699–703 Lexington Avenue Rezoning
Block 1621, Lots 76, 80 and 81
Borough of Brooklyn

I. Introduction

This is an application by Providence House, Inc. (the "Applicant" or "Providence House") to the New York City Planning Commission for certain land use actions to facilitate the development of a new headquarters and transitional housing facility at 699–703 Lexington Avenue (Block 1621, Lots 76, 80 and 81), Borough of Brooklyn, in the neighborhood of Bedford-Stuyvesant in Brooklyn Community District 3 (the "Development Site" or "Project Area"). The new development will be a 6-story building containing 85 transitional housing units, comprised of 33,053 square feet of Use Group IIIA non-profit institution with sleeping accommodations, along with 3,340 square feet of social service support offices and administrative offices for Providence House (the "Proposed Development"). The land use actions required to facilitate the Proposed Development are as follows:

1. An amendment to the zoning map in the Zoning Resolution of the City of New York ("Zoning Resolution" or "ZR") to change from an R6B District to an R6A District property bounded by Lexington Avenue and a line 200 feet east of and parallel with Stuyvesant Avenue on the southern portion of Block 1621, pursuant to Section 197-c of the New York City Charter; and

2. An amendment to the text of Appendix F of the Zoning Resolution pursuant to Section 201 of the New York City Charter to designate the area subject to the rezoning as a Mandatory Inclusionary Housing (MIH) Area.

The Applicant, a non-profit organization, provides temporary housing for women and gender non-conforming individuals who have experience with the criminal justice system transitional housing for families experiencing homelessness, pursuant to a contract with the New York City Department of Homeless Services ("DHS") and permanent supportive housing, pursuant to contracts with the New York City Department of Health and Mental Hygiene ("DOHMH"). The Applicant proposes to demolish the existing approximately 21,000 square foot three-building facility at the Development Site and replace it with the Proposed Development, which will contain a new headquarters for the Applicant, social service support offices, transitional housing for women and gender non-conforming people who have experience with the criminal justice system, and a dedicated space for community activities available for use to local neighbors. The Proposed Development will expand the non-profit's capacity to serve more at-risk populations, enhance the existing on-site administrative offices, and create a community space more welcoming to the surrounding community.

II. Background

The 12,500 square foot Development Site, which has 125 feet of frontage on Lexington Avenue in the largely residential Bedford-Stuyvesant neighborhood of Brooklyn, is divided between two zoning districts. Of the Development Site's 125 feet of frontage, the westernmost 25 feet (2,500 square feet) is located in an R6A district, which extends 100 feet east from Stuyvesant Avenue. The remaining 100 feet of the Development Site (10,000 square feet) is located in an R6B district.

In 1961, the entire Development Site was zoned as an R6 district, which extended over several blocks in all directions. In 1967, large swaths of the R6 district (but not the Development Site) were rezoned to R5 (CP 19812) in a City-led rezoning of Bedford-Stuyvesant intended to preserve the low density character of the area, undertaken at the request of various community groups concerned with large scale clearance associated with urban renewal.

In 2007, the City adopted a comprehensive rezoning of the Bedford-Stuyvesant neighborhood (the Bedford-Stuyvesant South rezoning, which was comprised of ULURP Nos. C 070447 ZMK and N 070448 ZRY), which, among other things, mapped R6A and R6B districts over an approximately 206-block area extending from Atlantic Avenue on the south to Quincy Street on the north, just one block south of the Development Site. That rezoning aimed to preserve neighborhood scale and character, maintain opportunities for mid-rise apartment development along appropriate corridors, and allow for residential growth with incentives for affordable housing along the Fulton Street transit and retail corridor (ULURP No. C 070447 ZMK). The 2007 Bedford-Stuyvesant rezoning did not change the zoning designation of the Development Site from R6.

In 2012, the City adopted a rezoning of an approximately 140-block area of Bedford Stuyvesant North (ULURP No. C 120294 ZMK), mapping contextual zoning districts, establishing a new Enhanced Commercial District, and an Inclusionary Housing Area. As part of the 2012 rezoning of Bedford Stuyvesant North, the Development Site was rezoned from R6 to R6A over the westernmost 25 feet and an R6B over the easternmost 100 feet. The Development Site is not within an Inclusionary Housing Area.

III. Description of the Surrounding Area

The area within a 600-foot radius of the Project Area (the "Surrounding Area") is a largely residential section of the Bedford Stuyvesant neighborhood in Brooklyn Community District 3. The Surrounding Area is mapped with R6B and R6A zoning districts, with C2-4 overlays along portions of the north-south running Stuyvesant Avenue and Malcom X. Boulevard.

An R6B district is mapped over a four-block area between Stuyvesant Avenue and Malcolm X Boulevard, extending from the mid-block of Greene Avenue to the mid-block of Quincy Street. The maximum floor area ratio ("FAR") is 2.0 for both residential and community facility uses and a 2.4 for qualifying affordable housing or qualifying senior housing. Height and setback

regulations allow for a maximum base height of 45 feet and a maximum building height of 55 feet (or 65 feet for qualifying affordable housing or qualifying senior housing).

R6A districts are mapped over the remainder of the Surrounding Area, with C2-4 commercial overlays mapped along portions of Stuyvesant Avenue and Malcom X. Boulevard. Under R6A zoning, the maximum permitted FAR is 3.0 for both residential and community facility uses and 3.9 for qualifying affordable housing and qualifying senior housing. Height and setback regulations allow for a maximum base height of 65 feet and a maximum building height of 75 feet (or 95 feet for qualifying affordable housing or qualifying senior housing). The height and setback regulations for community facilities are identical to those for residential use. C2-4 districts are commercial overlay districts which permit many commercial uses in Use Groups VI, VII, and VIII, such as local retail, personal service establishments, and offices, in addition to residential and community facility uses. In a C2-4 district mapped over an R6A district, the maximum permitted FAR for commercial uses is 2.0.

The prevailing built form in the Surrounding Area is two- to four-story townhouses along the mid-blocks, and four- to seven-story apartment buildings along the avenues (Malcom X. Boulevard and Stuyvesant Avenue).

Major thoroughfares in the Surrounding Area include Dekalb Avenue to the north, which connects to Downtown Brooklyn, and Broadway to the east, which runs diagonally west to Williamsburg and is the general line of demarcation between the neighborhoods of Bedford-Stuyvesant and Bushwick.

Nearby mass transit includes the A and C subway lines, which run along Fulton Street, and the J subway line, which runs along Broadway. Bus lines include the B38, which runs from Ridgewood to Downtown Brooklyn with stops on Lafeyette Avenue, the B46 and B46SBS, which runs between Kings Plaza and Williamsburg with stops on Malcolm X. Boulevard, and the B52, which runs between Ridgewood and Downtown Brooklyn with stops on Gates Avenue.

PS 26 Jesse Owens, an elementary school, and Brooklyn Emerging Leaders Academy, a charter high school, are two blocks to the north of the Development Site. Other major institutions include Mt. Carmel Baptist Church and the New York Child Resource Center on Quincy Street, NYCHA Stuyvesant Gardens to the south on Gates Avenue, and Uncommon Bed-Stuy East Middle School, a charter school, on Monroe Street. St. John's Bread and Life, a food distribution center, is east of the Development Site on Lexington Avenue, along with the Calvary First Nigerian Seventh-Day Adventist Church.

Jesse Owens Playground, a 2.33 acre playground with a playground, basketball courts and soccer fields, lies two blocks to the north of the Development Site, next to PS 26 Jesse Owens. P.O. Reinaldo Salgado Playground, a 2.29 acre public park, lies southeast of the Development Site.

IV. Description of the Development Site

The Development Site (coterminous with the "Project Area") consists of 699-703 Lexington Avenue (Block 1621, Lots 76, 80 and 81), in the neighborhood of Bedford Stuyvesant in Brooklyn Community District 3. It is located on the westerly end of the block on the north side of Lexington Avenue (a "narrow" street as defined in the Zoning Resolution) between Stuyvesant Avenue to the west and Malcolm X Boulevard to the east. The Project Area is coterminous with the Development Site. The rezoning area comprises only a portion of the Development Site: tax lots 76 and 80 (street addresses 701-703 Lexington Avenue), as tax lot 81 is already currently zoned R6A. Tax lots 76 and 80 are currently zoned R6B. The Project Area is 100 feet deep and has 125 feet of frontage on Lexington Avenue, thus having a lot area of 12,500 square feet.

Lots 80 and 81 (699-701 Lexington Avenue), each of which measure 25 feet wide by 100 feet deep, are improved with mirror-image four-story tenement buildings, constructed circa 1886 to 1898. The two building are currently used by the Applicant for its participation in a consortium called "Justice Works" funded by the New York City Mayor's Office of Criminal Justice ("MOCJ")Women's Justice Program.("WJP"). The Applicant's WJP Program is a transitional housing program for 43 women and gender-expansive people, 25 of whom are housed at the Development Site. The remaining 18 are housed at another residence in Prospect Lefferts Gardens. Lot 76, which measures 75 feet wide by 100 feet deep, is improved with a two-story building with a street address of 703 Lexington Avenue, and is used by the Applicant for social services, administrative offices, and storage space for the Applicant's Organizational Operations.

The Development Site is located within the Inner Transit Zone.

V. Description of the Proposed Development

The proposed actions would facilitate development of the Proposed Development, a six-story, 36,393 square foot building containing Providence House's central administrative offices, supportive services, and its Women's Justice Program, transitional housing and supportive services for women and gender-nonconforming individuals who have been impacted by the criminal justice system.

The Proposed Development will contain 85 individual transitional shelter housing units, classified as Use Group IIIA non-profit institution with sleeping accommodations, in addition to social service support and administrative offices classified as Use Group IIIB. The 85 transitional housing units, dining and recreational areas will be located on the second through sixth floors, and the support services, administrative offices and a community room will be located on the first floor. The housing units, dining and recreational areas (Use Group IIIA) will comprise approximately 33,053 square feet of floor area, and the support services and administrative offices will comprise approximately 3,340 square feet of floor area. A 45-foot deep rear yard will be landscaped and accessible to the building's residents.

The Proposed Development will be located at the front lot line and will rise without setback to a height of 60 feet (six stories). The street wall of the Proposed Development will be located at the front lot line in order to maximize usable area in the landscaped rear yard.

No accessory off-street parking will be provided, because the required parking falls below the minimum threshold of 25 spaces. The 85 transitional shelter housing units (Use Group IIIA, PRC E3) require only 4 spaces, at a rate of 1 space for every 20 beds. The administrative offices and support service offices (Use Group IIIB, PRC B3) require only 3 spaces, at a rate of 1 space for every 20 persons.

The proposed rezoning would allow the Proposed Development to achieve the 80-bed minimum that is preferred by the New York City Department of Homeless Services for all projects.

VI. Actions Necessary to Facilitate Proposed Development

Approval of the following actions is necessary to facilitate the Proposed Development:

1. Zoning map amendment to change from an R6B District to an R6A District property bounded by Lexington Avenue, a line midway between Lexington Avenue and Greene Avenue, a line 100 feet east of and parallel with Stuyvesant Avenue, and a line 200 feet east of and parallel with Stuyvesant Avenue; and

2. An amendment to the text of Appendix F of the Zoning Resolution pursuant to Section 201 of the New York City Charter to designate the area subject to the rezoning as a Mandatory Inclusionary Housing (MIH) Area.

Zoning Map Amendment – R6B to R6A

Description of Proposed R6A District

In R6A zoning districts, residential and community facility uses are permitted an FAR of 3.0 for standard residences, or 3.9 for qualifying affordable housing (UAP or MIH) or qualifying senior housing (AIRS).

In an R6A district, the maximum base height is 65 feet and the maximum building height is 75 feet. For qualifying affordable housing or qualifying senior housing, the maximum base height is 65 feet and the maximum building height is 95 feet. The height and setback regulations for community facilities are identical to those for residential use. The Proposed Development will be a community facility, meaning the maximum FAR would be 3.0, the maximum base height would be 65 feet, and the maximum lot coverage would be 80%.

No accessory parking is required for any newly developed residential dwelling units or rooming units in the Inner Transit Zone, regardless of affordability level. Nor is any off-street accessory parking required for the Proposed Development, as the parking required falls below the minimum

waiver threshold of 25 spaces. The Use Group IIIA transitional shelter beds and accessory space (PRC E3) require 1 space per 20 beds, resulting in a 4 space requirement. The Use Group IIIB office and supportive service space requires 1 space per 20 persons rated capacity, resulting in a 3 space requirement. Because the total number of spaces required is below 25, the parking requirements do not apply and thus may be waived.

Land Use Justification

A zoning map amendment to rezone the Rezoning Area from an R6B to an R6A district is contextually appropriate for the rezoning area, as it is located just off the corner of Stuyvesant Avenue, where the built context reflects an R6A density. Specifically, the rezoning extends an already-existing R6A district mapped along Stuyvesant Avenue. The R6A district already extends from Stuyvesant Avenue further into the mid-block in certain locations where there are larger 6-story apartment buildings. Lastly, those larger, 6-story apartment buildings provide an existing built context which the Proposed Development would fit into.

The Applicant proposes to rezone the portion of the Development Site within the R6B district to an R6A district. The rezoning will extend the existing R6A district, which is mapped within 100 feet of Stuyvesant Avenue, to extend along Lexington Avenue for a distance of 200 feet from Stuyvesant Avenue - an extension of 100 feet.

The R6A district is already mapped on both sides of Stuyvesant Avenue, extending for 100 feet on each side, for approximately 11 blocks. This R6A district was created in the 2007 Bedford-Stuyvesant North Rezoning (C 120294 ZMK). The CPC Report for the rezoning stated that R6A districts were mapped along lot frontages for the majority of the north-south avenues leading to Fulton Street, as those avenues already contained large apartment buildings and some vacant land and vacant buildings.

There is an existing built context of larger apartment buildings extending onto mid-blocks from Stuyvesant Avenue. The 6-story Quincy Senior Residences extend 275 feet into the mid-block from Stuyvesant Avenue, between Quincy Street and Lexington Avenue. In addition, the 4-story NYCHA owned Stuyvesant Gardens extend 150 feet onto the midblock along Monroe Street, and 275 feet onto the midblock on Gates Avenue. On Monroe Street, west of Stuyvesant Avenue, the 4-story NYCHA Stuyvesant Gardens extend 150 feet onto the midblock (and occupy the entire midblock on Gates Street).

The R6A district is mapped deeper onto the mid-blocks to capture the larger apartment buildings discussed above. The R6A is mapped 225 feet from Stuyvesant Avenue to capture the Quincy Senior Residences. The R6A was also mapped 150 feet from Stuyvesant Avenue along Monroe Street and along the majority of the block on Gates Avenue, to capture NYCHA Stuyvesant Gardens within the R6A.

There is precedent for 7-story buildings in the neighborhood surrounding the Project Area. At the corner of Gates Avenue and Malcolm X Boulevard is a 7-story NYCHA Stuyvesant Gardens building, at 146 Malcom X Boulevard, three blocks south of the Project Area's block 1621. There is also a 7-story New York State Office of Alcoholism office building at 754 Lexington Avenue, a block east of the Project Area. And finally, very close to the Development Site at the northwest corner of Lexington Avenue and Stuyvesant Avenue is a 66-foot-high, 4- story residential building that was vertically enlarged in 2020 and modified to include two stories with double-height space.

Zoning Text Amendment- MIH Area

The Applicant proposes to amend Appendix F of the Zoning Resolution to create a Mandatory Inclusionary Housing Program Area across the Project Area, in which Options 1 and 2 are applicable. Option 1 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 25% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 60% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index, and at least 10% of the residential floor area shall be affordable to an income band at 40% of the income index. Option 2 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 80% AMI. Not more than three income bands may be provided, with no income band exceeding 130% of the income index.

VII. Conclusion

Approval of this application will facilitate development of the Proposed Development, a new six-story building containing new headquarters for Providence House and additional space for their Women's Justice Program. The proposed R6A district is appropriate to extend slightly into the mid-block from the avenue, to provide a little additional floor area and height to allow a viable development for Providence House. This slight increase in permitted floor area and height would allow the Proposed Development to achieve the 80-bed minimum that is preferred by the New York City Department of Homeless Services for all projects. In total, this rezoning and the Proposed Development will ensure provision of transitional shelter housing to some of New York City's most vulnerable residents.