461 & 467 Prospect Avenue Rezoning
Brooklyn Community District 7
February 15, 2024

1. Introduction

Arrow Linen Supply Co., Inc. (the "Applicant"), the owner of 461 & 467 Prospect Avenue (Block 1113, Lots 61 and 73) (the "Development Site"), requests approval of the following actions (the "Proposed Actions") in the Windsor Terrace neighborhood of Brooklyn Community District 7:

1) a zoning map amendment changing an R5B zoning district to an R7-1 zoning district on the midblock of Block 1113 generally bounded by Prospect Avenue to the south, the centerline of Block 1113 to the north, a line 100 feet from and parallel to Eighth Avenue to the west, and a line 100 feet from and parallel to Prospect Park West to the east, including Block 1113, Lots 60 (p/o), 61, 66, 166, 67, 68, 69, 70, 71, 72, 172, 73, and 79 (p/o) (the "Rezoning Area");

2) a zoning text amendment to Zoning Resolution ("ZR") Appendix F to establish the Rezoning Area as a Mandatory Inclusionary Housing ("MIH") Area; and

3) a zoning special permit pursuant to ZR § 74-533 for a waiver of required accessory off-street parking spaces to facilitate affordable housing within the Transit Zone.

The Proposed Actions would facilitate the development of two new 13-story residential buildings at the Development Site. The buildings would provide 244 total dwelling units, including 61 permanently affordable units pursuant to MIH Option 1. The development would also provide approximately 21,326 square feet of landscaped open space at rear of the Development Site. The proposed special permit would waive the required residential accessory off-street parking spaces for the transit-oriented Development Site.

2. Background

The Rezoning Area was mapped in 1961 with an R5 zoning district. The 2005 South Park Slope Rezoning and Text Amendment (C 060054 ZMK, effective November 16, 2005), initiated by the Department of City Planning ("DCP"), established the current R5B zoning district. The rezoning affected all or portions of fifty blocks in the Brooklyn neighborhoods of Park Slope South, Greenwood Heights and Windsor Terrace, known collectively as "South Park Slope," from R5 and R6 districts to R5B, R6B, R6A, C4-3A and R8A districts. It also established the voluntary Inclusionary Housing program within the R8A zoning districts mapped on Fourth Avenue.

The Board of Standards and Appeals ("BSA"), has exercised jurisdiction over the Development Site since May 29, 1951, when, under BSA Cal. No. 58-51-BZ, the BSA granted a variance to permit the expansion of an existing laundry business that had been in operation since the 1920s. Arrow Linen, initially established in Brooklyn in 1947, has operated from the Development Site since 1978 subject to an amended and extended variance now under BSA Cal. No. 42-09-BZ. The variance is necessary to allow Arrow Linen to operate as a Use Group 16 laundry at the R5B-zoned Development Site, where this semi-industrial use would otherwise be prohibited. The current term of the variance is set to expire on August 11, 2029. Arrow Linen supplies textiles to a wide range of local businesses within New York and New Jersey, including food, hospitality, beauty/massage, medical offices, schools/camps, corporate/offices, and industrial. The family-owned business is now in its fourth generation.

3. Description of the Surrounding Area

The Rezoning Area is located in the Windsor Terrace neighborhood within Brooklyn Community District 7. The area within a 600-foot radius of the Rezoning Area (the "Surrounding Area") is mapped with residential zoning districts including R5B, R6B and R8B with C2-4 commercial overlays mapped along Prospect Park West within the R5B and R8B districts. While the voluntary Inclusionary Housing Program was established within South Park Slope in the 2005 rezoning, there are no Inclusionary Housing Designated Areas in or near the Surrounding Area.

The Surrounding Area has a mix of residential, semi-industrial, commercial and community facility uses. However, with the exception of the Development Site, the Surrounding Area is predominately residential. The Surrounding Area is characterized by mixed-use and commercial buildings along Prospect Park West and Eighth Avenue with residential use concentrated on the mid-blocks. The existing built context consists of one- and two-family and multi-family residences, and mixed-use and commercial buildings. Residential buildings range from one- to seven-stories in height, and mixed-use and commercial buildings range from one- to four-stories. Residential buildings along the north side of Prospect Avenue consist generally of three- and four-story multi-family walk up buildings. The context across Prospect Avenue facing Rezoning Area is similar but also has some one- and two- family buildings. The northern side of Block 1113 along Windsor Place is mostly one- and two- family buildings. Across Windsor Place, the seven-story Bishop Boardman Apartments at 1615 8th Avenue is a 201-unit supportive housing building for the elderly. Housing stock in the Surrounding Area is aging and there has been relatively little recent residential development. Approximately 84 percent of the housing units in Community District 7 were built before 1970 and 61 percent before 1940. Only 1.1 percent were built since 2010.

Prospect Park West, which is mapped with C2-4 commercial overlays, is a local commercial corridor with a range of retail and service uses. Local community facility uses include Holy Name Church and St. Joseph the Worker school on Prospect Park West between Prospect Avenue and Windsor Place. The Prospect Park Christian Center is also on Prospect Park West just south of Prospect Avenue. The TLC: Therapy and Learning Center school is located at the corner of Eighth Avenue and 18th Street. P.S. 10 elementary school is located on Seventh Avenue between Prospect Avenue and 17th Street.

Most of the Surrounding Area is within a large R5B zoning district. A 100-foot deep C2-4 commercial overlay is mapped within the R5B along Prospect Park West. R5B is a contextual district that allows for residential development with a maximum floor area ratio (“FAR”) of 1.35. Community facility uses have a maximum FAR of 2.0. The maximum street wall is 30 feet with a maximum building height of 33 feet. New residences are required to provide off-street parking for 66 percent of the dwelling units, with an exemption for income-restricted units within the Transit Zone.

C2-4 commercial overlay districts permit local retail and service establishments that serve the immediate neighborhood. When mapped in R5 zoning districts, C2 overlays have a maximum FAR of 1.0, with commercial uses limited to the first floor in mixed-use buildings. The commercial parking requirement in C2-4 districts is generally based on floor area. Most commercial uses require one accessory parking space per 1,000 square feet of floor area (and cellar space used for retail).

An R6B zoning district is mapped generally north of Windsor Place and 16th Street. R6B is a contextual district that allows for residential development with a maximum FAR of 2.0. Community facility uses have a maximum FAR of 2.0. The building form requires a street wall of 30 to 45 feet, a setback above the maximum base height of 15 feet on narrow streets and 10 feet on wide streets, and a maximum building height of up to 55 feet (five-stories) with a qualifying ground floor. New residences are required to provide off-street parking for 50 percent of the dwelling units, with an exemption for income-restricted units within the Transit Zone.

An R8B zoning district is mapped generally along portions of Prospect Park West at Bartel Pritchard Square. R8B is a contextual district that allows for residential development with a maximum FAR of 4.0. Community facility uses have a maximum FAR of 4.0. The building form requires a street wall of 55 to 65 feet, a setback above the maximum base height of 15 feet on narrow streets and 10 feet on wide streets, and a maximum building height of up to 75 feet (seven-stories) with a qualifying ground floor. New residences are required to provide off-street parking for 50 percent of the dwelling units, with an exemption for income-restricted units within the Transit Zone.

Prospect Park, owned and operated by the NYC Department of Parks and Recreation, is a significant open space and recreation resource serving the Surrounding Area. The 526-acre park features a zoo, the first urban-area Audubon Center in the nation, an ice rink, a band shell, a carousel, and dozens of athletic and recreational facilities.

The Surrounding Area is well served by public transit. The 15th Street station serving the F/G lines is less than a quarter-mile from the Rezoning Area. Additionally, the B61 (Park Slope - Downtown Brooklyn), B67 (Brooklyn Navy Yard - Kensington), B68 (Coney Island - Windsor Terrace) and B69 (Downtown Brooklyn - Kensington) bus lines all serve the area. The Surrounding Area is within the Transit Zone, an area recognized as well-served by public transportation with low automobile ownership rates where reduced parking requirements apply to developments that provide income-restricted housing units.

4. Description of the Proposed Rezoning Area

The proposed Rezoning Area consists of the a portion of the midblock of Block 1113 generally bounded by Prospect Avenue to the south, the centerline of Block 1113 to the north, a line 100 feet from and parallel to Eighth Avenue to the west, and a line 100 feet from and parallel to Prospect Park West to the east, including Block 1113, Lots 60 (p/o), 61, 66, 166, 67, 68, 69, 70, 71, 72, 172, 73, and 79 (p/o). The midblock of Block 1113 is divided into uniquely deep tax lots that range from approximately 145 feet to 170 feet. Three of the streets bounding Block 1113, Prospect Avenue, Prospect Park West, and Eighth Avenue, are wide at 80-feet. Windsor Place is narrow at 60-feet. The Rezoning Area is currently mapped with an R5B zoning district.

In addition to the Development Site (Block 1113, Lot 61 and Lot 73) described below, there are also non-Applicant controlled properties within the Rezoning Area, including:

- Lot 60 is a 1,891 square foot interior lot improved with a three-story residential building (1.88 FAR) with three dwelling units;
- Lot 66 is a 1,732 square foot interior lot improved with a three-story residential building (1.45 FAR) with three dwelling units;
- Lot 166 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR) with three dwelling units;
- Lot 67 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR)with three dwelling units;
- Lot 68 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR) with three dwelling units;
- Lot 69 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR) with three dwelling units;
- Lot 70 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR) with three dwelling units;
- Lot 71 is a 1,650 square foot interior lot improved with a three-story residential building (1.44 FAR) with three dwelling units;
- Lot 72 is a 1,675 square foot interior lot improved with a three-story residential building (1.36 FAR) with three dwelling units;
- Lot 172 is a 1,692 square foot interior lot improved with a three-story residential building (1.35 FAR) with three dwelling units; and
- Lot 79 is a 8,451 square foot interior lot improved with a four-story (2.01 FAR) multi-family walk-up residential building with 16 dwelling units.

With the exception of Lot 172, each of the non-Applicant controlled properties within the Rezoning Area are overbuilt within the R5B zoning district. None of the non-Applicant controlled properties have curb cuts or accessory off-street parking.

5. Description of the Proposed Development Site

The Development Site consists of two interior tax lots, Lot 61 and Lot 73 on Block 1113, which have a combined total area of 54,085 square feet. Lot 61 is an irregular flag-shaped lot with 132 feet of frontage on Prospect Avenue and a portion that does not have any street frontage (located to the rear of Block 1113, Lots 66, 166, 67-72 and 172). Lot 73 is a rectangular lot with 150 feet of frontage on Prospect Avenue. The Development Site has a combined frontage of approximately 282 feet along Prospect Avenue, representing approximately 40 percent of the total frontage of the block along Prospect Avenue. The Development Site is improved with one-and two-story semi-industrial buildings and unenclosed accessory parking. Unenclosed parking and loading areas are behind blank walls at the street line with rolling gates/fencing for vehicle access from two 26-foot-

wide curb cuts. As described above, the Development Site has been occupied with a laundry business for approximately 100 years and since 1978 by the Applicant.

6. Description of the Proposed Development

The Proposed Actions would facilitate the development of two new 13-story residential buildings at the Development Site. The proposed development would have approximately 248,713 square feet of residential floor area. The buildings would provide 244 total dwelling units, including 61 permanently affordable units pursuant to MIH Option 1. The unit distribution would include a mix of studios and one-bedroom units as well as family-sized two-bedroom and three-bedroom units. The proposed building would rise to a building height of 130 feet above four- and seven-story base heights. The 13-story portion of the building would set back 10 feet from Prospect Avenue. The proposed development would also provide approximately 21,326 square feet of landscaped open space at rear of the Development Site. No accessory off-street parking would be provided pursuant to the proposed special permit to waive the residential parking requirement for the transit-oriented Development Site. A minimum of 123 bicycle parking spaces would be provided.

7. Actions Necessary to Facilitate the Project

The Proposed Actions necessary to facilitate the project are:

1) a zoning map amendment changing an R5B zoning district to an R7-1 zoning district within the Rezoning Area;

2) a zoning text amendment to ZR Appendix F to establish the Rezoning Area as an MIH Area; and

3) a zoning special permit pursuant to ZR § 74-533 for a waiver of required accessory off-street parking spaces to facilitate affordable housing within the Transit Zone.

<u>Zoning Map Amendment</u>

The proposed zoning map amendment would allow for the production of new multi-family housing in Brooklyn Community District 7 on an site occupied by a non-conforming semi-industrial use located on a wide street near transit. The existing R5B zoning district within the Rezoning Area hinders the development of multi-family housing at the Development Site. In contrast, the Proposed Actions would facilitate new residential development with the provision of permanently affordable housing at the transit-oriented Development Site.

The proposed R7-1 zoning district allows residential (Use Group 1 and 2) and community facility (Use Group 3 and 4) uses. Within MIH Areas, the maximum permitted FAR is 4.6. The proposed R7-1 zoning district permits a maximum base height of 75 feet and a maximum building height of 135 feet (13-stories) with a qualifying ground floor. Off-street accessory parking for residential uses is required for 50 percent of the non-income restricted units.

The proposed R7-1 zoning district is consistent with City policy to position higher density developments near transit along wide streets that can support such development. The proposed R7-1 zoning district is appropriate because it is located along a wide street, Prospect Avenue, an 80-foot-wide corridor through the neighborhood. The Rezoning Area is within the Transit Zone, which is recognized as an area well-served by public transportation with low automobile ownership rates. Within Community District 7, 57 percent of households do not have a vehicle. The 15th Street station serving the F/G subway lines is a short walk from the Development Site. Additionally, the B61, B67, B68 and B69 bus lines also serve the area. Within the proposed MIH Area, the zoning map amendment also facilitates the creation of new affordable housing without reliance on City subsidies. Moreover, the proposed rezoning would facilitate the replacement of the existing non-conforming semi-industrial use with a conforming residential use. The rezoning would allow the relocation of Arrow Linen to a more appropriate industrial area in Brooklyn. Additionally, the proposed rezoning would bring the non-Applicant controlled properties within the Rezoning Area that are overbuilt within the current R5B zoning district into compliance with the maximum floor area provision.

Zoning Text Amendment

The proposed zoning text amendment to designate the Rezoning Area as an MIH Area is consistent with the policy goals of the City's Housing New York: A Five-Borough, Ten-Year Plan. The proposed residential development would provide much-needed affordable residential units in an area in with a growing population and corresponding increase in demand for housing. According to the Department of City Planning's 2013 report New York City Population Projections by Age/Sex & Borough, the population of Brooklyn is projected to grow to 2,841,000 in 2040, an increase of 288,000 or 11.3 percent in the 30-year projection period.[1] As population in Brooklyn is expected to experience substantial and steady growth, additional housing is necessary to ensure adequate supply. Moreover, the U.S. Census Bureau determined that 45.4 percent of households in Brooklyn Community District 7 are rent burdened, spending 35 percent or more of their income on rent.[2] In addition, 23.9 percent of residents in Community District 7 have incomes below the NYC.gov Poverty Measure.

The MIH program requires the provision of permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within mapped MIH Areas. The proposed zoning text amendment would establish an MIH Area contiguous with the Rezoning Area requiring the proposed development to comply with the requirements of the MIH Program. The Applicant is pursuing MIH Option 1 for the proposed development, which requires 25 percent of the residential floor area to be provided as housing affordable to households at an average of 60 percent of the Area Median Income ("AMI") with 10 percent at 40 percent AMI, with no unit targeted at a level exceeding 130 percent of AMI. Within the proposed MIH Area, Option 1 would require the creation of permanently affordable housing units within the Rezoning Area. The proposed development would produce approximately 61 permanently affordable housing units. The MIH Area would further the objective of promoting the development of affordable housing.

Zoning Special Permit

The proposed special permit pursuant to ZR § 74-533 would allow the waiver of off-street accessory residential parking requirement for the non-income restricted dwelling units within the proposed new development. The R7-1 zoning district requires that accessory parking be provided at a rate of 50 percent of the non-income-restricted dwelling units. A waiver is available for fewer than five required residential spaces. No parking spaces are required for income-restricted units within the Transit Zone. The proposed development with 183 non-income restricted dwelling units would require 92 spaces. As a result, a special permit pursuant to ZR § 74-533 is sought to waive the parking requirement at the Development Site. As discussed in the enclosed Statement of Findings, the required special permit findings are met as the waiver would facilitate the provision of affordable housing, not cause traffic congestion, or have undue adverse effects on the surrounding area.

8. Conclusion

The Proposed Actions are consistent with City policy to position higher density developments near transit along wide streets that can support such development and with Housing New York: A Five-Borough, Ten-Year Plan and Housing New York 2.0. Overall, the Proposed Actions would facilitate the production of new housing, including affordable housing, at an appropriate location on a wide street near mass transit. The designation of the Rezoning Area as an MIH Area would ensure the provision of permanently affordable housing and advance New York City's goal of preserving and/or creating 300,000 affordable housing units by 2026.

[1] New York City Population Projections by Age/Sex & Borough, 2010–2040, NYC Department of City Planning, December 2013.
[2] Based on American Community Survey 2014-18 Five Year Estimates for Public Use Microdata Area (PUMA) 4012, which approximates Brooklyn Community District 7, available at: https://communityprofiles.planning.nyc.gov/brooklyn/7.