2300 CROPSEY AVENUE REZONING
2230, 2300 AND 2340 CROPSEY AVENUE, BROOKLYN
June 28, 2020

1. INTRODUCTION

The applicant, Cropsey Partners LLC, seeks a zoning map amendment to rezone property located at 2230, 2300 and 2340 Cropsey Avenue (Block 6471, Lot 109 & p/o Lot 13 and Block 6925, p/o Lot 55) (the "Proposed Rezoning Area"), in the Gravesend neighborhood of Brooklyn Community District 11, by mapping a C2-4 overlay over the existing R6 zoning district. The proposed zoning map amendment will permit commercial use within an otherwise as-of-right residential and community facility building at 2300 Cropsey Avenue (Block 6471, Lot 109), on a zoning lot consisting of Block 6471, Lot 109 and Block 6925, Lot 55 (the "Proposed Development Site").

2. BACKGROUND

The Proposed Development Site was originally zoned as an R5 zoning district in 1961 and was rezoned to the current R6 zoning district on December 20, 1962.

The Proposed Rezoning Area has been subject to the following previous City Planning Commission (the "CPC") actions:

(1) C 880274 MMK: an application that de-mapped Bay 32nd Street between Cropsey Avenue and the Shore Parkway service road on Block 6471, Lot 13, which was approved by the CPC on February 15, 1989;

(2) C 960007 ZSK: an application for a special permit pursuant to Section 74-90 of the Zoning Resolution to permit the development of a seven-story 240-bed nursing home (Haym Solomon) on Block 6471, Lot 109 and Block 6471, Lot 55, which was approved the CPC on March 27, 1996;

(3) N 970277 ZCK: an application for Certification by the CPC to enlarge an existing nursing home (Sephardic Home for the Aged) on Block 6471, Lot 13, which was approved on May 20, 1997; and

(4) N 120087 ZCK: an application for Certification by the CPC to enlarge an existing nursing home (Haym Salomon Home for the Aged) on Block 6471, Lot 13, which was approved on December 12, 2011.

The area surrounding the Proposed Rezoning Area was subject to the Brooklyn Bay Center Rezoning (C 110047 ZMK, effective September 21, 2011), which rezoned 1752 Shore Parkway (Block 6491, Lots 207, 292 and 8900) from an M3-1 zoning district to an M1-1 zoning district to facilitate the development of a two-story commercial building within a Large-Scale General Development. The site of this rezoning is located approximately 350 feet south-east of the Proposed Rezoning Area and across from the Belt Parkway.

3. DESCRIPTION OF THE SURROUNDING AREA

The Proposed Rezoning Area is located in the Gravesend neighborhood of Brooklyn within Community District 11.

<u>Zoning</u>
The area within a 600-foot radius of the Proposed Rezoning Area (the "Surrounding Area") is zoned R6, R5, R5/C2-2, M3-1 and M1-1.

The Proposed Rezoning Area is centrally located within an R6 zoning district that runs generally north from 86th Street and Bay Parkway to Cropsey Avenue, and east towards Leif Ericson Drive. To the southeast of the Proposed Rezoning Area are M3-1 and M1-1 zoning districts, and to the northeast is an R5 zoning district.

R6 districts are non-contextual residential districts which permit medium-density residential buildings. Developers can choose between two sets of bulk regulations. Standard height factor regulations, introduced in 1961, produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood. Buildings developed pursuant to height factor regulations are often tall buildings set back from the street and surrounded by open space and on-site parking. The FAR in R6 districts ranges from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories. There are no height limits for height factor buildings, although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off-street parking is required for 70% of a building's dwelling units or can be waived if five or fewer spaces are required. However, requirements are lower for income-restricted housing units ("IRHU") and are further modified within the Transit Zone. The optional Quality Housing regulations produce high lot coverage buildings set at or near the street line. For buildings on or within 100 feet of a wide street, the maximum FAR is 3.0, the maximum base height before setback is 60 feet with a maximum building height of 70 feet. On a narrow street, the maximum FAR is 2.2, the maximum base height before setback is 45 feet with a maximum building height of 55 feet. Off-street parking is required for 50% of all dwelling units or can be waived if five or fewer spaces are required. However, requirements are lower for IRHU and are further modified within the Transit Zone.

R5 districts allow for a variety of housing, typically three- and four-story attached houses and small apartment houses, with a maximum permitted FAR of 1.25. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods. The maximum street wall height and the maximum building height is 40 feet. A setback of 15 feet is required from the street wall of the building above a height of 30 feet. In addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of five feet. Semi-detached houses need one eight-foot-wide side yard. Apartment houses need two side yards, each at least eight feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon. Parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85% of the dwelling units in the building, but requirements are lower for IRHU and are further modified within the Transit Zone.

C2-2 districts are commercial overlay districts mapped within residential neighborhoods along streets that serve local retail needs. Typical retail uses include neighborhood 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. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When commercial overlays are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

M3-1 zoning districts are designated for areas with heavy industries that generate noise, traffic, or pollutants. M3-1 districts permit a 2.0 FAR for industrial uses and limited commercial uses with a 60'-0" maximum base height. Parking requirements vary per use and may be waived if fewer than 15 spaces are required. Within M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards (i.e. noise, vibration, smoke, odor and other effects of industrial uses listed in Use Groups 17 and 18). The general built form of this district includes one- and two-story industrial buildings. In M3-1 districts, nearly all industrial uses are permitted if they meet the stringent performance standards.

M1-1 zoning districts are manufacturing districts which permit light industrial uses, including woodworking shops, repair shops, and wholesale service and storage facilities. All permitted industrial uses must meet M1 performance standards. Within an M1-1 district, the maximum permitted FAR is 1.0 for industrial and commercial uses and 2.4 for certain community facility uses.

Land Uses and Prevailing Built Form

Land use within the 600-ft. Surrounding Area includes community facility, multi-family walk-up and elevator buildings, one- and two-family buildings, mixed-use commercial and residential buildings, commercial buildings, and industrial buildings. Built form in the area varies widely, with low-, mid-, and high-rise multi-family buildings, mid- and high-rise community facility buildings, and low-rise commercial buildings. Buildings range from 2 to 18 stories in height.

Commercial and manufacturing uses are generally located to the south of the Belt Parkway (approximately 300 ft. wide parkway) and Shore Parkway (approximately 310 ft. wide. Parkway). The Caesar's Bay Shopping Center, an approximately 970,000 sq. ft. shopping center with parking, is located at 1608 Shore Parkway (Block 691, Lot 11) and contains a Best Buy, Kohl's, Modell's and an Olive Garden. A BJ's Wholesale Club, an approximately 259,823 sq. ft. building, is located at 1752 Shore Parkway (Block 6491, Lot 207). An approximately 100,396 sq. ft. self-storage facility is located at 1728 Shore Parkway (Block 6491, Lot 190) and a motel is located at 1730 Shore Parkway (Block 6491, Lot 180).

Community Facilities are located to the east and west of the Proposed Rezoning Area. The Haym Salomon Home for Nursing & Rehabilitation, a 7-story, approximately 134,400 sq. ft. nursing home, is located within the Development Site (Block 6925, Lot 55). The King David Center for Nursing and Rehabilitation, an approximately 9-story 120,618 sq. ft. nursing home is located at 2266 Cropsey Avenue (Block 6471, 13) within the Proposed Rezoning Area. The Regina Pacis Senior Living Center, an approximately 18-story, 132,209 sq. ft. senior living facility, is located at 2424 Cropsey Avenue (Block 6927, Lot 60). Adjacent to the Surrounding Area are the I.S. 281 Joseph B. Cavallaro Middle School, an approximately 153,313 sq. ft. school located at 8781 Cropsey Avenue (Block 6891, Lot 1) and the 17,424 sq. ft. Association for Children with Mental Retardation located at 2425 Harway Avenue (Block 6892, Lot 7).

Residential buildings are generally located to the north and east of the Surrounding Area. The residential built form ranges from one-family houses to multi-family apartments. Mixed residential and commercial uses are generally located on Bath Avenue.

Shore Parkway is improved with several recreational parks, marinas and water activities. The Bensonhurst and Shore Parkway Parks (cumulatively, approximately 738,500 square feet of parkland) are located approximately 0.2 miles northwest of the Proposed Rezoning Area along Cropsey Avenue and Shore Parkway. The Calvert Vaux, including the Verrazano Sports Complex, contains approximately 3,200,300 square feet of parkland and is located approximately 1 mile south of the Proposed Rezoning Area along Shore Parkway.

The Proposed Rezoning Area and Surrounding Area are within the Coastal Zone and the Flood Zone

Mass Transit and Transportation

The Proposed Rezoning Area is located within a Transit Zone and is well served by mass transit. The MTA Bay Parkway and 25th Avenue stations (serving the D line) are located along 86th Street, each approximately 0.5 miles east of the Proposed Rezoning Area. The Proposed Rezoning Area is also served by the following bus lines (1) the B6 (Bath Beach – East New York, with stops in Bensonhurst, Midwood, Flatbush, and Canarsie) along Cropsey Avenue, with a stop located across from the Proposed Rezoning Area at the corner of 23rd Avenue, (2) the B64 (Bay Ridge – Coney Island, with stops in Dyker Heights, Bensonhurst, and Gravesend) along Bath Avenue, with a stop located north of the Proposed Rezoning Area, (3) the B82 (Coney Island – Spring Creek Towers, with stops in Bensonhurst, Midwood, Canarsie, and East New York) along Cropsey Avenue, with a stop located across from the Proposed Rezoning Area at the corner of 23rd Avenue, (4) the B82-SBS (Coney Island – Spring Creek Towers) along Cropsey Avenue, with a stop located south of the Proposed Rezoning Area at the corner of 37th Street, (5) the X28 (Sea Gate / Bensonhurst – Manhattan Express) along Cropsey Avenue, with a stop located across from the Proposed Rezoning Area at the corner of 23rd Avenue, and (6) the X38 (Sea Gate / Bensonhurst – Midtown Manhattan Express) along Cropsey Avenue, with a stop located across from the Proposed Rezoning Area at the corner of 23rd Avenue.

The Shore Parkway Greenway – Verrazano Narrows bicycle path is a dedicated greenway that runs north – south from Bay Ridge, through Fort Hamilton and the Verrazano Bridge, terminating at the Shore Parkway Park, just northwest of the Proposed Rezoning Area. Once terminated, the bike path feeds into bike routes along Bay Parkway, Shore Parkway, Bay 35th Street, Bath Avenue and Cropsey Avenue.

The Belt Parkway (New York State Route 907C) runs just south of the Proposed Rezoning Area and provides for vehicular access. The Belt Parkway is approximately 25 miles and runs east – west along the periphery of Brooklyn into Queens, eventually merging into the Cross Island and Southern State Parkways which serve Long Island to the east.

4.DESCRIPTION OF THE PROPOSED REZONING AREA ANDDEVELOPMENT SITE

The Proposed Rezoning Area consists of 2230, 2300 and 2340 Cropsey Avenue. The Rezoning Area includes approximately 3 lots (Block 6471, Lot 109 and p/o Lot 13 and Block 6928, p/o Lot 55) in the Gravesend neighborhood of Brooklyn Community District 11. The Development Site consists of Block 6471, Lot 109 and Block 6928, Lot 55, as both lots consist of one zoning lot. However, only Block 6471, Lot 109 is owned by the Applicant and is subject to the new development. As noted above, Block 6928, Lot 55 is improved with a nursing home pursuant to a CPC special permit. The Proposed Rezoning Area is zoned R6, which permits a residential FARs of 3.0 for a Quality Housing building within 100 feet of a wide street, 2.2 for a Quality Housing building beyond 100 feet of a wide street and 2.36 for a Height Factor building. The R6 zoning district also permits a community facility FAR of 4.8 and an FAR of 3.9 for buildings including Affordable Independent Residences for Seniors (AIRS).

2230 Cropsey Avenue (Block 6471, Lot 13) has approximately 236 feet of frontage along Cropsey Avenue (approximately 83,388 square feet of lot area) and is improved with a nine-story, 120,618 square-foot (1.45 FAR) community facility nursing home building (King David Center for Nursing and Rehabilitation). The lot has one curb cut along Cropsey Avenue leading to a parking area. Lot 13 is located within the exiting R6 zoning district. Only a small portion of the lot is located within the Proposed Rezoning Area.

2300 Cropsey Avenue (Block 6471, Lot 109), the Proposed Development Site, has approximately 220.5 feet of frontage along Cropsey Avenue and approximately 236 feet of frontage along Leif Ericson Drive. Lot 109 has approximately 45,688 square feet of lot area. The lot is located approximately 415 feet from the intersection formed by Cropsey Avenue and Bay 35th Street, and approximately 650 feet from the intersection formed by Cropsey Avenue and Bay Parkway. This lot is currently under construction for an as-of-right community facility and residential building. The lot is part of a merged zoning lot with Lot 55. Lot 109 is located within the exiting R6 zoning district.

2340 Cropsey Avenue (Block 6925, Lot 55), the Proposed Development Site, has approximately 205 feet of frontage along Cropsey Avenue and approximately 173 feet of frontage along Leif Ericson Drive. Lot 55 has approximately 37,928 square feet of lot area and is improved with a seven-story, 134,400 square- foot (3.4 FAR) community facility building (Haym Salomon Nursing and Rehabilitation Center) . The lot has two curb cuts along Cropsey Avenue. One curb cut leads to a parking area, and one leads to parking and access through to Leif Ericson Drive. The lot is part of a merged zoning lot with Lot 109. Lot 55 is located within the exiting R6 zoning district.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed rezoning will facilitate commercial use within the ground floor of a new twenty-three-story plus cellar mixed use (Use Group 2, 4 and 6) building with approximately 239,424 square feet of floor area (4.38 FAR) at the Proposed Development Site. The sole effect of the proposed rezoning action would be to permit commercial uses at the Proposed Development Site, as the bulk of the proposed building is permitted as-of-right.

The proposed new building would contain a total of approximately 165,198 square feet of residential zoning floor area (154 residential units), approximately 38,999 square feet of community facility zoning floor area for an ambulatory diagnostic facility, and approximately

35,227 square feet of commercial zoning floor area, currently contemplated as a supermarket and local retail use. The building would contain 234 enclosed parking spaces (100 spaces in the cellar level and 134 spaces on the second floor).

6. ACTION NECESSARY TO FACILITATE THE PROPOSED DEVELOPMENT

The Applicant seeks to rezone a portion (Block 6471, Lot 1095, & p/o Lot 55) of the Development Site from an R6 zoning district to an R6A/C2-4 zoning district that would permit local commercial and service uses along Cropsey Avenue, a 120-ft. wide street. C2-4 districts are commercial overlays mapped within residential neighborhoods along streets that serve local retail needs. The proposed C2-4 zoning over the Proposed Development Site would permit commercial use at this important transit-served location, where neighborhood residents would expect to find needed commercial services such as a supermarket and local retail. While there are small mixed commercial and residential buildings located on a few blocks along Bath Avenue, these stores cannot provide all necessities for the surrounding residential and community facilities. The local retail stores are limited to smaller existing floor plates. As noted above, there are at least four nursing home and senior living facilities located within the Surrounding Area. Mapping the commercial overlay would permit the Applicant to build a supermarket or local food store to serve the seniors and the employees who work at these facilities. The proposed commercial uses would be in walking distance of these facilities and provide more necessities, as the footprint of the Development Site can support larger developments, such as a supermarket. The Surrounding Area serves several nursing homes with an increasingly aging population. Given the restraints and limited mobilities of this vulnerable demographic, it is vital the Surrounding Area provides more convenient and accessible commercial services and local commerce.

A small strip of property at 2230 Cropsey Avenue (Block 6471, Lot 13) will also be rezoned from R6 to R6/C2-4 mainly for the purpose of regularizing the zoning district line and would have minimal impact on this property.

7. CONCLUSION

As discussed above, Cropsey Partners LLC, seeks a zoning map amendment to rezone 2230, 2300 and 2340 Cropsey Avenue (Block 6471, Lot 109 and p/o Lot 13 and Block 6928, p/o Lot 55), in the Gravesend neighborhood of Brooklyn within Community District 11, from an R6 zoning district to an R6 zoning district with a C2-4 overlay. The proposed zoning map amendment will permit commercial use within an otherwise as-of- right residential building.