236 GOLD STREET REZONING
BROOKLYN COMMUNITY DISTRICT 2
JANUARY 28, 2025

1. INTRODUCTION

236 Gold LLC (the "Applicant") proposes a series of land use actions to rezone an existing R6B zoning district to a C6-2A (R8A equivalent) zoning district within Brooklyn Community District 2. The proposed Project Area consists of Block 121, Lots 33, 35, 36, 37 and p/o lots 7501, 17, 16, 15, and 14 (the "Project Area"). The proposed Development Site consists of Block 121, Lots 33, 35, 36, and 37 (the "Development Site"). The following actions are proposed:

1. a zoning map amendment to change an existing R6B zoning district to an C6-2A zoning district); and

2. a zoning text amendment to amend ZR Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 2 to designate a Mandatory Inclusionary Housing ("MIH") Area with MIH Options 1 and 2 conterminous with the Project Area.

The Proposed Actions will facilitate the development of a new fourteen-story mixed-use residential and commercial building with approximately 79,482 sq. ft. of floor area (7.19 FAR) (the "Proposed Development") at 236-244 Gold Street. The Proposed Development will include approximately 114 dwelling units, including approximately 29 permanently affordable dwelling units pursuant to MIH Option 1.

2. BACKGROUND

In 2003, the Project Area was rezoned from an M1-1 zoning district to a R6B zoning district as part of the Bridge Plaza Rezoning (C 020263 ZMK, Effective August 19, 2003). The rezoning prohibited new industrial and commercial development over the existing vacant lots. In 2004, the area to the south of the Project Area was rezoned as part of the Downtown Brooklyn Development rezoning (C 040171 ZMK, effective June 28, 2004). The rezoning aimed to create opportunities for new commercial, residential, academic, and cultural development in Downtown Brooklyn. The Plan promoted growth of Downtown Brooklyn to reinforce its role as a regional central business district; provide viable development for future markets; retain businesses; and strengthen the City's economic base. The Plan included zoning map and zoning text amendments, urban renewal plan amendments, special permits for public parking garages, modifications of large-scale plans, and disposition of city-owned property.

In 2017, a private rezoning application was approved to the southeast of the Project Area under the Tillary and Prince Streets Rezoning (C 170400 ZMK, effective October 31, 2017). The rezoning sought to rezone the Project Area from an R6 to C6-4 zoning district. A 33-story, approximately 465 unit mixed-use building is currently under construction.

3. DESCRIPTION OF SURROUNDING AREA

The Project Area is located in Downtown Brooklyn, within Brooklyn Community District 2. The area within 600 feet of the Project Area (the "Surrounding Area") is comprised of the following:

<u>Zoning</u>
The existing zoning districts in the surrounding area include:

<u>R6B</u>
The Project Area is located within an R6B zoning district, which is generally mapped on Block 121 along the Duffield Street and Concord Street frontages. An R6B zoning district is also mapped along the frontage of Concord Street between Bridge and Duffield Streets. The R6B zoning district permits standard residences

and a maximum building height of 65 ft. for Qualifying Affordable Housing. The Quality Housing program is mandatory for residential developments.

C6-2
A C6-2 zoning district is mapped immediately to the south of the Project Area and across the street (Block 122). C6-2 zoning districts are generally mapped in areas outside central business cores and have a maximum commercial FAR of 6.0, and 6.5 FAR for community facility uses. C6 districts are widely mapped within special districts and are well served by mass transit, and off-street parking is generally not required. The residential equivalent of a C6-2 district is an R8 district. The maximum residential FAR is 8.64 for UAP developments or qualifying senior housing outside of MIH areas and located within 100 feet of a wide street, and 7.2 for all other qualifying affordable housing developments. The maximum height is 145 ft. for Qualifying Affordable Housing buildings, with 175 feet for sites outside of MIH areas containing UAP developments or qualifying senior housing within 100 feet of a wide street.

R6
A R6 district is mapped generally to the east of the Project Area and east of the Brooklyn Queens Expressway ramp. R6 districts are widely mapped in medium-density areas in Brooklyn. R6 districts allow all housing types with a standard residence at a FAR that ranges from 2.20 for properties on a narrow street to 3.00 for properties within 100 ft. of a wide street, and a maximum FAR of up to 4.8 for buildings containing certain community facility uses. Residential development that is Qualifying Affordable Housing has a maximum FAR of 3.90. R6 has a maximum building height of 55 ft. for properties on a narrow street and 75 ft. for properties within 100 ft of a wide street. For Qualifying affordable housing, the maximum height increases to 85 ft. for properties on narrow streets to 95 feet for properties within 100 ft. of a wide street.

C4-3
A C4-3 zoning district is mapped to the north of the project Area with frontage along Concord Street. C4-3 districts are general commercial district which permit the development of commercial, community facility, and residential uses. C4-3 districts are the residential equivalent of R6 districts. 3.4 for commercial uses, and 4.8 with community facility uses.

R7-1
An R7-1 district is mapped to the west of the Project Area generally to the west of the Flatbush Avenue Extension. R7 districts are medium density multifamily residential districts. The height factor regulations for the R7 districts encourage lower apartment buildings on the smaller zoning lots and on larger lots, taller buildings with less lot coverage. R7-1 districts permit the developments pursuant to height factor regulations are quality housing regulations. The FAR for standard residences ranges from 3.44 for properties on a narrow street to 4.00 within 100 ft. of a wide street. The FAR for Qualifying Affordable Housing is 5.01. R7 buildings range in height from 65) ft. for narrow street and 75 ft. within 100 ft. of a wide street or 105 ft on a narrow street to 115 ft. within 100 ft. of a wide street with Qualifying Affordable Housing.

Special Districts
The Special Downtown Brooklyn District (DB) is located to the south of the Project Area, (south of Tillary Street). The DB serves to strengthen the business core of Downtown Brooklyn by improving the working and living environments and encouraging the design of new buildings that are in character with the area. The DB aims to foster development in Downtown Brooklyn and provide direction and incentives for further growth while creating a transition between the Downtown commercial core and the lower-scale residential communities. The DB also established special bulk (height and setback) regulations and urban design guidelines.

C6-4 (DB)
The C6-4(DB) is mapped to the south of the Project Area, below Tillary Street. C6-4 districts are generally mapped within the city's major business districts and have a maximum FAR of 10.0 for all uses. The residential equivalent is an R10 zoning district. The underlying height and setback provisions applicable to an R10A District shall apply. However, the minimum base height requirements need not apply.

C6-1A (DB)
The C6-1A (DB) is mapped to the southwest of the Project Area south of Tillary Street and is the

residential equivalent of an R6 district. R6 districts allow all housing types with a standard residence at a FAR that ranges from 2.20 for properties on a narrow street to 3.00 for properties within 100 ft. of a wide street, and a maximum FAR of up to 4.8 for buildings containing certain community facility uses. Residential development under Qualifying Affordable Housing has a maximum FAR of 3.90. The maximum commercial and community facility FAR is 6.0.

Other Zoning Designations
The Project Area is located within a FRESH-eligible program area for discretionary tax incentives. The Project Area is also located within the Transit Zone pursuant to ZR Appendix G, where reduced parking requirements apply to developments with income-restricted units.

Land Uses
The Project Area is located within Downtown Brooklyn, within Brooklyn Community District 2. Existing land uses within the surrounding area primarily consist of multifamily apartment buildings, mixed commercial and residential buildings, industrial uses, parks, and community facilities. The mixed-residential buildings and multifamily elevator buildings range in height from 12-18 stories. The Ingersoll NYCHA complex is located to the southeast of the Project Area and consists of 22 buildings with approximately 1,142 dwelling units. The Farragut NYCHA complex is located to the northeast of the Project Area and consists of 10 buildings with approximately 1,390 dwelling units.

The MetroTech Business Improvement District (BID) is located to the south of the Project Area within Downtown Brooklyn. The Myrtle Avenue BID (Myrtle Avenue Brooklyn Partnership). The BID encompasses properties fronting Myrtle Avenue from Flatbush Avenue Extension to Classon Avenue and provides support to the neighborhood's commercial businesses. The Brooklyn Navy Yard is located to the northeast of the Project Area. The Brooklyn Navy Yard aims to create and preserve quality jobs within the industrial sector and connect the local community with the economic opportunity for the Brooklyn Navy Yard.

There are open space resources nearby including: (1) Trinity Park, a 6.3 acre park located to the north of the Project Area, (2) McLaughlin Park, 1.98 acre park located to the west of the Project Area which includes baseball fields, basketball and handball courts, and playground, (3) Commodore Barry Park, a 10.39 acre park located to the east of the Project Area which includes baseball fields, handball, courts, basketball courts, an outdoor pool, football fields, and playground and (4) the Golconda Playground, a 1.5 acre playground located to the northeast of the Project Area which includes basketball and handball courts, and skate parks. There are numerous community facilities within the Surrounding Area. The Brooklyn International High School, The Science Skills Center High School for Science, Technology and Creative Arts, and the Urban Assembly School of Music Art are all located nearby at 49 Flatbush Avenue Extension (Block 120, Lot 20). The Madison Square Boys and Girls Club is located to the east of the Project Area at 240 Nassau Street (Block 110, Lot 25). P.S. 287 is located to the east of the Project Area at 50 Navy Street (Bock 111, Lot 1).

Public Transportation
There are numerous public transportation options for bus and subway service near the Project Area. There are four bus routes with stops located within a 4-minute walk of the Project Area: B57 (Gowanus – Maspeth), B69 (Downtown Brooklyn – Kensington), B67(Brooklyn Navy Yard – Kensington), and B62 (Downtown Brooklyn – Long Island City). The Dekalb Avenue Station for the B, Q, and R trains are located approximately 0.4 miles from Project Area. The Jay Street-MetroTech Station for the A, C, and F trains is located approximately ½ mile southwest of the Project Area. The Nevins Street Station for the 2, 3, 4 and 5 trains is located approximately 0.6 miles southeast of the Project Area. The High Street Station for the A and C trains are located approximately ½ mile west of the Project Area. The Project Area is also located a 3-minute walk from the Concord Street and Bridge Street Citibike Dock (10 classic bikes) and a 5-minute walk from the Nassau St. and Navy St. Citibike Dock (44 classic bikes).

4. DESCRIPTION OF THE PROPOSED PROJECT AND DEVELOPMENT SITE

The Project Area is located within the Downtown Brooklyn neighborhood within Brooklyn Community District 2. The Project Area consists of Block 121, Lots 33, 35, 36, and 37 and fronts

Gold Street (75 ft. wide street). The Project Area is improved as follows:

Applicant Controlled
236 Gold Street (Block 121, Lot 33) is an approximately 4,433 sq. ft. lot with 50 ft. of frontage along Gold Street. The lot was previously used for parking but is currently vacant.

242 Gold Street, (Block 121, Lot 35) is an approximately 2,652 sq. ft. lot with 30 ft. of frontage along Gold Street. The lot was previously used for parking but is currently vacant.

244 Gold Street (Block 121, Lot 36) is an approximately 1,766 sq. ft. lot with 20 ft. of frontage along Gold Street. The lot was previously used for parking but is currently vacant.

246 Gold Street (Block 121, Lot 37) is an approximately 2,204 sq. ft. lot with 25 ft. of frontage along Gold Street. The lot was previously used for parking but is currently vacant.

An as-of-right, 4-story, approximately 21,968 sf (1.99 FAR) residential building was approved by DOB at the Development Site.

Non-Applicant Controlled
178 Concord Street (Block 121, p/o Lot 7501) is an approximately 8,338 square foot, L-shaped, corner lot with 50 ft. of frontage on Concord Street and 134 ft. of frontage on Duffield Street. The lot is currently improved with a four-story multi-family building. Approximately 11 ft. of the rear yard is within the Project Area.

39 Duffield Street (121, p/o Lot 17) is an approximately 2,040 sq. ft. with 20 ft. of frontage along Duffield Street. The lot is currently improved with a three-story multi-family building. Approximately 12 ft. of the rear yard is within the Project Area.

41 Duffield Street (121, p/o Lot 16) is an approximately 2,083 sq. ft. with 20 ft. of frontage along Duffield Street. The lot is currently improved with a three-story multi-family building. Approximately 12 ft. of the rear yard is within the Project Area.

43 Duffield Street (121, p/o Lot 15) is an approximately 2,808 sq. ft. with 28 ft. of frontage along Duffield Street. The lot is currently improved with a four-story multi-family building. Approximately 12 ft. of the rear yard is within the Project Area.

45 Duffield Street (121, p/o Lot 14) is an approximately 2,175 sq. ft. with 22 ft. of frontage along Duffield Street. The lot is currently improved with a three-story multi-family building. Approximately 12 ft. of the rear yard is within the Project Area.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Development at the Development Site is a new fourteen-story mixed-use residential and commercial building. The proposed building will have a total floor area of approximately 79,482 sq. ft. (7.19 FAR) and will consist of approximately 114 dwelling units, of which 29 units will be income-restricted pursuant to MIH Option 1. Approximately 1,943 sq. ft. of commercial uses will be located on the ground floor. The Proposed Development will have a base height of 105 ft. with a building height of 145 ft. No parking will be provided. The ground floor will consist of a residential lobby, commercial uses, bicycle parking, and the recreation area.

6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The actions necessary to facilitate the project are:

1. a zoning map amendment to rezone the Project Area from an existing R6B zoning district to a C6-2A zoning district; and

2. a zoning text amendment to amend ZR Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 2 to designate a Mandatory Inclusionary Housing ("MIH") Area with MIH Options

1 and 2 conterminous with the Project Area.

Zoning Map Amendment to an C6-2A Zoning District

The Project Area is well suited for additional residential development due to its proximity to transit and its location within an existing residential community supported by nearby commercial and institutional uses. The Development Site has remained underutilized for several years and the existing R6B zoning district does not incentivize development due to its permitted density. Additionally, the existing R6B zoning district does not require the development of affordable housing units pursuant to MIH.

The proposed C6-2A zoning district is appropriate within the Project Area and will bridge the gap between the existing bulk in the surrounding area. C6-2A zoning districts are contextual districts where Quality Housing bulk regulations are mandatory for residential buildings, and which permit a maximum FAR of 7.2 with Inclusionary Housing, C6-2A districts produce high lot coverage, 14-story apartment buildings set at or near the street line. The maximum base height is 105 ft. and the building must setback before rising to a maximum height of 145 ft. The proposed C6-2A zoning district is consistent with the scale and bulk for existing buildings located within the immediate area, including a 13-story building immediately to the south of the Development Site.

The Project Area is ideally situated to support growth in Downtown Brooklyn. A C6-2 zoning district is mapped directly adjacent to the Project Area and across the street on Block 122. Both C6-2 and C6-2A permit a maximum commercial FAR of 6.0 and residential FAR of 7.2 for Standard buildings. In the C6-2 zoning district outside of Mandatory Inclusionary Housing areas, located within 100 feet of a wide street the FAR can reach 8.64. Unlike the C6-2 zoning district, the C6-2A district has a maximum height of 145 ft. The proposed zoning map amendment would promote the development of medium-density, contextual housing, including affordable housing, at the Development Site, an underutilized site, which is consistent with the scale and character of the surrounding area and would further the City's housing goals. It would build on the existing and planned middle-density residential community and would be supported by and support the adjacent public transit links, commercial and institutional uses. The Project Area is an underutilized area that would benefit from additional residential uses. The proposed rezoning would provide for the productive use of underutilized property and provide for moderate growth in a transit-accessible area.

Zoning Text Amendment to ZR Appendix F

The proposed zoning text amendment will provide the Downtown Brooklyn neighborhood with new income-restricted dwelling units, which will support the City's effort to increase the overall supply of affordable housing.

The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. For decades, New York City has added new housing at significantly lower rates compared with other cities. The scarcity of available housing has resulted in generally higher costs for housing than would be the case if housing were more generally available.[1] Recently, there has been more consensus on the need to add additional housing. A 2022 Real Estate Board of New York (REBNY) report estimated that New York City would need 560,000 additional housing units by 2030.[2] The Where We Live NYC Plan, the City's fair housing plan, aims to provide equitable housing development in the city, preserve affordable housing and prevent displacement of long-standing residents.[3] The Plan notes that there is a housing crisis and that the city has not built enough housing to keep up with the increasing population and jobs. The Proposed Development will provide additional housing on a severely underutilized lot. In December of 2022, Mayor Adams unveiled a three-pronged Get Stuff Built strategy to tackle the affordable housing crisis and called for "rapidly accelerating the pace of housing production, with a 'moonshot' goal of meeting the need for 500,000 new homes over the next decade." Former Mayor de Blasio's Housing New York 2.0, an extension of the City's comprehensive housing development policy (Housing New York: A Five-Borough, Ten-Year Plan) included a primary goal of building or preserving 200,000 units of high-quality affordable

[1] *Housing's Unequal Contest: Why the Rich Won't be Denied*, in City Limits, November 1983

[2] https://www.crainsnewyork.com/real-estate/new-york-needs-560k-additional-housing-units-2030-rebny-report-says?utm_source=real-estate-tuesday&utm_medium=email&utm_campaign=20220111&utm_content=article2-headline

[3] https://www.nyc.gov/assets/hpd/downloads/pdfs/wwl-plan.pdf

housing by 2022 and 300,000 homes by 2026. Housing New York 2.0 was developed in conjunction with the New York City Department of Housing and Preservation (HPD) to create housing opportunities for New Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods. Framed by the policy goals and objectives in Housing New York, the City Council adopted an amendment to the ZR to establish the Mandatory Inclusionary Housing program, which requires areas rezoned for residential growth to include a minimum of 20 to 30 percent of dwelling units be affordable in new developments.

The proposed zoning text amendment to ZR Appendix F will support the policies and goals of Get Stuff Built and historic goals set forth in Housing New York 2.0 by creating income-restricted dwelling units within the Proposed Development and permitting the applicant to develop the Development Site in accordance with the MIH program, and will ensure that any future residential development within the proposed C6-2A zoning district will address the need for housing to serve a broad range of the City's diverse incomes. The applicant proposes mapping MIH Options 1 and 2 within the Project Area to provide maximum flexibility. Option 1 requires 25% of residential floor area to be set aside for income-restricted dwelling units for residents with incomes averaging 60% AMI, with a minimum of 10% of housing to be affordable at 40% AMI. Option 2 requires 30% of residential floor area to be set aside for income-restricted dwelling units for residents with incomes averaging 80% AMI. The Proposed Development currently contemplates providing approximately 29 income-restricted dwelling units pursuant to Option 1 of the MIH program.

The proposed land use actions would facilitate the development of a mixed-use building with approximately 114 dwelling units, of which 29 are to be permanently affordable. The proposed actions represent an opportunity to pioneer transit-oriented, mixed-use development of both affordable housing and job-generating space, that is appropriate for the surrounding neighborhood and consistent with community and citywide goals. The proposed actions would encourage investment in the neighborhood and promote opportunities for workers to live in the vicinity of new jobs. The proposed actions will enhance the vitality and character of the neighborhood.

7. CONCLUSION

The Applicant proposes a zoning map amendment to rezone the Project Area from existing R6B to an C6-2A zoning district. The proposed zoning map amendment will facilitate the development of a new fourteen-story mixed-use commercial and residential building with 114 dwelling units at the Development Site. The applicant also proposes a zoning text amendment to amend ZR Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 2, to designate the Project Area as an MIH Area. The proposed zoning text amendment will facilitate the development of approximately 29 income-restricted housing units within the Proposed Development pursuant to the City's MIH program, thereby ensuring that it addresses the need for housing to serve a broad range of the City's diverse needs and incomes.