



# EVERGREEN

Your North Brooklyn Business Exchange

## Testimony of Evergreen on City of Yes for Economic Opportunity Community Board 1, November 14, 2023

Evergreen Inc.: Your North Brooklyn Business Exchange is a membership organization that champions manufacturing, creative production, and industrial service businesses in North Brooklyn and beyond. We are delighted to discuss Mayor Adams’s City of Yes for Economic Growth (COY) proposal with you today. We appreciate the Mayor’s intention to keep NYC a thriving city. We believe that there are ways the proposal can be improved to ensure that it achieves its goals of fostering business and job growth in NYC.

Overall, we are pleased to see attention paid to updating zoning policy in the industrial areas. We are also glad to hear that there is no plan to allow residential uses in Industrial Business Zones. Some of the COY initiatives, including updates to parking and loading and increasing the breadth of allowable uses in commercial and other districts are welcome and forward-thinking. However, we would like to propose several recommended changes that we believe will strengthen the proposal. We ask that you consider incorporating them into the Community Board’s recommendations on the zoning text amendment.

### Evergreen supports:

- Overall increases in FAR for industrial uses throughout Core, Transition and Growth areas;
- Modernized use group classifications;
- Loosened parking requirements;
- Updated general loading requirement changes to enable adaptive reuse;
- Updated bulking requirements for film studios and other uses; and
- “Pressure-relieving” measures to allow/alter uses and regulations in commercial zones, including small-scale production, micro-distribution, life sciences, live entertainment and amusements

### Evergreen recommends the following refinements:

- Core area—limit allowable non-industrial uses, cap them at a maximum of 10,000 square feet and create a mechanism for oversight of incentivized industrial growth. We believe the Core needs to be limited to industrial/manufacturing uses as much as possible, particularly as the Transition and Growth M-zones become more permissive.
- Transition area—any density bonus should retain a minimum of 1.0 FAR for industrial uses and create a mechanism for oversight of incentivized industrial growth. Although we support incentivizing additional industrial uses with more height and bulk, this has the potential to undermine industrial growth if there is no ongoing oversight of uses in the incentive space.
- Growth—allow higher density bonus than currently proposed to retain a minimum of 1.0 FAR and create a mechanism for oversight of incentivized industrial growth. We understand that there is potential FAR across the board in this zone, however, in the framework of North Brooklyn, our “Growth” area is home to significant job-rich industrial businesses that we wish to protect.



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## Background

Evergreen engaged in a comprehensive planning process for the North Brooklyn Industrial Business Zone that concluded in 2017. Our resulting North Brooklyn Brownfield Opportunity Area Plan continues to inform our thinking about the best ways to encourage industrial growth in the different areas of our IBZ. When DCP released their changes to their North Brooklyn Industry and Innovation Plan in 2019, Evergreen carefully considered the impact of the proposal and shared its feedback. We have engaged in a thoughtful process with the COY package of proposals and designated a board subcommittee to review the proposals in great depth.

Our board is comprised primarily of industrial business owners in North Brooklyn. Each member is well positioned to assess the threats and opportunities to our businesses in our rapidly changing community. Many have had business operations disrupted by nearby incompatible uses such as large-scale nightclubs, hotel development, illegal residential conversions and other non-industrial uses. As small business owners, we are personally acutely aware of the difficulty of balancing the needs of industrial businesses with NYC's goal of encouraging commercial growth. This is not an easy task, but we believe it is worth the extra effort to nurture and protect working class jobs to create a more equitable city for all of us.

## Evergreen's Detailed Position

### Core

- We support the intention to allow for increased FAR for industrial uses in the Core. We would like to see all M-uses have the ability to reach up to 3.0 FAR, while keeping the max at 1.0 FAR for existing commercial use such as ancillary office uses.
- We believe that some mechanism for oversight must be instituted to ensure that incentivized industrial growth is truly industrial—both now and in the future. We are very concerned about the growth of incompatible non-industrial uses without ongoing oversight.
- We are in favor of limiting allowable use groups in the core area, as we've been advocating for since our BOA plan. Our belief is that, in the Core (not the Transition or Growth zones), large nightclubs, hotels and self-storage should not be allowed and uses like non-accessory office and hospitality should be capped at 10,000 square feet. Perhaps there is room for special permits in certain cases. But we maintain that the Core needs to be limited to industrial/manufacturing uses as much as possible, particularly as the Transition and Growth M-zones become more permissive. Our position contrasts with COY proposal to allow a wide range of non-compatible commercial uses in the core area.
- We support common sense parking (ideally highly reduced or removed), loading, and bulking requirements.

### Transition

- We support the concept of an incentive density bonus for industrial uses provided. For the past several years, Evergreen has buoyed mixed-use projects that offer 20% or 1.0 FAR for industrial uses and would hope to see a similar ratio enacted.
- It is extremely important that monitoring, implementation, and enforcement be addressed on the City's end to have effective mixed-use projects, even if such efforts are not to be done by DCP specifically. Although we support incentivizing additional industrial uses with more height and bulk, this has the potential to undermine industrial growth if there is no ongoing oversight of uses in the incentive space. We recommend that an



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oversight system with penalties be added to the proposal to preserve industrial businesses and the high quality working class jobs they offer local residents.

- We agree that allowing more loft-style buildings through updated bulking/envelope regulations is welcome, and similar to the Core, support the common sense parking and loading updates.

## Growth

- We are concerned that quality working-class jobs will be lost and believe that an incentive benefit can mitigate these losses. We understand that there is potential FAR across the board in this zone, however, in the framework of North Brooklyn, our “Growth” area is home to significant job-rich industrial businesses. As noted above, the level that we have seen as workable for both developers and the community has been 1.0 FAR or 20% industrial space. There can be an overall higher baseline of permitted FAR than the other zones prior to the incentive kicking in. We recommend an FAR incentive if 1.0 FAR of industrial space is retained.
- Again, we support the common sense parking, loading, and bulking regulation changes, and some attention given to monitoring, enforcement, and implementation if an incentive is adopted.

## Other

- Although we believe this will have a limited impact on price and availability of real estate in the industrial zones, and that there is little demand for production space in commercial corridors, we nevertheless support many of the other measures that have been billed as “pressure-relieving” to allow/alter uses and regulations in commercial zones, including but not limited to:
  - small-scale production
  - micro-distribution
  - life sciences
  - live entertainment
  - amusements
- We are supportive of updating general loading requirement changes to enable adaptive reuse.
- We are supportive of the plan to address bulking requirements for film studios and other new uses that can require a rezoning to build what is otherwise typical for the industries. We would encourage a straight box envelope of 40 feet without any setback for these uses.
- We support updates to the use group classification system. We are glad to see updates on manufacturing uses that cover the more modern, and lighter, uses that do not easily fit in the definitions dating from the 1960s.
- We strongly encourage the City to consider offering a financial incentive for anyone that can offer fair market industrial rents to increase the availability of affordable industrial real estate.
- We strongly encourage DCP to coordinate with appropriate city agencies to ensure that existing insufficient infrastructure such as sewers/storm drains are addressed before problems are exacerbated by additional commercial and residential growth.
- We strongly encourage DCP to work with DOT and other appropriate agencies to devote attention to rationalizing our freight and transit systems in a comprehensive manner. Time and again our businesses report to us that transportation issues are one of their greatest impediments to doing business in NYC; our overall industrial business climate will benefit from thoughtful, comprehensive transportation planning, including optimization of waterways.

We look forward to continuing to work with you to create modern zoning tools to encourage business and job growth in industrial NYC. Please contact me at [larchibald@evergreenexchange.org](mailto:larchibald@evergreenexchange.org) or 718-388-7287 x168.