed-income, and mixed-use character;
- Support and strengthen existing diversity and historic mixed-use character by reusing vacant buildings with a mixture of residential, commercial, workshops, high performance businesses, studios and parks and open spaces;
- Significantly improve public waterfront access and increase the amount of public open space, both along the waterfront and in upland areas;
- Promote a clean and safe living and working environment; and
- Promote local economic development.

While DCP's rezoning proposal responds in some measure to the goals of the Greenpoint and Williamsburg 197-a plans, it falls far short of the community's expectations and fails to achieve the desired balance.

DCP has made some amendments to its rezoning plan over the past year in response to issues raised by the Task Force. However we believe that the current proposal still does not adequately conform to, or reflect, the recommendations outlined in the approved and adopted 197-a plans.

The question that the city fails to address is how to protect the existing community, comprised predominantly of working class families from diverse ethnic backgrounds and small businesses catering to local markets, from development that encourages displacement and threatens to reduce rather than improve the quality of people's lives through rising rents, shortages of parks and open

¹ Roseland, Mark, "Toward Sustainable Communities," New Society publishers, 1998. p. 15.

space, buildings that obliterate the existing neighborhood character, the displacement of small businesses, and traffic congestion coupled with inadequate public transportation.

It is a concern that not only focuses on this rezoning proposal but exposes the overarching problem that is slowly creeping into many communities throughout New York City, namely, that communities are being disproportionately reorganized rather than equitably revitalized.

It is no secret that a major driving force behind this ambitious rezoning plan is that our waterfront may very well serve as one of the main attractions for the 2012 Summer Olympics. The proposed Aquatic Swimming Complex would, no doubt, become a centerpiece for the Greenpoint/Williamsburg community. And we can all certainly agree that an Olympics in New York City would be an inspiring and unifying event for all New Yorkers. Rather than encouraging displacement and creating divisions between communities, the rezoning of Greenpoint and Williamsburg provides an opportunity to create the kind of diverse community based on mutual respect that is exemplified by the Olympic Games.

The following Position Statement clearly outlines our objections and disappointments with the City's proposal and our Recommendations present alternatives that we believe will benefit both existing and future community residents.

Christopher Olechowski, Chair
Community Board #1, Rezoning Task Force

POSITION STATEMENT and EXECUTIVE SUMMARY OF RECOMMENDATIONS

Brooklyn Community Board 1 ULURP Position and Recommendations

Greenpoint-Williamsburg Rezoning, Applications:

050111ZMK, N050110ZRK, 040415MMK, 040416MMK, 040417MMK, 040418MMK

I. Applications: 050111ZMK, N050110ZRK:

These applications include zoning map changes to replace existing M, C, and R6 districts as well as the Special Northside Mixed Use District and Special Franklin Street Mixed Use District with (on the waterfront) R6 and R8 districts with commercial overlays in selected areas and (on upland sites) MX, R6, R6A, and R6B, with commercial overlays in selected areas. Zoning text amendments are proposed in the form of a Waterfront Access plan (WAP) for the Greenpoint-Williamsburg waterfront

Vote: “No with text and map modifications” Although we believe that a rezoning of Greenpoint and Williamsburg could present a great opportunity for our local residential and business communities as well as the City as a whole, we believe that this rezoning proposal does not comply with the very basic goals of the 197-a plans which, as summarized, are to:

- Create new opportunities for residential and commercial development while preserving the community’s low-density, mixed-income, and mixed-use character;
- Support and strengthen existing diversity and historic mixed-use character by reusing vacant buildings for a mixture of residential commercial and industrial uses, including workshops, high performance businesses, and studios;
- Significantly improve public waterfront access and increase the amount of public open space, both along the waterfront and in upland areas;
- Promote a clean and safe living and working environment; and
- Promote local economic development.

Our detailed response to the application and executive summary of recommendations are categorized into the following sub-areas: Affordable Housing, Economic Development, Height and Bulk, and Parks and Open Space.

1. “Affordable Housing”

Goal: At least 40% of the housing units created by the Rezoning Plan must be guaranteed to be affordable, attainable, and inclusive for current low and moderate-income residents of Greenpoint/Williamsburg.

Guaranteed: through written language in the rezoning plan that mandates inclusionary affordable housing

Affordable: to current residents of Community District 1 who cannot afford market prices including senior citizens and working families

Attainable: through marketing rules that allow access to all residents of Greenpoint/Williamsburg and provide priority for current residents. Fifty-percent (50%) of the affordable units should be reserved for residents of Community District 1.

Inclusive: with affordable housing included within market rate developments on the waterfront and in upland areas.

Consideration of Applications:

We acknowledge the presentation recently made by HPD and DCP and appreciate their effort to amend the zoning proposal to create a deeper level of affordability. However we are strongly convinced that the only way to ensure the development of a significant amount of affordable housing is through mandatory provisions and that the income targets do not meet the needs of this community district.

As with most communities in New York City, Greenpoint and Williamsburg suffer from a severe shortage of affordable housing. It is feared that without a rigorous, visionary and mandated Affordable Housing component, the rezoning may only exacerbate the situation. The Greenpoint-Williamsburg rezoning is a great opportunity to realize the Mayor’s New Marketplace Plan and simply must guarantee a significant Affordable Housing component for the residents of Greenpoint and Williamsburg.

Primary Recommendations:

An Affordable Housing Special District, identified with suffix AH, shall be mapped as an overlay encompassing the entire Greenpoint-Williamsburg rezoning action area. It shall contain both inclusionary housing as well as anti-harassment provisions as follows:

- a. Forty percent (40%) of the apartments in each new development of 15 or more units (or equal to or greater than a gross developable floor area of 7,500 square feet) within the Affordable Housing Special District must be affordable to individuals and families within certain income bands, ranging from 25% of Area Median Income (50% of CB1 Area Median Income) to 150% of Area Median Income. See attached sample scenario (from MAD Proposal).
- b. Special anti-harassment provisions shall apply to all upland areas in the Rezoning Action Area for the purpose of preserving and improving existing affordable housing and preventing displacement of long-time community residents. These provisions, modeled on modified and improved Clinton Special District provisions, shall include additional language and resources to protect existing residents of buildings with fewer than six units. For a full description of the anti-harassment provisions, see the “Affordable Housing” recommendations in “Full Recommendations”.

2. “Economic Development”

Goal:

To maintain a balance of residential and industrial uses in the mixed use areas of the Northside in Williamsburg and protect existing industrial businesses and jobs from displacement as a result of the proposed MX zoning, while improving the environmental and quality of life conditions throughout Greenpoint and Williamsburg.

Consideration of Applications:

The proposed Special Mixed Use District (MX-8) is not effective for maintaining a mixed-use neighborhood. The existing Mixed-Use (MX) language has historically favored residential development over industrial or commercial development. The proposed MX district will not maintain the mix of uses in the neighborhood that is crucial

to sustaining a diverse community fabric and stable job base. The Mixed-Use designation needs to encourage high-performance and light industrial and/or commercial development while adequately addressing the needs of residential development.

Primary Recommendations:

- a. A Modified Special Mixed Use District (MX-8a), which pairs an M1 district with a R district and mandates that qualifying ground floors be occupied by uses listed in use group 11 and use groups 16 and 17 as modified, shall be mapped in areas currently zoned M(R) in the existing Special Northside Mixed Use District and areas currently zoned M3 and M1 in the Northside within the rezoning boundary. (See attached Proposed Rezoning Map for further clarification)

For a full description of the text modifications and modified allowable use groups, see attached zoning text description entitled, “Modified Special Mixed Use District (MX-8a and 8b)”

- b. A Modified Special Mixed Use District (MX-8b), which provides a modified list of use groups for the MX text, shall be mapped primarily in areas currently zoned R(M) in the existing Special Northside Mixed Use District and in parts of Greenpoint, as indicated in the attached proposed zoning map.
- c. DCP should immediately undertake a study to rezone the existing M1-1 area near the Bushwick Inlet, roughly bounded by North 12th street, Banker Street, Franklin Street, Guernsey Street, and Nassau Avenue, from M1-1 to M1-2 to allow for existing industrial businesses to expand.

3. “Height and Bulk”

Goal: To promote high-quality development, retain community character and accommodate both local and citywide needs through a comprehensive contextual development strategy for Greenpoint and Williamsburg. As shown on the attached Proposed Rezoning Map, such a strategy would:

- Maintain relative consistency of floor area ratios (F.A.R.) throughout the neighborhood;
- Ensure that new waterfront developments meld with their surroundings by limiting building heights and creating varying base heights to maintain the diverse street wall that defines this neighborhood and preserve the views of Manhattan from the upland areas;
- Discourage zoning lot assemblages in upland areas;
- Encourage adaptive re-use of existing manufacturing buildings and renewal of the existing housing stock.

Consideration of Applications:

The Height and Bulk of the proposed plan does not reflect the community’s existing, or desired, character and scale. Greenpoint and Williamsburg are low-density, low-rise

neighborhoods. Although each community needs and desires the development that will accompany this rezoning, it is a priority that the new development is in harmony with the existing diverse neighborhood character and sufficiently protects existing buildings. Innovative and sustainable building practices should be encouraged.

Primary Recommendations:

- a. In the area governed by the Waterfront Access Plan map an F.A.R. of 3.4 with mandatory affordable housing provisions (see affordability requirements under “Affordable Housing”).
- b. Permit additional waterfront development to an F.A.R. of 3.7 through amenity incentives (for the list of incentives, see full “Height and Bulk” recommendations in the “Full Recommendations”).
- c. Establish the following “primary community corridors,” to strengthen linkages between upland commercial districts, transit hubs and the waterfront.
 - Metropolitan Avenue; the BQE to the East River
 - North 6th Street; Bedford Avenue to the East River
 - Greenpoint Avenue, Manhattan Avenue to the East
 - Green Street; Manhattan Avenue to the East River

Upland blocks: Map each upland portion of the “primary community corridor” R6A with a C2-4 overlay.

Waterfront blocks: Continue the C2-4 overlay along the waterfront portions of the “primary community corridors”. F.A.R. for the waterfront portions of the “primary community corridor” should follow the recommendations above.

- d. Map R6B in upland areas where there is a strong existing residential fabric and adjacent to and within the Greenpoint Historic District.
- e. Map R6B with a C1-4 overlay adjacent to McCarren Park, the NY State Park and the proposed park north of the Bushwick Inlet.
- f. Map R6, paired with MX zoning, instead of R6A, in the remainder of upland areas.

4. “Parks and Open Space”

Goal: Preserve, enhance, and increase quality of, quantity of, and access to public open space and natural habitats.

Consideration of Applications:

The Shore Public Walkway must be continuous and serve to celebrate and protect natural features. The Shore Public Walkway has the potential to be the most promising and vibrant amenity to the community resulting from the rezoning effort and to increase the development potential of difficult waterfront sites. Its potential is contingent on continuous implementation (as opposed to DCP’s proposal that provides piecemeal private development). We call on the City to provide a guaranteed commitment to immediately develop the entire waterfront esplanade. We also call on the City to ensure that the entire waterfront esplanade guarantees full, open and convenient public access

that remains continuously open to the public without any closure or restriction by private developers or landowners.

The location and amount of Open Space fails to meet even the City's own standards. The amount of parkland and Open Space does not sufficiently accommodate the potential build out. The proposed amounts fall short of the DCP recommended open space per capita ratio, as well as the current Brooklyn average. Additionally, the lack of Open Space per capita creates a potential decrease of tree canopy cover that is already below agency standards and causes further environmental concerns. The current proposal is deficient in active open space at the north end of Greenpoint where the bulk of development would occur.

Primary Recommendation:

- a. Create More Parks & Open Space
 1. Meet N. Greenpoint active parkland needs by expanding Barge Park
 - Map Block 2472 Lot 32 as parkland
 - Swap Block 2494 Lot 6 to developer of Parcel 3 as part of expansion of Barge Park onto Lot 100 Block 2472.
 - Agency release of MTA Block 2472 Lot 425 for use to achieve community parks & open space goals either through a park mapping, or by being "swapped" with the owner of the adjacent lot 100 for 3/4 of lot 100 to expand the existing Barge Park
 2. Create new park on parcel 62. Map Block 2570 Lot 1 as parkland. (former Continental Iron Works)
 3. Create new park on Parcel 67. Map Block 2590 Lot 1 as parkland.
 4. Create new park on Parcel 68. Map Block 2590 Lots 210, 222 & 215 as parkland.
- b. Publicly develop the entire shore public walkway. If public funds within the City's fiscal budget are not available, the City should do no less than implement the North Brooklyn Bond Fund (See attachment).
- c. Historical and Natural Waterfront Preservation
 1. Create new park on parcel 62 and map Block 2570 Lot 1 as parkland, as stated above. This parcel is of great historic significance. Formerly the site of Continental Iron Works, the Civil War ironclad "Monitor" as well as six other Ironclad ships was built and launched into the East River from this site. In addition, Continental Iron Works embodied the industrial heritage of our waterfront community as they transitioned from ship building to manufacturer of complete "gas works" systems used to illuminate many buildings in the era prior to electricity. Continental Iron Works was primarily an open-air shipyard. As the vast majority of the extant site has simply been paved over and not built upon, it is quite likely archaeological remnants remain. As the Department of the Navy and the current presidential administration have provided significant financial resources to the recovery of the remains of the Monitor- there is no doubt this site should be preserved as a park adjacent to the Monitor Museum on the Bushwick Creek Inlet
 2. Modify WAP to preserve, create and enhance natural areas of habitat, especially at the Bushwick Inlet and along the shore public walkway.

II. Applications: 040415MMK, 040416MMK, 040417MMK, 040418MMK

These applications include City Map changes demapping portions of N9th, N10th, N11th, and N12th Streets, and a portion of Quay Street west of Kent Avenue and mapping the resultant 45.5-acre parcel between N9th Street to the south and the northern edge of Bushwick Inlet to the north as park. The proposed park would include approximately 17.7 acres of land under water, for a net of 27.8 acres.

Vote: “Yes with conditions”: Community Board 1 has major concerns that the parcel created by the proposed street demapping and park mapping actions, if not immediately acquired by the City and developed as public parkland, will remain vulnerable to private development of environmentally noxious uses and/or non-contextual residential development, severely exacerbating the community’s drastic need for more public open space.

As conditions for approval of the above-stated mapping action, Community Board 1 requests the City to undertake the following:

1. Map additional parkland in Northern Greenpoint as stated above under “Create More Parks and Open Space”
2. Guarantee acquisition and development of all (4) segments of the “Olympic Park” and identify a budget line.
3. Prior to a parks mapping, the City must present documentation that the property donated by Motiva to the Monitor Museum will be used in the creation of the USS Monitor Museum

III. Additional Primary Issues:

1. Fire Protection

Since the closing of Engine Company 212 there has been a 53 second increase in structural fire response time. The City’s proposed rezoning will add at least 8,257 dwelling units and 337,160 square feet of commercial space by the City’s own calculations. The Board’s policy calls for the creation of a new firehouse in the Northside area as there is no firehouse to serve the Northside community and the waterfront area. It has requested that a new state of the art facility that can house proper modern equipment (such as ladders for high rise buildings) be created to better service the community. The closed firehouse facility at 136 Wythe Avenue should be redeployed to provide vital EMS services to the Greenpoint-Williamsburg area.

2. Bushwick Inlet Power plant

Due to ongoing deliberations concerning the TransGas Energy Systems Article X Application to construct a 1,100 MWatt power plant at the Bushwick Inlet, Community Board 1 believes it is necessary to state in writing, that we do not under any circumstances support the construction of a power plant anywhere within Community District 1 and our statements on the City’s proposed rezoning plan should never be misconstrued to imply so.

--end Position Statement and Executive Summary--

FULL RECOMMENDATIONS

Brooklyn Community Board 1 – ULURP Position and Recommendations

Greenpoint-Williamsburg Rezoning, Applications:

050111ZMK, N050110ZRK, 040415MMK, 040416MMK, 040417MMK, 040418MMK

The following recommendations are intended as modifications to DCP’s proposed rezoning plan. Our recommendations are categorized into the following sub-areas: Affordable Housing, Economic Development, Height and Bulk, and Parks and Open Space and should be considered in tandem with the “Position Statement” on the proposed rezoning.

Note: Due to ongoing deliberations concerning the TransGas Energy Systems Article X Application to construct a 1,100 MWatt power plant at the Bushwick Inlet, Community Board 1 believes it is necessary to state in writing, as a preface to our ULURP recommendations, that we do not under any circumstances support the construction of a power plant anywhere within Community District 1 and our statements on the City’s proposed rezoning plan should never be misconstrued to imply so.

AFFORDABLE HOUSING RECOMMENDATIONS

We acknowledge the presentation recently made by HPD and DCP and appreciate their effort to amend the zoning proposal to create a deeper level of affordability. However we are strongly convinced that the only way to ensure the development of a significant amount of affordable housing is through mandatory provisions and that the income targets do not meet the needs of this community district.

I. Zoning Text and Map Modifications

A. Affordable Housing Special District

Community Board 1 recommends a zoning text amendment to the Zoning Resolution creating a new special district, the Affordable Housing Special District, to be mapped as an overlay encompassing the entire Greenpoint-Williamsburg rezoning action area. The purpose of this special district, identified with the suffix AH, would be to guarantee that at least 40% of the housing units created through rezoning along the waterfront and in upland areas would be affordable to current low, moderate and middle-income residents and to preserve existing affordable housing in Community District 1. The Affordable Housing Special District would contain both inclusionary housing as well as anti-harassment provisions.

1. Inclusionary Housing Provisions

The mandatory inclusionary housing provisions of the new special district, detailed below, shall apply to any district in Greenpoint-Williamsburg that is being rezoned from a manufacturing (M3, M1) or commercial (C8) district or from the Special Northside Mixed Use District or Special Franklin Street Mixed Use District to a residence or mixed-use district with a residential floor area ratio (FAR) equivalent to or greater than 2.0.

- a. Forty percent (40%) of the apartments in each new development of 15 or more units (or equal to or greater than a gross developable floor area of 7,500 square feet) within the Affordable Housing Special District must be affordable to individuals and families within certain income

bands, ranging from 25% of Area Median Income (50% of CB1 Area Median Income) to 150% of Area Median Income. ¹ See attached sample scenario (from MAD Proposal).

- b. For the purpose of calculating the total number of units in upland developments, each zoning lot on the effective date of rezoning shall be considered a separate development parcel. Condominium or cooperative housing units will be considered in the aggregate for purposes of meeting the 15 unit (or 7,500 square feet) threshold. If a developer merges contiguous lots or lots within the same or nearby blocks that constitutes “a project”, the resulting developments would be considered one project for purposes of meeting the 15 unit threshold.
- c. If a developer is granted a floor area bonus for the provision of certain amenities, as described in the Board’s Height and Bulk Recommendations, it must provide 40% affordable housing (as defined above) on any additional units. This is on top of the 40% mandatory affordability requirement of the Special District. If the additional permitted floor area results in the project meeting the 15 unit (or 7,500 square feet) affordability threshold, the entire project will be subject to the 40% affordable housing requirement.
- d. All developments within the area governed by the WAP must be economically integrated, with affordable units created on all parcels that exist on the effective date of rezoning.
- e. Upland developments could provide affordable units off-site provided that all of these units are located within Community Board 1 and that they amount to no less than 50% of the total number of units created both on-site and off-site, regardless of the sequence of construction.
- f. Developers may utilize existing housing subsidy programs to achieve all or part of the 40% affordable housing threshold (50% for off-site development).
- g. The obligation to maintain the affordable housing units shall be tied to the zoning lot containing such units, through a restricted covenant or deed restriction, and shall run for the life of the market rate development.
- h. Affordable housing provisions shall apply to both rental and homeownership units.
- i. Developers shall enter into an agreement with qualified not-for-profit entities to market and manage the affordable units in their development.
- j. At least 50% of the affordable units in each development must be reserved for current residents or people displaced from Community District 1.

Note: Public investment in the shore public walkway and related infrastructure would significantly lower development costs on waterfront sites, making affordable housing development more feasible in this area.

2. Anti-Harassment Provisions

Special anti-harassment provisions shall apply to all upland areas in the rezoning action area for the purpose of preserving and improving existing affordable housing and preventing displacement of long-time community residents. These provisions, modeled on modified and improved Clinton Special District provisions, shall include additional language and resources to protect existing residents of buildings with fewer than six units.

Within the Affordable Housing Special District no demolition permit or alteration permit for partial demolition of a residential building shall be issued by the Department of Buildings unless the building is deemed to be unsafe or the City Planning Commission has issued a special permit.

¹ Based upon an area median income used by HUD from the 2000 Census of \$62,800 for a family of four.

However, we recommend an alternate and simpler procedure for owners of one- or two-family buildings:

- In order to obtain a permit for demolition or partial demolition, owners of one- or two-family buildings shall be required only to certify that no apartment in their building is subject to rent regulation under the laws of the State of New York or has been subject to such regulation within the previous four years.

Issuance of a special permit would be contingent upon specific findings by the Commission, including the following:

- a. that the existing building (a) is not eligible for rehabilitation under any active publicly-aided program; (b) is to be demolished for the purpose of implementing a publicly assisted program for the construction of low-income housing (to occupy no less than 50% of the floor area permitted on the zoning lot as of the date of the special permit), and (c) is to be substantially preserved and requires an alteration permit to allow the removal and replacement of 20 percent or more of the floor area;
- b. that the owner notified the applicable governmental agency of its intention to demolish the building prior to evicting or otherwise terminating the occupancy of any tenant;
- c. that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred;
- d. that, if harassment has occurred, all parties of interest have entered into a legal agreement approved by the Department of Housing Preservation and Development providing for either a floor area cure or a land cure;
- e. that the number of new dwelling units to be constructed and residential floor area of the new development is at least equal to the number of dwelling units and residential floor area to be demolished and;
- f. that development will commence within a period of twelve months from completion of relocation.

For the purpose of the Affordable Housing Special District harassment shall mean any conduct by or on behalf of the owner of a building containing residential units, which materially advanced demolition and development for which a permit is being sought, including the use of force, interruption or discontinuance of essential services, and failure to comply with provisions of the Housing Maintenance Code, either of which cause or are intended to cause lawful occupants to vacate their dwelling unit or waive any rights to occupancy of such unit.

II. Accompanying Recommendations

In addition to the above map and text modifications to DCP's proposed rezoning action, Community Board 1 submits the following recommendations for mitigation against potential adverse impacts:

1. Increase government support to non-profit community development corporations for development of affordable housing in Greenpoint-Williamsburg through a variety of affordable housing programs, including HUD's 202 Program for seniors; New York City's LAMP program; New York State's Housing Trust Fund/HOME/tax-credit programs; New York City's supportive housing program; and allocation of Section 8 vouchers.

2. Dispose all city-owned parcels remaining in Greenpoint and Williamsburg that are appropriate for affordable housing development by non-profit community development corporations, excluding those parcels desired for the creation of open space as stated in the “Parks and Open Space Recommendations” (Block 2494 Lot 6, Block 2472 Lot 32, and Block 2472 Lot 425).
3. In addition, various financial and tax incentive programs should be made available in areas where the existing R zoning is to remain in order to promote further affordable housing development on a voluntary basis.
4. Commit additional dedicated resources to the enforcement of rent regulations, housing codes and Fair Housing regulations in Greenpoint-Williamsburg in order to protect rent regulated tenants and units.
5. Protect tenants in unregulated housing (buildings under 6 units) by approving the Community Stability/Good Neighbor Tax Credit bill sponsored by Assemblyman Joseph Lentol that would provide a tax credit to landlords who keep tenants in place at below market rents.
6. Protect existing subsidized housing units in Greenpoint-Williamsburg (i.e. limited equity coops, Mitchell Lama, public housing, Section 8) and keep them affordable.
7. Protect existing live/work tenants in buildings that have been converted from manufacturing to residential use and are being legalized and upgraded

ECONOMIC DEVELOPMENT RECOMMENDATIONS

I. Zoning Text and Map Modifications: Recommended Modifications to the Existing Special Mixed Use District (MX) Zoning Text Modified Special Mixed Use District (MX-8a and MX-8b)

Community Board 1 recommends the following text modifications to the proposed special mixed-use district (MX-8) to create mixed use zones that:

- Improve the environmental and quality of life conditions in Greenpoint and the Williamsburg Northside
- Include provisions for retaining a balance of uses over time Williamsburg Northside
- Maintain ground floor industrial uses in the Williamsburg Northside

A. Modified Special Mixed Use District (MX-8a)

A Modified Special Mixed Use District (MX-8a), which pairs an M1 district with a R district, shall be mapped primarily in areas currently zoned M(R) in the existing Special Northside Mixed Use District and areas currently zoned M3 and M1 within the rezoning boundary in the Northside, except for areas near the Bushwick Inlet that are being rezoned to M1. (See attached Proposed Rezoning Map for further clarification)

1. The MX-8a district would:
 - a. Prohibit certain M uses currently permitted under MX that are deemed potentially incompatible with residential uses. However, existing businesses shall be grandfathered. (See “New Use Group M”.)

- b. Mandate that ground floors are to be occupied only by use group 11 and use groups 16 and 17 as modified, except where a “primary community corridor” is mapped.¹
2. For all regulations pertaining to the MX-8a district, home occupation uses will be considered residential uses.
3. The MX-8a would adopt a new section entitled Special Provisions for Ground Floor Uses
 - a. In all buildings in the Special District, ground floor uses may only be occupied by uses listed in use group 11 and use groups 16 and 17 as modified.
 - b. Existing uses not listed in use group 11 or the modified use groups 16 and 17 would be grandfathered, but would not be allowed to expand and could only be replaced by uses listed in use group 11 and use groups 16 and 17 as modified.
 - c. Other uses currently existing on the ground floor as set forth in the DCP Draft Scope Existing Uses map shall be grandfathered.
 - d. Buildings that have other ground floor uses as set forth in the DCP Draft Scope Existing Uses map shall not be required to develop ground floor manufacturing space, even if such building is renovated.
 - e. The restriction of ground floor use to New Use Group M uses, shall not apply to:
 - a single lot development that prior to the effective date of this amendment did not exceed 3,000 sq. ft. of lot area
 - "art galleries, commercial" uses located on blocks with frontages not exceeding 230 feet or on blocks in designated commercial corridors, provided that the depth of such gallery space is within 100 feet of the #street line#.
 - Primary Community Corridors as described in Section C of the “Height and Bulk” recommendations.
4. New “As of Right” provisions for New Residential, Commercial and Community Facility Development in the MX-8a district:
 - Delete existing text (ZR Section 123-221)
 - Replace with:
 - a. New developments must have ground floor uses listed in use group 11 and use groups 16 and 17 as modified.
 - b. Uses listed in use groups 5, 6, 7, 8, 9 and 11, and use groups 16 and 17 as modified, are allowed on the upper floors of buildings in accordance with provisions in the MX text regulating the location of uses in mixed use buildings (ZR Section 123-31).
 - c. New developments, including conversions of existing buildings, development on an existing empty lot, and development on a lot where an existing building was demolished must adhere to the ground floor provisions as stipulated in the new Section of the MX-8a district.

¹ Primary Community Corridors is a concept created by the Brooklyn Community Board 1 Rezoning Task Force Height and Bulk Committee to encourage neighborhood retail, office, and other non-industrial uses on streets deemed important for the commercial development of the community.

B. Modified Special Mixed Use District (MX-8b)

A Modified Special Mixed Use District (MX-8b), which provides a modified list of use groups for the MX text, shall be mapped primarily in areas currently zoned R(M) in the existing Special Northside Mixed Use District and in parts of Greenpoint, as indicated in the attached proposed zoning map.

1. The MX-8b district would prohibit certain M uses currently permitted under MX that are deemed potentially incompatible with residential uses. However, existing businesses shall be grandfathered. (See attached list entitled, New Use Group M.)
2. Existing uses not listed in the use group 11 and use groups 16 and 17 as modified would be grandfathered but would not be allowed to expand and could only be replaced by industrial uses listed under use group 11 and use groups 16 and 17 as modified

C. New Use Group M – Allowable Uses

Use Groups 11

All uses

From Use Group 16A:

Animal hospitals or kennels

Building materials sales, open or enclosed, limited to 10,000 sq. ft. of lot area per establishment, provided that not more than 5,000 sq. ft. of such lot area is used for open storage

Carpentry, custom woodworking, or custom furniture making shops

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 square feet of lot area per establishment

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units

Machinery rental or sales establishments

Glass cutting shops [note: exclude "mirror silvering"]

Motorcycle or motor scooter rental establishments

Sign painting shops, with no limitation on floor area per establishment

Soldering or welding shops

Tool, die or pattern making establishments, or similar small machine shops

Trade schools for adults

From Use Group 16D:

Moving or storage offices, with no limitation as to storage or floor area per establishment

Packing or crating establishments

Photographic developing or printing with no limitation on floor area per establishment

Warehouses

Wholesale establishments, with no limitation on accessory storage, except if largely recognized as a “big box” establishment

From Use Group 16E:

Accessory Uses

From Use Group 17B:

Advertising displays

Apparel or other textile products from textiles or other materials, including hat bodies, or similar products

Beverages, non-alcoholic

Boats less than 200 feet in length, building or repair, open or enclosed, provided that such use or portion thereof may be conducted outside a completely enclosed building only if located a distance greater than 200 feet from a Residence District boundary, or if effectively screened by a wall or fence at least eight feet in height with no boat building located less than 30 feet from a Residence District boundary

Bottling work, for all beverages

Brushes or brooms

Camera or other photographic equipment, except film

Canvas or canvas products

Carpets

Ceramic products, including pottery, small glazed tile, or similar products

Cork products

Cosmetics or toiletries

Cotton ginning, or cotton wadding or linters

Electrical appliances, including lighting fixtures, irons, fans, toasters, electric toys, or similar appliances

Electrical equipment assembly, including home radio or television receivers, home movie equipment, or similar products, but not including electrical machinery

Food products, except slaughtering of meat or preparations of fish for packaging

Fur goods, not including tanning or dyeing

Glass products from previously manufactured glass

Hosiery

Jute, hemp, sisal or oakum products – except manufacturers who use harmful chemicals in the weathering process

Leather products, including shoes, machine belting, or similar products

Luggage

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products

Machinery, miscellaneous, including washing machines, refrigerators, air-conditioning, commercial motion picture equipment, or similar products [note: exclude “firearms”]

Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products

Mattresses, including rebuilding or renovating

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Motorcycles, including parts

Musical instruments, including pianos or organs

Novelty products

Optical equipment, clocks or similar precision instruments

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers, or similar appliances

Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products

Printing or publishing, with no limitation on floor area per establishment

Scenery construction

Soap or detergents, packaging only

Sporting or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods, or similar products

Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products

Textiles, spinning, weaving, manufacturing, knit goods, yarn, thread or cordage, except dyeing and printing

Toys

Umbrellas

Upholstering, bulk, excluding upholstering shops dealing directly with consumers

Vehicles, children's, including bicycles, scooters, wagons, baby carriages, or similar vehicles

Venetian blinds, window shades or awnings, with no limitation on production or on floor area per establishment

Wax products

Wood products, including furniture, boxes, crates, baskets, pencils, cooperage works, or similar products

From Use Group 17C:

Agriculture, including greenhouses, nurseries, or truck gardens

Docks for passenger ocean vessels, other than gambling vessels

Docks for sightseeing, excursion or sport fishing vessels, other than gambling vessels, with no limitation on vessel or dock capacity

Docks for vessels not otherwise listed, other than docks for gambling vessels.

II. Funding/Budget Recommendations

1. Encourage the development of water and waterfront-related businesses to locate in the rezoning area, especially along the waterfront that will serve existing and new populations, but that are in context with the existing neighborhood.
2. Establish dedicated relocation assistance for business within Community District 1.

3. Enforce legislation that allows the City to collect a fine from property owners that have illegally converted their property prior to the rezoning approval as determined by the Department of City Planning's land use map included in the Draft Scope of Work document and use the funds for increased zoning enforcement in the neighborhood.

III. Agency Action/Coordination

1. DCP should immediately undertake a study to rezone the existing M1-1 area near the Bushwick Inlet, roughly bounded by North 12th street, Banker Street, Franklin Street, Guernsey Street, and Nassau Avenue, from M1-1 to M1-2 to allow for existing industrial businesses to expand.
2. Work with the Department of Cultural Affairs and the Department of Small Business Services to develop programs to help maintain and expand "creative economy" activities including artisan uses, home occupation uses, etc.
3. City Planning should recommend the disapproval of variance applications for use changes in areas within the rezoning area that will remain zoned for manufacturing
4. The Office of the Deputy Mayor for Economic Development and Rebuilding should coordinate an outreach effort to local businesses on available assistance programs, before the rezoning proposal is approved.
5. DCP, EDC, and SBS should work with the Brooklyn and Queens Borough Presidents to study the feasibility of expanding the East Williamsburg In-Place Industrial Park to include both sides of the Newtown Creek.
6. DCP, EDC and SBS should coordinate with the Local Development Corporations that manage the City's In-Place Industrial Parks to identify potential relocation areas and relocation funding for displaced Greenpoint/Williamsburg businesses so they can be retained in the five boroughs, before the rezoning proposal is approved.
7. DCP should study the possibility of mapping the Bushwick Inlet area and the East Williamsburg In-Place Industrial Park as an Industrial Employment District, which will limit the as-of-right uses to manufacturing and related uses only, as a progressive measure to maintain these areas for industrial activity.
8. EDC and SBS should work with existing not-for-profit organizations and encourage new not-for-profit organizations to identify and create additional industrial space modeled after the Greenpoint Manufacturing & Design Center.
9. The City should improve enforcement and coordination by the creation of an industrial business "desk" at the Department of Small Business Services so that:
 - a. The Department of Small Business Services (DSBS) would be assigned monitoring of Buildings Department's zoning enforcement including performance standards and illegal conversions.
 - b. DSBS would also be responsible for coordinating incentive and assistance programs for businesses in the Modified Northside Special Mixed Use District.

HEIGHT AND BULK RECOMMENDATIONS

I. Zoning Text and Map modifications

(See Proposed Rezoning Map for further clarification of all recommendations)

A. Waterfront

Amend text modifications in the area governed by the Waterfront Access Plan as follows:

1. Map residential F.A.R. of 3.4 with mandatory affordable housing requirements. (see Affordable Housing recommendations). Permit up to a 10% bonus to a maximum F.A.R. of 3.7 with development incentives listed below.
2. Limit tower heights to 150 ft. With development incentives limit tower height to 170 ft.
3. Limit the size of tower footprints to preserve views from the upland to the waterfront. Orient towers with their narrow face to the water. Locate towers within the center third of the long dimension each parcel.
4. No individual street-wall may be of uniform height along its entire length The following requirements apply:
 - a. 40% of each development's cumulative perimeter street-wall must be between 40 ft and 60 ft. in height
 - b. 10% of each development's cumulative perimeter street-wall may be up to 90 ft. in height
 - c. The remainder of the street-wall must not exceed 40 ft. in height
5. Require vertical façade articulation, or breaks in the street-wall, every 50 ft.
6. Require 60'-wide public cross-connectors through blocks that exceed 450' in length. Cross-connectors must run entirely through the block, may be used as driveway access to parking, and would be exempt from the "wrapping rule".
7. In the WAP, specifically disallow use of special permit to apply for additional height under special conditions (Zoning Resolution 62-736)

B. Waterfront Development Incentives

The following amenities require review and certification by DCP and allow bonuses per above recommendations and are not a substitute for any affordable housing requirements:

- a. Publicly accessible open space, i.e. public pools, "skate board" park, "music barge", and boat launches.
- b. Neighborhood amenities, i.e hotels, performing art centers, movie theaters.
- c. Community facilities, i.e day care centers, senior centers.
- d. Space tailored to accommodate state of the art facilities for sustainable business/manufacturing practices and high performance light industry.
- E. Adaptive re-use of existing industrial buildings, particularly structures with historic significance.
- F. Addition of new piers for public recreational use.
- g. Environmentally sustainable construction practices, i.e. LEEDS certification, green roofs.
- h. Design review by a body to be determined that would include community residents.

C. Primary Community Corridors:

1. Establish the following "primary community corridors," to strengthen linkages between upland commercial districts, transit hubs and the waterfront. See attached Proposed Rezoning Map.

- Metropolitan Avenue; the BQE to the East River
 - North 6th Street; Bedford Avenue to the East River
 - Greenpoint Avenue, Manhattan Avenue to the East River
 - Green Street; Manhattan Avenue to the East River
2. **Upland blocks:** Map each upland portion of the “primary community corridor” R6A
 3. **Waterfront blocks:** Continue the C2-4 overlay along the waterfront portions of the “primary community corridors”. F.A.R. for waterfront portions of the “primary community corridor” must comply with the waterfront provisions noted above. Base height must be between 40'-60' except that the 90-ft high portion of base may be located here.

D. Upland

1. Maximum front yard of 10 ft.
2. Retail square footage is limited to 8,000 square feet.
3. Map R6B in upland areas where there is a strong existing residential fabric.
4. Map R6B adjacent to and within the Greenpoint Historic District.
5. Map R6 in the remainder of upland areas. (Mandatory affordable housing requirements apply, see “Affordable Housing recommendations”).

E. Districts Bordering Public Parkland

Map R6B with a C1-4 overlay adjacent to McCarren Park, the NY State Park and the proposed park north of the Bushwick Inlet.

II. Recommendations for Further Study

Be it further resolved CB1 urges DCP to immediately undertake the following studies:

- A. The blocks bounded by Broadway, North 3rd Street, the East River and Wythe Avenue - including the Domino site and surrounding areas - for potential rezoning to Mixed-Use with an incentive for adaptive re-use of the existing buildings, to achieve a mix of uses, including affordable housing, live/work facilities, high performance light manufacturing, creative industry, art related /cultural facilities and public open space, etc.
- B. To increase the commercial FAR along the Primary Community Corridors and along the BQE to 3.0.
- C. To map a C2-4 overlay along Grand Street between Roebling Street and Havemeyer Street and between Berry Street and Wythe Avenue.
- D. To map extending the C1-3 overlay along Havemeyer Street between Grand Street and Metropolitan Avenue to match existing adjacent zoning.
- E. To upzone M1-1 area near Bushwick Inlet to M1-2

PARKS & OPEN SPACE RECOMMENDATIONS

I. Text and Map Modifications to the Waterfront Access Plan and Modifications to Park Mapping Application

A. Create More Parks & Open Space

Modify the WAP and Park Mapping Application as follows:

1. Meet N. Greenpoint active parkland needs by expanding Barge Park
 - a. Map Block 2472 Lot 32 as parkland
 - b. Swap Block 2494 Lot 6 to developer of Parcel 3 as part of expansion of Barge Park onto Lot 100 Block 2472.
 - c. Agency release of MTA Block 2472 Lot 425 for use to achieve community parks & open space goals either through a park mapping, or by being "swapped" with the owner of the adjacent lot 100 for 3/4 of lot 100 to expand the existing Barge Park
2. Create new park on parcel 62. Map Block 2570 Lot 1 as parkland. (Site of the former Continental Iron Works – see below)
3. Create new park on Parcel 67. Map Block 2590 Lot 1 as parkland.
4. Create new park on Parcel 68. Map Block 2590 Lots 210, 222 & 215 as parkland.

B. Historical Waterfront Preservation

1. Creation of a new park on parcel 62 and mapping of Block 2570 Lot 1 as parkland, as stated above, would preserve a site of great historic significance. Formerly the site of Continental Iron Works, the Civil War ironclad "Monitor" as well as six other Ironclad ships was built and launched into the East River from this site. In addition, Continental Iron Works embodied the industrial heritage of our waterfront community as they transitioned from ship building to manufacturer of complete "gas works" systems used to illuminate many buildings in the era prior to electricity. Continental Iron Works was primarily an open-air shipyard. As the vast majority of the extant site has simply been paved over and not built upon, it is quite likely archaeological remnants remain. As the Department of the Navy and the current presidential administration have provided significant financial resources to the recovery of the remains of the Monitor- there is no doubt this site should be preserved as a park adjacent to the Monitor Museum on the Bushwick Inlet
2. Prior to a parks mapping, the city must present documentation that the property at the northern side of the inlet donated by Motiva to the Monitor Museum will be used in the creation of the USS Monitor Museum and Park at the Northern side of Inlet

C. Preserve, Create and Enhance Natural Areas of Habitat

Modify the WAP to:

1. Preserve and improve wildlife sanctuary at the Bushwick Inlet
2. Require pocket protection of habitat along shore public walkway
3. Require Parks Dept and developers to use plantings beneficial to wildlife that are sustainable in our zone
4. Require marsh and rush grasses plantings along the water's edge throughout the entire waterfront to prevent and diminish erosion caused by water's tidal action
5. Preserve concrete outcroppings in the vicinity of N9th-12th streets as they provide shelter for colonies of microscopic and small aquatic creatures that form the foundation of the inlet's ecosystem
6. Prohibit the location of water taxi docks, motorized boating or mooring facilities at the Bushwick Creek Inlet

D. Greenways

Modify the WAP to require enhanced planting along Noble Street to Franklin Street in order to connect American Playground to the shore public walkway.

E. Piers & Fishing Access (preservation & creation)

Modify the WAP to preserve fishing use at the following sites:

- a. Java/India/Huron St. bulkhead/pier site
- b. End of Manhattan Ave at Newtown Creek
- c. Williamsburg Waterfront Park
- d. Street end parks

F. Tree Canopy Cover

Modify the WAP to:

1. Require additional inland tree plantings to address significant population increases and related tree canopy cover needs
2. Require that developers maintain a tree care partnership with the Parks Dept even after public development of entire shore public walkway occurs
3. Mandate improved tree planting policies as outlined in publications such as "Brooklyn's Urban Forest"

G. Street Ends

Modify the WAP to require that:

1. Each waterfront street end should be developed as part of the waterfront esplanade with specific street ends designed as focal points, per the "Greenpoint/Williamsburg Open Space Plan" by GWAPP, see attached map.

H. Boating Infrastructure

Modify the WAP to:

1. Preserve and encourage boating uses at:
 - a. End of Manhattan Ave & Newtown Creek (kayaks, canoes, sailing, motor boats...)
 - b. Bushwick Inlet (light non-motorized craft) and
 - c. Huron St.
 - d. BEDT Park
2. Possible water taxi stops:
 - a. Green St Pier
 - b. Greenpoint / Kent St Landing
 - c. N 6th St.

I. Design Requirements

Modify the WAP to:

1. Require use of porous pavement to address stormwater runoff
2. Require solar powered lighting. Develop partnership programs between the community board, city agencies and developers through programs offered by entities such as NYSERDA
3. Require use of alternative wood such as "recycled wood" for shore public walkway features such as benches, trash receptacles, etc. Alternate woods can be an ecological and beneficial solution for both the developers and community since local woodworkers could do the work, thus contributing to our economic development

II. Funding and Budget-Related Issues

A. Shore Public Walkway

1. Immediate public development of entire shore public walkway through an improved capital parks budget, North Brooklyn Bond Fund or other means

B. Existing Parks & Community Gardens

1. Citywide Parks Budget must be improved to properly maintain existing & new parks, community gardens & open spaces
2. Significant improvements must be made to existing parks

C. Piers & Fishing Access (preservation & creation)

1. Expand & maximize fishing opportunities by building a dedicated T-shaped fishing pier at Java/India/Huron site using available EDC funding
2. Enable and encourage access to water through creation or rehabilitation of piers at Citi-Storage site.

D. Create More Parks and Open Space

1. Use opportunities resulting from Brownfields legislation and other means to create more waterfront park opportunities as well as inland parks throughout CB1

E. Tree Canopy Cover

1. Increase Parks Dept budget to foster proper care & survival of existing and future tree plantings
2. Parks Dept must plant additional trees to address existing CB1 tree canopy cover crisis

F. Boating Infrastructure

Create mooring fields, possible locations include:

- a. India/Huron Sts.
- b. N7th/N8th Sts.
- c. Grand Ferry Park

G. Urban Design Analysis Sub-Area further studies:

1. Williamsburg Waterfront Sub-Area
 - a. Continue public shore public walkway
 - b. Create new street end park at Division St.
 - c. Expand Grand Ferry Park, when NYPA facility is decommissioned
 - d. Create a new waterfront park under the Williamsburg Bridge on the current DOT site

III. Agency Action and Coordination

A. DOT - Greenways

1. A primary Greenway is called for along West St. from the tip of N. Greenpoint over the Inlet and through to Williamsburg
2. Secondary greenways should connect nearby parkland to the waterfront parks system
 - a. N 14th - connecting McCarren Park to Inlet
 - b. Commercial St. - commercial greenway, connecting new park at Manhattan Ave & Newtown Creek to the expanded Barge Park

B. Street Ends

1. Waterfront street end landscaping should occur immediately on publicly-owned streets

C. DOT - Pedestrian Safety

1. Study pedestrian safety at each parks/open space areas
2. Create pedestrian bridge at Bushwick Inlet to provide safe walk through West St & Kent Ave
 - a. Must be suspension bridge to avoid negative impacts to avian & marine life.
 - b. Bottom should be made of grated metal to allow sunlight to reach sensitive ecosystem and be less frightful to waterfowl

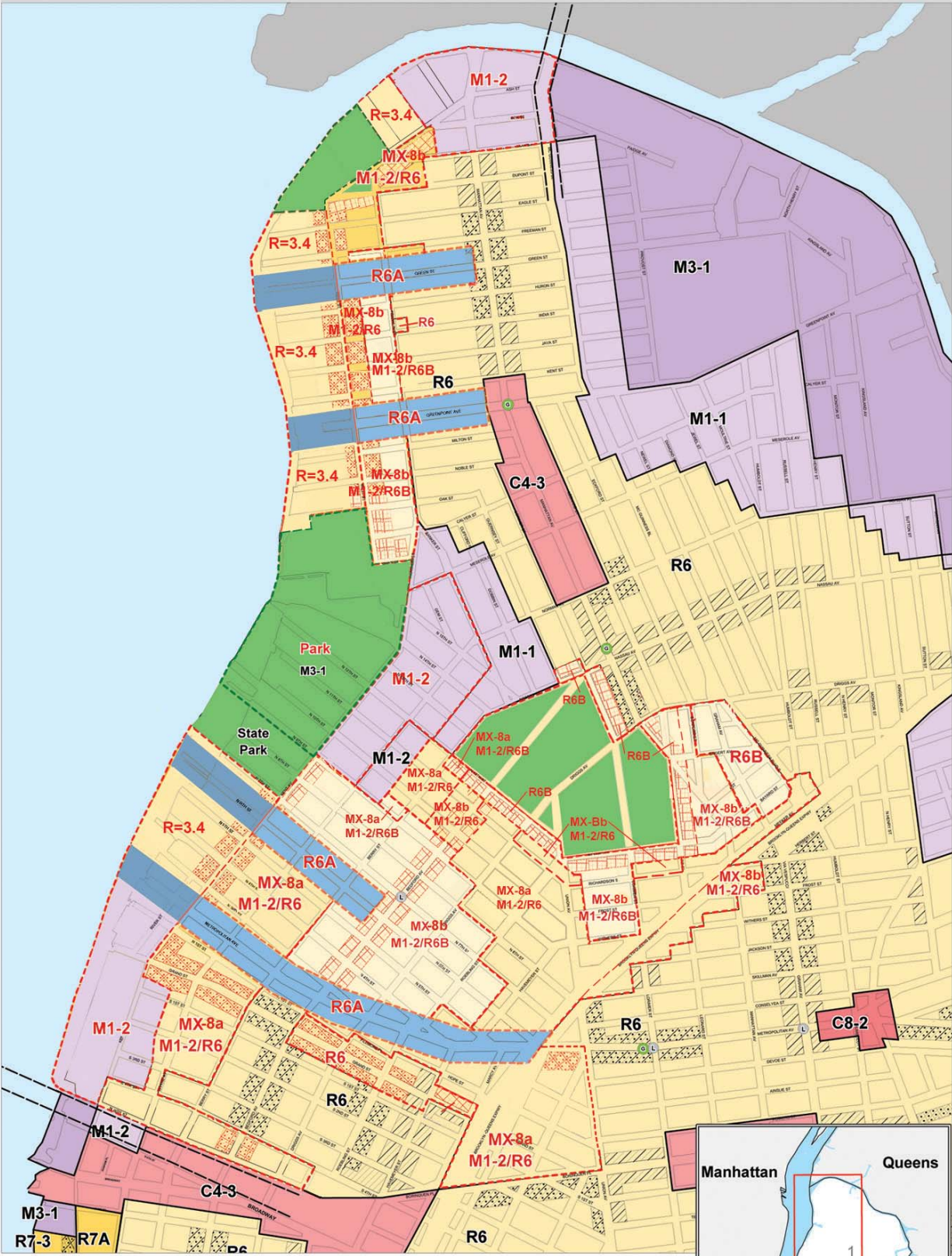
D. Shore Public Walkway

1. Feasibility study should be done to determine if a shore public walkway is possible at narrowed sites such as Bulova and GMDC, using money promised to GMDC from Governors office or other sources of funding.
- E. NYC Parks Dept/EDC/Community Board - Create More Parks and Open Space**
 1. Parks Dept along with EDC should move forward immediately with plans to create a passive use park at the WNYC Transmitter site.
 - a. Park should be inviting from Greenpoint Ave, however main entrance located at Kent St.
 - b. Parks Dept should move forward with plans to bid Parks structure for commercial use thus providing security and rest rooms.
 - c. Kent St side of park could serve as a water taxi stop
 - d. Passive park and water taxi site should connect to, but not interfere with fishing use & pier at neighboring Java/India/Huron site.
 2. NYS Office of Parks, Recreation and Historic Preservation should move forward with community planning process at Williamsburg Waterfront Park

--end full recommendations--

Greenpoint-Williamsburg Rezoning
Proposed Zoning

**Brooklyn Community Board #1
 Rezoning Task Force**



Zoning district boundaries:

- Existing zoning district boundary
- Proposed zoning district boundary
- Proposed mapped park
- C1-4 overlay
- Primary Community Corridor with C2-4 overlay
- C2-4 overlay



Sample Affordable Housing Scenario

Goal: We demand that no less than 40% of the Housing Units created by the Rezoning Plan must be guaranteed to be affordable, attainable, and inclusive for current low and moderate income residents of Williamsburg /Greenpoint

One possible scenario to achieve this goal
(based on DCP's figure of 23,139 units projected & potential units.)

Build ¾ of total units (6,942 units) through an Affordable Housing Zoning requirement

All developers would be required (via zoning text) to include at least 30% affordable housing in their new developments, as follows:

- * 10% for families earning less than \$20,000 (2,314 units)
- * 10% for families earning \$20,000 - \$50,000 (2,314 units)
- * 10% for families earning \$50,000 - \$94,000 (2,314 units)

Build remaining ¼ of total units (2,400 units or 155 units per year) through government commitment to not-for-profit development through programs such as:

- * HUD's 202 program for seniors
- * New York City's LAMP program
- * New York State's Housing Trust Fund/HOME/tax-credit programs
- * New York City's supportive housing program
- * Allocation of Section 8 vouchers

Give CB1 residents priority for the new housing

NORTH BROOKLYN WATERFRONT ACCESS PLAN BOND FUND

Brooklyn Community Board 1 ULURP Position and Recommendations

Greenpoint-Williamsburg Rezoning, Applications:

050111ZMK, N050110ZRK, 040415MMK, 040416MMK, 040417MMK, 040418MMK

The community of Greenpoint and Williamsburg seeks immediate development of the North Brooklyn segment of the Brooklyn Greenway through implementation of the waterfront access plan. The Department of City Planning intends to have this development funded and completed by owners of those waterfront parcels. The community prefers this greenway to be public as opposed to private property. The community fears that it will take decades for the entire waterfront promenade to be completed, if ever at all. Rather than allowing developers to hold the community's hopes hostage as they create the promenade and open space according to their interpretation of the waterfront access plan, the following program can achieve the residents' desires and meet their urgent needs.

Both the Regional Plan Association and the Trust for Public Land have joined with the Parks and Open Space Subcommittee for the Rezoning Task Force of Brooklyn Community Board 1 to promote and establish this fund. Unbiased experts agree that this bond fund is a means of producing the parks and open space Brooklyn Community Board 1 so desperately requires. All parties agree that this bond fund will benefit community residents, property owners and the City of New York.

Although the financial market has turned around since late 2001, with war in both Afghanistan and Iraq and corporate scandals aplenty, investing in stocks and corporate bonds carries a higher risk than ever before in our country's history. New York City will issue twenty-year triple tax-exempt bonds each with a \$1,000 face value to cover the costs of any land acquisition and development of parks and open space and any related infrastructure. This will create the **North Brooklyn Waterfront Access Plan Bond Fund**. The bonds will be marketed as a tax-free investment vehicle that provides stability in today's turbulent market.

(Municipal bonds are normally issued in the \$10,000 denomination. This precludes many small investors from purchasing such an investment vehicle. Issuing the bonds in the \$1,000 denomination increases the likelihood of attracting a greater number of investors and expediting the length of time for sale of the total issuance. With a triple tax-exempt (Federal, State and Local) status the bonds become more attractive to investors at all economic levels. The bonds can sell more quickly and the funds accumulated more easily using this method. This culminates into earlier start and completion dates for the development of the Waterfront Access Plan.)

As landscapers, architects and construction companies specializing in public works, are engaged to construct the waterfront promenade, parks, and open space, their fees will be paid from the **North Brooklyn Waterfront Access Plan Bond Fund**. As those businesses are taxed on the gross revenue generated from this waterfront access plan, that tax revenue will be earmarked through a special form, deposited and accounted for in the **North Brooklyn Waterfront Access Plan Bond Fund**. These taxes, calculated through the use of a new tax form, (and which would otherwise not be generated or collected) will pay the semi-annual interest to the bonds owners.

To repay the bonds' principal a special assessment called the **North Brooklyn Waterfront Access Plan Assessment** will be levied immediately on each property slated for development

along the waterfront. The assessment will be prorated according to the acreage owned by each assessed property owner in proportion to the total acreage of waterfront rezoned for residential use in Brooklyn CD1. The assessment will be collected over a ten-year period. Any changes in ownership will not negate the assessment placed on the property or its collection cycle. This assessment does not apply to properties used as a location for active business enterprises, unless or until the property owner of such a location discontinues the property's use for a business enterprise and through public declaration or actions reveals their intent to take advantage of the new opportunities created by the rezoning.

The assessments will be collected, deposited and accounted for in the **North Brooklyn Waterfront Access Plan Bond Fund**. The collected assessments will be invested in reliable investment vehicles and earn additional funds to offset the cost of any additional staff required to: (1) maintain financial records of the fund; and (2) monitor and inspect the development of the waterfront promenade, parks and open space.

After completion of the promenade, the owners of the waterfront properties that are slated for and are eventually developed will be assessed a yearly fee to provide for required maintenance and improvements.

This plan will appeal to all parties as follows:

(1) Community Residents

- (a) Easy access to a presently off-limits waterfront.
- (b) An amazing promenade, boat launches, views of wildlife habitat, much needed and long-overdue parks (including an expanded Barge Park), and open space.
- (c) The waterfront will be designed according to the community's desires.
- (d) Increase the local economy as Manhattanites and tourists visit the waterfront promenade and local businesses.

(2) Property Owners

- (a) Relieved of the stress and burden of building waterfront access and open space according to the New York City Waterfront Access Plan. Free to concentrate on development of housing.
- (b) The North Brooklyn Waterfront Access Plan Assessment fees will result in a cost that is lower to each property due to economies of scale as opposed to costs calculated on a project by project basis.
- (c) The Assessment and annual maintenance fees are tax-deductible business expense, in effect decreasing net cost of assessment.
- (d) Infrastructure requirements for waterfront promenade increase the value and facilitate the development of property.
- (e) Since New York City constructs the promenade the property owners are not held liable for any lawsuits arising from defects in design and construction.
- (f) With the waterfront promenade classified and managed as public property, the property owners are not responsible for providing security and maintenance. The property owners are not liable for any lawsuits arising from security issues.

(3) New York City

- (a) Completes the Waterfront Access Plan for North Brooklyn in record time.

- (b) A completed waterfront is more enticing to the International Olympic Committee (increasing the likelihood of NYC chosen as location for 2012 Summer Games).
- (c) A completed waterfront promenade and pockets of wildlife habitat provides residents of Manhattan with a breath-taking view as opposed to the present dilapidated North Brooklyn waterfront.
- (d) Revenues or funding from other sources are not required.
- (e) Receives revenue generated from the rental of kiosks or other facilities located on the public land and an increase in business taxes collected on same businesses.

The North Brooklyn Waterfront Access Plan Bond Fund was developed by Ann-Marie DiGennaro, CPA.