A. INTRODUCTION

Under *CEQR Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action, and determines whether that proposed action is compatible with those conditions or may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies.

The Applicant, Forrest Lots, LLC, is requesting zoning map and text amendments, and amendments to the City Map (collectively, the "Proposed Action") to facilitate predominantly residential development on portions of six blocks in the Bushwick neighborhood of Brooklyn Community District 4. It is currently zoned for M1-1 and M3-1, high and low-performance industrial and manufacturing uses.

The Proposed Action would facilitate a proposal by the Applicant to develop ten residential buildings with ground floor local retail uses. The Applicant intends to develop 54,182 sf of local retail space and 977 dwelling units (DUs), of which 242 DUs would be affordable to low-to-moderate-income households, per the Inclusionary Housing regulations, of which 47 units would be set aside for senior housing. However, for analysis purposes, this environmental review will consider that the Applicant would develop a maximum of 195 affordable dwelling units, and that the 47 senior units would be considered typical dwelling units. Therefore, under the RWCDS, the Applicant's sites would result in a net increase of 54,182 sf of local retail and 977 dwelling units, 195 of which are expected to be affordable to low-to-moderate-income households in accordance with the Inclusionary Housing Program. With the adoption of the Proposed Action, the proposed development is expected to be completed and occupied by 2016.

Four additional projected developments sites besides the Applicant's proposed development within the proposed rezoning area that could result in up to 99 DUs, of which 20 would be affordable, per the Inclusionary Housing regulations, and 27,609 sf of ground floor retail on Block 3152, Lots 36, 37, 38, 41, 43; Block 3138, Lots 20, 22, 32; Block 3137, Lot 56. There are also 3 potential development sites (sites that are also rezoned but which are less likely to be developed), which will be discussed in detail in this section. The other lots in the proposed rezoning area are not expected to be redeveloped as a result of the Proposed Action within the 2016 analysis timeframe. The area to be rezoned from M3-1 to the more restrictive M1-2 is also not expected to be redeveloped as a result of the Proposed Action. It should be noted that M1-2 districts permit applications for special permits, whereas M3-1 districts do not. Therefore, overall, the Proposed Action would result in an incremental increase of approximately 1,076 DUs, of which 215 would be affordable, per the Inclusionary Housing regulations, and approximately 74,194 sf of local retail by 2016. As part of the Proposed Action, the portion of Stanwix Street between Montieth Street and Forrest Street and the portion of Noll Street between Stanwix Street and Evergreen Avenue would become mapped streets to complete the street network around the rezoning area and reconnect the existing neighborhoods with the proposed development sites.

Under CEQR guidelines, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would

change the zoning on a site, regardless of the project's anticipated effects. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendments. Therefore, this chapter includes a detailed analysis that involves a thorough description of existing land uses and zoning within the rezoning area and the broader study area. Following the guidelines of the *CEQR Technical Manual,* the detailed analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Action to such conditions, assesses the nature of any changes to these conditions that would be created by the Proposed Action, and identifies those changes, if any, that could be significant or adverse. The detailed assessment discusses existing and future conditions with and without the Proposed Action in the 2016 analysis year for a primary study area (coterminous with the rezoning area), and a secondary (¼-mile) study area surrounding the rezoning area.

B. PRINCIPAL CONCLUSIONS

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual,* are anticipated in the future with the Proposed Action in the primary and secondary study areas. The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The Proposed Action would not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause a substantial number of existing structures to become non-conforming. The Proposed Action would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

The Proposed Action would result in an overall increase in residential and commercial use throughout the primary study area, when compared to conditions in the future without the Proposed Action. The proposed zoning map amendments would allow new residential development at a scale and density that the Applicant considers appropriate for the area, and at the same time continue to permit certain commercial uses along the Flushing, Bushwick and Evergreen Avenue corridors. Also, while the affected area is currently zoned for manufacturing uses, it is located within an area that is largely characterized by residential and retail uses. The affected area contains underutilized lots used for vehicle/open storage, where residential uses are not permitted per the existing zoning. The proposed rezoning would therefore provide opportunities for new affordable and market rate residential development on those underutilized lots. The proposed rezoning action would therefore ensure that the zoning designation more accurately reflects the area's development trends.

M1 zoning districts often function as buffer zones between residential and heavy manufacturing uses such as those found in M3 zones. M3 zones permit heavy manufacturing uses while M1-2 zones permit light manufacturing and commercial uses. M1-2 districts also permit certain large retail uses, and community facility uses, by City Planning Commission special permit, whereas M3-1 districts do not. In addition, the proposed M1-2 district would be an extension of the existing M1-2 zoning district located just north of the rezoning area, across Flushing Avenue. Uses on Block 3140 (transportation & warehousing – Use Group 16) would conform to the M1 designation. Furthermore, the proposed R6A and R7A districts would bring into compliance 23 existing, noncompliant residential uses with approximately 172 dwelling units. These dwelling units are located within the M1-2 manufacturing district along Evergreen Avenue, Flushing Avenue, Garden Street, and Bushwick Avenue within the rezoning area. Since M1-2 districts generally are compatible with residential uses than M3-1, and the lots adjacent to Block 3140 would be rezoned to allow residential uses, the Applicant believes that rezoning Block 3140 from M3-1 to M1-2 is appropriate.

In addition, to encourage new residential development for all income levels, the Proposed Action would create increased densities though use of the Inclusionary Housing Program (IHP) to expand and enhance future affordable housing development opportunities.

C. METHODOLOGY

The purpose of this chapter is to examine the effects of the Proposed Action and determine whether or not it would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidelines of the *CEQR Technical Manual* and examines the Proposed Action's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning and public policy may be appropriate when needed to sufficiently inform other technical reviews and determine whether changes in land use could affect conditions analyzed in those technical areas. Therefore, this chapter includes a detailed analysis that involves a thorough description of existing land uses within the directly affected area and the broader study area. Following the guidelines of the *CEQR Technical Manual*, the detailed analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the proposed project to such conditions, assesses the nature of any changes on these conditions that would be created by the proposed project, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources such as the *Bedford-Stuyvesant North Rezoning EAS*, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2010, and websites such as NYC Open Accessible Space Information System (www.oasisnyc.net) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas, and provided the basis for the zoning evaluation of the Future No-Action and Future With-Action conditions. Relevant public policy documents, recognized by DCP and other city agencies, were utilized to describe existing public policies pertaining to the study areas.

Analysis Years

The analysis year is the Proposed Action's anticipated completion date of 2016. Therefore the future no-action condition accounts for land use and development projects, initiatives, and proposals that are expected to be completed by 2016.

Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project. In accordance with CEQR guidelines, land use, zoning, and public policy are addressed and analyzed for two geographical areas: (1) the rezoning area, also referred to as the primary study area, and (2) a secondary study area. For the purpose of this assessment, the primary study area is coterminous with the rezoning area, and consists of an irregularly-shaped approximately 6-block area, generally bounded by Flushing Avenue to the north, Evergreen Avenue to the east, Melrose Avenue to the south, and Stanwix, Beaver, and Garden Streets to the west. The secondary study area extends an

approximate quarter (¼) mile from the boundary of the rezoning area and encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Action. It is generally bound by McKibbin Street on the north, Wilson Avenue to the east, Willoughby Avenue to the south, and Beaver and Throop Streets to the west. Both the primary and secondary study areas have been established in accordance with *CEQR Technical Manual* guidelines and can be seen in Figure 2-1.

Development History

From its founding in the seventeenth century until the mid-nineteenth century, North Brooklyn was predominately a farming community. In the 1850s, development from Manhattan and Williamsburg was spreading eastward and many farms in North Brooklyn were divided into lots for speculative development. This development coincided with an influx of German immigrants who settled in the newly built area, and North Brooklyn became known as "Little Germany." Development centered on what is now the intersection of Bushwick and Flushing Avenues bounded by Broadway and Evergreen Avenues, encompassing the present day rezoning area and adjacent Study Area blocks. Due to its rich soil and plentiful water supply, North Brooklyn was an ideal spot for industry, particularly German brewing. By 1880, there were 35 breweries in Brooklyn, eleven of which were in the Study Area. In 1888, the Myrtle Avenue (now M subway line) and the Brooklyn (now J-Z subway line) Elevated Railroads were extended into the Study Area, providing unprecedented access and the ability for increased residential growth.

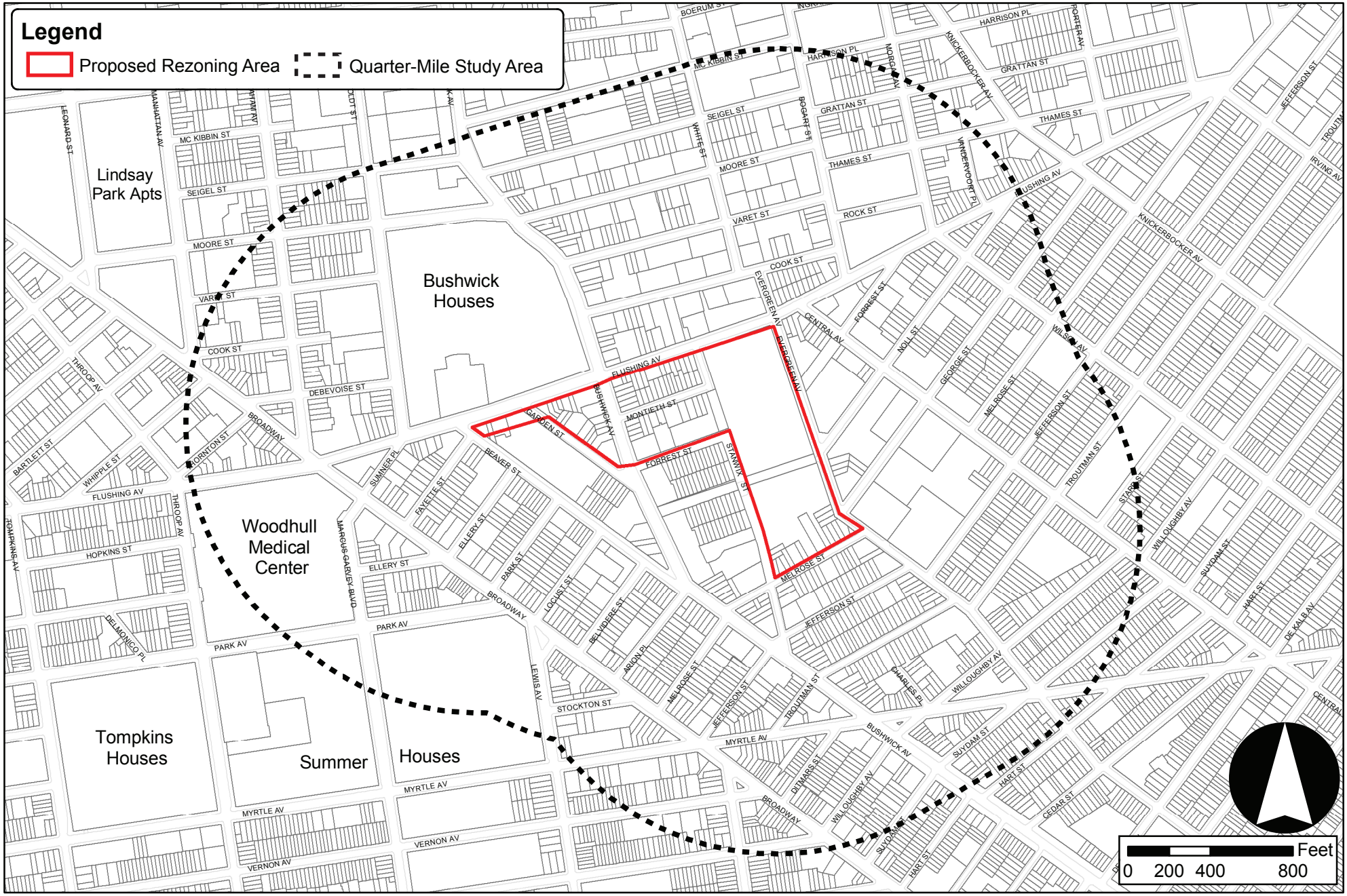
However, during the twentieth century, several factors led to the decline of brewing in North Brooklyn. Small local breweries could no longer compete with large national producers. Then in the 1920s, the Nineteenth Amendment introduced Prohibition, terminating the brewing industry. As a result, many Germans left the area. New Italian immigrants moved into the vacated area and settled for two decades. However, after World War II, many people moved from the cities to the suburbs including the Italians of North Brooklyn, and a mix of new people moved to North Brooklyn in their place. In the 1960s, the New York City Housing Authority (NYCHA) demolished original building fabric in the area for the development of public housing superblocks. In the 1970s, the Federal Housing Administration mortgage scandal devastated the area. Moreover, during the second half of the twentieth century industry and manufacturing declined significantly in New York City, and as a result, many former breweries and industrial sites became vacant. The Rheingold Brewery was among the last of the local breweries to close in 1976, leaving 1,000 workers unemployed. The following year, the infamous July 1977 New York City blackouts led to a peak in crime with arson, vandalism, and looting through North Brooklyn, resulting in the departure of more residents and businesses from the area.

More recently, industrial and manufacturing uses in the Study Area have been replaced by increased residential activity and a greater housing demand.

D. PRELIMINARY ASSESSMENT

Land Use and Zoning

A preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. However, under CEQR guidelines, if a detailed assessment is required in the technical analyses of socioeconomic conditions, neighborhood character, traffic and transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use



Rheingold Development Rezoning EIS

Figure 2-1
Land Use and Zoning Study Area

assessment is appropriate. Furthermore, for some projects, such as generic or area-wide zoning map amendments, more detailed land use and zoning information is necessary to sufficiently inform other technical reviews and determine whether changes in land use could affect conditions analyzed in those technical areas. This DEIS provides detailed assessments of socioeconomic conditions, transportation, air quality, noise, and hazardous materials; therefore a detailed assessment of land use and zoning is warranted and is provided in Section E below. As a detailed assessment is warranted for the Proposed Action, the information that would typically be included in a preliminary assessment (e.g., physical setting, present land use, zoning information, etc.) has been incorporated into the detailed assessment in Section E below. As discussed in the detailed assessment, the Proposed Action is not expected to adversely affect land use or zoning.

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If the proposed action could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

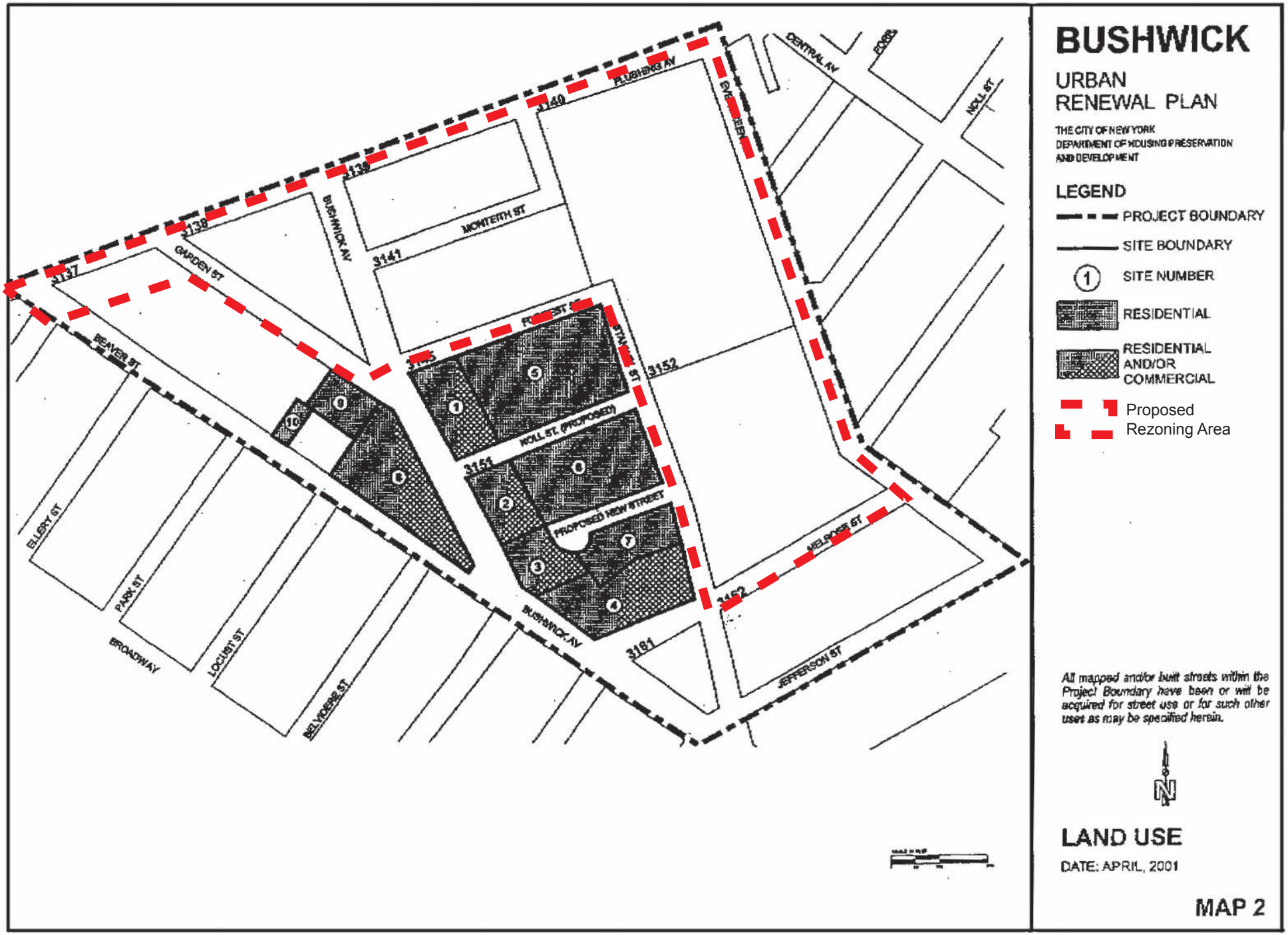
There are two adopted public policies applicable to the primary study area: the West Bushwick Urban Renewal Area (URA) and the FRESH program. The City's sustainability/PlaNYC policies also apply. The primary study area falls outside of New York City's coastal zone boundary. Public policies that apply to sections of the secondary study area also include the North Brooklyn Industrial Business Zone. Each of these public policies is discussed briefly below. As described below, the Proposed Action would not alter or conflict with any of these identified policies, and thus does not warrant a detailed assessment of public policies.

Primary Study Area

West Bushwick Urban Renewal Area

The West Bushwick Urban Renewal Area (URA) was established by New York City's Department of Housing Preservation and Development (HPD) in 2001. The URA is governed by the West Bushwick Urban Renewal Plan (URP) established for redevelopment purposes. As seen in Figure 2-2, the URA is bounded by Flushing Avenue to the north, Evergreen Avenue to the east, Jefferson Street to the south, and Bushwick Avenue and Beaver Streets to the west, encompassing the entire primary study area. The objectives of the West Bushwick URP are the following:

- Redevelop the area in a comprehensive manner, removing blight and maximizing appropriate land use;
- Remove substandard and insanitary structures
- Remove impediments to land assemblage and orderly development;
- Strengthen the tax base of the City by encouraging development and employment opportunities in the area;
- Provide new housing of high quality;
- Provide appropriate community facilities, parks and recreational uses, retail shopping, public parking and private parking; and


BUSHWICK
URBAN
RENEWAL PLAN
THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT
LEGEND
PROJECT BOUNDARY
SITE BOUNDARY
1 SITE NUMBER
RESIDENTIAL
RESIDENTIAL AND/OR COMMERCIAL
Proposed Rezoning Area
All mapped and/or built streets within the Project Boundary have been or will be acquired for street use or for such other uses as may be specified herein.
LAND USE
DATE: APRIL, 2001
MAP 2
PLUSHING AV
CENTRAL AV
EVERGREEN
NOLL ST
BUSHWICK AV
MONTEITH ST
GARDEN ST
FOREST ST
STANWIX ST
NOLL ST. (PROPOSED)
PROPOSED NEW STREET
MELROSE ST
BEAVER ST
ELBERT ST
PARK ST
BROADWAY
LOCUST ST
BELVIDERE ST
JEFFERSON ST
3137
3138
3139
3140
3141
3151
3152
3161
3162

- Provide a stable environment within the area that will not be a blighting influence on surrounding neighborhoods

None of the URA designated development sites are located within the primary study area, so the URP does not govern or otherwise regulate development within the primary study area. Although the URP does not govern the primary study area, the Proposed Action would be consistent with the objectives listed above by replacing underutilized and vacant sites with new housing and retail uses. Therefore, the Proposed Action would not alter or conflict with the objectives of the West Bushwick URA, and no further assessment of this public policy is warranted.

FRESH

The Food Retail Expansion to Support Health (FRESH) program provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in communities that lack full-line grocery stores throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. Stores that benefit from the program must fall within designated FRESH-eligible areas. Stores that benefit from the FRESH program must also meet the following criteria:

a. Provide a minimum of 6,000 square feet of retail space for a general line of food and nonfood grocery products intended for home preparation, consumption and utilization;
b. Provide at least 50 percent of a general line of food products intended for home preparation, consumption and utilization;
c. Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen foods; and
d. Provide at least 500 square feet of retail space for fresh produce.

To facilitate and encourage FRESH Food Stores in the designated neighborhoods, one additional square foot of residential floor area in a mixed building for every square foot provided for a FRESH food store up to a maximum of 20,000 square feet.

The primary study area is located within a FRESH designated area, which also applies to the entire area of Brooklyn Community District 4. The C-Town supermarket located on projected development site 8 is approximately 6,000 sf and located within a FRESH area; however, it is not a FRESH designated store. It is possible that the supermarket, employing an estimated 18 workers, could be displaced from projected development site 8, subject to lease terms and agreements between private firms and property owners existing at the time of redevelopment in the future with the Proposed Action. Projected development site 8 is not Applicant owned and there are no known development plans for the site at this time. It was included as a projected development site per the development site criteria (see Chapter 1, "Project Description"). The Proposed Action includes a C2-4 commercial overlay to be mapped along Stanwix Street, Bushwick, Flushing, and Evergreen Avenues within the rezoning area. C2-4 commercial overlays permit a variety of local retail uses including grocery stores. Although the existing C-Town supermarket could potentially be displaced as a result of the Proposed Action, the Proposed Action would result in a net increase of 74,194 sf of local retail space within the rezoning area that could potentially accommodate a grocery store. It should also be noted that there is an approximately 14,000 sf Associated supermarket located on the same block as the C-Town supermarket at 522 Bushwick Avenue (approximately 750 feet away).

Although the Proposed Action could potentially displace a supermarket, it is not considered a FRESH designated store. In addition, the Proposed Action would result in a net increase of 74,194 sf of local

retail space that could potentially accommodate a grocery store. Therefore, the Proposed Action would not alter or conflict with the objectives of the FRESH program, and no further assessment of this public policy is warranted.

Sustainability and PlaNYC

PlaNYC, the City's long-term sustainability plan, was adopted in 2007. It contains policy initiatives that relate to the city's land use, open space, brownfields, energy use and infrastructure, transportation systems, water quality and infrastructure, and air quality, and aim to prepare the city for projected climate change impacts. PlaNYC identified 10 goals to be achieved through 127 separate policy initiatives designed to achieve the City's sustainability goals. The City's sustainability goals, as identified in 2006, include providing affordable housing to an additional 1 million residents, increasing access to parks and open space, reclaiming brownfields, ensuring reliability of the City's water network, upgrading existing power plants and providing additional power sources, reducing water pollution and opening the City's waterways to additional recreation, and reducing the City's greenhouse gas emissions by 30 percent.

Usually an evaluation of sustainability is limited to "large publicly-sponsored projects". Although the Proposed Action is not a City-sponsored area-wide rezoning, the proposed rezoning covers a large area and therefore an evaluation of sustainability is provided below, including a discussion of how PlaNYC's sustainability initiatives apply to the Proposed Action and an assessment of its consistency with the City's sustainability goals.

Land Use

Regarding land use, PlaNYC sets forth the goals of creating homes for approximately one million residents, while making housing more sustainable and affordable. These goals are to be achieved by 12 PlaNYC initiatives that encourage publicly-initiated rezonings, creation of new housing on public land, expanding targeted affordability programs, and exploration of additional areas of opportunity. According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's land use initiatives if it includes one or more of the following elements: pursuing transit-oriented development; preserving and upgrading current housing; promoting walkable destinations for retail and other services; reclamation of underutilized waterfronts; adaptation of outdated buildings to new uses; development of underutilized areas to knit neighborhoods together; decking over rail yards, rail lines, and highways; extension of the Inclusionary Housing program in a manner consistent with such polity; preservation of existing affordable housing; or redevelopment of brownfields.

The Proposed Action meets this goal by encouraging residential development as well as commercial uses. The RWCDS associated with the Proposed Action would introduce a maximum of approximately 1,076 dwelling units and 74,194 sf of retail over the No-Action condition. This harmonious mix of land uses would be in close proximity to several subway and bus lines, encouraging use of public transit and an active streetscape. In addition, the Proposed Action includes zoning text amendments that would establish the Inclusionary Housing program throughout parts of the rezoning area. Approximately 215 of the new housing units that would be developed as a result of the Proposed Action's RWCDS would be developed as affordable housing, which would be developed as indicated in the inclusionary housing zoning text, and classified as "low income" as defined in the inclusionary housing zoning text or by HUD. In conclusion, the Proposed Action would comply with PlaNYC's land use goals.

Open Space

As outlined in PlaNYC, the City has a goal of ensuring that all New Yorkers live within a ten-minute walk of a park. PlaNYC's approach to achieving this goal includes making existing resources available to more New Yorkers, expanding hours at existing resources, and re-imagining the public realm to create or enhance public spaces in the cityscape. According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's open space initiatives if it includes one or more of the following elements: completion of underdeveloped destination parks; providing multi-purpose fields; installation of new lighting at fields; creation or enhancement of public plazas; or planting of trees and other vegetation.

As required by the zoning resolution, and in the interest of creating an attractive and active streetscape, one street tree will be provided for every 25 feet of newly developed street frontage within the proposed rezoning area, as per ZR Section 26-41. Therefore, a significant number of new street trees are expected to be provided for all anticipated development resulting from the Proposed Action. By complying with street tree planting requirements mandated by the Zoning Resolution, the RWCDS for the Proposed Action would be consistent with PlaNYC's open space initiatives.

Water Quality

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's water quality initiatives if it includes one or more of the following elements: expanding and improving wastewater treatment plants; building high level storm sewers; expanding the amount of green, permeable surfaces across the city; expanding the Bluebelt system; piloting promising "green infrastructure," "low impact development," techniques or "best management practices;" being consistent with the Sustainable Stormwater Management Plan; building systems for on-site management of stormwater runoff; incorporating planting and stormwater management within parking lots; building green roofs; protecting wetlands; using water efficient fixtures; or adopting a water conservation project.

As the developments facilitated by the Proposed Action would have to comply with all applicable regulations regarding the implementation of low-flow fixtures, as per the New York City Plumbing Code, Local Law 33 of 2007 and the US Environmental Protection Agency's WaterSense Program, this will help to control sanitary flows within the proposed rezoning area. To further offset these increases, onsite stormwater source controls or Best Management Practices (BMPs) may also be implemented on individual development sites to retain or slowly release stormwater runoff with controlled discharge rates to the City's combined sewer system. Enhanced stormwater management throughout the City is consistent with recent policies including the NYC Green Infrastructure Plan and Mayor Bloomberg's PlaNYC 2030 and Sustainable Stormwater Management Plan. The NYC Green Infrastructure Plan, released September 2010, includes a goal of capturing the first inch of rainfall on 10 percent of the impervious areas in combined sewer watersheds through detention or infiltration techniques over 20 years. All development facilitated by the Proposed Action is expected to comply with the City's laws and regulations, and therefore the Proposed Action is consistent with PlaNYC's water quality initiatives.

Transportation

PlaNYC's two transportation goals are to add transit capacity for one million more residents, visitors, and workers, and to reach a full state of good repair on the City's roads, subways, and rails. According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's transportation initiatives if it includes one of more of the following elements: transit-oriented development;

promoting cycling and other sustainable modes of transportation; managing roads more efficiently; facilitating freight movements; increasing the capacity of mass transit; providing new commuter rail access to Manhattan; improving and expanding bus service; improving local commuter rail service; improving access to existing transit; or expanding water-based transportation services.

The Proposed Action meets this goal by creating transit-oriented development in the form of high-density mixed-use development in close proximity of several subway and bus stops. In addition, the traffic analyses discussed in Chapter 10, "Transportation" and the resulting proposed traffic network changes will ensure efficient management of roads and traffic movement throughout the immediate area, reducing congestion. Therefore, the Proposed Action is consistent with PlaNYC's transportation initiatives.

Air Quality

According to the *CEQR Technical Manual*, a project undergoing a CEQR review would generally be consistent with PlaNYC's air quality initiatives if it maximizes its use of one or more of the following elements: the promotion of mass transit; the use of alternative fuel vehicles; the installation of anti-idling technology; the use of retrofitted diesel trucks; the use of biodiesel in vehicles and in heating oil; the use of ultra-low sulfur diesel and retrofitted construction vehicles; the use of low sulfur heating fuels; and the planting of street trees and other vegetation.

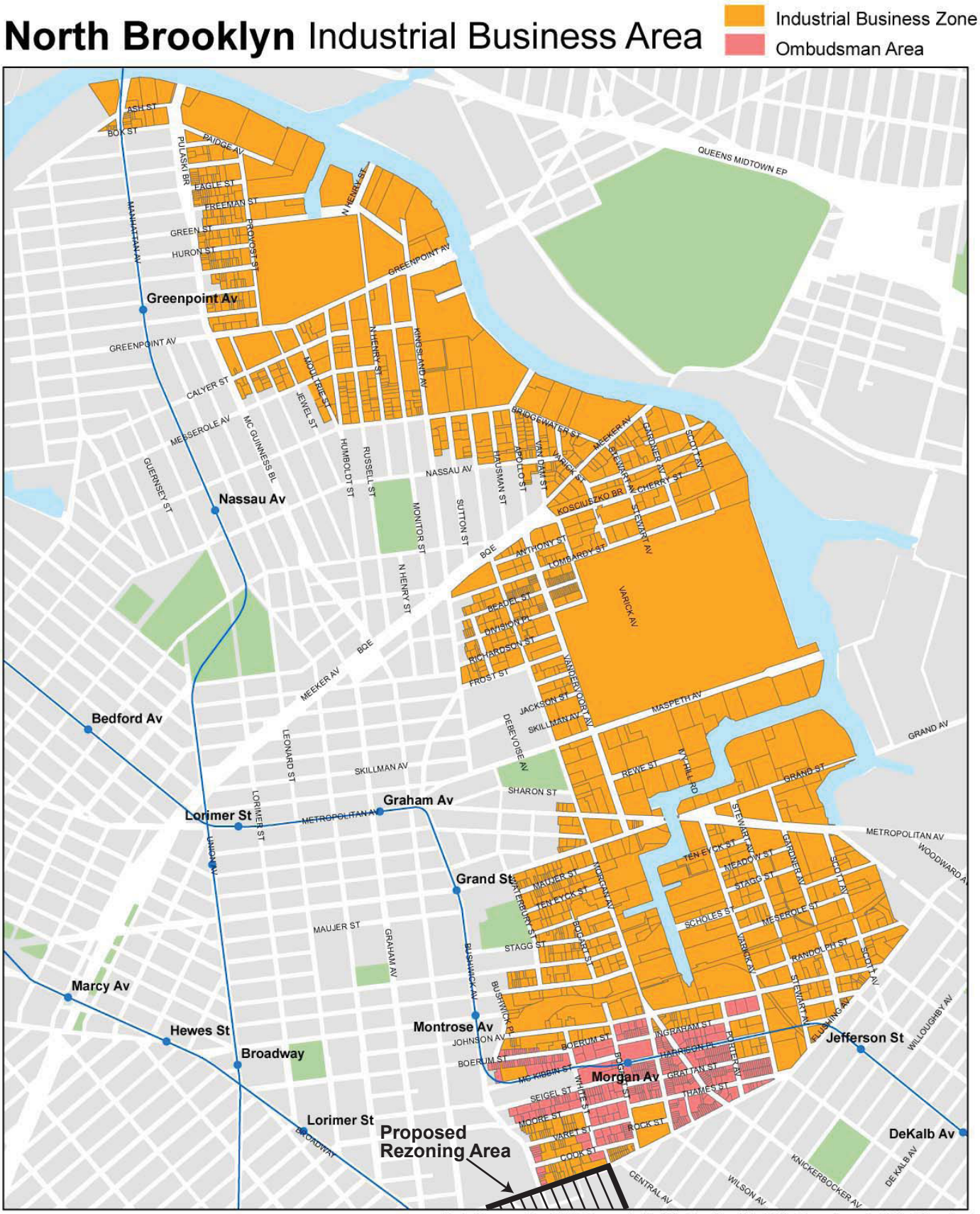
The Proposed Action meets this goal by promoting the use of mass transit by promoting residential and mixed-use development in close proximity to subway and bus stops. On April 30, 2008, the City Council adopted a zoning text amendment relating to street trees. Under the new regulations, if a development or enlargement increases the floor area on a zoning lot in a residential district by 20 percent or more, it is generally required that one street tree be provided for every 25 feet of street frontage of the zoning lot. Therefore, street trees will be provided for all anticipated development resulting from the Proposed Action. As such, the Proposed Action is consistent with PlaNYC's Air Quality initiatives.

Secondary Study Area

North Brooklyn Industrial Business Zone

The northeast portion of the secondary study area is located within the designated North Brooklyn Industrial Business Zone (IBZ) as seen in Figure 2-3 (the rezoning area is not located within the IBZ). IBZs were created by the Mayor's Office of Industrial and Manufacturing Businesses to provide business assistance and tax benefits to industrial and manufacturing firms located within an IBZ. The IBZ designation fosters high-performing business districts by creating competitive advantages over locating in areas outside of New York City. An IBZ protects pre-existing industrial areas that are currently zoned for manufacturing from rezoning to residential or commercial uses. New York State offers tax incentives in IBZs, including a $1,000 per relocated employee tax credit for industrial and manufacturing firms that move their businesses into an IBZ district. There are currently sixteen IBZs in New York City. The North Brooklyn IBZ is administered by the East Williamsburg Valley Industrial Development Corporation. In addition to the proposed residential zoning districts, the Proposed Action would also rezone Block 3140 from M3-1 to M1-2. As discussed earlier, M1districts are more compatible with residential uses than M3. As the lots adjacent to Block 3140 would be rezoned to allow residential uses, the Applicant believes that rezoning Block 3140 from M3-1 to M1-2 is appropriate. M1 zoning districts often function as buffer zones between residential and heavy manufacturing uses such as those found in M3 zones. M3 zones permit heavy manufacturing uses while M1-2 zones permit light manufacturing and commercial uses. M1-2 districts also permit certain

North Brooklyn Industrial Business Zone



Data Source: MapPLUTO copyrighted by the New York City Department of City Planning
Prepared by the Mayor's Office of Industrial and Manufacturing Businesses, March 2006

large retail uses, and community facility uses, by City Planning Commission special permit, whereas M3-1 districts do not. In addition, the proposed M1-2 district would be an extension of the existing M1-2 zoning district located just north of the rezoning area, across Flushing Avenue. As the Proposed Action would enable properties to be developed with high-performing industrial uses within the proposed M1-2 district, it would be compatible with the goals of the North Brooklyn IBZ.

Conclusion

The Proposed Action would not result in any significant adverse public policy impacts. The Proposed Action would be consistent with the *West Bushwick URA's* objective of increasing affordable housing opportunities in the area, and mapping contextual residential zoning districts to retain the area's scale. Although the Proposed Action could potentially displace a supermarket, it is not considered a FRESH designated store. In addition, the Proposed Action would result in a net increase of 74,194 sf of local retail space that could potentially accommodate a grocery store. Therefore, the Proposed Action would not alter or conflict with the objectives of the FRESH program. In addition, the Proposed Action would result in residential and mixed-use development that will support several of PlaNYC's major sustainability initiatives, as well as several smaller goals that will help support the City's gradual transition to a greener city. The City's sustainability goals are providing affordable housing to an additional 1 million residents, increasing access to parks and open space, reclaiming brownfields, ensuring reliability of the City's water network, upgrading existing power plants and providing additional power sources, reducing water pollution and opening the City's waterways to additional recreation, and reducing the City's greenhouse gas emissions by 30 percent. The Proposed Action would result in the creation of up to approximately 215 units of affordable housing pursuant to the Inclusionary Housing Program, and would introduce new local retail space. The proposed mix of land uses would be in close proximity to several subway and bus lines, encouraging use of public transit and an active streetscape. Use of mass transit instead of personal automobiles would help improve air quality. Therefore, the land use changes anticipated as a result of the Proposed Action are expected to be consistent with the known public policies in the study area, as described above, and a detailed analysis is not warranted.

E. DETAILED ASSESSMENT

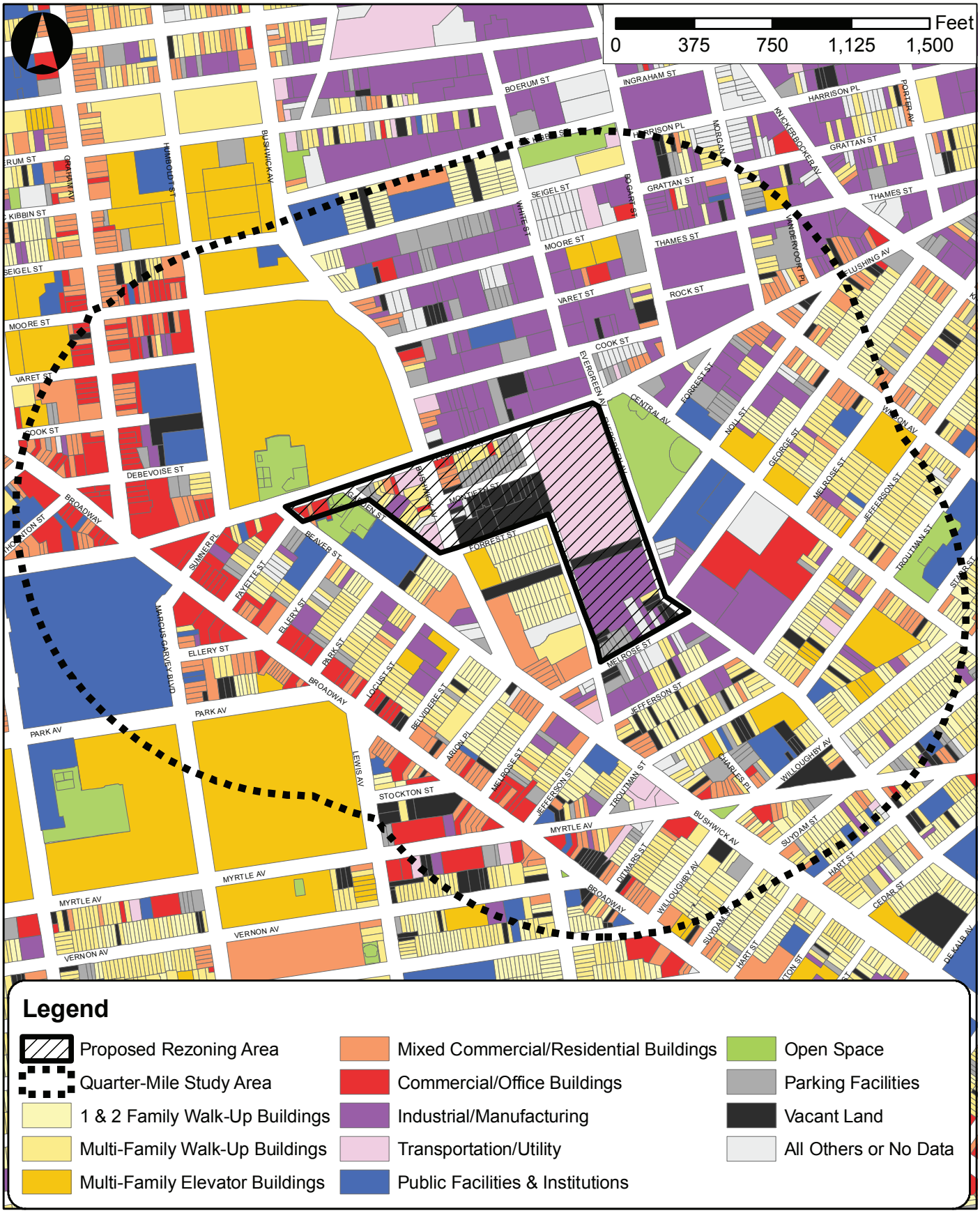
Existing Conditions

Land Use

The land use study area consists of both a primary study area, which is coterminous with the boundaries of the rezoning area, where the land use effects of the Proposed Action are direct, and a secondary study area consisting of properties within an approximate ¼-mile radius of the boundaries of the rezoning area. These study areas and their associated land uses are shown in Figure 2-4. The primary study area consists of approximately 6 blocks in the Bushwick neighborhood as described in Chapter 1, "Project Description." The secondary study area covers an area within a ¼-mile radius of the rezoning area.

<u>Existing Land Uses in the Primary Study Area</u>

The primary study area is located in Bushwick, in the western section of Brooklyn Community District 4. This area of Bushwick has been undergoing a transformation in recent years as a number of former industrial, commercial, and vacant properties have been redeveloped with residential uses. These include the former Rheingold Brewery site, located directly south and west of the primary study area,


Feet
0
375
750
1,125
1,500
Legend
Proposed Rezoning Area
Quarter-Mile Study Area
1 & 2 Family Walk-Up Buildings
Multi-Family Walk-Up Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

which has been redeveloped with townhouses and apartments. These housing units on the former Rheingold property were developed under the New York City Housing Partnership Program and many of the units are affordable housing for lower and moderate income households. Other new infill residential development in the area includes the Melrose Apartments, a six-story residential building recently constructed at 51 Central Avenue between George and Noll Streets.

Figure 2-4 shows the existing land uses within the primary study area. The primary land use of approximately half of the primary study area is warehouse use. This is due to the large warehouse occupying all of Block 3140 and the smaller warehouse occupying a large portion of Block 3152. The second most prevalent land use in the primary study area is parking and open storage uses, which take up 21 percent of the area. Most of the lots owned by the Applicant are occupied by parking/open storage uses. The primary study area is also composed of approximately eight percent vacant land, six percent residential buildings, and four percent automotive uses including a car wash, tire supply store, gas station, and vehicle repair shop. To a lesser degree, the primary study area has scattered commercial, mixed-use, institutional, and industrial uses. A description of land uses in the primary study area by block is provided below.

Block 3137 (portion)

Bounded by Flushing Avenue to the north, Bushwick Avenue to the south, Garden Street to the east and Beaver Street to the west, this is the westernmost block in the rezoning area. Only a small section on the northern part of the block is within the rezoning area. This area encompasses approximately 11,500 square feet, representing approximately two percent of the rezoning area's total lot area. The portion of Block 3137 to be rezoned is occupied by the 5,000 square foot Carlos Tapia School / PS 120 Playground, a one-story supermarket, a mixed use residential and retail building, and a one-story commercial establishment.

Block 3138

This triangular tax block covers an area of approximately 68,273 square feet and is bounded by Flushing Avenue to the north, Bushwick Avenue to the east, and Garden Street to the southwest. The block, which comprises approximately eleven percent of the rezoning areas's total lot area, has a wide variety of uses and is divided into twenty separate tax lots ranging in size from 1,200 square feet to 10,600 square feet. It has some automotive uses including a car wash and oil change business, a gas station, a tire supply store, and a vehicle repair shop. It has multifamily and single family residences as well as mixed residential and commercial uses. There are also has some industrial and vacant lots.

Block 3139

Block 3139 covers an area of approximately 69,045 square feet and is bounded by Flushing Avenue to the north, Stanwix Street to the east, Montieth Street to the south, and Bushwick Avenue to the west, comprising approximately eleven percent of the rezoning area's total lot area. The block is divided into thirty-four tax lots ranging in size from 761 square feet to 4,532 square feet, though most fall within a narrower range of 1,600 square feet to 2,500 square feet. Approximately half of the block is owned by the Applicant and used for vehicle parking and vehicle open storage in a paved and gated area. The rest of the block consists of small, attached buildings reflecting their narrow lot sizes. Flushing Avenue is predominately residential while Bushwick Avenue has mixed use residential and ground floor retail uses.

Block 3140

Bounded by Flushing Avenue to the north, Evergreen Avenue to the east, the prolongation of Noll Street (Block 3152, Lot 100) to the south, and Stanwix Street to the west, this is the largest block in the rezoning area, covering approximately 230,042 square feet of lot area comprising 37 percent of the rezoning area. This superblock contains two tax lots; the larger of the two, Lot 1 has an area of 220,000 square feet and is occupied by a two-story 304,080 square foot warehouse, currently leased for warehousing/storage use. The second, smaller Lot 50 is the prolongation of Stanwix Street which divides that street into two discontinuous sections north and south of Block 3140. Lot 50 is paved and used as a parking lot for the adjacent warehouse employees. All of Block 3140 is owned by the Applicant.

Block 3141

This block is bounded by Montieth Street to the north, the prolongation of Stanwix Street (Block 3140, Lot 50) to the east, Forrest Street to the south, and Bushwick Avenue to the west, covering 85,779 square feet of lot area and fourteen percent of the rezoning area. As compared to Block 3139 immediately to the north, Block 3141 features a mix of both small and larger tax lots. It is divided into sixteen tax lots ranging in size from 1,730 square feet to 24,300 square feet. This block is owned by the Applicant and is mostly used for vehicle and container open storage. Vestiges of a used car lot remain fronting Bushwick Avenue and a vacant one-story industrial building occupies the corner of Bushwick Avenue and Montieth Street; this is the only building on Block 3141. The easternmost portion of this block is paved and is used as a parking lot for the adjacent warehouse employees with Lot 50 of Block 3140.

Block 3152

Block 3152 is bounded by the prolongation of Noll Street (Block 3140, Lot 1) to the north, Evergreen Avenue on the east, Melrose Street on the south, and Stanwix Street on the west. This irregularly-shaped block, the second largest in the rezoning area, covers 149,596 square feet comprising 24 percent of the rezoning area. It is divided into nineteen tax lots, including one which occupies approximately two-thirds of the block; the remaining tax lots range in size from 790 square feet to 17,500 square feet, with twelve of the lots 2,500 square feet or smaller. The block is mostly occupied by a 77,680 square foot warehouse that houses several wholesale businesses. The rest of the block has a large open storage area with lumber and scrap metal, a vehicle towing business, a metal works factory and one residential building fronting Evergreen Avenue. Most of Block 3152 is owned by the Applicant.

Existing Land Uses in the Secondary Study Area

Land uses in the secondary study area are generally mixed, with a predominance of residential and light industrial uses, as shown in Figure 2-4, Existing Land Uses. Much of the area is underdeveloped relative to permitted zoning densities, and there is a large supply of vacant and underutilized land, typically used for vehicle and open storage. While nearby areas are characterized by conventional street grids with standard block sizes, the secondary study area features an irregular street pattern where differing grids converge, with lots of unique dimensions. Lot sizes range from narrow house lots to large superblocks. The secondary study area is broken up into three separate subareas: East Williamsburg, Bedford-Stuyvesant, and Bushwick.

East Williamsburg

The East Williamsburg subarea of the secondary study area is characterized by industrial uses north of Flushing Avenue and east of Bushwick Avenue. It is predominately warehouse, light manufacturing, and storage space, but also has a large proportion of parking and vacant uses. There are several uses categorized as "unknown" in this portion of the study area; these are buildings whose use cannot be determined by visual land use inspection or through publicly available City records. This area is zoned M1-1 and M1-2 light manufacturing. There are also scattered automotive uses on Moore, Cook, and Bogart Streets. Gilbert Ramirez Park, a one-acre open space, is located along the south side of McKibbin Street between White and Bogart Streets.

The area north of Flushing Avenue and west of Bushwick Avenue is predominately occupied by multifamily residential buildings, mixed-use buildings, and commercial / office buildings. Notably the NYCHA Bushwick Houses consisting of eight buildings of thirteen to twenty stories with 1,221 apartments on a sixteen-acre landscaped superblock. The Hylan Houses are located immediately to the north of the Bushwick Houses. Also a NYCHA development, the Hylan Houses development consists of one nineteen-story building with 210 apartments on a 1.8-acre site. Apart from the multifamily residential development along Bushwick Avenue and Humboldt Street, this area has residential and commercial uses along Graham Avenue and scattered institutional uses such as the Isaac Remsen School / PS 147 on McKibbin Street, the Fennel Day Care Center on Moore Street, the John Hylan School / PS 257 on Humboldt Street, and the Bushwick branch of the Brooklyn Public Library on Seigel Street and Bushwick Avenue.

Bedford-Stuyvesant

A small portion of the secondary study area to the west of Beaver Street/Bushwick Avenue is located within the Bedford-Stuyvesant neighborhood and is characterized by institutional and multifamily residential buildings as well as commercial uses along the Broadway corridor. The institutional uses in Bedford-Stuyvesant include the Woodhull Medical and Mental Health Center located in a large superblock between Flushing Avenue and Park Avenue, as well as the Robert F. Kennedy Day Care Center and Diana Jones Senior Center on Broadway and Flushing Avenue. Directly south of the medical center are the Sumner Houses, a 22-acre NYCHA residential development with 1,098 apartments in thirteen buildings of seven to twelve stories. This portion of the secondary study area also includes the elevated J,M subway line that runs along Broadway. Subway stops within the secondary study area include the Flushing Avenue stop at Flushing Avenue and Marcus Garvey Boulevard at the Myrtle Avenue-Broadway stop at Myrtle Avenue and Broadway.

Bushwick

The Bushwick subarea is predominantly occupied by multifamily residential, institutional, and parking/open storage uses. The triangular block immediately to the east of the proposed rezoning area (Blocks 3145 and 3147) is occupied by the 2.6-acre Green Central Knoll Park. The area to the east of the park (Blocks 3144 and 3148) is generally characterized by a mix of small scale industrial, warehousing, and automotive uses, including an auto repair shop, a mixed use warehousing/residential building, a tortilla factory, several contractors' establishments, and vehicle/open storage. It also includes the headquarters of NYPD Housing Police Service Area 4 at 25 Central Avenue, at Forrest Street. The Andrew Jackson School / PS 145 is on Noll Street, directly across the street from Green Central Knoll Park. Neighboring the school is the Williamsburg Community Church of God, which includes a dining hall available for rent as a banquet facility. Also on the same block is a commercial building housing an international shipping business, a towing operator and some vehicle/open storage space. The area to the south of the Andrew Jackson School is occupied by a large superblock (Blocks

3163 and 3156) mostly used for vehicle open storage, but which also has two industrial buildings, housing a paper company, a linens supplier a machine shop, a paint applicator, and decorating company. The area to the east of the school (Blocks 3154, 3157, 3164, and 3173) is predominantly residential with some industrial uses. The block bounded by Troutman and Starr Streets and Central and Wilson Avenues is occupied by the former IS 111 building, housing the IS 347 and IS 349 programs. The block immediately to the south is occupied by the Noll Street Apartments, an L-shaped mid-rise apartment building fronting on Central Avenue, new residential buildings on Noll Street between Wilson and Central Avenues, several other one to six family attached residential buildings, small scale industrial uses including a window supplier and a custom stainless steel shop, and vehicle/open storage.

Immediately south and west of the proposed rezoning area, on Blocks 3137, 3145, and 3151, there are several new developments which have been constructed over the past decade. These include Rheingold Garden Partnership Homes: 58 two-family houses, four three-family homes, and 30 condominium units in three-story buildings; Rheingold Garden Housing Trust Fund apartments: two to six-story rental apartment buildings with a total of 93 dwelling units and community facility space; the Renaissance Estates Housing Trust Fund apartments: a six-story rental apartment building with ground floor community facility space; and Bushwick Gardens with 87 cooperative apartments. The housing units were developed under the New York City Housing Partnership and Housing Trust Fund programs and many of the units are affordable housing for low- and moderate-income households. These have been constructed on vacant land formerly occupied by the Rheingold Brewery, which closed in 1976.

Besides these new developments, the Bushwick subarea has a mix of single family and multifamily residential, vacant, open storage, and automotive uses. These include a mattress warehouse, a contractors' yard and other contractors' establishments, in addition to a mix of vacant and residential parcels on Block 3162, immediately to the south of Block 3152. There are large vacant lots located on Melrose and Stanwix Streets and on Troutman Street and Evergreen Avenue. Automotive uses include a gas station on Jefferson Street and Bushwick Avenue and scattered auto repair shops. There are a few institutional uses in this section of the Study Area, including St. Mark's Lutheran Church on Bushwick Avenue and Jefferson Street and the Early Intervention day care center on Vernon Avenue.

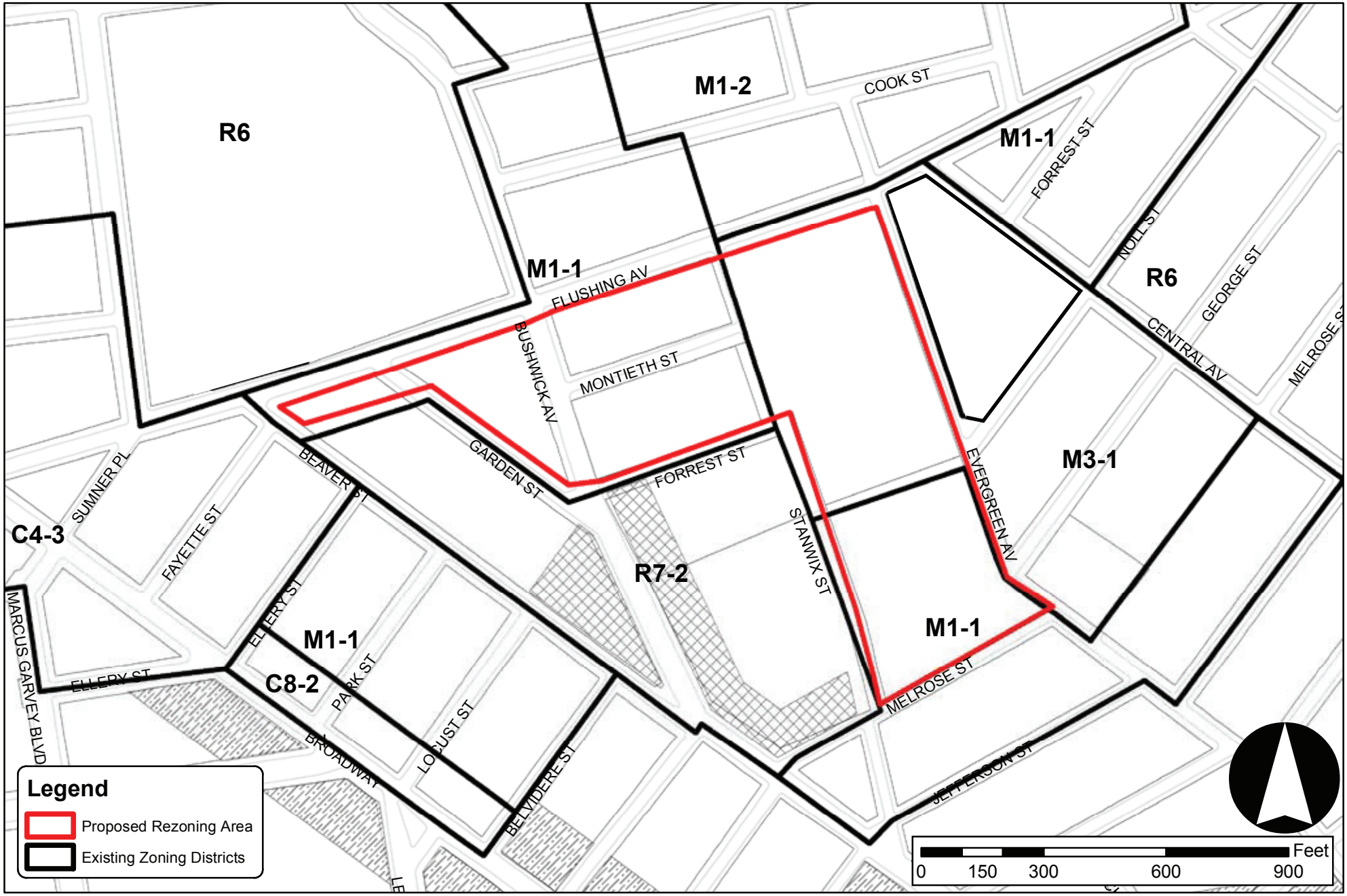
Zoning

The assessment of zoning uses the same study areas used for land use: the primary study area, consisting of the proposed rezoning area and the secondary study area, an area within roughly a ¼-mile radius of the rezoning area boundary.

Existing Zoning in the Primary Study Area

The primary study area is currently in manufacturing zoning districts M1-1 and M3-1, while the surrounding secondary study area includes a number of different types of manufacturing, commercial, and residential zoning districts, as can be seen in Figure 2-5, Existing Zoning.

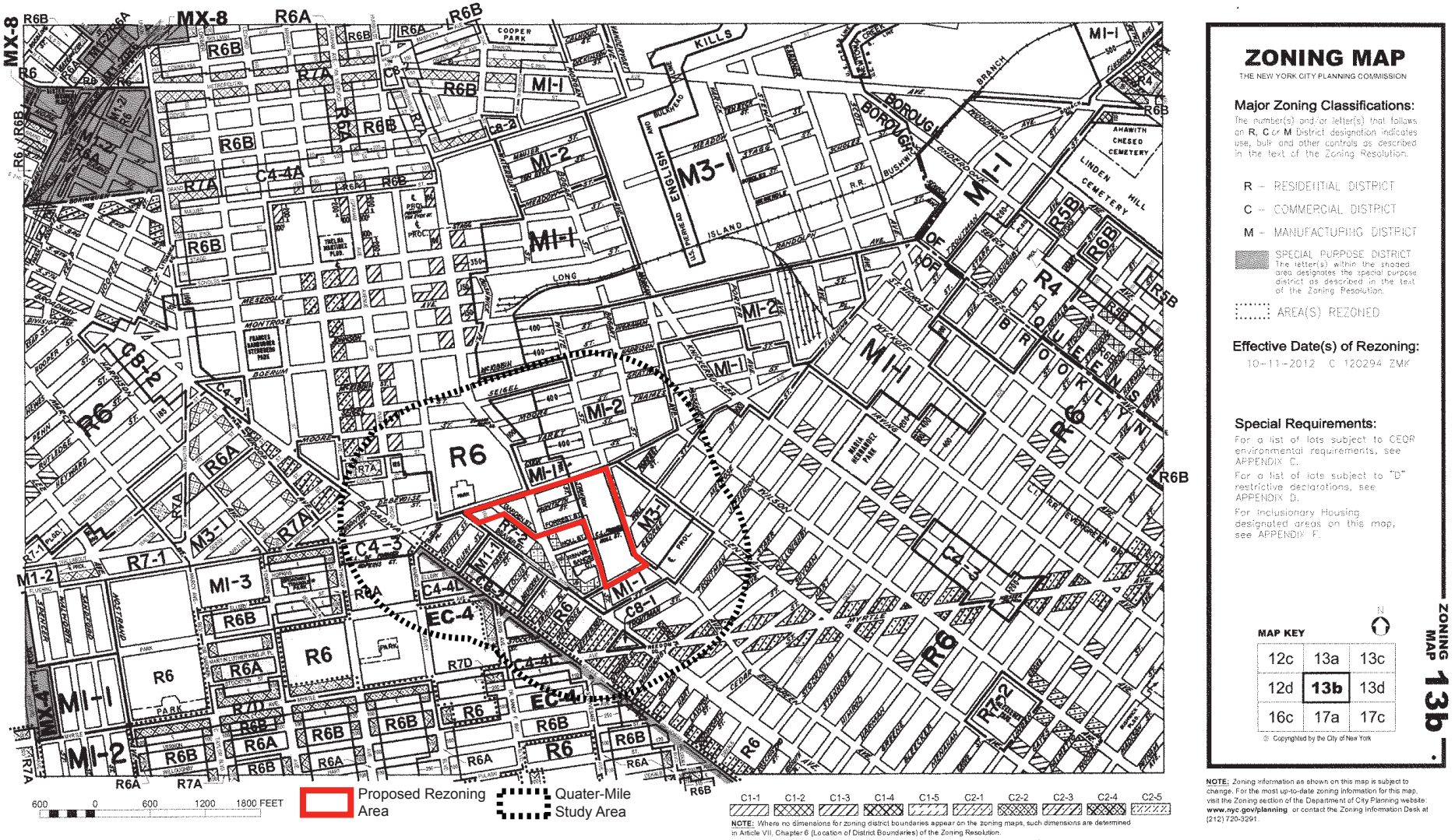
All of the primary study area except for Block 3140 is currently zoned M1-1. This includes two non-contiguous M1-1 districts, both of which extend into the secondary study area. M1-1 districts permit light industrial uses which must adhere to strict performance standards. They often serve as a buffer between neighboring residential and commercial districts and M2 and M3 manufacturing districts with lower performance standards. Manufacturing establishments in M1-1 districts must be completely within enclosed buildings. In addition to the high performance general service uses of Use Group 16



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Figure 2-5a

Existing Zoning - Primary Study Area


ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
10-11-2012 C 120294 ZMK
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
MAP KEY
12c 13a 13c
12d 13b 13d
16c 17a 17c
© Copyrighted by the City of New York
ZONING MAP 13b
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
600 0 600 1200 1800 FEET
Proposed Rezoning Area
Quarter-Mile Study Area
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

and the manufacturing uses of Use Group 17, most commercial uses in Use Groups 5-14 and certain types of community facilities of Use Groups 3-4 are permitted as-of-right. Others require a special permit. Residential uses are not permitted in M1-1 districts, and the maximum permitted FAR is 1.0 for commercial and manufacturing uses and 2.4 for community facilities.

Block 3140 of the primary study area is currently zoned M3-1, which permits heavy industrial uses. These uses tend to generate nuisances such as noise, traffic, vibrations, and pollutants that are considered incompatible with residential and community facility uses. M3-1 districts permit uses which cannot be reasonably expected to conform to the higher performance standards of M1 or M2 districts. M3-1 districts are usually located along waterfronts and buffered from residential areas, unlike here. General service Use Group 16, manufacturing Use Groups 17-18, and most commercial uses of Use Groups 6-14 are permitted as-of-right, while others require a special permit. Residential, community facility, and hotels are not permitted. The maximum FAR allowed for manufacturing and commercial uses is 2.0.

Existing Zoning in the Secondary Study Area

Zoning districts found in the secondary study area are: R6, R6A, R6B, R7D, R7-2, M1-1, M1-2, M3-1, C4-3, C4-4L, C8-1, and C8-2. C2-3 overlay districts are mapped over R6 along Broadway and C2-4 overlay districts are mapped over the R7-2 district along Bushwick Avenue. These C2 overlay districts permit commercial uses in Use Groups 5-9.

East Williamsburg

The East Williamsburg subarea is comprised of residential, commercial, and manufacturing zoning districts. The blocks north of Flushing Avenue, in the eastern portion of the secondary study area, are zoned M1-1 and M1-2. In both M1-1 and M1-2 districts, light industrial uses are permitted within completely enclosed buildings that conform to strict performance standards for noise, vibration, smoke, and odors which limit impacts on adjacent residential areas. Retail, office, and other commercial uses are also permitted, while community facilities of Use Groups 3A and 4A are permitted as-of-right under limited circumstances or by special permit. M1-1 and M1-2 districts often serve as a buffer between heavier industrial districts and residential or commercial districts.

The central section of the East Williamsburg subarea, roughly bounded by Bushwick Avenue and Humboldt Street, is zoned R6. R6 districts permit medium density residential and community facility uses in a variety of building types and Use Groups 1-4 are permitted as-of-right. According to the Zoning Resolution, medium and high density residential districts are mapped with regard to the character of existing development and in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities. No commercial or manufacturing uses are permitted in R6 districts, although commercial overlay districts may be mapped within. Under standard zoning, R6 districts provide a maximum FAR of 2.43, depending on the height and the open space ratio provided.

Around the Broadway corridor in the western section of the East Williamsburg subarea is zoning district C4-3. C4-3 general commercial districts are typically zoned for medium density commercial areas located outside of central business districts. Use Groups 1-6, 8-10, and 12 are permitted in C4-3 districts. These areas feature continuous retail frontages and do not permit uses that interrupt the continuity of retail facades, such as home maintenance and repair services of Use Group 7. C4-3 districts permit a maximum FAR of 3.4 for commercial uses and 4.8 for community facility uses. However, there is a proposal to amend the zoning in this C4-3 district, as discussed below.

To the north of the C4-3 district, there is one block bounded by Varet Street, Graham Avenue / Avenue of Puerto Rico, Cook Street, and Manhattan Avenue zoned R7A with C2-3 and C2-4 commercial overlays. R7A districts are residential districts with a maximum 4.0 FAR while C2-3 and C2-4 commercial overlays are mapped within residential districts to provide retail uses to serve the local community. Overlay districts have a maximum permitted commercial FAR of 2.0 in R6-R10 districts and they permit commercial uses in Use Groups 5-9.

Bedford-Stuyvesant

Zoning changes in the Bedford-Stuyvesant neighborhood were recently approved in October 2012. The zoning changes affected 140 blocks in the northern section of Bedford-Stuyvesant in Brooklyn Community District 3. The recently approved rezoning resulted in R6B, R6A, R7A, R7D, C4-4L, and C2-4 commercial overlays. The rezoning eliminated C1-3 and C2-3 districts from within existing R5 and R6 districts, changing R5, R6, C4-3, and C8-2 districts to R6A, R6B, R7A, R7D, and C4-4L districts, establishing C2-4 districts within existing and proposed R6, R6A, R7A, and R7D districts, creating new Inclusionary Housing Areas, and establishing a Special Enhanced Commercial District, or EC-4.

As discussed above, R6 districts permit medium density residential and community facility uses in a variety of building types and prohibit commercial and manufacturing uses.

R6A is a contextual residential zoning district, which permits Use Groups 1-4 as-of-right and has a maximum FAR of 3.0 for both residential and community facility uses. Within the Inclusionary Housing Program, R6A districts allow a base FAR of 2.7 and maximum FAR of 3.6 for residential uses. The street wall could rise 40 to 60 feet, with a maximum building height of 70 feet.

R7A is also a contextual residential district, which permits use groups 1-4 as-of-right but has a higher FAR than the R6A district with a maximum FAR of 4.0. Within the Inclusionary Housing Program, R7A districts allow a base FAR of 3.45 and maximum FAR of 4.6 for residential uses. This zoning district allows maximum building heights of 80 feet, street wall heights of 40 to 65 feet.

The C4-4L district is tailored for significant commercial corridors with elevated trains, similar to Broadway. Use Groups 1, 2, 3, 4, 5, 6, 8, 9, 10 and 12 are permitted. Commercial and community facility development is limited to a maximum FAR of 4.0, while residential development is limited to 4.6 FAR when using the Inclusionary Housing bonus and 3.45 FAR when not using the Inclusionary Housing program.

The Enhanced Commercial District along Broadway establishes regulations governing ground floor use, transparency on the ground floor, and limits curb cuts.

Several blocks south of Flushing Avenue are zoned C4-3, as discussed above. C4-3 general commercial districts are typically zoned for medium density commercial areas located outside of central business districts. The buildings facing Broadway from Ellery to Belvidere Streets are zoned C8-2. C8-2 general service commercial districts are generally found along major traffic arteries where automotive uses have developed or are planned. Permitted Use Groups include 4-14 and 16; C8-2 districts are the only commercial districts that allow the semi-industrial general service uses of Use Group 16, such as automotive service facilities and welding shops. C8-2 districts often provide a transition between other commercial districts and manufacturing districts, as C8-2 and other C8 districts do not permit residential uses. They have a maximum permitted FAR of 2.0 for commercial uses and 4.8 for community facility uses.

The Broadway corridor southeast of the C4-3 and C8-2 districts has a C2-3 commercial overlay district along the east side of the street. These types of districts are mapped within residential districts to provide retail uses to serve the local community, as described above.

Bushwick

The majority of the Bushwick subarea is zoned R6. As discussed above, R6 districts permit medium density residential and community facility uses in a variety of building types and prohibit commercial and manufacturing uses. Adjacent to the southwest of the rezoning area are several blocks zoned R7-2. In R7-2 residential districts, the maximum FAR allowed for residential buildings in 3.44 while the maximum FAR allowed for community facility buildings is 6.5. As discussed below, this district was established pursuant to the West Bushwick / Rheingold Gardens Rezoning adopted in 2001.

The sections of the Bushwick subarea south of Flushing Avenue, directly south of the rezoning area, and southwest of the rezoning area are zoned M1-1; the blocks directly to the east of the rezoning area are zoned M3-1. As described above, M1-1 districts permit light industrial uses within completely enclosed buildings that conform to strict performance standards, while M3-1 districts permit heavy industrial uses that tend to generate nuisances considered incompatible with residential and community facility uses.

Myrtle Avenue in the Bushwick subarea has a C2-3 commercial overlay district to provide retail uses serving the surrounding residential community, as discussed above. The northeast side of Bushwick Avenue between Melrose and Forrest Streets has a C2-4 commercial overlay district, also to provide retail uses to the surrounding residential community. The block bounded by Myrtle Avenue, Bushwick Avenue, and Troutman Street is zoned C8-1. C8-1 commercial districts permit commercial service establishments which often cause nuisances such as noise, traffic, and pollutants incompatible with residential and retail uses. C8-1 districts are mapped mainly along major traffic arteries where concentrations of automotive uses have developed, and prohibit residential uses.

Table 2-1:
Existing Zoning Districts in the Primary and Secondary Study Areas

Zoning District	Type	Use Groups	Maximum FAR
M1-1	Light industry	3-14, 16-17	1.0 commercial; 1.0 manufacturing; 2.4 community facility
M1-2	Light industry		2.0 manufacturing
M3-1	Heavy industry	6-14, 16-18	2.0 commercial; 2.0 manufacturing
C2-3	Commercial overlay	5-9	2.0 commercial in R6-R10
C2-4	Commercial overlay	5-9	2.0 commercial in R6-R10
C4-3	General commercial	1-6, 8-10, 12	3.4 commercial; 4.8 community facility
C4-4L	Commercial	1-6, 8-10, 12	4.0 commercial & community facility; 3.45 (max. 4.6 with IHP) residential
C8-1	Commercial		1.0 commercial
C8-2	General commercial	4-14, 16	2.0 commercial; 4.8 community facility
R6	Medium density residential	1-4	Up to 2.43, depending on height factor
R6A	Medium density residential	1-4	3.0 residential (min. of 2.7 and max. of 3.6 with IHP)
R7A	Residential	1-4	4.0 residential (min. of 3.45 and max. of 4.6 with IHP)
R7-2	Residential	1-4	3.44 residential; 6.5 community facility

The Future Without the Proposed Action (No-Action)

Land Use

Primary Study Area

In the future without the Proposed Action (No-Action) in 2016, it is likely that the primary study area would remain unchanged. Despite the presence of available vacant sites, the primary study area has seen little manufacturing development over the last several decades. Given the existing zoning and land use trends in the area, it is anticipated that the primary study area would experience no new development by 2016 and the existing uses would remain. The eight projected development sites would continue to accommodate a total of approximately 79,915 square feet of industrial, manufacturing, and warehouse uses, 7,596 square feet of commercial use, and 53,894 square feet of vehicle storage, open storage, and parking uses, as well as 129,513 square feet of vacant land.

Secondary Study Area

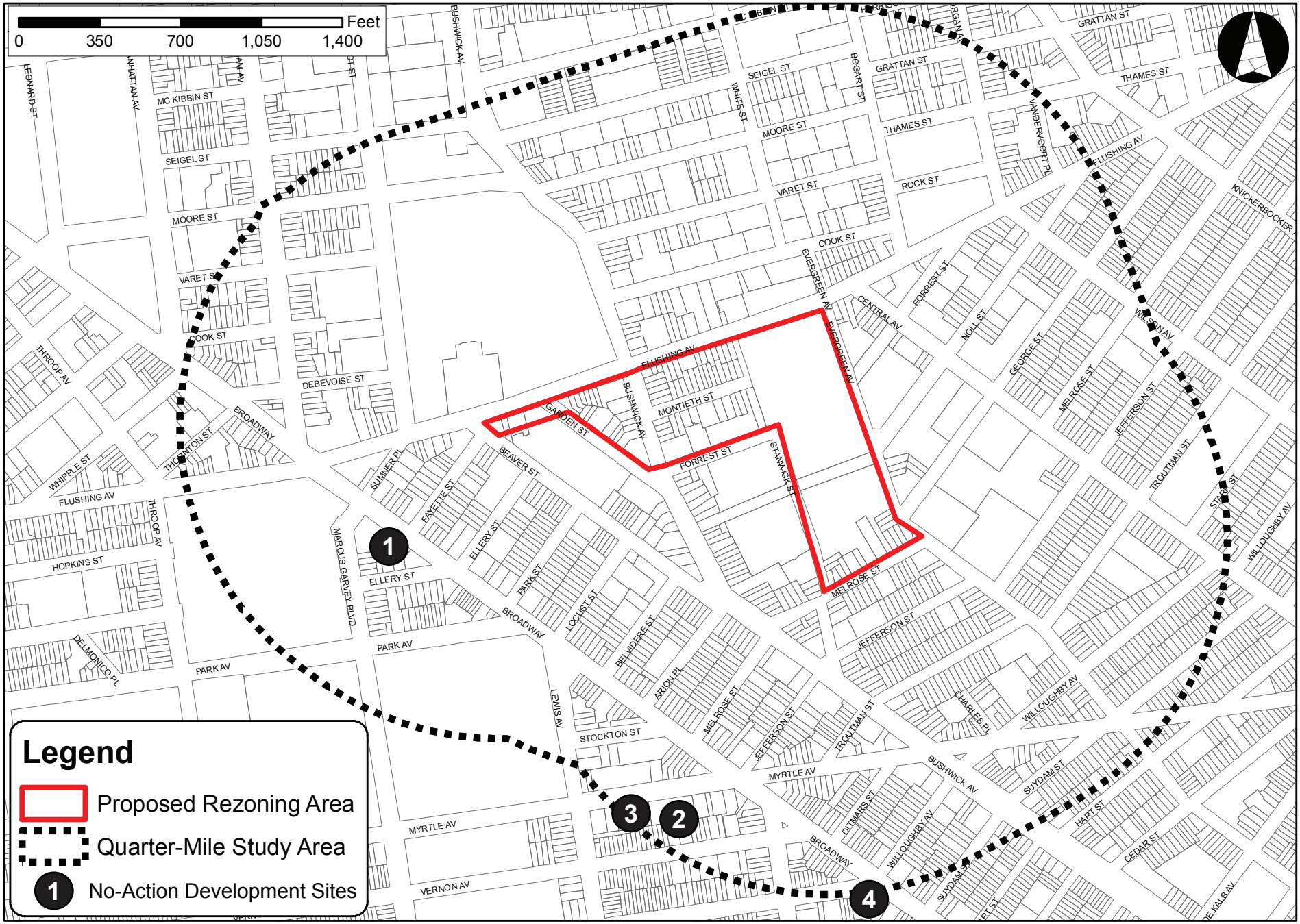
In the No-Action condition the secondary study area is expected to experience minor growth by 2016. Potential sites for future development projects in the secondary study area are listed in Table 2-2 and are shown in Figure 2-6, and detailed below.

East Williamsburg

There are no anticipated redevelopment sites in the East Williamsburg subarea.

Bedford-Stuyvesant

As a result of the implementation of the Bedford-Stuyvesant North Rezoning, several sites may be redeveloped by 2016 within the Bedford-Stuyvesant subarea (see Table 2-2 below). The commercial lot at 790 Broadway could be redeveloped with up to 31 dwelling units with 8,738 commercial / retail floor area and 7,710 office floor area under the proposed zoning. There are also several commercial, industrial, parking, and vacant lots at 1100-1122 Myrtle Avenue and 367-373 Vernon Avenue all owned by the same company, which could be redeveloped with up to 27,607 commercial / retail floor area, 16,240 office floor area, 8,120 community facilities floor area, and 127 dwelling units. Next door, there are three lots, two of which are vacant, at 1090-1096 Myrtle Avenue with the same owner. With the proposed rezoning, these lots could be redeveloped with up to 30 dwelling units with 8,500 commercial / retail floor area. Another commercial lot, at 874 Willoughby Avenue, would have the potential of redeveloping with up to 12,638 commercial / retail floor area, 5,576 office floor area, 5,576 community facilities floor area, and 46 dwelling units. In total, there would be approximately 233 dwelling units, 57,483 sf of retail uses, 29,525 sf of commercial uses, and 13,696 sf of community facility uses added to the study area by 2016.



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Figure 2-6
No-Action Development Sites

Table 2-2: No-Action Development Sites within the Secondary Study Area

Map No.	Project Name/Address	Development Proposal Program	Build Year	Estimated Residents[1]	Estimated Workers[2]
1	790 Broadway	Residential: 31 DU (6 affordable); Retail: 8,738 sf; Commercial: 7,710 sf	2016	91	57
2	1100-1122 Myrtle Avenue & 367-373 Vernon Avenue	Residential: 127 DU (18 affordable); Retail: 27,607 sf; Commercial: 16,240 sf; Community Facility: 8,120 sf	2016	373	180
3	1090-1096 Myrtle Avenue	Residential: 30 DU (6 affordable); Retail: 8,500 sf	2016	88	27
4	874 Willoughby Avenue	Residential: 46 DU (10 affordable); Retail: 12,638 sf; Commercial: 5,576 sf; Community Facility: 5,576 sf	2016	135	81
	Total for Study Area	**Residential: 233 DU (40 affordable); Retail: 57,483 sf; Commercial: 29,525 sf; Community Facility: 13,695 sf**		**687**	**345**

[1] Based on information provided in respective environmental review documents or, if unavailable, an assumption of 2.95 residents per unit, based on average number of residents per occupied housing unit calculated from 2010 Census data for the rezoning area and surrounding 1/2-mile radius.
[2] Based on information provided in respective environmental review documents or, if unavailable, an assumption of 1 employee per 250 SF of office, 3 employees per 1000 SF of retail, and 1 employee per 300 SF of community facility, as well as 1 employee per 25 DUs.

Bushwick

There are no anticipated redevelopment sites in the Bushwick subarea.

Zoning

Primary Study Area

Without the Proposed Action, there are no anticipated zoning changes in the primary study area by 2016.

Secondary Study Area

As a result of the recently approved Bedford-Stuyvesant North rezoning, the potential No-Action developments in the Bedford-Stuyvesant subarea described above are anticipated to occur. There are no anticipated zoning changes in the secondary study area by 2016.

The Future With the Proposed Action (With-Action)

As described in Chapter 1, "Project Description," the Proposed Action includes zoning map and text amendments affecting an approximately 6 block area in the Bushwick neighborhood in Brooklyn Community District 4. This section describes the land use and zoning conditions that would result from the Proposed Action by 2016, and evaluates the potential for the Proposed Action to result in significant adverse impacts.

Land Use

In the future with the Proposed Action, the primary study area is expected to be redeveloped with residential and retail uses. The proposed zoning changes would expand opportunities for mixed use development in the existing manufacturing district, and facilitate opportunities for affordable housing, as well as enhance and provide support for existing ground floor retail uses.

Primary Study Area

It is anticipated that the Proposed Action would result in changes to some land uses in the primary study area. The Proposed Action would allow for the development of new uses and higher densities at the projected and potential development sites. New development under the Proposed Action would be compatible with existing residential, commercial, and community facility uses currently found within and outside the primary study area and at similar densities and comparable bulk envelopes. In addition, to encourage new residential development for all income levels, the Proposed Action would create increased densities through use of the Inclusionary Housing Program to expand and enhance future affordable housing development opportunities.

With the implementation of the Proposed Action, the Applicant would construct ten residential buildings with ground floor local retail on four development sites, which would introduce approximately 54,182 square feet of local retail and 977 dwelling units, of which 195 are expected to be low to moderate income households.

In addition, there may be four additional projected developments within the primary study area that could occur as a result of the Proposed Action. These projected development sites are located on Blocks 3152, 3137, and 3138 and could result in up to 99 dwelling units and 27,609 square feet of ground floor retail. There are also three potential development sites that are less likely to be developed.

The Proposed Action would allow for the development of new uses and higher densities at the projected and potential development sites. In the future with the Proposed Action, it is expected that a total of approximately 1,076 dwelling units and 81,790 square feet (net 74,194 square feet) of local retail would be developed.

Secondary Study Area

The Proposed Action is not expected to generate significant adverse land use changes in the secondary study area. The mix of uses that would evolve in the primary study area as a result of the Proposed Action would be compatible with the existing pattern of development in the surrounding area. The Proposed Action would not alter zoning designations within the quarter-mile secondary study area. Moreover, future development in the secondary study area would be under existing zoning and would therefore be compatible with surrounding land use patterns. As such, the Proposed Action would have no direct impact upon zoning in the secondary study area.

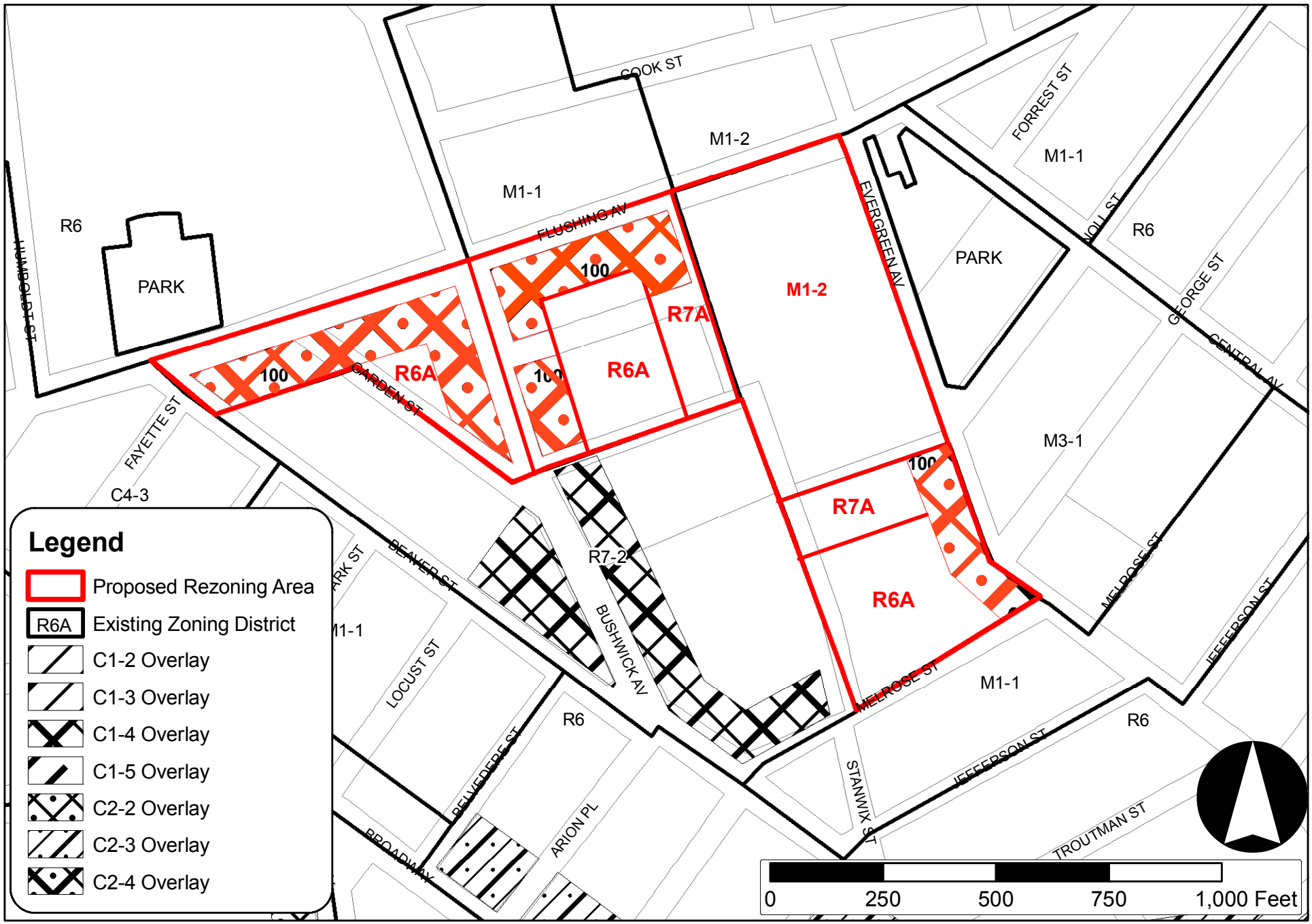
Zoning

Primary Study Area

In the future with the Proposed Action, the existing zoning in the primary study area (rezoning area) would change. The proposed zoning changes as a result of the Proposed Action are shown in Figure 2-7, and described in detail below, and are also summarized in Table 2-3 at the end of this section.

Proposed Zoning Map Changes

As shown in Figure 2-7, Proposed Zoning, the Proposed Action would introduce several zoning map amendments into the primary study area. The existing low-density M1-1 zoning designations in the rezoning area would be replaced with contextual medium-density R6A and R7A residential zoning



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Figure 2-7
Proposed Zoning

districts, which would allow residential development. The primary study area is located adjacent to an existing R7-2 zoning district to the west of Stanwix Street and an existing R6 zoning district to the north of Flushing Avenue; therefore, the Proposed Action would extend residential zoning with similar districts (R7A, R6A) onto an additional four and a quarter block area.

The existing M1-1 zoning is a light manufacturing district with high performance standards that permits Use Groups 5-14, 16 and 17 as-of-right, and has a maximum FAR of 1.0 for commercial and industrial uses. Certain community facility uses (Use Group 4) such as houses of worship and schools are also allowed in M1-1 districts up to an FAR of 2.4. Residential uses are not permitted. M1-1 zoning districts typically act as buffers between M2 and M3 heavy manufacturing zoning districts and adjacent residential or commercial zoning districts.

As shown in Figure 2-7, the proposed R6A zoning district would be mapped in the western portion of the rezoning area along the south side of Flushing Avenue between Beaver and Garden Streets on Block 3137, and on Block 3138, which is bounded by Flushing Avenue, Bushwick Avenue and Garden Street. The midblocks of Block 3139 and 3141, which are generally bounded by the north side of Forrest Street between Bushwick Avenue and Stanwix Street would also be zoned R6A. The southwestern portion of rezoning area near the intersection of Melrose and Stanwix Streets (part of Block 3152) would be rezoned R6A as well. R6A is a contextual residential zoning district, which permits Use Groups 1-4 as-of-right and has a maximum FAR of 3.0 for both residential and community facility uses. Within the Inclusionary Housing Program, R6A districts allow a base FAR of 2.7 and maximum FAR of 3.6 for residential uses. The street wall could rise 40 to 60 feet, with a maximum building height of 70 feet. The proposed R6A district, with lower bulk, height and street wall requirements would provide consistency with the existing built context of low-scale areas.

The proposed R7A zoning district would be mapped on portions of Blocks 3139 and 3141, including along the south side of Flushing Avenue between Bushwick Avenue and Stanwix Street, the east side of Bushwick Avenue between Flushing Avenue and Forrest Street, and on the west side of the Stanwix Street (portion of which is to mapped as part of the Proposed Action) between Flushing Avenue and Forrest Street. R7A zoning would also be mapped on portions of Block 3152, including along the west side of Evergreen Avenue between Noll Street (to be mapped as part of the Proposed Action) and Melrose Street, and on the south side of Noll Street (to be mapped as part of the Proposed Action) between Stanwix Street and Evergreen Avenue. R7A is also a contextual residential district, which permits use groups 1-4 as-of-right but has a higher FAR than the R6A district with a maximum FAR of 4.0. Within the Inclusionary Housing Program, R7A districts allow a base FAR of 3.45 and maximum FAR of 4.6 for residential uses. This zoning district allows maximum building heights of 80 feet, street wall heights of 40 to 65 feet. The building form encouraged by R7A regulations would result in residential buildings that are consistent with the scale, streetwall and density of the existing buildings.

As shown in Figure 2-7, C2-4 commercial overlays are proposed to be extended to the south side of Flushing Avenue between Beaver Street and Stanwix Street, on both sides of Bushwick Avenue between Flushing Avenue and Forrest Street, and on the west side of Evergreen Avenue between Noll and Melrose Streets to a depth of 100 feet. C2 commercial overlays are mapped on streets within residential districts that serve the local retail needs of the surrounding residential neighborhood. Typical retail uses include grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. The proposed commercial overlays would be mapped with R6A and R7A districts where ground floor retail uses would be allowed up to 2.0 FAR in mixed-use residential and commercial buildings. Buildings without residential uses would also be allowed 2.0 FAR of commercial uses.

The existing heavy M3-1 manufacturing zoning on Block 3140 would be replaced with high performance manufacturing M1-2 zoning. The existing M3-1 zoning is a heavy manufacturing use district, which permits Use Groups 5-18 as-of-right, and has a maximum floor area ratio (FAR) of 2.0 for commercial and industrial uses. Residential and community facility uses are not permitted. All manufacturing and industrial uses are required to conform to minimum performance standards in M3 districts. M1-2 zoning allows use groups 5-14, 16 and 17 as-of-right with has a maximum FAR of 2.0. Certain community facility uses (Use Group 4) such as houses of worship and schools are also allowed in M1-2 districts up to an FAR of 4.8. M1-2 districts also permit applications for special permits, whereas M3-1 districts do not. The M1-2 zoning light manufacturing district would be an appropriate buffer zoning district between the heavier industrial M3-1 zoning district to the east and the proposed R6A and R7A residential districts to the west and south.

TABLE 2-3
Summary of Proposed Zoning Districts and Regulations

District	Maximum FAR	Streetwall (Min. base height/ Max. base Height	Maximum Building Height
Proposed R6A	Residential: 3.0 (2.7 to 3.6 FAR with Inclusionary Housing) Community Facility: 3.0 Commercial (when mapped with C2-4 overlay): up to 2.0	40 feet min. 60 feet max.	70 feet
Proposed R7A	Residential: 4.0 (up 3.45 to 4.6 FAR with Inclusionary Housing) Community Facility: 4.0 Commercial (when mapped with C2-4 overlay): up to 2.0	40 feet min. 65 feet max.	80 feet
Proposed M1-2	Community Facility: 4.8 Commercial/manufacturing: 2.0	Max. base height of 60 feet or four stories, whichever is less.	Controlled by sky exposure plane.

Zoning Text Amendments

The Proposed Action would also modify Section 23-922 of the New York City Zoning Resolution to make the newly mapped R6A and R7A districts "inclusionary housing designated areas." This would make the Inclusionary Housing Program (IHP) zoning regulations applicable in the rezoning area's proposed R6A and R7A zoning districts. In the areas where the IHP would be applicable, new residential developments that provide housing which will remain permanently affordable would receive increased FAR. The IHP provides 33 percent bonus in exchange for twenty percent of FAR set aside as affordable units. The additional FAR must be accommodated within the bulk regulations of the underlying zoning districts. Affordable units could be financed through City, State, and federal affordable housing subsidy programs.

The affordable housing requirement of the Inclusionary Housing zoning bonus could be met through the development of affordable on-site or off-site units, either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same community district, within a half-mile of the development receiving the FAR bonus, or anywhere within Brooklyn Community District 4. The availability of on-site and off-site options provides maximum flexibility to ensure the broadest possible utilization of the program under various market conditions. This zoning text amendment would establish an inclusionary FAR bonus providing opportunity and incentive for the development of affordable housing in the rezoning area.

Secondary Study Area

The Proposed Action would not alter zoning designations within the ¼-mile secondary study area. The current mix of residential, commercial, special district, and light manufacturing zoning would remain, as described above in "Existing Conditions." The Proposed Action would include the mapping of

zoning districts that are compatible with those in the surrounding secondary study area. The proposed zoning actions would result in land uses that would be similar in use and scale of existing and proposed land uses, and would thereby not affect the relationship between the primary and secondary study areas. Therefore, the Proposed Action would not result in any significant adverse impacts to zoning policy in the secondary study area.

As discussed above, it the recently approved Bedford-Stuyvesant North Rezoning would be implemented by 2022, affecting the Bedford-Stuyvesant subarea of the secondary study area. As discussed above, the Bedford-Stuyvesant North Rezoning replaced the previous R5, R6, C4-3, and C8-2 districts with R6A, R6B, R7A, R7D, and C4-4L districts, established C2-4 districts within existing and proposed R6, R6A, R7A, and R7D districts, created new Inclusionary Housing Areas, and establish a Special Enhanced Commercial District, or EC-4. The proposed zoning actions would result in zoning designations that would be similar and compatible to the recently rezoned area discussed above. As such, the Proposed Action would result in land uses that would be similar in use and scale of existing and proposed land uses in the secondary study area.