870-888 Atlantic Avenue Rezoning
Community District 8, Brooklyn
September 14, 2021

1. Introduction

Y & T Development LLC (the "Applicant") proposes a series of land use actions to rezone an existing M1-1 zoning district to a C6-3A (R9A equivalent) zoning district in the Prospect Heights neighborhood within Brooklyn Community District 8. The proposed Project Area consists of Block 1122, Lots 11, 12, 14, 15, 16, 21, 26, and p/o 10 (the "Project Area"). The following actions are proposed:

1. a zoning map amendment to change the existing M1-1 zoning district to a C6-3A zoning district;

2. a text amendment of Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 8, Brooklyn, to establish a Mandatory Inclusionary Housing ("MIH") Area with Option 2 and the Workforce Option to provide maximum flexibility;

3. a text amendment to modify ZR § 35-66 to permit a minimum 20-foot sidewalk along Atlantic Avenue and;

4. a special permit pursuant to ZR § 74-533 to reduce the number of required accessory parking spaces.

The proposed actions would facilitate the development of 870-888 Atlantic Avenue (Block 1122, Lots 21 and 26) (the "Development Site") with a new seventeen-story mixed residential, commercial and community facility building with approximately 228 dwelling units, including approximately 69 permanently affordable units and local retail.

2. Background

The Project Area is located at the northeastern part of the Prospect Heights neighborhood, adjacent to the Crown Heights neighborhood to its east. In collaboration with the local Community Board, the Department of City Planning ("DCP") has led area-wide rezonings of nearly all of the residential areas surrounding the existing M1-1 zoning district where the Project Area is located. However, the existing M1-1 zoning district has remained generally unchanged since it was mapped in 1961.

Atlantic Yards' Master Plan/Pacific Park

The Pacific Park Development is located to the west of the Project Area. Pacific Park is a 22-acre mixed commercial and residential development consisting of 17 buildings and the Barclay's Center. The development encompasses five blocks stretching from Vanderbilt Avenue to Fourth Avenue located above the Long Island Railroad train yard. The Pacific Park Development will include approximately 6 million square feet of residential space (6,430 housing units), the Barclays center, 247,000 square feet of retail use, approximately 336,000 square feet of office space, and 8 acres of publicly accessible open space. The development also included the expansion and upgrade to MTA/Long Island Rail Road's Vanderbilt Yard. Approximately 2,250 of the residential units will be affordable. Completion is anticipated by 2035, but the affordable housing must be built by 2025. Building heights will range from 202-511 feet.

DCP-Sponsored Rezoning Actions

In 1994, a large portion of the Prospect Heights neighborhood to the west of the Project Area was rezoned as part of the Prospect Heights Rezoning (C 930430 ZMK, effective February 9, 1994). The Prospect Heights Rezoning established contextual zoning districts in a 53-block portion of the neighborhood in the western part of Community District 8 and a portion of Community District 6. It changed the predominantly R6 zoning to R6B, R6A, R7A, and R8X districts with commercial overlays along Washington, Vanderbilt, and Flatbush Avenues. In addition, it changed several M1-1 zoning districts to R7A, R6B and R6A.

In 2007, much of the area north of Atlantic Avenue was rezoned in the Fort Greene and Clinton Hill rezoning (C 070430ZMK, N 060053 ZRK, effective July 25, 2007). The rezoning changed all or portions of 99 blocks from R6, R7-1, R7-2 and M1-1 districts to contextual R5B, R6B, R6A and R7A districts, including an R7A district with a C2-4 overlay along the north side of Atlantic Avenue between Classon and Vanderbilt Avenues. R7A districts were mapped to create new housing opportunities in areas that could support greater density within contextual zoning districts that establish height limits. In addition, the rezoning established Inclusionary Housing Designated Areas ("IHDA") generally along portions of Fulton Street and Myrtle Avenue and portions of surrounding areas. The Inclusionary Housing program provides incentives for the creation and preservation of affordable housing.

Also in 2007, the Bedford-Stuyvesant South Rezoning (C 070447 ZMK, N 070447 ZRY, effective October 29, 2007), rezoned an approximately 206-block area to the north and east of the Project Area with contextual districts, including R6A, R6B, R7D, C4-5D, and MX-10 (M1-1/R7D) districts, some with commercial overlays. The Bedford-Stuyvesant South Rezoning also made the Inclusionary Housing Program applicable in R7D and C4-5D districts. This rezoning also created the R7D district, which requires ground floor non-residential uses when mapped with a C2-4 commercial overlay. The R7D-zoned areas are located on Fulton Street, a few blocks from the Development Site.

In 2013, the area to the south of the Project Area was rezoned as part of the Crown Heights West rezoning (C 130213 ZMK, N 130212 ZRK, effective September 24, 2013) that affected an approximately 55-block area in the western part of Crown Heights that mapped contextual R6B, R6A, and R7A districts and commercial overlays. An R7A was mapped on 18 full and partial blocks between St. Johns Place and Eastern Parkway, along Franklin Avenue, and on portions of blocks between Franklin and Classon Avenues north of Park Place. The Project Area is directly to the north of the Dean Street and Classon Avenue boundary of this rezoning. The Crown Heights West rezoning established new IHDA to incentivize the development of affordable housing.

Private Applications

In 2009, the 470 Vanderbilt Rezoning (C 090441 ZMK, N 090442 ZRK, effective September 30, 2009) mapped a C6-3A (R9A equivalent) district on the block bounded by Atlantic Avenue, Fulton Street, Claremont Avenue, and Vanderbilt Avenue to facilitate development of a 376-unit new mixed-use building with ground floor retail.

The 1350 Bedford Avenue Rezoning (C 190071 ZMK, N 170071 ZRK, effective July 20, 2017) changed an existing R6A zoning district to an R7D district to the east of the Project Area on property at the corner of Bedford Avenue and Pacific Street to facilitate the development of a new nine-story residential building containing approximately 93 units of affordable housing.

The 809 Atlantic Avenue Rezoning (C 170070 ZMK, N 190074 ZRK, C 190072 ZKS, C 190073 ZSK, effective April 9, 2019) rezoned the R7A/C2-4 zoning district to an R9/C2-5 district, to the northwest of the Project Area, along Atlantic Avenue, and bounded by Vanderbilt and Clinton Avenues, to facilitate the development of a new 237,000-square foot mixed-use development containing retail, office and residential uses (approximately 38 units of affordable housing). Special permits pursuant to ZR Sections 74-711 and 74-533 were also approved to modify bulk regulations and to reduce parking requirements at the site.

The 1010 Pacific Street Rezoning (C 180042 ZMK, N 180043 ZRK, effective May 8, 2019) rezoned the existing M1-1 zoning district to an R7A/C2-4 zoning district to facilitate the construction of a nine-story mixed residential, commercial, and community facility building.

The 1050 Pacific Street Rezoning (C 160175 ZMK, N 160176 ZRK, effective May 8, 2019) rezoned the existing M1-1 zoning district to an MX (M1-4/R7A) zoning district to facilitate a new eight-story mixed use development on Pacific Street between Franklin and Classon Avenues.

The Grand Avenue and Pacific Street Rezoning (C 190256 ZMK and N 190257 ZRK, effective September 3, 2020, rezoned the existing M1-1 zoning district to R7D/C2-4 and R7A/C2-4 zoning districts to facilitate a new mixed use development on the corner of Pacific Street and Grand Avenue.

M1-1 District Study

In 2015, Community Board 8 issued a resolution requesting that DCP study rezoning of the M1-1 zoned area where the proposed Project Area is located. The resolution stated:

> Whereas a six-block area located in the northwest sector of Crown Heights and bound by Atlantic Avenue, Franklin Avenue, Bergen Street, and Grand Avenue is currently zoned M1-1 (the "M1-1 Zone"); and
>
> Whereas Community Board 8 finds that: the M1-1 Zone contains many properties that are vacant or otherwise underutilized, and that the current zoning provides little economic incentive for owners to improve such properties so that they can become productive; and
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> Whereas adjoining neighborhoods outside the M1-1 Zone are experiencing strong demand for both residential and commercial real estate; and
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> Whereas Community Board 8 finds that there yet remains an urgent need for affordable housing and jobs paying a living wage or better to be created within its District;

Since that time, Community Board 8 has worked to produce a plan to address the above concerns. In support of this effort, DCP is engaged an area-wide study to establish a zoning framework through ongoing discussion with Community Board 8 and local stakeholders. In May 2019, DCP issued its M-Crown Land Use Framework to facilitate mixed-use developments within the study area. DCP aims to support new housing with affordable housing and to promote job-generating uses near public transportation. DCP's framework would include: (1) the Atlantic Avenue Mixed-Use Subarea which would consist of a high density mix of commercial and residential uses, (2) the Western Mid-Block Mixed-Use Subarea which would encourage moderate density with greater density along the north/south avenues, and (3) the Eastern Mid-Block Commercial and Industrial Subarea which would maintain and support a cluster of commercial and industrial uses.

Other Land Use Actions

The Board of Standards and Appeals ("BSA") has granted numerous variance applications within a 600' radius of the Proposed Project Area (the "Surrounding Area") that permitted residential developments in the M1-1 zoning district. The BSA found that conforming manufacturing uses would not be feasible for several lots within the Surrounding Area. *See* BSA Cal. No. 275-00-BZ (BSA granted a use variance pursuant to ZR § 72-21 to permit the conversion of the three upper floors of a four story manufacturing building to residential use at 860 Atlantic Avenue); BSA Cal. No. 220/221-14-BZ (BSA granted a use variance to permit the construction of two, three-story single family residential buildings at 8 and 10 Underhill Avenue); BSA Cal. No. 122-05-BZ (BSA granted a variance to permit a new 13-story residential building in a manufacturing district at 525 Clinton Avenue); BSA Cal. Nos. 23-01-BZ, 3-01-BZ and 238-02-BZ (BSA granted variances to permit the conversion of manufacturing buildings to residential buildings at 618, 626, and 638 Dean Street).

3. Description of the Surrounding Area

The Project Area is located in the northeastern portion of the Prospect Heights neighborhood, within Brooklyn Community District 8. Existing land uses within the surrounding area primarily consist of industrial, commercial, one- and two-family residences, multi-family residences, mixed commercial and residential buildings, and vacant land. The industrial buildings range from one- to four-stories in height, and the residential buildings range from two- to fourteen-stories in height. The subject Block 1122 is improved with residential, commercial, manufacturing, and parking uses, as well as vacant land. The Underhill Avenue and Pacific Street frontages of the block are largely occupied by three- to five-story walk-up and elevator residential buildings, with the exception of a single manufacturing use on Dean Street, a single vacant lot on Underhill Avenue, and parking uses associated with the McDonald's drive-thru fast-food restaurant that occupies the northwestern corner of the block to the west of the Project Area.

The block to the south of the Project Area, Block 1130, contains residential, mixed residential and commercial, commercial, institutional uses and vacant land (there are two sites currently under construction). A majority of the block is improved with the Co-Cathedral of St. Joseph/St. Teresa of Avila – there is an associated three-story rectory building and a four-story school, now used as a senior residence, located to the west and east of the church. There is a Chabad Jewish center, two- to five-story residential buildings, six three- to four-story mixed-used buildings also located on the block. There are two buildings under construction at 860 and 834 Pacific Street.

Lowry Triangle is located to the east of the Project Area. The area is a public plaza with open space and seating. Additional residential, commercial and mixed uses are located to the east of the Project Area, including three- to four-story residential walkups, a six-story residential building, a car wash and a church.

As mentioned above, Long Island Railroad's below-grade Vanderbilt Yard is located to the west of the Project Area and is the location of future proposed development associated with the Pacific Park project developed under the New York State General Project Plan. The project is estimated for a 2025 completion date and will introduce higher-density mixed-use development to the neighborhood. 550 Vanderbilt, located to the west of the Project Area, is an 18-story residential building with ground floor retail uses.

The blocks to the north of the Project Area contain manufacturing, residential, mixed residential and commercial and institutional uses.

There are contextual zoning districts mapped to the south of the Project Area including R7A, R6A, and R6B zoning districts with C1-4 commercial overlays along Vanderbilt Avenue and C2-4 commercial overlays along Washington and Underhill Avenues. To the north of the Project Area, there are R7A, R6A, R9/C2-5 and C6-3A zoning districts with C2-4 commercial overlays along Atlantic Avenue. The existing zoning districts in the surrounding area include:

M1-1

The Project Area is within an M1-1 zoning district established in 1961, which extends beyond the Project Area to the east and west generally between Atlantic Avenue to the north, Bergen and Pacific streets to the south. The M1-1 district is primarily characterized by one- and two-story industrial buildings and open uses. In addition, there are three- and some four-story residential buildings. There are many vacant or underutilized parcels in the M1-1 district. The existing M1-1 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses, and commercial uses. New residential use is not permitted within the M1-1 district. The maximum floor area ratio ("FAR") for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area. In M1-1 districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required

R7A/C2-4

There are R7A/C2-4 zoning districts mapped to the north and south of the Project Area generally along the north side of Atlantic Avenue, Fulton Street, and Vanderbilt Avenues. These areas are Inclusionary Housing Designated Areas ("IHDA"), along Atlantic Avenue only, where the Inclusionary Housing program provides zoning incentives for the creation and preservation of affordable housing in conjunction with new development. R7A is a contextual district that allows for new medium-density residential development and community facilities. R7A districts allow for residential development up to 4.6 FAR in Inclusionary Housing Designated Areas and MIH Areas with a maximum base FAR of 3.45, and community facility uses up to 4.0 FAR. The building form requires a street wall of 40 to 75 feet, a setback above the maximum base height, and a maximum building height of up to 95 feet for Inclusionary Housing buildings with a qualifying ground floor. R7A districts require off-street parking for 50 percent of the dwelling units in a building, with an exemption from parking for income-restricted units within the Transit Zone. The C2-4 commercial overlay permits Use Groups 5 through 9 and 14, allowing commercial development with up to 2.0 FAR. The C2-4 overlay requires one accessory parking space

per 1,000 sq. ft. of commercial floor area for general retail or service uses.

R7A/C1-4

There is an existing R7A/C1-4 zoning district located southwest of the Project Area, south of Pacific Street and mapped on the frontages along Vanderbilt Avenue. The C1-4 commercial overlay is mapped along streets that serve local retail needs. The maximum permitted FAR is 2.0. The C1-4 overlay requires one accessory parking space per 1,000 sq. ft. of commercial floor area for general retail or service uses.

R6B

To the south of the Project Area is an R6B zoning district mapped generally Pacific and Dean Streets. The R6B zoning district permits residential uses with a maximum FAR of 2.0, a minimum streetwall height of 30 feet, a maximum streetwall height of 40 feet, and a maximum building height of 50 feet. R6B districts require off-street parking for 50 percent of the dwelling units in a building, with an exemption from parking for income-restricted units within the Transit Zone. The Quality Housing program is mandatory for residential developments.

R6A/C2-4

There is an existing R6A zoning district to the west that is mapped generally along Washington Avenue from Atlantic Avenue. R6A districts are medium-density contextual districts that permit residential and community facility uses. R6A districts allow a maximum FAR of 3.0 for residential and community facility uses (up to 3.6 for residential uses with Inclusionary Housing in designated areas). Bulk regulations for R6A districts require a base height between 40 feet and 65 feet and have a maximum total height limit of 75 feet for Quality Housing buildings with qualifying ground floors (up to 85 feet with Inclusionary Housing in designated areas). R6A districts require off-street parking for 50 percent of the dwelling units in a building, with an exemption from parking for income-restricted units within the Transit Zone.

R9/C2-5

There is an existing R9/C2-5 zoning district located to the northwest of the Project Area and was mapped pursuant to the recent 809 Atlantic Avenue Rezoning (C 190071 ZMK). R9 zoning districts are generally mapped along major thoroughfares and where new buildings can be developed under height factor regulations or the optional Quality Housing regulations (in R9 districts, these Quality Housing regulations are the same as the R9A regulations). Most R9 height factor buildings are developed pursuant to the tower rules, which are applicable only in the city's higher-density areas and in commercial districts with an R9 residential district equivalent. C2-5 districts are commercial overlays mapped within residential districts. They are mapped along streets that serve local retail needs and are found primarily in lower- and medium-density areas and occasionally in higher-density districts. C2 districts permit a slightly wider range of uses – in mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When mapped with the R9 zoning district, the maximum commercial FAR is 2.0.

C6-3A

There is an existing C6-3A zoning district located to the northwest of the Project Area on the block bounded by Atlantic Avenue, Fulton Street, Claremont Avenue, and Vanderbilt Avenue. The district mapped pursuant to the 470 Vanderbilt Avenue Rezoning (C 090441 ZMK). C6-3A zoning districts are contextual districts with maximum building heights that allow towers above a building base – special rules determine the tower's height and articulation. C6 districts generally permit a wide range of high-bulk commercial uses requiring a central location. C6-3A zoning districts have maximum permitted FAR of 6.0 (R9A equivalent).

Public Transportation

There are numerous public transportation options for bus and subway service near the Project Area. The B45 line runs east/west along Atlantic Avenue, the B65 runs east/west along Dean Street, the B69 runs north/south along Vanderbilt Avenue and the B45 runs north/south along Washington Avenue. The Clinton-Washington Avenue subway station with A and C line service one block north of the Project Area at the intersection of Clinton Avenue and Fulton Street. Additionally, the Project Area is located approximately three to five blocks east of Flatbush Avenue which serves the 2, 3, 4, 5, B, and Q subway lines. The Long Island Rail Road Atlantic Terminal train station is located four blocks west of the Project Area and provides commuter rail connections for the Babylon, Far Rockaway, Hempstead, Long Beach, and City Zone lines, which run east into Long Island and west to Pennsylvania Station in Manhattan.

Other Zoning Designations

As noted above, there are Inclusionary Housing Designated Areas mapped to the north of the Project Area along Atlantic Avenue and Fulton Street.

The Project Area and surrounding area are located within a FRESH-eligible program area for zoning and discretionary tax incentives. In addition, the Project Area is located within the Transit Zone pursuant to ZR Appendix G, where reduced parking requirements apply to developments with income-restricted housing units.

4. Description of the Proposed Project Area

The Project Area (Block 1122, Lots 11, 12, 14, 15, 16, 21, 26 and p/o 10) is located in the Prospect Heights neighborhood within Brooklyn Community District 8. The Project Area is near the borders of Community District 2, which has its district boundary running along Atlantic Avenue, Vanderbilt Avenue and Pacific Street to the west. The Project Area has approximately 350 feet of total frontage along Atlantic Avenue and approximately 35,100 sq. ft. of aggregate lot area.

The Development Site

The Development Site (Block 1122, Lots 26 and 21; 870-888 Atlantic Avenue) is controlled by the Applicant and is approximately 20,000 sq. ft. with approximately 200 feet of frontage along Atlantic Avenue and a depth of 100 feet. There are three existing curb cuts measuring at 19’-5”, 14’-5” and 16’-7”.

Block 1122, Lot 26 is an approximately 2,000- sq. ft. lot unimproved lot used for parking.

Block 1122, Lot 21 is an approximately 18,000- sq. ft. lot improved with six attached two-story mixed-use buildings with ground floor retail uses with six dwelling units above.

Non-Applicant Controlled Sites

Block 1122, Lot 10 (856 Atlantic Avenue) is an approximately 2,400- sq. ft. lot and contains a three-story mixed-use building with a ground floor restaurant and two residential units above. Only the eastern 18 feet of Lot 10 would be rezoned under the instant proposal.

Block 1122, Lot 11 (858 Atlantic Avenue) is an approximately 2,700- sq. ft. lot and contains a one-story automotive repair and sales garage. There is one curb cut at this site.

Block 1122, Lot 12 (860 Atlantic Avenue) is an approximately 4,000- sq. ft. lot and contains a four-story mixed-use building with a ground floor hardware store and seven residential units above.

Block 1122, Lot 14 (864 Atlantic Avenue) is an approximately 2,000- sq. ft. lot and contains a one-story warehouse building with an accessory parking lot on adjacent Lots 15 and 16.

Block 1122, Lot 15 (866 Atlantic Avenue) is an approximately 2,000- sq. ft. lot and is used as an accessory parking lot for adjacent Lot 14.

Block 1122, Lot 16 (868 Atlantic Avenue) is an approximately 2,000- sq. ft. lot and is used as an accessory parking lot for Lot 14.

5. Description of Proposed Development Site

The proposed Development Site is located at 870-888 Atlantic Avenue and consists of two tax lots (Block 1122, Lots 26 and 21) totaling approximately 20,000 sq. ft. of lot area. The Development Site has approximately 200 feet of frontage along Atlantic Avenue and is 100 feet deep. Atlantic Avenue is 120-foot wide, wide street. Lot 21 is approximately 18,000 sq. ft. and contains six attached two-story mixed-use buildings with ground floor retail uses and six residential dwelling units above. A used car dealership is also located on the western portion of Lot 21. Lot 26 is an approximately 2,000- sq. ft. unimproved lot currently used for parking.

6. Description of the Proposed Development

The proposed development is a new seventeen-story mixed residential, commercial and community facility building with approximately 170,000 sq. ft. of zoning floor area (8.5 FAR), 228 dwelling units, including approximately 69 permanently affordable units and local retail. The existing buildings at the Proposed Development Site will be demolished. The proposed building has a height of 175’-0” with a base height of 95’-0” feet. The proposed building would contain approximately 14,500 sq. ft. of commercial floor area on the ground floor and approximately 155,500 sq. ft. of residential floor area with 228 dwelling units. Approximately 5,500 gross sq. ft. of community facility space (currently contemplated as medical offices) is proposed in the cellar level. The proposed building would contain 40 parking spaces, which is less than the required 86 spaces. The applicant will be seeking a special permit to waive 46 spaces. The parking will be accessed by a new curb cut measuring 13-feet wide. The existing curb cuts at the Proposed Development Site will not be retained.

7. Actions Necessary to Facilitate the Project

The following actions are necessary to facilitate the proposed project:

1. a zoning map amendment to change the existing M1-1 zoning district to a C6-3A zoning district;
2. a text amendment of Zoning Resolution (“ZR”) Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 8, Brooklyn, to establish a Mandatory Inclusionary Housing (“MIH”) Area with Option 2 and the Workforce Option to provide maximum flexibility;
3. a text amendment to modify ZR Section 35-66 to require a minimum 20-foot sidewalk along Atlantic Avenue and;
4. a special permit pursuant to ZR Section 74-533 to reduce the number of required accessory parking spaces.

<u>Proposed Zoning Map Amendment</u>

The Project Area, which is on blocks primarily characterized by vacant uses or open parking, is ideally suited to support growth for the Prospect Heights neighborhood. It is in close proximity to existing residential districts and to public transit. There are numerous public transportation options for bus and subway service near the Project Area including the Franklin Avenue subway station with C and S line service located at the intersection of Fulton Street and Franklin Avenue to the northeast of the Project Area, the 2, 3, 4, 5, B, and Q subway lines to the south of the Project Area, and four bus lines.

The Project Area is mapped with an M1-1 zoning district that does not permit residential development. The proposed rezoning would bring the two existing residential buildings on Lots 10 and 12 into conformance. The existing M1-1 district has a low maximum FAR and high parking requirement, which do not provide an incentive for new conforming development. The proposed rezoning would encourage reinvestment in the Prospect Heights Neighborhood. The Project Area and surrounding area within the M1-1 district are underutilized and present an opportunity for new

mixed-use growth. The proposed C6-3A district is a high-density contextual district that would permit residential development at a maximum FAR of 8.5 for developments with a permanent affordable housing set aside pursuant to the MIH program.

Mapping the proposed C6-3A district would further the City's goals by promoting development on underutilized property proximate to an existing residential community and public transit that is undergoing a substantial rise in the price of housing related to an inadequate supply of housing to meet the current demand. C6-3A zoning districts promote new contextual mixed-use development along transit corridors. The Proposed Project Area is underutilized and would benefit from the development of mixed-use buildings, as Atlantic Avenue is a commercial thoroughfare.

The proposed rezoning would provide new opportunities for affordable and market-rate housing development in an area experiencing population growth. Approximately 50 additional developments are expected to be completed within ½ mile of the Project Area within the next five years. Many of these sites are redevelopments of underutilized sites or renovations of existing buildings to improve the housing stock. The Pacific Park project located to the west of the Project Area introduces mixed-use development of similar or greater density than would be allowed by the proposed C6-3A zoning district on the south side of Atlantic Avenue. The proposed C6-3A district would act as a continuation of this trend from Pacific Park, while stepping down to the lower zoning districts permitted further to the east of the Project Area. The Project Area is underdeveloped in relation to the Surrounding Area. The built context of the south side of Atlantic Avenue is denser than the north side of at Atlantic Avenue and can support the proposed density. The Project Area is underdeveloped in relation to the Surrounding Area. The C6-3A rezoning in the Project Area would encourage development and generate more affordable housing and appropriate uses for the neighborhood.

According to the 2014-2018 ACS Profile, total population grew by 13.4 percent in the local Census Tract encompassing the Project Area, Brooklyn 203. The proposed development would add 228 new housing units to help meet the demand. Additionally, approximately 67-69 permanently affordable housing units would be added in a neighborhood where the cost of housing has been rising rapidly. According to the Furman Center's State of New York City's Housing and Neighborhoods in 2018, median monthly rent in Community District 8 has risen from $1,080 in the year 2006 to $1,400 in 2018 as the demand for housing has placed upward pressure on the supply of housing. It reports median asking rents were substantially higher at $2,570 in 2018 having risen rapidly from $1,870 in 2018.[1] The proposed rezoning would thus promote the development of new medium-density housing with active ground floor commercial uses to serve the neighborhood, provide jobs, and enliven the Atlantic Avenue streetscape.

Mandatory Inclusionary Housing Area Text Amendment

The proposed text amendment of ZR Appendix F is necessary to establish an MIH Area, which would require new developments to set aside 25-30 percent of the residential floor area for affordable housing. MIH Option 2 requires an affordable housing set aside of 30 percent of the residential floor area at an average of 80 percent AMI. The Workforce Option requires an affordable housing set aside of 30 percent of the residential floor area with a weighted average of all income bands not exceeding 115 percent of the AMI. No income band shall exceed 135 percent of AMI and there shall be no more than four income bands. The Applicant seeks the Workforce Option for the Development Site, resulting in approximately 69 permanently affordable units, but the applicant will seek additional input from Brooklyn Community Board 8 and the Council Member regarding the level of affordability for the Proposed Development. The proposed affordable housing set asides would ensure that development within the Project Area would address the critical need for new affordable housing in Brooklyn Community District 8. The proposed MIH Area would address the City's Housing New York: A Five-Borough, Ten-Year Plan goals by increasing affordable housing to help ensure the community remains economically diverse in the face of increasing pressure for market-rate development.

Furthermore, new affordable housing is a critical need in Brooklyn Community District 8, where nearly half of the households are rent burdened. According to the U.S. Census Bureau, American Community Survey 2011-15 Five Year Estimates for Public Use Microdata Area (PUMA) 4006

[1] State of the City 2019: Crown Heights/Prospect Heights BK08
https://furmancenter.org/neighborhoods/view/crown-heights-prospect-heights

(which approximates Brooklyn Community District 8), 42.9 percent of households spend 35 percent or more of their income on rent.

Text Amendment: ZR Section 35-66
The proposed text amendment to ZR § 35-66 will ensure that sidewalks along Atlantic Avenue are a minimum of 20-feet wide. The proposed text amendment will permit that zoning lots with frontage along Atlantic Avenue in C6-3A zoning districts in Brooklyn Community District 8, comply with the street wall provisions of ZR § 35-651(a). The proposed Development will provide a 20-foot sidewalk.

Special Permit for Required Accessory Parking Reduction
The proposed special permit pursuant to ZR § 74-533 is necessary to provide a partial waiver of the 86 required parking spaces, reducing the total to 40 parking spaces for the non-income-restricted units at the Proposed Development Site. Without the proposed special permit, the required spaces would need to be provided, which would be both prohibitively costly. Furthermore, the Project Area is well served by public transportation with multiple options for subway and bus service. The proposed waiver of 46 parking spaces would facilitate the creation of income-restricted housing units by allowing the proposed development to concentrate available financial resources on the production of affordable housing rather than parking. The proposed waiver in parking significantly contributes to the financial feasibility of the project.

Collectively, the proposed land use actions would facilitate the development of a mixed-use building with approximately 228 dwelling units, of which 69 are to be permanently affordable. The proposed actions represent an opportunity to pioneer transit-oriented, mixed-use development of both affordable housing and job-generating space, that is appropriate for the surrounding neighborhood and consistent with community and citywide goals. The proposed actions would encourage investment in the neighborhood and promote opportunities for workers to live in the vicinity of new jobs. The proposed actions will enhance the vitality and character of the neighborhood.

8. Conclusion

The Applicant proposes a zoning map amendment to map a C6-3A zoning district in the Project Area currently zoned as M1-1, a zoning text amendment to establish the Project Area as an MIH Area, a zoning text amendment to modify ZR Section 35-66 to permit a minimum 20-foot sidewalk along Atlantic Avenue, and a special permit pursuant to ZR Section 74-533 to reduce the number of required accessory parking spaces. The proposed actions would facilitate mixed-use development in the Prospect Heights neighborhood within Brooklyn Community District 8. The proposed development would create approximately 228 new dwelling units, with approximately 69 permanently affordable units, community facility space and new local retail for the neighborhood. The proposed rezoning would provide increased opportunities for housing development on underutilized sites, including mandatory affordable housing and non-residential use. The MIH program ensures that new development within the Project Area would address the need for housing that serves low-income levels. These actions would be consistent with the City's goals of strengthening neighborhoods, expanding housing, including affordable housing, and employment in transit accessible areas while respecting the character of surrounding residential communities.