962-972 Franklin Avenue Rezoning

CD 9 **N 230357(A) ZRK**

IN THE MATTER OF an application submitted by Franklin Ave Acquisition LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying bulk regulations in ARTICLE II, Chapter 3 (Residential Bulk Regulations in Residence Districts) and Chapter 4 (Bulk Regulations for Community Facilities in Residence Districts), as well as APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE II
RESIDENCE DISTRICT REGULATIONS

Chapter 3
Residential Bulk Regulations in Residence Districts

* * *

23-443 [COY HO Section Numbers]
Special provisions for certain community districts

* * *

(b) Borough of Brooklyn

~~For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway in Community Districts 8 and 9 in the Borough of Brooklyn, lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.~~

(1) Community District 8

For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(2) Community District 9

(i) For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(ii) Notwithstanding any other provisions of this Resolution, except as provided in this section, in #Mandatory Inclusionary Housing areas# within the portion of Community District 9 in the Borough of Brooklyn, on the #block# bounded by Montgomery Street, Washington Avenue, Sullivan Place, and Franklin Avenue, the highest projection of any #building or other structure# hereafter constructed or of any existing #building or other structure# hereafter relocated, #enlarged# or reconstructed shall not penetrate the imaginary inclined plane, rectangular in shape, with dimensions as follows:

(a) Along a line at an elevation of 85 feet above the level of the #base plane#, beginning at the point along the center line of Sullivan Place, distant 120 feet, 4 inches east of the center line of Washington Avenue and parallel to Sullivan Street, and extending to Montgomery Street at an angle of 83˚17’38” , then rising eastward perpendicularly to such line at a slope of 26˚48’21” (5.06 to 10, expressed as a ratio of vertical distance to horizontal distance in feet).

(iii) Parapets, rails, or safety guards may penetrate such inclined plane only to the extent that would otherwise be permitted obstructions pursuant to Section 23-411 and provided that such parapets, rails, or safety guards are at least 50 percent open or 90 percent transparent for the portion above the inclined plane.

* * *

Chapter 4
Bulk Regulations for Community Facilities in Residence Districts

* * *

24-56 [COY HO Section Numbers]
Special Height and Setback Provisions for Certain Areas

…

(e) Notwithstanding any other provisions of this Resolution, in #Mandatory Inclusionary Housing areas# within the portion of Community District 9 in the Borough of Brooklyn, on the #block# bounded by Montgomery Street, Washington Avenue, Sullivan Place, and Franklin Avenue, any #building or other structure# hereafter constructed or any existing #building or other structure# hereafter relocated, #enlarged# or reconstructed shall comply with the provisions of Section 23-443(b)(2)(ii), inclusive.

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APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 9

* * *

Map 1 – [date of adoption]

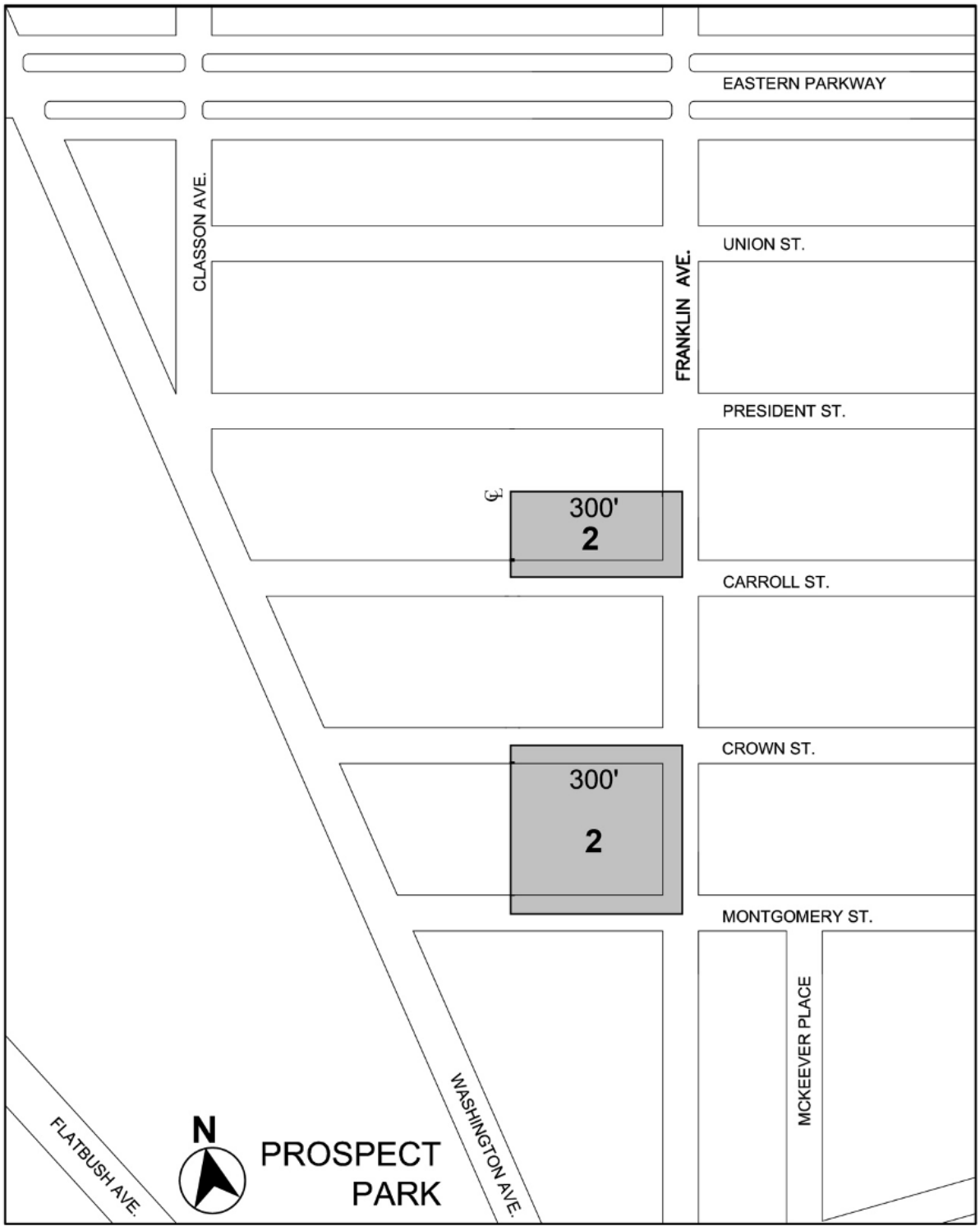
[EXISTING MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154 (d)(3)*
Area **1** – 11/30/17 MIH Program Option 1

~~Map 2 - (12/20/18)~~

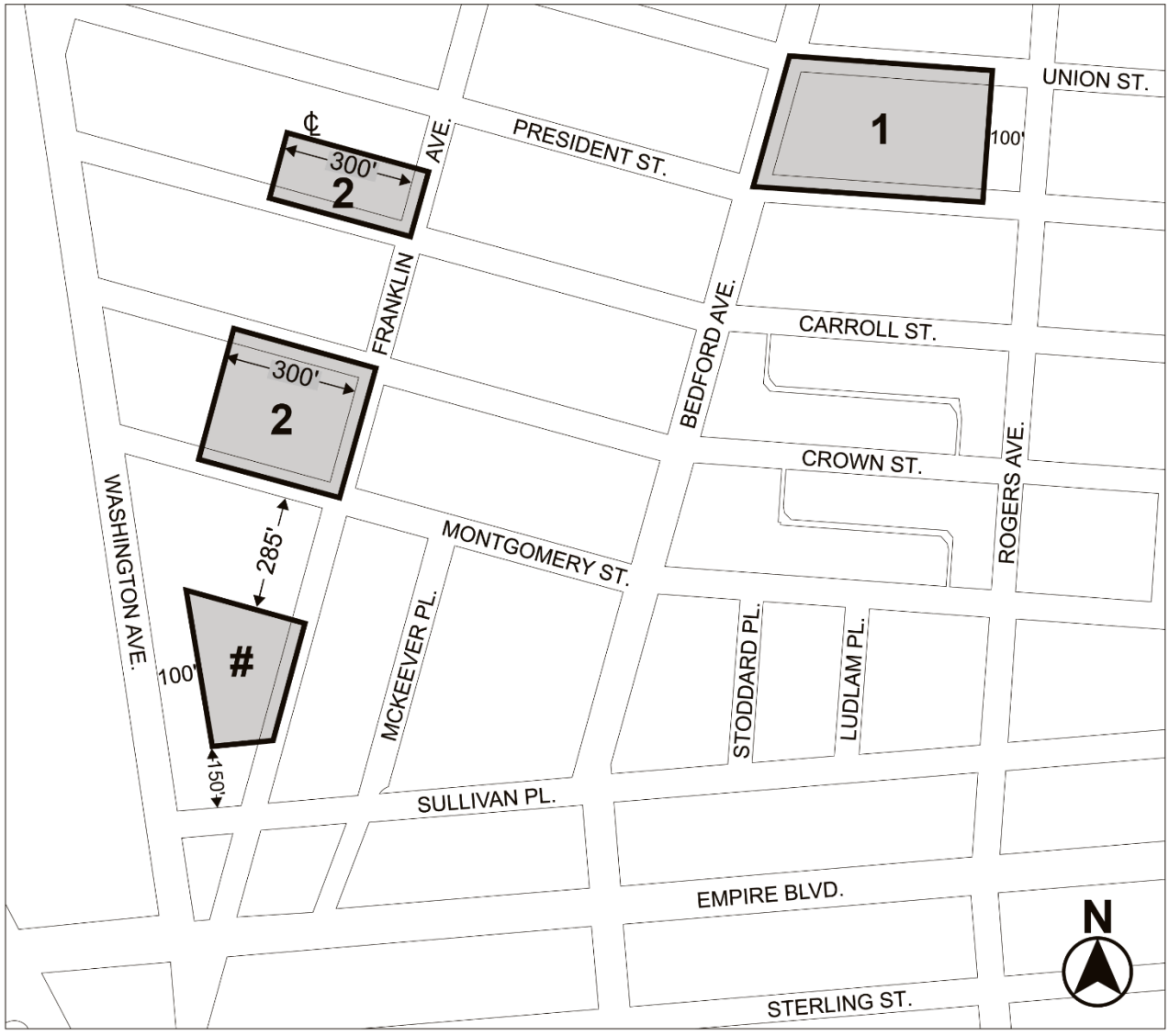
[EXISTING MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

Area **2** 12/20/18 — MIH Program Option 1

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **1** – 11/30/17 MIH Program Option 1

Area **2** – 12/20/18 MIH Program Option 1

Area **#** – [date of adoption] MIH Option 1 and Option 2

Portion of Community District 9, Brooklyn

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