Project Description (LR Item 3)

Project ID: 2021K0194

2118 Avenue U

May 2023

I. Introduction

2118 Avenue U, LLC (the "Applicant") seeks a zoning map and zoning text amendment to facilitate a new mixed-use development in the Sheepshead Bay section of Brooklyn Community District 15. The proposal seeks a zoning map amendment to amend a series of properties (Block 7354, Lots 1, 8, 11, 71, 72 and portions of Lots 13 and 70; the "Project Area") from R4/C1-3 to R4 and R6A/C2-4. In addition, a text amendment would be sought to make the Project Area applicable to the Mandatory Inclusionary Housing (MIH) program (the "Proposed Actions").

The Proposed Actions would facilitate the redevelopment of Block 7354, Lot 8 (the "Development Site"), that occupies the southwest corner of East 22nd Street and Avenue U, with a new 4-story plus penthouse mixed use building to contain 20,820 square feet or 3.41 FAR with 10 dwelling units ("the Proposed Development"). The ground floor would contain 4,800 square feet of commercial retail space and the cellar would provide 10 total off-street parking spaces. Of the proposed 10 dwelling units, 3 dwelling units would be made affordable under MIH Option 1.

The Development Site is under the Applicant's control. The remaining sites within the Project Area are under separate ownership and are not proposed for redevelopment or anticipated to be materially affected by the Proposed Actions.

2. Background

The Project Area has been zoned R4/C1-3 since the adoption of the 1961 Zoning Resolution.

The area to the west of the Project Area was amended in 2006 under the Homecrest Rezoning (C 060129 ZMK) to R6A and R7A with C1-3 overlays. The rezoning aimed to reinforce Kings highway and parts of Ocean Avenue to provide residential development options on wide streets with existing apartment buildings and side streets near the subway station. The rezoning amended a 70-block area bounded by Coney Island Avenue to the west, Kings Highway to the north, Ocean Avenue to the East and Avenue S to the south. The rezoning amended R6, C4-2, C1-2, C1-3, C2-2 and C2-3 commercial overlay districts to R4-1, R5B, R7A, C4-4A, and C2-3 districts.

There are no other land use actions in the last ten years within 1,000 feet of the proposed Project Area.

3. Description of the Surrounding Area

The Project Area is in the Sheepshead Bay neighborhood of Brooklyn Community District #15 at the southwest corner of East 22nd Street and Avenue U. Avenue U is an 80-foot wide, mixed-use arterial from Marine Park to Stillwell Avenue that is mapped with 80 feet in width ('wide' in the ZR). East 22nd Street is located immediately to the north of the Project Area and is mapped 60 feet in width ('narrow' in the ZR).

While Avenue U is a mixed-use arterial with several uses present, the surrounding area is predominantly residential extending east and west of the avenue – with the uses and built-form corresponding to underlying zoning districts. Avenue U is developed with a mix of older one and two-story residential, commercial and mixed-use buildings in combination with several pre-war apartment buildings that predate the underlying zoning. An example of this is near Avenue U and Ocean Avenue which contains a 6-story apartment building constructed in 1946. Additional newer mid-rise buildings with 7-stories were constructed at 2511 Ocean Avenue, pursuant to the Homecrest Rezoning, immediately to the north of Avenue U. There is a variety of commercial and retail uses present along Avenue U including bakeries, physical culture establishments, professional and medical offices, banks, markets, and other neighborhood services.

The Project Area itself is predominantly zoned R4 with C1-3 overlay, in a district that extends to the north from Avenue R to Sheepshead Bay Road, east to Marine Park and west to Stryker Avenue. The area to the west is zoned R6A and R7A with C1-3 overlays, which were mapped under the Homecrest Rezoning. The C1-3 overlay in the R4, R6A and R7A districts are mapped along both sides of Avenue U extending approximately 150 feet deep. The C1-3 overlay extends to the west to Coney Island Avenue and to the east to Bedford Avenue. Further north is the Madison subsection of Sheepshead Bay neighborhood, where the area is zoned R3-2. The area to the southeast of the Project Area is zoned R5, on the eastern side of Nostrand Avenue.

As mentioned, the Project Area is currently located in a R4/C1-3 district. The R4 district primarily permits contextual 2- to 3-story residential builds at a maximum FAR of 0.75, with an attic allowance of 20%. Front yards of 10 feet and rear yards of 30 feet are required with side yards of at least 8 feet. The maximum building height is 35 feet and one parking space is required per dwelling unit. The C1-3 district permits a commercial FAR of 1.0 when mapped in a R4 district and allows local neighborhood retail and services (Use Group 6). Most commercial uses in C1-3 districts require one off-street parking per 400 square feet of space, with the requirement waived where less than 25 spaces are required. The C1-3 district is currently measured at a depth of 150 feet, measured from Avenue U.

The increasingly mid-rise area to the west is mapped with R6A and R7A districts, resulting from the Homecrest Rezoning. These districts permit 7- and 8-story mixed-use buildings. R7A districts are contextual districts with a maximum FAR of 4.0. Above a base height of 40 to 65 feet, or 75 feet if providing a qualifying ground floor, the building must set back at a depth of 10 feet along a wide street and 15 feet along a narrow street before rising to a maximum height of 80 feet or 85 feet if providing a qualifying ground floor. Off-street parking is generally required for 50% of the building's dwelling units. The R6A zoning district is a contextual district with a maximum residential FAR of 3.0. Quality Housing regulations are mandatory in this district. Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet. Off-street parking is required for 50% of a building's dwelling units or can be waived if five or fewer spaces are required.

In addition to mixed-use residential and commercial uses, community facility uses are also present. Notable community facility uses in the area include Congregation Pri Eitz Chaim (Block 7352 Lot 27) which is located southwest of the Development Site at the midblock of Ocean Avenue between Avenue U and Avenue V, St. Edmund Roman Catholic Church and Elementary and Preparatory High School (block 7324 Lots 1 and10) located northwest of the site along Avenue T between East 19ht Street and Ocean Avenue. Additionally, PS 206 (Block 7381 Lot 201) which is one block southeast north of the Development site along the intersection of Avenue V and Gravesend Neck Road between East 22nd and East 23rd Streets.

In terms of open space, to located 0.3 of a mile south and east of the Development Site located at between East 24th Street and Bedford Avenue and Bound by the north Gravesend Neck Road and Avenue V to the South is Galapo Playground.

The Project Area is served by New York City Transit (NYCT) subway service, with the Q Station at Avenue U and East 16th Street five blocks to the west (0.3 miles). In addition to subway service, the Project Area is also well served by NYCT bus service. The B3, B49 and BM3 buses make stops near the Project Area. The B3 provides service between Bensonhurst and Bergen Beach, the B49 provides service via Ocean Avenue from Bedford-Stuvesant to Manhattan Beach and Kingsboro Community college. The BM3 bus provides express service between Sheepshead Bay/Gerritsen Beach and Midtown Manhattan.

4. Description of the Proposed Project Area

The proposed Project Area consists of the Development Site (Block 7354, Lot 8), which is discussed in greater detail below, as well as Block 7354, Lots 1, 11, 71, 72 and portions of Lots 13 and 70. These six lots are not under Applicant control. The Project Area fronts Avenue U, East 21st Street and East 22nd Street and extends 150 feet from Avenue U, which is entirely in the R4/C1-3 district.

Block 7354, Lot 1 (2177 East 21st Street) is a corner lot that contains 14,000 square feet of lot area and approximately 140 feet of frontage along Avenue U and 100 feet on frontage along East 21st Street. The parcel is improved with a four-story walk-up, mixed used commercial and residential use (constructed in 1926) that comprises 46,000 square feet or approximately 3.29 FAR.

Block 7354, Lot 11 (2130 East 22nd Street) is an interior lot that contains 3,000 square feet of lot area and approximately 30 feet of frontage along East 22nd Street. The parcel is improved with a two-story two-family home built in 1920 containing of 2,572 square feet (0.86 FAR).

Block 7354, Lot 13 (2134 East 22nd Street) is an interior lot that contains 3,000 square feet of lot area and approximately 30 feet of frontage along East 22nd Street. The parcel is improved with a two-story two-family home built in 1920 containing of 2,320 square feet (0.77 FAR). A majority of this lot would be affected by the Proposed Actions.

Block 7354, Lot 70 (2193 East 21st Street) is an interior lot that contains 2,000 square feet of lot area and approximately 20 feet of frontage along East 21st Street. The parcel is improved with a two-story residence (constructed in 1920) that comprises of 1,568 square feet or approximately .78 FAR. A majority of this lot would be affected by the Proposed Actions.

Block 7354, Lot 71 (2191 East 21st Street) is an interior lot that contains 2,000 square feet of lot area and approximately 20 feet of frontage along East 21st Street. The parcel is improved with a two-story residence (constructed in 1920) that comprises of 1,568 square feet or approximately .78 FAR.

Block 7354, Lot 72 (2189 East 21st Street) is an interior lot that contains 2,000 square feet of lot area and approximately 20 feet of frontage along East 21st Street. The parcel is improved with a two-story residence (constructed in 1920) that comprises of 1,568 square feet or approximately .78 FAR.

5. Description of Proposed Development Site

The Development Site consists of a single rectangular tax and zoning lot (Block 7354, Lot 8) located at the intersection of Avenue U and East 22nd Street. Avenue U is classified as a 'wide' street in the Zoning Resolution (ZR) with 80 feet in mapped width, while East 22nd Street is classified as a 'narrow' street with 60 feet in mapped width.

The lot contains approximately 60 feet of frontage along Avenue U and 100 feet of frontage along East 22nd Street for a total lot area of approximately 6,000 square feet.

The Premises is currently improved with a single-story commercial building with approximately 5,500 square feet (0.92 FAR). The building currently contains a vacant retail space and accessory office space.

6. Description of Proposed Development

The Proposed Actions would facilitate the development of a new 4-story (plus penthouse) mixed-use (commercial-residential) building with 20,450 square feet of floor area (approximately 3.41 FAR), including ground-floor commercial space and 10 residential units. These would preliminarily consist of 6 two-bedrooms and 4 three-bedrooms, of which at least 3 would comprise of affordable units under MIH.

The building would have a base height of 45 feet rising to 4 stories along Avenue U and East 22nd Street and a 16-foot setback above the fourth floor with a maximum building height of 55 feet. Accessory parking would be provided via a 12-foot curb cut along East 22nd Street, with the northern edge of the driveway approximately 88 feet from Avenue U and East 22nd Street intersection. The cellar level would provide a voluntary residential parking requirement is only 10 spaces, where less than 15 spaces are waived.

The first floor will contain a residential lobby, commercial area, and ramp down to the cellar providing 10 parking spaces. The second through fifth floors will contain a mix of two-bedroom (6) and three-bedroom apartments (4).

7. Actions Necessary to Facilitate the Project

The Proposed Actions consist of a zoning map amendment as well as a zoning text amendment. The proposed zoning map amendment would create a new R6A/C2-4 zoning district mapped over the northern block front of Block 7354 at a depth of 100 feet from Avenue U. The proposed zoning map amendment would also reduce the depth of the commercial overlay from 150 feet to 100 feet.

The R6A zoning district is a contextual district with a maximum residential FAR of 3.0 and 3.6 FAR when mapped with MIH. Quality Housing regulations are mandatory in this district. Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet. Parking is required for 50% of all dwelling units. C2-4 district under permits a commercial FAR of 2.0 FAR with the required provision of income-restricted dwelling units. Accessory parking for commercial uses is required for one space for every 1,000 square feet and is waived where under 40 spaces are

required. R6A districts are typically mapped along wide streets and are designed to produce Quality Housing buildings that are seven or eight stories tall.

The proposed new R6A/C2-4 district would facilitate an increased but appropriate density level near transit for an area fronting a wide roadway (Avenue U) Q Station at Avenue U and East 16th Street five blocks to the west. The Project Area is a block away from the intersection of Ocean Avenue, the area's principal north-south thoroughfare and the Q Station at Avenue U and East 16th Street is five blocks to the west. In terms of scale, what is proposed would be consistent with recent and historical developments within the surrounding area. An example is near Avenue U and Ocean Avenue which contains a 6-story apartment building constructed in 1946. Additional newer mid-rise buildings with 7-stories were constructed at 2511 Ocean Avenue, pursuant to the Homecrest Rezoning, immediately to the north of Avenue U

The proposed R6A/C2-4 district would complement the character of the surrounding area, where pre-existing mid-rise apartment buildings are in proximity. Examples include an older five-story apartment building in the Project Area, as well as numerous 6- and 7-story apartment buildings one block to the west along Ocean Avenue. Additionally, the proposed R6A/C2-4 district would reduce the noncompliant status of the four-story apartment building located within the Project Area. The parcel at 2177 East 21st Street is a corner lot improved with a four-story walk-up, mixed-used commercial and residential use (constructed in 1926) that comprises 46,000 square feet or approximately 3.29 FAR. In addition, the depth of the commercial overlay would be reduced on this block to 100 feet from 150 feet, thereby limiting the expansion of commercial uses onto residential side streets of East 21st and East 22nd Streets.

The proposed new C2-4 overlay variant would reduce the required amount of parking spaces for accessory commercial uses compared to the existing C1-3, consistent with access to mass transit with the Q Train located nearby at Avenue U and East 16th Street. Moreover, the C2-4 district would increase the range of permitted neighborhood commercial uses from Use Group 6 to Use Groups 7-9 & 14, consistent with a neighborhood arterial. Given the size of the commercial space, no off-street accessory parking would be required.

The Proposed Actions would also include a zoning text amendment to Appendix F of the Zoning Resolution ("ZR") to make the Project Area applicable as a Mandatory Inclusionary Housing Area (MIH) area and would be mapped as Options 1 and 2, which would require either 25% of the proposed new residential floor area to be made affordable to incomes averaging 60% AMI (Option 1) or 30% of the proposed new residential floor area to be made affordable to incomes averaging 80% AMI (Option 2). The Proposed Development would comply with Option 2 of the program with 3 dwelling units (30% of the proposed residential floor area) affordable for incomes averaging 80% AMI. The required zoning text amendment to make the Project Area applicable as an MIH area would also generate at least 3 permanently affordable dwelling units for incomes averaging 80% AMI, a recognized need in all areas of the city. Furthermore, should any new residential

redevelopment occur on the remainder of the properties in the Project Area, affordable dwelling units would be required.

In summary, the Proposed Actions would result in an appropriate amount of new contextual density along a wide and heavily trafficked commercial thoroughfare with access to mass transit, consistent with the Homecrest Rezoning, and would increase the permitted capacity for housing and commercial space in this area. This would include income-restricted dwelling units, as well as an active use along Avenue U, to maintain pedestrian vibrancy with commercial retail or office space to support the surrounding residential community. This would also permit new office space for building residents or the surrounding community, where office space is now desired in closer proximity to residential areas. Last, the increased new density would require Quality Housing regulations with contextual density, improving the urban design of this intersection, when compared to the existing development (a single-story commercial building) under the R4/C1-3 district.

8. Conclusion

The Proposed Actions would create a new mid-rise contextual residential zoning district with commercial overlay along a wide roadway near the regional corridors of Ocean Avenue and Kings Highway, in proximity to mass transit. As the existing zoning constrains new development in this area, the R6A/C2-4 district is proposed, which will permit contextual mixed-use development along with ground-floor commercial space. This new commercial space would provide services for the surrounding community and is mapped at a reduced depth of 100 feet (from 150 feet), to prevent commercial uses from encroaching onto residential side streets. In addition to a new mid-rise district, the Project Area would be made applicable to MIH and result in new income-restricted dwelling units. Therefore, the Proposed Actions would be appropriate for this area and would facilitate the full and productive use of this segment of Avenue U.