CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

May 19, 2025

New York City Council
City Hall
New York, NY 10007

Re: Atlantic Avenue Mixed-Use Plan
ULURP Nos. C 250014 ZMK and N 250015 ZRK
Related Application Nos. C 250016 HAK, C 250017 HAK, C 250018 PQK, C 250019 PQK, C 250020 PQK, C 250021 PPK, C 250022 PPK, C 250023 PPK
Borough of Brooklyn

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated May 12, 2025, from the City Council regarding the proposed modifications to the above-referenced applications submitted by NYC Department of City Planning for a zoning text amendment (N 250015 ZRK) and a zoning map amendment (C 250014 ZMK) to establish the Special Atlantic Avenue Mixed Use District (Article XIV, Chapter 6) in the NYC Zoning Resolution.

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on May 19, 2025, determined that the City Council's proposed modifications do not require additional review of environmental issues or pursuant to Section 197-c of the Charter.

Very truly yours,

Daniel R. Garodnick

c: A. Sommer, D. DeCerbo, J. Rogoff, S. Amron, D. Answini, S. Avila, J. Hirakawa, S. Whitham

Daniel R. Garodnick, Chair
City Planning Commission
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THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
250 BROADWAY - ROOM 1602
NEW YORK NEW YORK 10007

PERRIS STRAUGHTER
DIRECTOR

May 12, 2025

Honorable Daniel Garodnick, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Application Nos. C 250014 ZMK (L.U. No. 257) and N 250015 ZRK (L.U. No. 258)

Related Application Nos. C 250016 HAK (L.U. No. 259), C 250017 HAK (L.U. No. 260), C 250018 PQK (L.U. No. 261), C 250019 PQK (L.U. No. 262), C 250020 PQK (L.U. No. 263), C 250021 PPK (L.U. No. 264), C 250022 PPK (L.U. No. 265), C 250023 PPK (L.U. No. 266)

Atlantic Avenue Mixed-Use Plan (AAMUP)

Dear Chair Garodnick:

On May 12, 2025, the Land Use Committee of the City Council, by a vote of 7-0-0, for Applications **C 250014 ZMK and N 250015 ZRK** recommended modifications of the City Planning Commission's decisions in the above-referenced matters.

Pursuant to Section 197-d(d) of the City Charter I hereby file the proposed modifications with the Commission:

C 250014 ZMK (L.U. No. 257)

Matter double-underlined is new, added by the City Council
Matter ~~double-struck out~~ is old, deleted by the City Council;

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16c and 17a:

1. eliminating from within an existing R7A District a C2-4 District bounded by:

   a. Pacific Street, a line 100 feet southeasterly of Grand Avenue, a line midway between Pacific Street and Dean Street, and Grand Avenue; and

   b. Pacific Street, a line 315 feet northwesterly of Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 150 feet northwesterly of Classon Avenue, Pacific Street, Classon Avenue, a line midway between Pacific Street and Dean Street, and a line 440 feet northwesterly of Classon Avenue;

2. eliminating from within an existing R7D District a C2-4 District bounded by a line midway between Atlantic Avenue and Pacific Street, a line 100 feet southeasterly of Grand Avenue, Pacific Street, and Grand Avenue;

3. eliminating a Special Mixed Use District (MX-20) bounded by Pacific Street, a line 225 feet southeasterly of Classon Avenue, Dean Street, and Classon Avenue;

4. changing from an R6A District to an R7A District property bounded by Pacific Street, a line 260 feet southeasterly of Franklin Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet southeasterly of Franklin Avenue, Dean Street, and Franklin Avenue;

5. changing from an R6B District to an R7A District property bounded by Dean Street, a line 140 feet southeasterly of 6th Avenue, a southwesterly and northwesterly boundary line of a Park and its southwesterly prolongation, Bergen Street, a line 605 feet northwesterly of Carlton Avenue, a line 130 feet southwesterly of Bergen Street, a line 100 feet northeasterly of Flatbush Avenue, Bergen Street, a line 100 feet southeasterly of 6th Avenue, a line 100 feet northeasterly of Bergen Street, and 6th Avenue;

~~5~~6. changing from an R6B District to an R7D District property bounded by:

   a. Dean Street, a line 260 feet northwesterly of Carlton Avenue, a line midway between Dean Street and Bergen Street, and a southwesterly and northwesterly boundary line of a Park and its northeasterly prolongation; and ~~a line 360 feet northwesterly of Carlton Avenue, a line 130 feet southwesterly of Bergen Street, a line 100 feet northeasterly of Flatbush Avenue, Bergen Street, a line 100 feet southeasterly of 6th Avenue, a line 100 feet northeasterly of Bergen Street, and 6th Avenue;~~

   b. Bergen Street, a line 455 feet northwesterly of Carlton Avenue, a line 130 feet southwesterly of Bergen Street, and a line 605 feet northwesterly of Carlton Avenue;

~~6~~7. changing from an R6A District to an R7-2 District property bounded by Halsey Street, a line 100 feet easterly of Nostrand Avenue, Macon Street, and Nostrand Avenue;

~~7~~8. changing from an R6B District to an R7-2 District property bounded by Halsey Street, a line 300 feet easterly of Nostrand Avenue, Macon Street, and a line 100 feet easterly of Nostrand Avenue;

~~8~~9. changing from an M1-1 District to a C4-3A District property bounded by a line 100 feet southerly of Brevoort Place, a line midway between Bedford Place and Bedford Avenue, a line 100 feet northeasterly of Atlantic Avenue, and a line midway between Franklin Avenue and Bedford Place;

~~9~~10. changing from an M1-1 District to a C4-5D District property bounded by a line 100 feet southerly of Brevoort Place, Herkimer Street, a line 100 feet easterly of Bedford Avenue, a line 100 feet northeasterly of Atlantic Avenue, and a line midway between Bedford Place and Bedford Avenue;

~~10~~11. changing from a C6-2A District to a C6-3A District property bounded by the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 200 feet southeasterly of Vanderbilt Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 150 feet southeasterly of Vanderbilt Avenue;

~~11~~12. changing from an M1-1 District to a C6-3A District property bounded by:

a. the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 315 feet northwesterly of Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 200 feet northwesterly of Underhill Avenue and its northeasterly prolongation;

b. the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 150 feet northwesterly of Classon Avenue;

c. a line midway between Lefferts Place and Atlantic Avenue, a line perpendicular to the northeasterly street line of Atlantic Avenue distant 210 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the easterly street line of Classon Avenue, the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Classon Avenue; and

d. a line midway between Lefferts Place and Atlantic Avenue, Franklin Avenue, a line 100 feet southerly of Brevoort Place, a line midway between Franklin Avenue and

Bedford Place, a line 100 feet northeasterly of Atlantic Avenue, Perry Place, Herkimer Place, a line 150 feet westerly of Nostrand Avenue, the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 100 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, Bedford Avenue, the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and a line perpendicular to the northeasterly street line of Atlantic Avenue distant 180 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Franklin Avenue;

13. changing from an M1-1 District to an M1-2A District property bounded by Dean Street, a line 275 feet northwesterly of Franklin Avenue, a line 90 feet southwesterly of Dean Street, a line 150 feet northwesterly of Franklin Avenue, Bergen Street, a line 350 feet southeasterly of Classon Avenue, a line 120 feet southwesterly of Dean Street, and a line 135 feet southeasterly of Classon Avenue;

~~12~~14. changing from an M1-1 District to an M1-3A District property bounded by the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), Bedford Avenue, Pacific Street, and a line perpendicular to the northeasterly street line of Pacific Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Pacific Street and the northeasterly street line of Franklin Avenue;

~~13~~15. changing from an M1-1 District to an M1-1A/R6B District property bounded by a line 100 feet southerly of Herkimer Street, a line 150 feet westerly of Nostrand Avenue, Herkimer Place, Perry Place, a line 100 feet northerly and northeasterly of Atlantic Avenue, and a line 100 feet easterly of Bedford Avenue;

~~14~~16. changing from an R7A District to an M1-2A/R6A District property bounded by Pacific Street, a line 315 feet northwesterly of Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 150 feet northwesterly of Classon Avenue, Pacific Street, a line 100 feet northwesterly of Classon Avenue, a line midway between Pacific Street and Dean Street, and a line 440 feet northwesterly of Classon Avenue;

~~15~~17. changing from an M1-1 District to an M1-2A/R6A District property bounded by:

a. a line midway between Atlantic Avenue and Pacific Street, a line 315 feet northwesterly of Classon Avenue, Pacific Street, a line 440 feet northwesterly of Classon Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet northwesterly of Classon Avenue, Bergen Street, and a line 100 feet southeasterly of Grand Avenue;

b. a line midway between Atlantic Avenue and Pacific Street, a line 100 feet northwesterly of Classon Avenue, Pacific Street, and a line 150 feet northwesterly of Classon Avenue; and

c. a line midway between Atlantic Avenue and Pacific Street, a line 90 feet westerly of Franklin Avenue, a line perpendicular to the westerly street line of Franklin Avenue distant 40 feet southerly (as measured along the street line) from the point of intersection of the southwesterly street line of Atlantic Avenue and the westerly street line of Franklin Avenue, Franklin Avenue, the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line perpendicular to the northeasterly street line of Pacific Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Pacific Street and the easterly street line of Franklin Avenue, Pacific Street, a line 80 feet northwesterly of Franklin Avenue, Dean Street, a line 150 feet northwesterly of Franklin Avenue, a line 90 feet southwesterly of Dean Street, a line 275 feet northwesterly of Franklin Avenue, Dean Street, a line 135 feet southeasterly of Classon Avenue, Dean Street, a line 120 feet southwesterly of Bergen Street, a line 350 feet southeasterly of Classon Avenue, Bergen Street, a line 100 feet southeasterly of Classon Avenue, Dean Street, a line 225 feet southeasterly of Classon Avenue, Pacific Street, and a line 100 feet southeasterly of Classon Avenue;

~~16~~18. changing from an M1-4/R7A District to an M1-2A/R6A District property bounded by Pacific Street, a line 225 feet southeasterly of Classon Avenue, Dean Street, and a line 100 feet southeasterly of Classon Avenue;

~~17~~19. changing from an R7A District to an M1-3A/R7D District property bounded by:

a. Pacific Street, a line 100 feet southeasterly of Grand Avenue, a line midway between Pacific Street and Dean Street, and Grand Avenue; and

b. Pacific Street, Classon Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northwesterly of Classon Avenue;

~~18~~20. changing from an R7D District to an M1-3A/R7D District property bounded by a line midway between Atlantic Avenue and Pacific Street, a line 100 feet southeasterly of Grand Avenue, Pacific Street, and Grand Avenue;

~~19~~21. changing from an M1-1 District to an M1-3A/R7D District property bounded by:

a. a line midway between Atlantic Avenue and Pacific Street, Grand Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet southeasterly of Grand Avenue, Bergen Street, and a line 100 feet northwesterly of Grand Avenue;

b. a line midway between Atlantic Avenue and Pacific Street, a line 100 feet southeasterly of Classon Avenue, Pacific Street, and a line 100 feet northwesterly of Classon Avenue; and

c. a line midway between Pacific Street and Dean Street, Classon Avenue, Dean Street, and a line 100 feet northwesterly of Classon Avenue;

~~20~~22. changing from an M1-4/R7A District to an M1-3A/R7D District property bounded by Pacific Street, a line 100 feet southeasterly of Classon Avenue, Dean Street, and Classon Avenue;

~~21~~23. changing from an M1-1 District to an M1-4A/R9A District property bounded by the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), Franklin Avenue, a line perpendicular to the westerly street line of Franklin Avenue distant 40 feet southerly (as measured along the street line) from the point of intersection of the southwesterly street line of Atlantic Avenue and the westerly street line of Franklin Avenue, a line 90 feet westerly of Franklin Avenue, a line midway between Atlantic Avenue and Pacific Street, and Classon Avenue;

~~22~~24. establishing within an existing R6A District a C2-4 District bounded by Dean Street, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;

~~23~~25. establishing within a proposed R7A District a C2-4 District bounded by Pacific Street, a line 100 feet southeasterly of Franklin Avenue, Dean Street, and Franklin Avenue; and

~~24~~26. establishing a Special Atlantic Avenue Mixed Use District (AAM) bounded by the northeasterly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), Classon Avenue, a line midway between Lefferts Place and Atlantic Avenue, Franklin Avenue, a line 100 feet southerly of Brevoort Place, Herkimer Street, a line 100 feet easterly of Bedford Avenue, a line 100 feet southerly of Herkimer Street, a line 150 feet westerly of Nostrand Avenue, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 100 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, Bedford Avenue, Pacific Street, a line 260 feet southeasterly of Franklin Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet southeasterly of Franklin Avenue, Dean Street, Franklin Avenue, Pacific Street, a line 80 feet northwesterly of Franklin Avenue, Dean Street, a line

150 feet northwesterly of Franklin Avenue, Bergen Street, a line 100 feet southeasterly of Classon Avenue, Dean Street, a line 100 feet northwesterly of Classon Avenue, Bergen Street, a line 100 feet northwesterly of Grand Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 125 feet southeasterly of Vanderbilt Avenue, Pacific Street, and Vanderbilt Avenue;

Borough of Brooklyn, Community Districts 3 and 8, as shown on a diagram (for illustrative purposes only) dated October 15, 2024, and subject to the conditions of CEQR Declaration E-810.

N 250015 ZRK (L.U. No. 258)

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

ARTICLE I
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10
ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCORPORATION OF MAPS

* * *

11-12
Establishment of Districts

* * *

11-122
Districts established

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Special Purpose Districts

* * *

Establishment of the Special 125th Street District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 7 the #Special 125th Street District# is hereby established.

Establishment of the Special Atlantic Avenue Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 6, the #Special Atlantic Avenue Mixed Use District# is hereby established.

Establishment of the Special Battery Park City District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 4, the #Special Battery Park City District# is hereby established.

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Special 125th Street District

The "Special 125th Street District" is a Special Purpose District designated by the number "125" in which special regulations set forth in Article IX, Chapter 7, apply.

Special Atlantic Avenue Mixed Use District

The "Special Atlantic Avenue Mixed Use District" is a Special Purpose District designated by the letters "AAM" in which special regulations set forth in Article XIV, Chapter 6, apply.

Special Battery Park City District

The "Special Battery Park City District" is a Special Purpose District designated by the letters "BPC" in which special regulations set forth in Article VIII, Chapter 4, apply.

* * *

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use District

* * *

123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED

* * *

#Special Mixed Use District# - 19:
Brownsville, Brooklyn

The #Special Mixed Use District# - 19 is established in Brownsville in Brooklyn as indicated on the #zoning maps#.

~~#Special Mixed Use District# - 20:~~
~~Crown Heights West, Brooklyn~~

~~The #Special Mixed Use District# - 20 is established in Crown Heights West in Brooklyn as indicated on the #zoning maps#.~~

#Special Mixed Use District# - 21:
Arverne, Queens

The #Special Mixed Use District# - 21 is established in Arverne in Queens as indicated

on the #zoning maps#.

* * *

ARTICLE XIV
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 6
Special Atlantic Avenue Mixed Use District (AAM)

146-00
GENERAL PURPOSES

The "Special Atlantic Avenue Mixed Use District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

(a) to expand local employment opportunities and to promote the opportunity for workers to live in the vicinity of their work;

(b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;

(c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;

(d) to encourage stability and growth in the neighborhood by permitting compatible light manufacturing and residential uses to coexist;

(e) to ensure that the form and use of new buildings relates to and enhances neighborhood character and responds to unique corridors such as Atlantic Avenue; and

(f) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

146-01
General Provisions

The provisions of this Chapter shall apply within the #Special Atlantic Avenue Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control, except where explicitly stated otherwise in this Chapter.

146-02
District Plan and Map

The regulations of this Chapter are designed to implement the #Special Atlantic Avenue Mixed Use District# Plan. The district plan includes the following map in the Appendix to this Chapter:

Map 1 Designated Streetscape Frontages

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

146-03
Definitions

For the purposes of this Chapter, matter in italics is defined in Sections 12-10 (DEFINITIONS), 32-301 (Definitions) or 123-11 (Definitions).

146-04
Applicability of the Mandatory Inclusionary Housing Program

For the purposes of applying the Mandatory Inclusionary Housing Program provisions set forth in Section 27-10 (ADMINISTRATION OF AFFORDABLE HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Atlantic Avenue Mixed Use District# are shown in APPENDIX F of this Resolution.

146-041
Applicability of Article VI, Chapter 6

For #transit-adjacent sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

146-042
Applicability of Article XII, Chapter 3

In M1 Districts paired with a #Residence District#, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

146-10
SPECIAL USE REGULATIONS

The #use# regulations of the underlying districts, or of Article XII, Chapter 3 (Special Mixed Use Districts), shall apply, except as modified by the provisions this Section, inclusive.

146-11
Additional Conditions for Certain Uses

In M1 Districts paired with a #Residence District#, all applicable #commercial# and #manufacturing# #uses# may only locate in the same #building# as, or may only share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations:

(a) where the provisions of paragraph (b)(1) of Section 123-22 (Additional Conditions for Certain Uses) are met; or

(b) where the Chairperson of the City Planning Commission certifies an alternative means of compliance pursuant to Section 146-12, and an (E) designation listed in APPENDIX C of this Resolution applies to all tax lots with such #uses# in accordance with Section 11-15 (Environmental Requirements), establishing specific building design or other environmental requirements in order to protect occupants of the #building# and surrounding properties from any hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

146-12
Certification for an Alternate Means of Compliance for Mixed Buildings

In M1 Districts paired with a #Residence District#, the Chairperson of the City Planning Commission shall allow, by certification, an alternative to the provisions of paragraph (b) of Section 123-22 (Additional Conditions for Certain Uses) where applicable #commercial# and #manufacturing# #uses# are proposed to locate in the same #building# as, or share a common wall with, a #building# containing a #residence# or a #community facility# #use# with sleeping accommodations.

In order for the Chairperson to make such certification, the applicant shall submit a report, from a licensed architect or engineer, demonstrating that specific physical design standards to be implemented in the #building# design, or other environmental requirements, will protect occupants of such #residences# or #community facility# #uses# with sleeping accommodations from any potential hazardous materials, noise or air quality associated with such #commercial# or #manufacturing# #uses#.

An (E) designation shall be listed in APPENDIX C of this Resolution and bind the owners, successors, and assigns to comply with Section 11-15 (Environmental Requirements) and the specific building design or other environmental requirements listed in the report.

146-13
Streetscape Regulations

The underlying #ground floor level# streetscape provisions set forth in Section 32-30 (STREETSCAPE REGULATIONS), inclusive, shall apply, except where Map 1, in the Appendix to this Chapter, designates:

(a) #ground floor level# #street frontages# that shall be considered #Tier C street frontages#; and

(b) #ground floor level# #street frontages# where the alternative provisions for #Tier B street frontages# set forth in Section 32-322 shall not apply.

146-20
SPECIAL BULK REGULATIONS

The #bulk# regulations of the underlying districts or of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except as modified by the provisions of this Section, inclusive.

146-21
Floor Area Regulations

146-211
Floor area modifications for certain paired districts

In M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing #residential# and non-#residential uses#, notwithstanding the maximum #floor area ratio# for individual #uses# on the #zoning lot#, the total #floor area ratio# shall be as follows:

TOTAL FLOOR AREA RATIO

District	Total #floor area ratio#
M1-1A/R6B	3.0
M1-2A/R6A	5.0

146-22
Special Yard Regulations

The #yard# regulations of the underlying districts shall apply, except that for #zoning lots# where the #side lot line# is located within 30 feet of an elevated rail line, the #rear yard# and #rear yard equivalent# provisions of Section 23-34 (Rear Yard and Rear Yard Equivalent Requirements), inclusive, need not apply.

146-23
Special Height and Setback Regulations

146-231
Street wall modifications

For #zoning lots#, or portions thereof, fronting on Atlantic Avenue or Bedford Avenue, the applicable #street wall# location regulations shall be modified as follows:

(a) the #street wall# shall be located at least 20 feet beyond the curb of the sidewalk, except that such depth need not exceed five feet from the #street line#; and

(b) for #developments# with #building# widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#; and

(c) for the purposes of applying the provisions of Section 35-633 (Additional height and setback provisions) on shallow #through lots# with a frontage along Atlantic Avenue, the #street wall# location requirements of this Section shall be required along Atlantic Avenue.

146-232
Other height and setback modifications

The height and setback regulations of the applicable underlying districts shall be modified as follows:

(a) for #zoning lots#, or portions thereof, within 100 feet of a #side lot line# that is located within 30 feet of an elevated rail line, the applicable maximum #building# heights may be increased by 10 feet in M1-2A/R6A Districts, and by 20 feet in C6-3A and M1-4A/R9A Districts; and

(b) in M1A Districts paired with #Residence Districts#, for #zoning lots# with #buildings# containing both #residential# and non-#residential uses#, the following height and setback modifications may be applied:

MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT

District	Maximum base height (in feet)	Maximum height of #buildings or other structures# (in feet)
M1-1A/R6B	65	95
M1-2A/R6A	95	125

In addition, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, a #building# may exceed the maximum #building# heights established in such table by 25 percent.

146-30
SPECIAL OFF-STREET PARKING REGULATIONS

The #accessory# off-street parking regulations of the underlying districts are modified by the provisions of this Section, inclusive.

146-31
Accessory Off-street Parking Spaces for Non-residential Uses

In all districts, no #accessory# off-street parking spaces shall be required for #manufacturing#, #commercial#, or #community facility# #uses#.

146-40
SPECIAL APPROVALS

146-41
Authorization for a Public Plaza

In C6-3A, C6-3X and M1-4A/R9A Districts, for #zoning lots# with a #lot area# of at least ~~25,000 square feet~~ 30,000 square feet, the City Planning Commission may authorize an increase in the maximum #floor area ratio# where a #public plaza# is provided on the #zoning lot# in accordance with the provisions of Section 37-70 (PUBLIC PLAZAS), inclusive.

In conjunction with such #floor area# bonus, the Commission may authorize modifications to the applicable #bulk# regulations of this Resolution, or to the regulations governing #public plazas# in Section 37-70, inclusive.

In order to grant such authorization, the Commission shall determine that the conditions and limitations of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions and limitations

The following conditions and limitations shall apply:

(1) For the purposes of determining the bonus ratio in #Commercial Districts# with a #residential equivalent# of an R9 District, or in M1 Districts paired with an R9 District, the underlying bonus ratio for a C6-3 District shall apply. The #floor area# bonus resulting from applying such ratio shall not exceed 20 percent of the maximum #floor area ratio# otherwise permitted by the district.

(2) Modifications to the maximum permitted #building# height shall not result in an increase that exceeds 25 percent of the maximum #building# height otherwise permitted by the applicable district regulations; and

(3) Modifications to the regulations governing #public plazas# shall be limited to:

(i) the basic design criteria set forth in Section 37-71, inclusive, other than the area dimensions of Section 37-712;

(ii) the access and circulation provisions set forth in Section 37-72, inclusive, other than hours of access set forth in Section 37-727; and

(iii) the types and standards for amenities, set forth in Section 37-74, inclusive.

(b) Findings

The Commission shall find that:

(1) the public benefit derived from the #public plaza# merits the amount of additional #floor area# being granted pursuant to this Section;

(2) the #public plaza# will be well-integrated with the overall pedestrian circulation network and contribute to an enhanced streetscape;

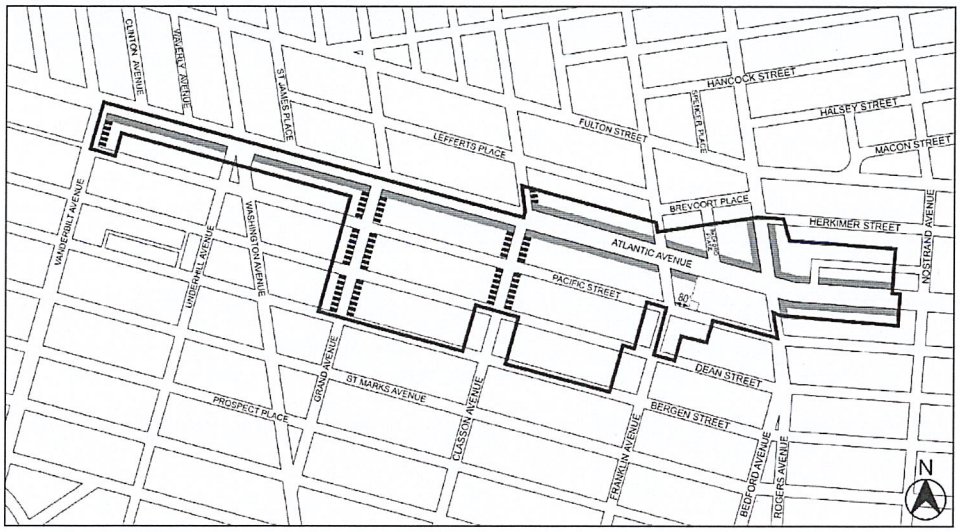
(3) any modifications to #bulk# are the minimum extent necessary to reasonably accommodate the #public plaza# and the additional #floor area# granted pursuant to this Section and will not unduly obstruct access to light and air to surrounding #streets# and properties; and

(4) any modifications to #public plaza# regulations are the minimum extent necessary, and will better align such #public plaza# regulations with unique site configurations or with the mixed-use character of the neighborhood.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

APPENDIX
Special Atlantic Avenue Mixed Use Plan

Map 1 – Designated Streetscape Frontages



— *Special Atlantic Avenue MIxed Use District*

Tier C street frontages

Alternative provisions for *Tier B street frontages* set forth in Section 32-322 shall not apply

* * *

APPENDIX F
Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas

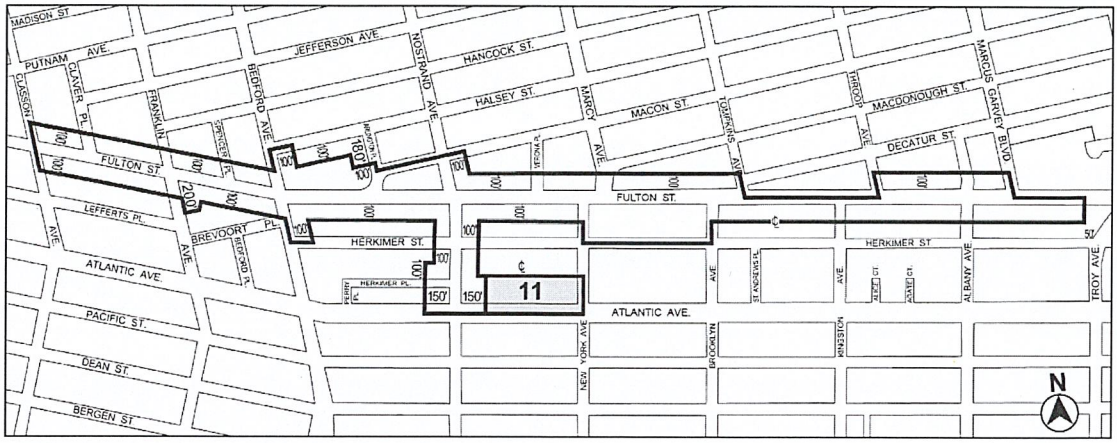
BROOKLYN

* * *

Brooklyn Community District 3

~~Map 1~~

[EXISTING MAP]



Inclusionary Housing designated area

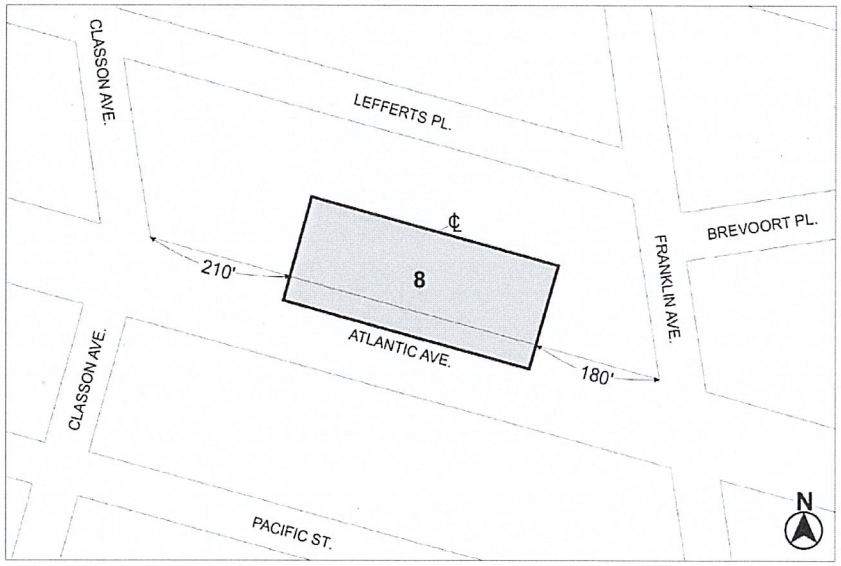
Mandatory Inclusionary Housing Program Area *see Section 23-154(b)(3)*

Area **11** — 5/16/24 MIH Program Option 1 and Deep Affordability Option

* * *

~~Map 7~~

[EXISTING MAP]

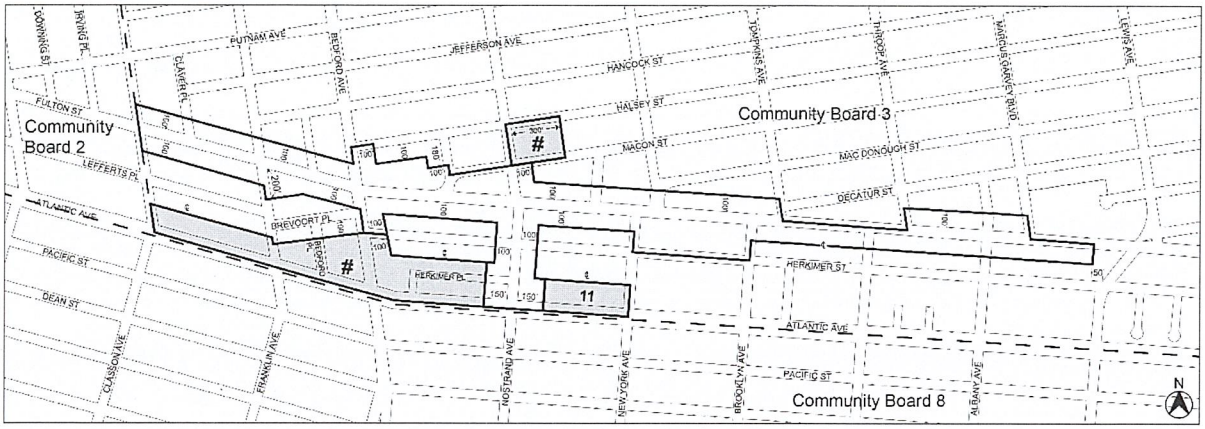


Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **8** — (11/23/21) MIH Program Option 2

[MAP APPROVED BY CPC]

Map 1 – [date of adoption]



Community District Boundaries

Former Inclusionary Housing designated area

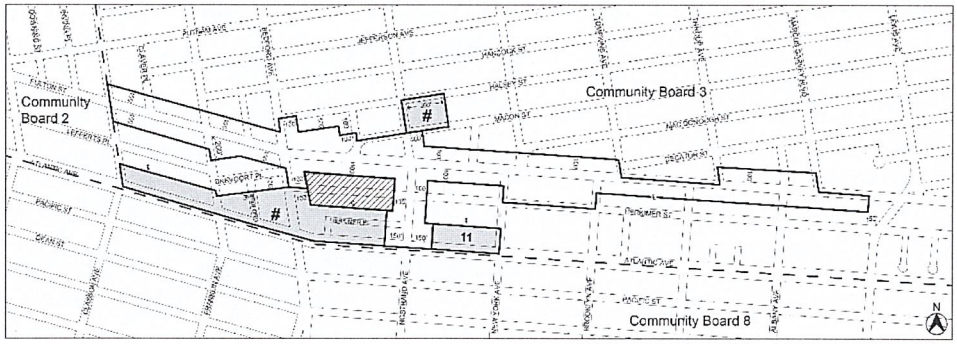
Mandatory Inclusionary Housing area

Area **11** – 5/16/24 MIH Program Option 1 and Option 3

Area # – [date of adoption] MIH Program Option 1, Option 2 and Option 3

Portion of Community District 3, Brooklyn

[PROPOSED MAP – MODIFIED BY CITY COUNCIL]



Community District Boundaries

Excluded Area

Former Inclusionary Housing designated area

Mandatory Inclusionary Housing area

Area **11** – 5/16/24 MIH Program Option 1 and Option 3

Area # – [date of adoption] MIH Program Option 1, ~~Option 2 and Option 3~~

Portion of Community District 3, Brooklyn

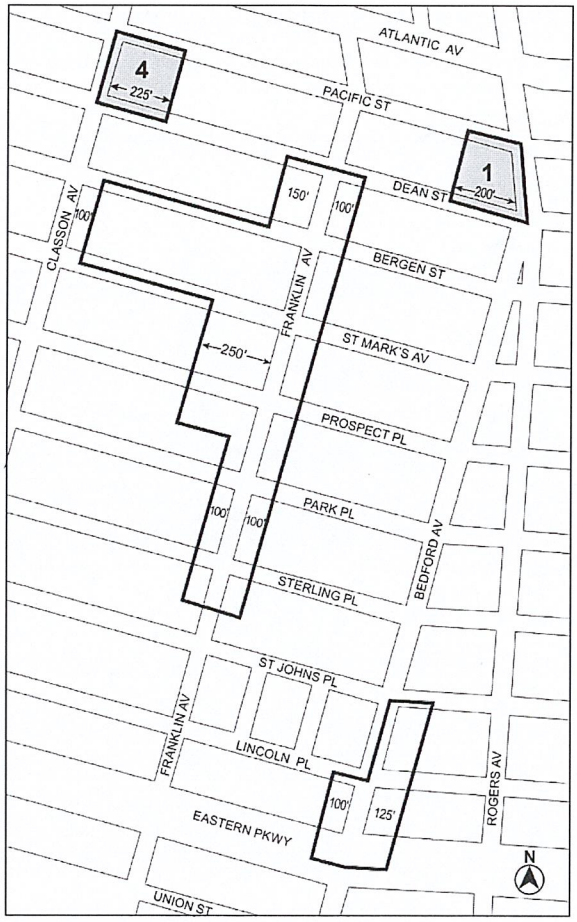
[Maps 1 and 7 in Brooklyn CD 3 have been incorporated into composite Map 1 per N 250015 ZRK, [date of adoption]]

* * *

Brooklyn Community District 8

~~Map 1~~

[EXISTING MAP]

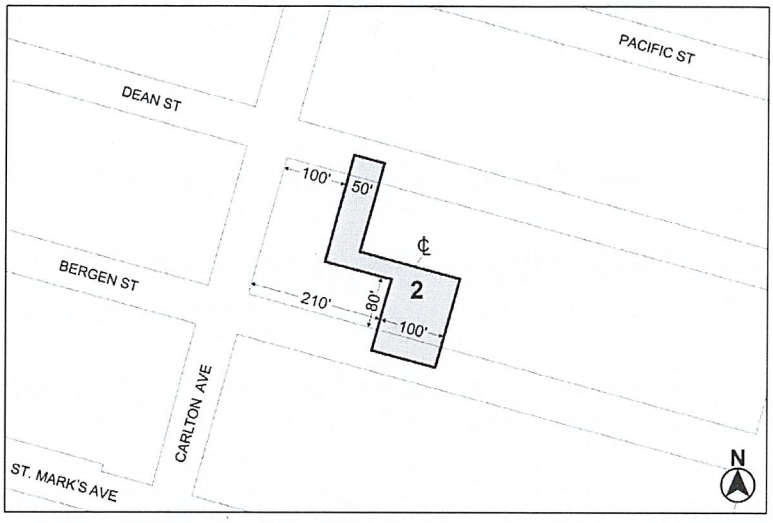


Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **1** – 7/20/17 MIH Program Option 1
Area **4** – 5/8/19 MIH Program Option 1 and Option 2

~~Map 2~~

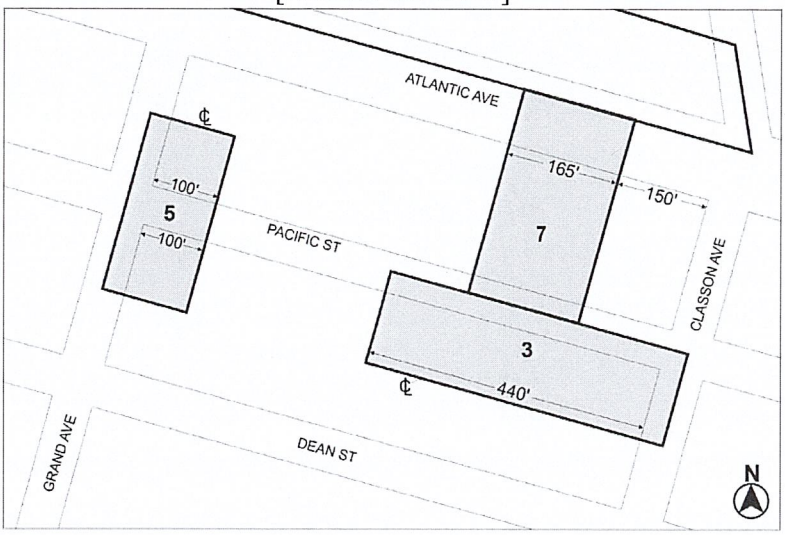
[EXISTING MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **2** — 1/31/18 MIH Program Option 1

~~Map 3~~

[EXISTING MAP]

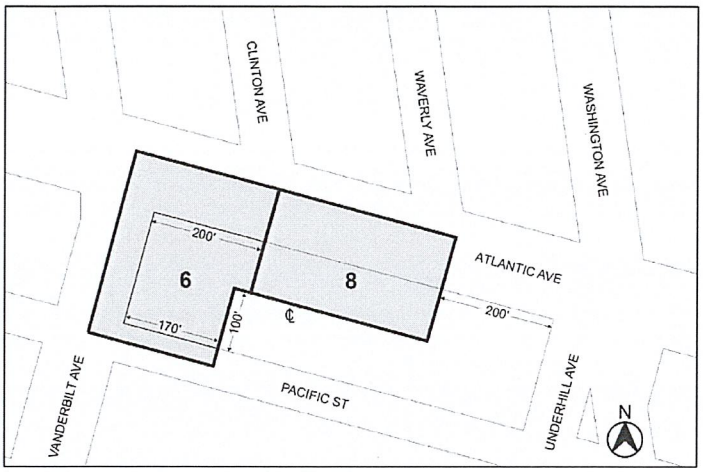


Inclusionary Housing designated area

Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*
Area **3** — 5/8/19 MIH Program Option 1 and Option 2
Area **5** — 8/27/20 MIH Program Option 1
Area **7** — 4/28/22 MIH Program Option 1 and Deep Affordability Option

~~Map 4~~

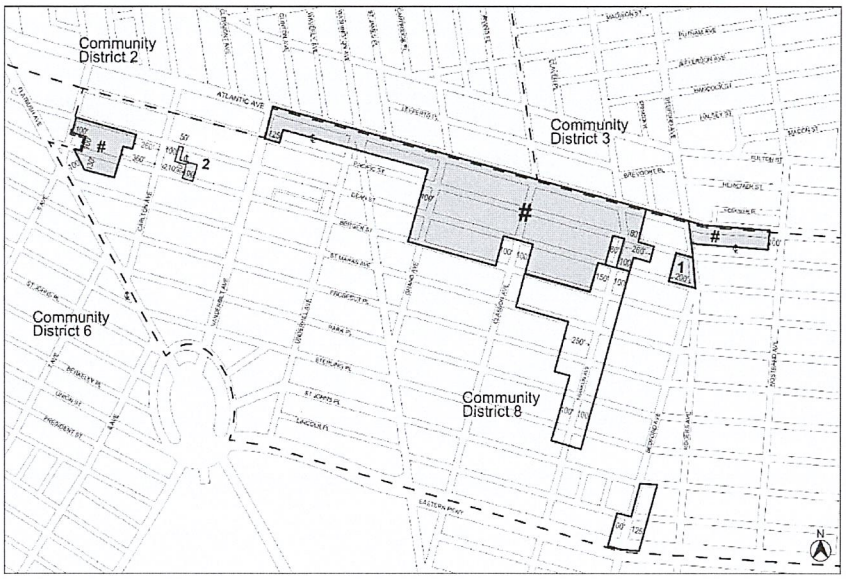
[EXISTING MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **6** – 9/23/21 MIH Program Option 1 and Deep Affordability Option
Area **8** – 4/28/22 MIH Program Option 1 and Deep Affordability Option

Map 1 – [date of adoption]

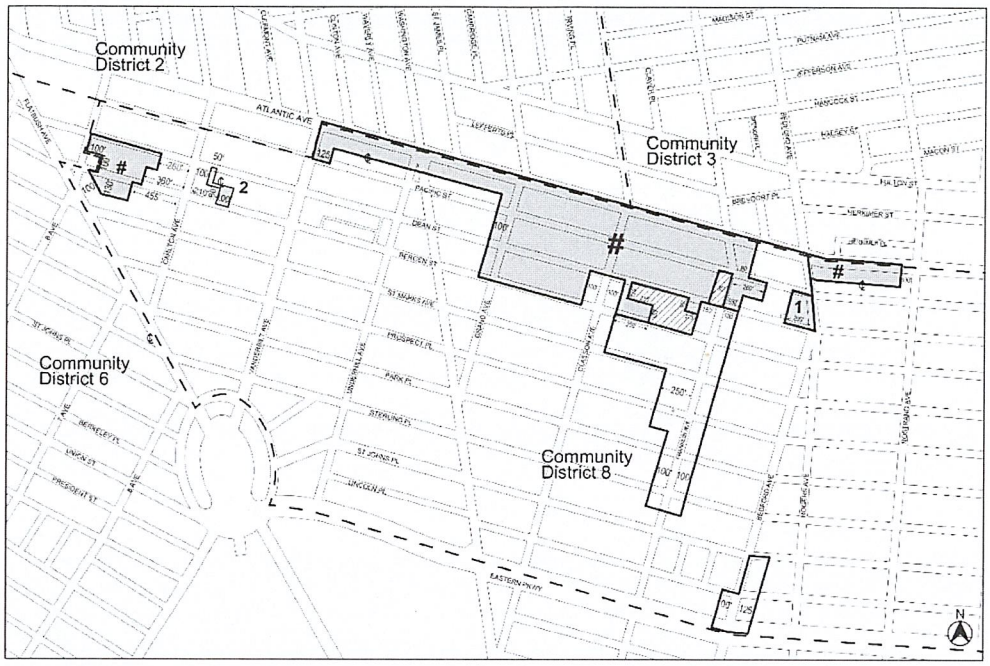
[MAP APPROVED BY CPC]



Community District Boundaries
Former Inclusionary Housing designated area
Mandatory Inclusionary Housing area
Area 1 – 7/20/17 MIH Program Option 1
Area 2 – 1/31/18 MIH Program Option 1
Area # – [date of adoption] MIH Program Option 1, Option 2 and Option 3

Portion of Community District 8, Brooklyn

[PROPOSED MAP – MODIFIED BY CITY COUNCIL]



— — Community District Boundaries
Excluded Area
Former Inclusionary Housing designated area
Mandatory Inclusionary Housing area
Area 1 – 7/20/17 MIH Program Option 1
Area 2 – 1/31/18 MIH Program Option 1
Area # – [date of adoption] MIH Program Option 1~~, Option 2 and Option 3~~

Portion of Community District 8, Brooklyn

[Maps 1, 2, 3 and 4 in Brooklyn CD 8 have been incorporated into composite Map 1 per N 250015 ZRK, [date of adoption]]

* * *

Please feel free to contact me at AMcCaughey@council.nyc.gov if you or your staff have any questions in this regard.

Sincerely,

Anne F. McCaughey
General Counsel

AFM:kg

CC: Susan Amron, DCP General Counsel
Danielle DeCerbo, DCP
James Harris, DCP
Perris Straughter, Director, Planning and Land Use Division
Brian Paul, Deputy Director
William Vidal, Deputy General Counsel
Tim Anderson, Borough Planner
File