2601 86th Street Rezoning
Brooklyn Community District 11
November 2025

LR Item 3 Description of Proposal

1. Introduction

Stillwell 86 Associates LLC (the "Applicant") requests approval of the following land use actions:

1. A zoning map amendment to change the existing C8-2 and R5B zoning districts to C4-4D and R6A zoning districts in the area bounded by 86th Street to the north, Stillwell Avenue to the east, Avenue U to the south, and Bay 41st Street to the west (the "Rezoning Area"); and to change existing C8-2 zoning portions of Block 7092, Lots 48 (p/o), 49 (p/o), and 50 (p/o) to a R5B/C2-3 zoning district (the "Rezoning Area"); and

2. A zoning text amendment modifying Zoning Resolution ("ZR") Appendix F: Mandatory Inclusionary Housing ("MIH") Areas and former Inclusionary Housing Designated Areas for Community District 11 Brooklyn to establish the Rezoning Area as an MIH Area.

The proposed actions would facilitate the redevelopment of the Development Site**,** with a new 12-story mixed-use building with approximately 165 dwelling units, including up to approximately 50 permanently affordable MIH units, 3,735 square feet of community facility use, and 9,734 square feet of ground floor commercial space.

2. Background

The Rezoning Area was designated as a C8-2 and R5 zoning district with the enactment of the Zoning Resolution in 1961. The portion of the project area that is currently zoned as R5B was rezoned from R5 to R5B during the Bensonhurst Rezoning adopted in 2005 [C050296ZMK]. Across the street along Stillwell and 26th Ave, several lots were rezoned from R5 to C8-2 in 2003 [C030298ZMK]. A block to the east, a rezoning was adopted in 1990 to add commercial overlays along a portion of 86th Street and a portion of Ave U [C890235ZMK]. In the larger surrounding neighborhood, the 166 Kings Highway Rezoning adopted in 2025 rezoned a portion of an R6B/C2-3 zoning district to an R7A/C2-4 zoning district at the intersection of Kings Highway and Quentin Road to facilitate the redevelopment of an eight-story mixed-use building containing residential and commercial uses with emphasis that the area has seen little new housing development in an area that is well-served by public transportation.

3. Description of the Surrounding Area

The Rezoning Area is located in the Gravesend neighborhood of Brooklyn Community District 11. Land uses and built context within the surrounding area are generally characterized by a mix of low to medium-density residential and commercial uses. Residential buildings are typically located along side streets of 86th Street and consist primarily of one and two-family homes ranging from two to three stories in height. Stillwell Avenue is improved local service and retail establishments that serve the surrounding. Most residential buildings in the surrounding area were constructed from the 1930s to the 1960s, with limited new ground-up development despite the strong need for new housing and income-restricted housing.[1]

Commercial uses are generally located along 86th Street and Stillwell Avenue, local retail corridors and main commercial thoroughfares running east to west and north to south,

[1] Based on American Community Survey 2018-2022 5-Year Estimates for Brooklyn Community District 11, which is an approximation of Brooklyn Community District 11, approximately 50.6 percent of Brooklyn Community District 11 households are rent burdened. Source: https://communityprofiles.planning.nyc.gov/brooklyn/11.

respectively. 86th Street is considered a wide street at approximately 100 feet.[2] Similarly, Stillwell Avenue is considered a wide street at approximately 100 feet.[3] West 13th Street is considered a narrow street at approximately 60 feet.[4] Commercial buildings range from single-story detached buildings and two to three-story mixed-use buildings. The predominant land use is mixed-use with ground-floor retail and residential or office spaces above.

North of the Rezoning Area is characterized by two-story attached and semi-detached homes, with small local retail and service uses along 86th Street. South of the Rezoning Area are community facility and open-space uses, most notably John Dewey High School Lafayette Playground, a public park with athletic fields and open green space that serves nearby residents. East of the Rezoning Area is characterized by low-density residential blocks and local retail use along Avenue U. West of the Rezoning Area is characterized by low-density blocks and neighborhood commercial use along 86th Street.

The Rezoning Area is well-served by public transportation options. The 25th Avenue – NYCT (D) station stop is located approximately 0.1 miles west of the Rezoning Area, and the Avenue U – NYCT (N) station stop is located approximately 0.4 miles east of the Rezoning Area. Several bus lines operate adjacent to the Rezoning Area, including the B1 (Bay Ridge – Manhattan Beach), the B3 (Bergen Beach – Bay Ridge), and B4 (Bay Ridge – Sheepshead Bay), which operate along 86th and Stillwell Avenue and provide connections to Coney Island, Bay Ridge, and Bensonhurst.

Land uses and built context within the surrounding area are generally consistent with underlying zoning. R5, R5B, R4A, R4-1, and C8-2 are the primary zoning districts mapped in the surrounding area. The C8-2 district extends along 86th Street and Stillwell Avenue. C8-2 districts permits permit a range of commercial and automotive-related uses from Use Groups I and III through X. These uses include automobile showrooms, repair shops, warehouses, and gas stations. Residential uses are not permitted. C8-2 districts allow a maximum FAR of 2.0 for commercial and a maximum FAR of 4.8 community facility uses. Building heights and setbacks are governed by a sky exposure plane, which begins at 60 feet above the street line and rises at a 2.7:1 slope on narrow streets and 5.6:1 on wide streets.. Off-street parking requirements vary by use.

R5B is mapped along West 13th Street and the side streets north and southeast of the Rezoning Area. The maximum residential FAR in R5B zoning districts for standard zoning lots is 1.5 and the maximum FAR for certain qualifying residential sites[5] is 2.0. The maximum community facility FAR is 2.0. The maximum building height is 35 feet. Setbacks are required above the maximum base height. For qualifying residential sites, the maximum base height is increased to 45 feet, and the maximum building height is increased to 55 feet. Beyond the Greater Transit Zone, accessory off-street residential parking spaces are required for 25 percent of standard dwelling units, with a waiver if 10 or fewer spaces are required, and parking is not required for qualifying affordable housing units.

C2-3 commercial overlays are mapped over the commercial corridors along Stillwell Avenue and Avenue U. C2-3 districts are commercial overlay districts mapped within residence districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. When mapped with R5B and R5 zoning districts, C2-3 permits a maximum commercial FAR of 1.0. Parking requirements vary by use. A parking waiver is available if the requirement is for 25 or fewer accessory spaces.

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[2] ZR § 12-10 defines a wide street as any street 75 feet or more in width.
[3] *Id.*
[4] ZR § 12-10 defines a narrow street as any street less than 75 feet in width.
[5] Per ZR § 12-10, a "qualifying residential site" is a zoning lot, or portion thereof in a in a C1, C2 or C4 District mapped within, or with a residential equivalent of, an R1 through R5 District that meets the following criteria: (i) the Commercial District in which the zoning lot is located, or a combination of Commercial Districts, extends continuously over an entire street frontage on the block and on at least one adjacent block, whether on the same or opposite side of the street, a Commercial District is mapped along the same street frontage; and (2) along the long dimension of the Commercial District in which the zoning lot is located, or a combination of Commercial Districts, not more than 50 percent of the length of the zoning lots located entirely within such Commercial District consists of zoning lots that were developed exclusively with single- or two-family residences, and such residences were also in existence as single- or two-family residences on December 5, 2024.

4. Description of the Rezoning Area

The Rezoning Area is comprised of 7 tax lots on Block 7092 including Lots 20, 21, 22, 24, 48 (p/o), 49 (p/o), and 50 (p/o). The Rezoning Area is bound by West 13th Street to the east, 86th Street to the south, Stillwell Avenue to the west, the terminus of Lot 20 to the northeast and a small section of Lots 48,49 and 50 to the northwest. The Rezoning Area has approximately 300 feet of frontage on 86th street, 150 feet of frontage on Stillwell Avenue, and 300 feet of frontage on West 13th Street. The Development Site (Block 7092, Lot 20) is described below. The non-applicant controlled properties within the Rezoning Area are as follows:

- Block 7092, Lot 21 is a 4,793 square foot interior lot improved with a 2-story, 4,760 square foot mixed-use building.
- Block 7092, Lot 22 is a 4,582 square foot interior lot improved with a 2-story, 6,160 square-foot mixed-use building.
- Block 7092, Lot 24 is a 3,677 square foot corner lot improved with a 2-story, 7,166 square foot mixed-use building.
- Block 7092, Lot 48 (p/o) is part of a 2,000 square foot interior lot improved with a 3-story, 4,188 square foot mixed-use building.
- Block 7092, Lot 49 (p/o) is part of a 2,000 square foot interior lot improved with a 3-story, 4,920 square foot mixed-use building.
- Block 7092, Lot 50 (p/o) is part of a 2,000 square foot interior lot improved with a 3-story, 4,920 square foot mixed-use building.

5. Description of the Proposed Development Site

The Applicant-owned Development Site consists of Block 7092, Lot 20. It is an approximately 26,334 square foot corner lot that is improved with a one-story, approximately 10,266 square foot commercial building that is currently occupied by a pet store. The Development Site has an accessory surface parking area along the southern and western portions of the parcel. Vehicular access is provided on Stillwell Avenue.

6. Description of the Proposed Development

The proposed actions would facilitate the development of a new 12-story, mixed-use building at the Development Site with approximately 160,924 square feet of floor area (6.11 FAR). The Proposed Development would have approximately 148,385 square feet of residential floor area with approximately 165 dwelling units of which 50 units would be permanently affordable pursuant to MIH Option 2. The Proposed Development would have approximately 9,552 square feet of commercial floor area on the ground floor in Segment A. Tenants for the non-residential portions of the buildings have not been determined yet. The proposed development would have approximately 3,735 square feet of community facility floor area on the ground floor in Segment B. The proposed development would rise with a 10 feet setback along 86th Street in Segment A with a height of 105 feet (12-stories). The proposed development would rise to a height of 75 feet in Segment B (7-stories). Open space for building residents would be provided on a building rooftop.

7. Actions Necessary to Facilitate the Project

The actions necessary to facilitate the proposed development are: (1) a zoning map amendment to change existing C8-2, R5B, and R5B/C2-3 zoning districts to C4-4D and R6A zoning districts within the Rezoning Area; in addition, change portions of existing C8-2 zoning district to an R5B/C2-3 zoning district; and (2) a zoning text amendment to ZR Appendix F to establish the Rezoning Area as an MIH Area.

Zoning Map Amendment

The proposed C4-4D district would be mapped along the Rezoning Area's 86th Street and Stillwell Avenue frontages, which are zoning wide streets with the elevated rail that can support greater density. The C4-4D is a medium-density mixed-use commercial district that allows residential, commercial, and community facility uses. C4-4D zoning districts allow a maximum FAR of 7.2 for qualifying affordable housing, and a maximum FAR of 6.5 for community facility uses. C4-4D districts allow a maximum FAR of 3.4 for commercial uses. Building heights are governed by contextual bulk regulations, which permit a maximum building height of 125 feet above a maximum base height of 95 feet for standard residential developments, and up to 145 feet above a maximum base height of 105 feet for qualifying affordable housing. Within the Outer Transit Zone, accessory off-street residential parking spaces are required at a rate of 12 percent for standard (market-rate) units, with a waiver if 30 or fewer spaces are required, and parking is not required for qualifying affordable housing units.

The proposed R6A serves as a transitional zoning district to the lower density character along West 13th Street. The R6A is a medium-density contextual residential zoning district that generally allows all housing types at a maximum residential FAR of 3.9 with qualifying affordable housing and a maximum FAR of up to 3.0 for buildings containing certain community facility uses. It does not permit commercial or industrial/manufacturing. R6A zoning districts allow a 95 foot building height for eligible sites above a base height of 65 feet. Beyond the Greater Transit zone, off-street accessory parking is required at a rate of 35 percent for standard (market-rate) units, and is not required for qualifying affordable housing. Within the Outer Transit zone, accessory off-street residential parking spaces are required for 25 percent of standard dwelling units, with a waiver if 15 or fewer spaces are required, and parking is not required for qualifying affordable housing districts.

The proposed R5B/C2-3 district is mapped to correct the geometry of the existing street network. C2-3 districts are commercial overlay districts mapped within residence districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. When mapped with R5B and R5 zoning districts, C2-3 permits a maximum commercial FAR of 2.0. Parking requirements vary by use. A parking waiver is available if the requirement is for 25 or fewer accessory spaces. The maximum residential FAR in R5B zoning districts for standard zoning lots is 1.5 and the maximum FAR for certain qualifying residential sites[6] is 2.0. The maximum community facility FAR is 2.0. The maximum building height is 35 feet. Setbacks are required above the maximum base height. For qualifying residential sites, the maximum base height is increased to 45 feet, and the maximum building height is increased to 55 feet. Within the Outer Transit Zone, accessory off-street residential parking spaces are required for 25 percent of standard dwelling units, with a waiver if 10 or fewer spaces are required, and parking is not required for qualifying affordable housing.

Zoning Text Amendment

The proposed zoning text amendment would establish an MIH Area contiguous with the Rezoning Area. Within MIH Areas, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of MIH Option 1, Option 2, or Option 3 described below.

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

[6] Per ZR § 12-10, a "qualifying residential site" is a zoning lot, or portion thereof in a in a C1, C2 or C4 District mapped within, or with a residential equivalent of, an R1 through R5 District that meets the following criteria: (i) the Commercial District in which the zoning lot is located, or a combination of Commercial Districts, extends continuously over an entire street frontage on the block and on at least one adjacent block, whether on the same or opposite side of the street, a Commercial District is mapped along the same street frontage; and (2) along the long dimension of the Commercial District in which the zoning lot is located, or a combination of Commercial Districts, not more than 50 percent of the length of the zoning lots located entirely within such Commercial District consists of zoning lots that were developed exclusively with single- or two-family residences, and such residences were also in existence as single- or two-family residences on December 5, 2024.

- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.
- Option 3: 20 percent of the total residential floor area must be for housing units for residents with incomes averaging 40 percent of AMI and no direct subsidies could be used for these units except where needed to support more affordable housing.

In addition to options above, the City Council may elect to map Option 4 (except in Manhattan Community Districts 1-8), which requires that 30 percent of the total residential floor area must be restricted with incomes averaging 115 percent of AMI, with no units above 135 percent AMI; and no direct subsidies.

The Applicant proposes MIH Option 2 for the Rezoning Area. As such, a minimum of 30 percent of residential floor area would be designated as permanently affordable. The Proposed Development would include approximately 50 permanently affordable dwelling units, provided in accordance with the requirements of ZR Appendix F.

Land Use Rationale

The proposed zoning amendment would allow for the production of new mixed-use, mixed-income housing in Brooklyn Community District 11 on an underutilized site on two zoning wide streets. The Rezoning Area's existing C8-2 zoning district does not permit residential use and the R5B zoning designation permits very low density residential use, which significantly limits the redevelopment potential for new mixed use housing development.

The proposed actions are appropriate because the Rezoning Area is at the intersection of two wide streets (86th Street and Stillwell Avenue) that can support additional increase in density. The Rezoning Area is well-served by public transportation is directly adjacent the elevated D train with the stop just one block northwest at 25th Avenue and several bus lines serve the area, including the B1, B3, B4 lines.

The proposed zoning map amendment would locate the highest density district and mixed-use district (C4-D) along 86th Street, consistent with existing commercial and transportation activity in the area, while the R6A district would step down the building to serve as a transition to the lower-scale R5B districts located west of West 13th Street. Portions of the Rezoning Area would be rezoned from C8-2 to R5B to better reflect existing low-rise residential development. The proposed actions include a clean-up of the existing C8-2 zoning district on portions of the block north of Stillwell Avenue, which would be rezoned to R5B/C2-3 align with the prevailing zoning pattern and standardize district boundaries consistent with the surrounding street grid. The proposed zoning map amendment would continue to allow ground-floor retail and community facility use along 86th Street.

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*. There are only limited provisions near the Rezoning Area to promote the development of income-restricted housing. The proposed residential development would provide much-needed income-restricted residential units in an area in with a growing population and corresponding increase in demand for housing. The creation of new income-restricted housing in this location would expand affordable housing opportunities in a transit-accessible area of Southern-Brooklyn where relatively few MIH-designated areas exist. The proposed residential development would provide much-needed income-restricted 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 2017 report *New York City Population Projections by Age/Sex & Borough*, the population of Brooklyn is anticipated to increase by an estimated 8.9 percent in the 30-year projection period.[7] The population will increase from about 2.74 million in 2020 to 2.98 million in 2055. As population in Brooklyn is expected to experience substantial and steady growth, additional housing is necessary to ensure adequate supply.

[7] New York City Population Projects by Age/Sex & Borough, 2030-2055, NYC Department of City Planning, 2017. Source: https://www.nyc.gov/assets/planning/downloads/pdf/our-work/reports/nycpopulationprojections2035to2055.pdf.

Moreover, according to the U.S. Census Bureau, approximately 50.6 percent of households in Brooklyn Community District 11 are rent burdened, spending 35 percent or more of their income on rent.[8] The proposed actions would facilitate the creation of approximately 165 dwelling units including 50 permanently affordable units pursuant to MIH Option 2, respectively, on an underutilized property in an area of Brooklyn with high demand.

8. Conclusion

The proposed zoning map amendment and zoning text amendment are consistent with existing land uses and built context within the area surrounding the Rezoning Area, and further the objectives of the *City's Housing New York: A Five-Borough, Ten-Year Plan* and *Housing New York 2.0*.[9] The existing C8-2, R5B, and R5B/C2-3 zoning districts within the Rezoning Area precludes any substantive development of new mixed-use, multi-family housing at densities appropriate for a major commercial and transit corridor. The proposed rezoning reflects sound planning principles by replacing the existing C8-2, R5B, and R5B/C2-3 zoning designation with C4-4D, R6A, and portions of R5B/C2-3 zoning districts to permit residential use at an increased density in an appropriate, underutilized area for this purpose fronting on two wide streets with immediate access to mass transit. The proposed actions would facilitate the development of affordable units pursuant to MIH and facilitate the revitalization of underutilized property with mixed-use development that would promote activity along both 86th Street and Stillwell Avenue.

[8] Based on American Community Survey 2018-2022 5-Year Estimates for Brooklyn Community District 11, which is an approximation of Brooklyn Community District 11, approximately 50.6 percent of Brooklyn Community District 11 households are rent burdened. Source: https://communityprofiles.planning.nyc.gov/brooklyn/11.
[9] The housing plans set a goal for the preservation and/or creation of 300,000 income-restricted housing units by 2026.