FORT HAMILTON MEWS REZONING
JANUARY 15, 2026

1. INTRODUCTION

9305 5th Ave LLC (the "Applicant") requests the following actions (the "Proposed Actions"):

A. A zoning map amendment to rezone a portion of 9305 5th Avenue, Block 6109, Lot 1 (the "Development Site"), in the Bay Ridge neighborhood of Brooklyn, Community District 10, to facilitate development of a new 11-story plus cellar, mixed-use commercial and residential building with approximately 292 dwelling units (the "Proposed Development") on the Development Site; the proposed zoning map amendment would change the existing R6B/C2-3 (BR) and R5B (BR) zoning districts to an R7X/C2-4 (BR) zoning district in the area between 5th Avenue and the centerline of the block for the 300 foot length of the Development Site (the "Rezoning Area"); and

B. A zoning text amendment to amend the Zoning Resolution ("ZR") Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 10 to designate a Mandatory Inclusionary Housing ("MIH") Area with MIH Option 2 coterminous with the Rezoning Area's boundaries. The Proposed Development will provide approximately 87 affordable housing units (30%) pursuant to Option 2 of the MIH program.

2. BACKGROUND

With the exception of the large C8-1 zoning district mapped on the west side of 5th Avenue from 95th Street to 87th Street, the Development Site and the Surrounding Area (defined below) were initially mapped with an R6 / C1-2 zoning district in 1961.

On September 25, 1978, the City Planning Commission ("CPC") approved an amendment of the Zoning Resolution to establish the Bay Ridge Special District (N 780285 ZRK, Cal. No. 1) and rezone the Development Site to an R6 (BR) zoning district (C 780284 ZMK, Cal. No. 2). The rezoning established the Special Bay Ridge District, pursuant to ZR Section 114-00, and made various zoning map changes in the Surrounding Area.

On March 2, 2005, the CPC approved the Bay Ridge Rezoning (C 050134(A) ZMK and N 050133 ZRK, Cal No 14 and 15, respectively), which rezoned 249 blocks within the Special Bay Ridge District (BR). The rezoning mapped contextual zoning districts that closely matched existing built conditions. In the Surrounding Area the first 100 feet east of 5th Avenue, including a portion of the Development Site and the blocks to the north and south, were rezoned from R6/C1-2 to R6B/C2-3. The remainder of the Development Site's block and the blocks to the east were rezoned from R6 to R5B zoning districts. The C8-1 zoning district mapped across the street was changed to C8-2.

On February 3, 2021, the CPC approved an application (C 190447 ZMK, Cal. No. 14) to change a portion of the C8-2 District across the street from the Development Site to an R7A District with a C2-4 overlay, but on review the City Council approved the application with a modification that downzoned a 60' by 75' deep portion of the rezoning area to R6A/C2-4 (the "2021 Rezoning"). The 2021 Rezoning was intended to facilitate the construction of a new nine-story, approximately 45,000-square-foot mixed-use building with approximately 41 dwelling units and ground floor commercial uses.

On November 15, 2023, the New York City Council adopted Local Law 167 of 2023, which established a Fair Housing Framework and mandated a citywide assessment of housing needs every five years. According to New York City's Equitable Development Data explorer, only provided five (5) new affordable housing (all 121%-165% AMI) units were provided in Community District 10 in the period between 2014 and 2024.[1] In connection with LL 167, on November 4th of 2025, the City of New York voted to adopt a modification to the City Charter that would allow certain changes to the City's Uniform Land Use Review Procedure in the 12 Community Districts that permitted the least number of affordable housing units in the preceding five-year period, beginning in 2027.

On December 5, 2024 the CPC approved the comprehensive zoning text amendment known as the City of Yes for Housing Opportunity ("COYHO"; N 240290 ZRY, Cal #2). The zoning text changes aim to facilitate the development of more housing across the city by creating floor area incentives and removing development barriers. As a result of this text amendment, the Development Site was added to a new Outer Transit Zone (OTZ), which is part of a larger Greater Transit Zone. The OTZ reduces parking requirements in proximity to transit and waives qualifying affordable units. In addition, certain mid-rise districts were enhanced to permit additional floor area and height in buildings with qualifying affordable units, either under the Universal Affordable Program (UAP) or under MIH.

3. DESCRIPTION OF THE SURROUNDING AREA

The area within 600 feet of the Development Site (the "Surrounding Area") is located in the Bay Ridge neighborhood of Brooklyn, Community District 10, within the Special Bay Ridge District. The Surrounding Area is mapped with R5B, R6A/C2-3, R4-1, R6B/C2-3, R7A/C2-4 and C8-2 zoning districts. Existing land uses within the Surrounding Area primarily consist of mixed commercial and residential uses along 4th and 5th Avenues with residential buildings throughout.

a. Zoning Districts

The Development Site is located within an R6B/C2-3 zoning district that is mapped within 100 feet of the streetline on the east side of 5th Avenue, from 95th Street to within 100 feet of 86th Street. R6B districts are medium density contextual residential districts which were designed to reflect the character and scale of old rowhouse districts, as seen in Brooklyn neighborhoods with brownstone buildings. These districts are often, but not exclusively, mapped along narrow streets.

[1] NYC Equitable Explorer, checked 10/17/2025, https://equitableexplorer.planning.nyc.gov/data/district/4310/hopd/tot.

R6B districts allow all housing types with a standard residence at an FAR of 2.0. Residential development that is Qualifying Affordable Housing has a maximum FAR of 2.4. R6B has a maximum base height of 45 feet and a building height of 55 ft; for Qualifying Affordable Housing, the maximum height increases to 65 ft. The R6B/C2-3 district permits commercial use at 2.0 FAR and one space is generally required per 1,000 square feet of non-residential space, with the overall requirement waived below 25 spaces.

A portion of the Development Site, beyond 100 feet of 5th Avenue, is located in a large R5B zoning district that stretches from the centerline of the block between 97th and 98th Street to the centerline of the block between 86th and 87th Street, extending east, beyond the Gowanus Expressway. Another R5B zoning district is located beyond 100 feet west of 4th Avenue, south of the centerline between 93rd and 94th Streets and north of 92nd Street. The R5B district permits community facilities and detached and semi-detached residential buildings but is primarily a three-story rowhouse district. The maximum residential FAR is 1.50, which is increased to 2.0 for Qualifying Residential Sites, which are sites with 5,000 square feet or more in lot area and frontage along a wide roadway (75 feet or greater in width) or along the short side of a block. A maximum height of 35 is permitted for standard sites and 55 feet with a 45-foot base height for Qualifying Residential Sites. The front yard must be at least five feet deep, and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. In the OTZ, parking is generally waived for mixed-use developments on lots with 10,000 square feet in lot area or less. Otherwise, the residential requirement is 25% with Qualifying Affordable Housing units waived, and the requirement waived on Qualifying Residential Sites, or where the requirement is 10 or less.

A C8-2 zoning district is mapped over the entirety of the blocks between 4th and 5th Avenues, extending from 95th Street to 89th Street on 4th Avenue and 87th Street on 5th Avenue. A notable exception resulted from 2021 Rezoning of the block front between the Avenues on 92nd Street. C8-2 zoning districts bridge commercial and manufacturing uses and provide heavy commercial and automotive uses that often require large amounts of land. Typical uses are automobile showrooms, repair shops, warehouses, gas stations, and car washes. Community facility uses are permitted, but residential uses are not, and performance standards are imposed for some semi-industrial uses. C8 zoning districts are generally mapped along major traffic arteries. The maximum commercial floor area is 2.0 FAR. In the Special Bay Ridge District, the maximum community facility FAR is 3.0 and building heights may not exceed 70 feet. Off-street parking requirements vary by use, with a waiver available if the requirement is less than 25 spaces.

A small R4-1 zoning district is mapped in the center of the block, 100 feet from 3rd and 4th Avenues, stretching from 92nd Street to the centerline of the block between 93rd and 94th Streets. R4-1 zoning districts are contextual residential districts that permit only one- and two- family detached and semi-detached houses. R4-1 districts permit one- and two-family detached and semi-detached residences at a maximum FAR of 1.0 FAR - and all types of residences at 1.5 FAR on Qualifying Residential Sites. A max height of 35 feet is permitted, which can be increased to 45 feet on

Qualifying Residential Sites. Parking is required for 50% of residences and is generally waived on Qualifying Residential Sites.

As noted above, the 2021 Rezoning carved out of the C8-2 district two parcels on the 92nd Street blockfront between 4th and 5th Avenues, one of which has 160 feet of frontage on 5th Avenue, 125 of frontage on 92nd Street, and is located in an R7A zoning district. R7A districts are medium-density contextual residential districts that allow all types of community facility and residential uses. R7A districts permit a maximum residential 4.0, a maximum residential FAR of 5.01 for Qualifying Affordable Housing or Qualifying Senior Housing, and community facility FAR of 4.0. Base heights are permitted to be between 40 and 75 feet and 85 feet for Qualifying Affordable Housing or Qualifying Senior Housing, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 85 feet for standard residences and 115 feet for Qualifying Affordable Housing or Qualifying Senior Housing. The R7A/C2-4 district permits commercial use at 2.0 FAR and one space is generally required per 1,000 square feet of non-residential space, with the overall requirement waived below 40 spaces.

The second parcel affected by the 2021 Rezoning has 75 feet of frontage on 5th Avenue and 60 feet of frontage on 92nd Street and is located in an R6A/C2-4 zoning district. R6A districts are contextual districts with a permitted maximum residential FAR of 3.0 (3.9 with MIH or UAP) and community facility uses are permitted at 3.0 FAR. Base heights are permitted to be between 40 and 65 feet, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 75 feet for standard residences and 95 feet for Qualifying Affordable Housing or Qualifying Senior Housing. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the OTZ, parking is required for 25% of dwelling units, qualifying affordable units are waived, and the requirement is waived below 15 spaces. The R6A/C2-4 district permits commercial use at 2.0 FAR and one space is generally required per 1,000 square feet of non-residential space, with the overall requirement waived below 40 spaces.

C2-3 and C2-4 zoning districts are commercial overlays mapped within residential districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When commercial overlays are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

b. Special Districts

The Development Site is located within the Special Bay Ridge District. The Special Bay Ridge District (BR), effective since 1978 and modified in 2005, was established pursuant to ZR Section 114-00 with the specific purpose to (1) preserve, protect and maintain the existing scale and character of the residential and commercial community, (2) to encourage design of residential, commercial and community facility development which is in character with the neighborhood and surrounding community, and (3) to promote the most desirable use of land in the area and thus to

conserve the value of land and buildings, and thereby to protect the City's tax revenues. Special floor area and height and setback regulations apply in BR. Community facility bulk is limited to 3.0 FAR in C8-2 zoning districts and 1.65 FAR in R4A, R4-1, R4B and R5B zoning districts. Building heights are limited to 70 feet in C8-2 zoning districts and community facility buildings in districts below R5B are limited to 32 feet.

c. Land Uses

The Surrounding Area's built form reflects a range of uses including community facility office buildings, commercial buildings, mixed residential and commercial buildings, residential buildings, public facilities and institutions, industrial and manufacturing, and transportation and utility, as well as parking facilities scattered throughout.

Fourth Avenue serves as the principal retail and transit corridor for the Surrounding Area. At 100' in width, it has a wide-open feel, heading north from 95th to 92nd Street. The Fort Hamilton Park anchoring the bottom of 5th Avenue contributes to the feeling of openness. Destination commercial uses, community facility office buildings and commercial buildings in the Surrounding Area generally have frontages along 4th Avenue. These buildings are a range of sizes with between one- and seven-stories.

At 75' in width, 5th Avenue has a much more traditional neighborhood feel. The west side of 5th Avenue, opposite the Development Site with frontage on 4th Avenue as well, typifies uses in C8-2 districts, with a mix of underdeveloped sites improved with automobile showrooms, repair shops, and a car washes. But the Development Site's existing building forms a street wall that bridges vibrant mixed-use retail corridors on the east side of 5th Avenue. To the north and south of the Development Site, several two- to four-story mixed-use buildings provide neighborhood services and amenities with well-maintained storefronts.

There are a mix of residential buildings in the Surrounding Area. Lower density two- to four-story mixed residential and commercial buildings are located east of the Development Site, along the streets between 91st Street and 97th Street. Six-story multi-family walk-up buildings and elevator buildings line the Avenues and punctuate the lower lying blocks of the neighborhood.

The Surrounding Area also contains a wealth of community facility uses. The Fort Hamilton School PS/IS 104 is located just across the street from the Development Site, at the corner of 5th Avenue and 92nd Street. The New York City Fire Department Engine 242 building is located just north of the Development Site. West of the Development Site are the Bethel Presbyterian Reformed Church located on 94th Street, just west of 4th Avenue and the Fort Hamilton Branch of the Brooklyn Public Library on the corner of 95th Street and 4th Avenue.

Parkland is also abundant nearby. To the southwest of the Development Site at the foot of 5th Avenue is the Fort Hamilton Triangle, which gives the Proposed Development its name and provides the open space to balance its proposed bulk. Approximately 500 feet to the east of the Development Site lies the northerly boundary of the John J Carty Park and Fort Hamilton Parkway

parklands, which connects to the 58-acre Shore Park and its range of facilities and opportunities for passive and active recreation.

d. Mass Transit

The Surrounding Area is accessible by mass transit, including bus and subway service. The 95th Street subway stop servicing the R line is located one block south of the Development Site. The B63 bus stop (Bay Ridge to Cobble Hill) travels along 5th Avenue and the northbound stop is located one block north of the Development Site. The B8 bus (Dyker Heights to East Flatbush) travels along 92nd Street and is located within the Development Site.

4. DESCRIPTION OF THE DEVELOPMENT SITE

The Development Site is a 38,920 square foot site located at 9305 5th Avenue (Block 6109, Lot 1) in the Special Bay Ridge District. It is 132.44 feet deep and occupies 300 feet of 5th Avenue (wide street) frontage. The first 100 feet of that 232.5 foot deep block is located in an R6B/C2-3 zoning district and the 132.5-foot remainder of the block, fronting Gelston Avenue, is located in the adjoining R5B zoning district. The Development Site is improved with a 12,880 square foot Staples office supply store with accessory parking lot.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed rezoning will facilitate the development of a new 11-story plus cellar, mixed use commercial and residential building at the Development Site. The proposed building would have approximately 233,361 square feet of zoning floor area and an FAR of 5.996. The Proposed Development will consist of 220,151 square feet (5.657 FAR) of residential floor area, 12,093 square feet (.311 FAR) of commercial floor area, and 1,117 square feet (.029 FAR) of community facility floor area.

When combined with the ground floor, the Proposed Development's sub-cellar and cellar spaces would produce substantial non-residential spaces. A 15,829 gross square foot, attended parking facility in the sub-cellar would provide 75 parking spaces accessible from the southeast edge of the ground floor. A loading berth would allow direct loading into the commercial cellar adjacent to the parking entrance. The cellar level would provide a 15,460 gross square foot area for commercial uses and 17,960 gross square foot area for community facility uses. The ground floor would include a 13,417 gross square foot commercial space and a 1,117 gross square foot community facility lobby. When combined, the Proposed Development's ground floor and cellar spaces include a 28,877 gross square foot space for a commercial user and a 19,077 gross square foot space for a community facility user. The commercial space would be accessed at two locations at the corner of 5th Avenue and 94th Street, and near the residential entrance at the center of the building's frontage on 5th Avenue; both entrances are setback three feet from the property line provide a small outdoor gathering area. The community facility space would be accessed at the building's northern end.

A total of 292 dwelling units would occupy 220,151 square feet of residential floor area on floors two through 11. MIH Option 2 would require 30% of the units (87 units) to be marketed and leased to families earning less than 80% of Area Median Income. The residential units would be accessed from a 2,477 square foot residential lobby located in the middle of the Development Site's frontage on 5th Avenue. The entrance would be setback three feet from the property line to provide a small outdoor gathering area.

The Proposed Development would rise 11-stories, to a total height of 111'-10". The building's base would set back 15' from both 5th Avenue (Wide) and 94th Street (Narrow). The building's base would rise 101'-10" at the corner before stepping down as it extends towards the surrounding lower-rise buildings to the north and east. The base would only rise to 82'-11" on the northerly third of the site and 63'-9", within 25 feet of the zoning district boundary to the east. The frontage along 94th Street would enclose the rear yard, which is divided by two building piers that stepdown five stories to a 54'-3" height, framing two 60' wide courtyards. Together, these open spaces, above the 16'-8" ground-level roof platform, provide light and air for the building and open spaces for its residents.

6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The actions necessary to facilitate the Proposed Development at the Development Site are: (1) a zoning map amendment to rezone the Development Site from R6B/C2-3 (BR) and R5B (BR) zoning districts to R7X/C2-4 (BR) and R5B (BR) zoning districts, and (2) a zoning text amendment to amend the ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Brooklyn Community District 10 to designate a MIH Area, with MIH Option 2, coterminous with the Development Site.

<u>Zoning Map Amendment from R6B/C2-3 (BR) and R5B (BR) Zoning Districts to R7X/C2-4 (BR) and R5B (BR) Districts</u>

a. Existing and Proposed Zoning Districts

The existing R5B zoning district is a low-density residential district mapped in neighborhoods characterized by three-story rowhouses. The district allows for all types of residences in all building types – detached, semi-detached, attached, and zero lot line residences. Buildings in these districts may have a maximum lot coverage of 55%, a maximum FAR of 1.5, and a maximum base height of 45 feet and a maximum building height of 55 feet. Variables such as side yard and lot coverage requirements differ depending on if the building is a multi-family or a single- and two-family building. For standard residences, a minimum of 25% of dwelling units must be provided for parking; buildings with income-restricted dwelling units need not provide a parking space.

The existing R6B zoning district is a medium density residential district designed to reflect the character and scale of old rowhouse neighborhoods, as seen in Brooklyn neighborhoods with brownstone buildings. These districts are often, but not exclusively, mapped along narrow streets. R6B districts allow all housing types with a standard residence at an FAR of 2.0. Residential development that is Qualifying Affordable Housing has a maximum FAR of 2.4. R6B has a

maximum base height of 45 feet and a building height of 55 ft; for Qualifying Affordable Housing, the maximum height increases to 65 ft. For standard residences, a minimum of 25% of dwelling units must be provided parking; buildings with income-restricted dwelling units need not provide a parking space.

The proposed R7X zoning district is a medium density residential district intended to allow substantial housing while maintaining quality through specific height, setback and street wall requirements. R7X has a standard residence FAR limitation of 5.0; for Quality Affordable Housing, the FAR limit is 6.0. Buildings in R7X zoning districts are subject to a 60-foot-tall base height limitation and a maximum building height of 95 feet for standard residences or 105 feet for Qualifying Affordable Housing. For standard residences, a minimum of 15% of dwelling units must be provided parking; buildings with income-restricted dwelling units need not provide a parking space.

The existing C2-3 and the proposed C2-4 zoning districts are commercial overlays mapped within residential districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below any residential uses. When commercial overlays are mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. The parking requirement for commercial uses depends on use, but if no more than 25 spaces are required in a C2-3 zoning district or 40 spaces in a C2-4 zoning district, the requirement is waived.

b. Rational for Zoning Map Amendment

The existing R5B zoning district is a low-density residential district mapped in neighborhoods characterized by three-story rowhouses. The district allows for all types of residences in all building types – detached, semi-detached, attached, and zero lot line residences. Buildings in these districts may have a maximum lot coverage of 55%, a maximum FAR of 1.5, and a maximum base height of 45 feet and a maximum building height of 55 feet. Variables such as side yard and lot coverage requirements differ depending on if the building is a multi-family or a single- and two-family building. For standard residences, a minimum of 25% of dwelling units must be provided for parking; buildings with income-restricted dwelling units need not provide a parking space.

The existing R6B zoning district is a medium density residential district designed to reflect the character and scale of old rowhouse neighborhoods, as seen in Brooklyn neighborhoods with brownstone buildings. These districts are often, but not exclusively, mapped along narrow streets. R6B districts allow all housing types with a standard residence at an FAR of 2.0. Residential development that is Qualifying Affordable Housing has a maximum FAR of 2.4. R6B has a maximum base height of 45 feet and a building height of 55 ft; for Qualifying Affordable Housing, the maximum height increases to 65 ft. For standard residences, a minimum of 25% of dwelling units must be provided parking; buildings with income-restricted dwelling units need not provide a parking space.

The proposed R7X zoning district is a medium density residential district intended to allow substantial housing while maintaining quality through specific height, setback and street wall requirements. R7X has a standard residence FAR limitation of 5.0; for Quality Affordable Housing, the FAR limit is 6.0. Buildings in R7X zoning districts are subject to a 60-foot-tall base height limitation and a maximum building height of 95 feet for standard residences or 105 feet for Qualifying Affordable Housing. For standard residences, a minimum of 15% of dwelling units must be provided parking; buildings with income-restricted dwelling units need not provide a parking space.

The existing C2-3 and the proposed C2-4 zoning districts are commercial overlays mapped within residential districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below any residential uses. When commercial overlays are mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. The parking requirement for commercial uses depends on use, but if no more than 25 spaces are required in a C2-3 zoning district or 40 spaces in a C2-4 zoning district, the requirement is waived.

The proposed zoning map amendment will facilitate the housing density that supports new and existing commercial uses. A vibrant retail strip extends north and south of the Development Site. Many retail uses are long-established and have active pedestrian traffic. The 292 dwelling units proposed for the Development Site will provide many additional shoppers and additional expendable income to the neighborhood to help support those businesses.

Many buildings in the Surrounding Area are underutilized at the ground floor. The two properties immediately north of the Development Site have no commercial presence at street level and the former KFC site at the corner of 92nd Street has been vacant since 2022. The Staples at the Development Site has no windows on the street and a large surface parking lot.

Across from the Development Site is a C8-2 zoning district with a range of automobile-oriented uses. The lack of cohesive streetscape on this block is in stark in contrast to the blocks to the north and south, which each have a traditional mixed-use character full of popular neighborhood retail uses. The mixed-use development that will be facilitated by the proposed rezoning would reknit the urban fabric of the block by integrating the Development Site block within the surrounding pedestrian context.

The proposed commercial and community facility space will introduce new retailers to the street and the below-grade accessory commercial parking will bring drivers from outside the area to shop in the neighborhood without interrupting the 5th Avenue streetwall. The Proposed Development's 292 new housing units will bring new residents with expendable income to support new and existing retail.

Since the area is well-served by mass transit, the Proposed Development offers a convenient commuting option for those traveling elsewhere in the City, with the entrance to the 95th Street terminus of the R-train located 137 feet from the Development Site.

Furthermore, the wide street location coupled with the narrow triangular shape and open auto-oriented uses of the opposite block provide a mitigating context for the building's proposed height. For these reasons and more, we believe this Development Site and Development Site are a uniquely suited location for additional density.

Zoning Text Amendment to ZR Appendix F

The proposed zoning text amendment will provide the Bay Ridge 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.[2] 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.[3] 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." The *Get Stuff Built* strategy includes: (1) "Build Faster" with 100+ reforms to accelerate new construction approvals, (2) "Build Everywhere" with a vision for 6,000 new homes in the Bronx and ambitiously adding housing in all five boroughs, and (3) "Build Together" which aims on leveraging the State and Federal policy agenda with a focus on creating affordable housing.[4]

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 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.

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[2] *Housing's Unequal Contest: Why the Rich Won't be Denied*, in City Limits, November 1983
[3] *City needs 560k additional housing units by 2030: REBNY report*, Crain's New York Business, January 11, 2022.
[4] Mayor Adams Unveils "Get Stuff Built," Bold Three-Pronged Strategy to Tackle Affordable Housing Crisis, Sets "Moonshot" Goal of 500,000 new Homes, December 08, 2022; checked 11/05/2025 <https://www.nyc.gov/office-of-the-mayor/news/893-22/mayor-adams-get-stuff-built-bold-three-pronged-strategy-tackle-affordable-housing#/0>

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 R7X/C2-4 and R5B zoning districts will address the need for housing to serve a broad range of the City's diverse incomes. The Applicant proposes mapping MIH Option 2 within the Development Site. 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 contemplates providing 87 income-restricted dwelling units pursuant to Option 2 of the MIH program (30% of 292 total dwelling units). These will be some of the first affordable housing units developed within the Community District in years. The Applicant will seek additional input from Brooklyn Community Board 10 and the local Council Member regarding the level of affordability for the Proposed Development.

7. CONCLUSION

As discussed above, the Applicant proposes a zoning map amendment to rezone a portion of the Development Site from R6B/C2-3 (BR) and R5B (BR) zoning districts to an R7X/C2-4 (BR) zoning districts. The proposed zoning map amendment will facilitate the development of a new 14-story plus cellar, mixed-use commercial and residential building with approximately 292 dwelling units at the Development Site. The Applicant also proposes a zoning text amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Brooklyn Community District 10, to designate the Development Site as an MIH Area. The proposed zoning text amendment will facilitate the development of 87 income-restricted dwelling units pursuant to Option 2 of the MIH program, thereby ensuring that the Proposed Development addresses the need for housing to serve a broad range of the City's diverse needs and incomes.