Project Description
2950 West 24th Street Rezoning
Community District 13, Brooklyn
March 2025

1. INTRODUCTION

Ocean Towers Partners LLC (the "Applicant") requests the following actions (the "Proposed Actions") with respect to Block 7055, Lot 13, within Brooklyn Community District 13 (the "Development Site" and "Project Area"):

1. Zoning map amendments to change: (1) an existing R6/C1-2 zoning district to an R6 district (reducing the depth of the C1-2 overlay from 150 ft. to 100 ft.); (2) an existing R6 zoning district to an R7-3 zoning district; and (3) an existing R6 district to an R7-3/C2-4 zoning district;

2. A zoning text amendment to the Zoning Resolution ("ZR") to amend Appendix F: Mandatory Inclusionary Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 13 to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") Area, with MIH Options 1 and 2;

3. A special permit pursuant to ZR § 74-743 (Special provisions for bulk modifications) to locate the buildings within a Large-Scale General Development ("LSGD") at the Development Site without regard to height and setback, distribution of bulk, and minimum distance between wall and windows; and

4. A special permit pursuant to ZR § 75-42 to waive all required accessory parking spaces.

The Proposed Actions will facilitate the development of a new 18-story, approximately 334,297 sq. ft. mixed residential, community facility, and commercial building at the Development Site ("Proposed Development"). The Proposed Development will be located along the West 25th Street frontage of the Development Site. An existing 19-story, approximately 367,163 sq. ft. residential building at the Development Site will remain (the "Existing Building"). In total, the Development Site would contain approximately 701,460 sq. ft. of floor area. The Proposed Development will contain up to 410 new income-restricted dwelling units, for a total of 770 dwelling units at the Development Site. The Proposed Development will also include approximately 7,782 sq. ft. of commercial uses (currently contemplated as a supermarket) and approximately 10,898 sq. ft. of community facility use.

2. BACKGROUND

The Project Area is bounded by Mermaid Avenue to the north, West 24th Street to the east, Surf Avenue to the south, and West 25th Street to the west. The Project Area is comprised of Block 7055, Lot 13 and is located in R6 and R6/C1-2 zoning districts. The Development Site is coterminous with the Project Area and has a lot area of approximately 3.53 acres (approximately

153,580 sq. ft.). The Project Area was zoned R5 and R5/C1-2 at the time of the adoption of the Zoning Resolution in 1961. In 1970, the underlying zoning district was rezoned to R6 as part of the Housing and Development Administration's Coney Island Neighborhood Development Plan to redevelop the Surrounding Area with low- and middle-income housing, as well as accessory shopping (CP 21386, effective December 3, 1970).

In 2009, a portion of a Block 7051 (located two blocks west of the Project Area) was rezoned as part of the Coney Island Commons rezoning application (C 090250 ZMK, effective May 20, 2009). The application sought a rezoning from an R6 district to an R7-2 district to facilitate the development of a 41,181 sq. ft. community center and 188 affordable housing units.

In 2009, the Surrounding Area was rezoned as part of the Coney Island Comprehensive Plan (C 090272 ZMK, effective July 29, 2009) to mid-density and higher-density zoning districts with special subdistrict regulations. DCP and other city agencies developed a comprehensive plan that established a framework for the revitalization of the Coney Island amusement area and surrounding blocks. The plan covered 19 blocks bounded by the New York Aquarium to the east, West 24th Street to the west, Mermaid Avenue to the north, and Riegelmann Boardwalk to the south. The plan provided new housing opportunities, including affordable housing and neighborhood services. Specifically, the plan sought to foster the redevelopment of vacant and underutilized land and create a vibrant pedestrian environment with Surf Avenue serving as the core retail and entertainment avenue.

In 2018, a portion of Block 7011, located to the northwest of the Project Area was rezoned as part of the Sea Park North Rezoning (C 170240 ZMK, effective March 22, 2018) from an R5 zoning district to R6, R6A and R7A/C2-4 zoning districts to permit the development of two contiguous eight-story buildings.

A regulatory agreement with the New York City Housing and Preservation and Development ("HPD") was recorded against the Development Site in 2013 and indicates that the Existing Building is subject to a 32-year (from 2013) requirement to follow rent stabilization guidelines. (CFRN 2015000244942). The Applicant is in conversations with HPD regarding the amendment to the regulatory agreement to permit the construction of the Proposed Development.

3. DESCRIPTION OF THE SURROUNDING AREA

The area within 600 feet of the Project Area (the "Surrounding Area") is comprised of the Coney Island – Sea Gate neighborhood of Brooklyn Community District 13. The land uses within the Surrounding Area include a wide range of low-rise and taller multi-family residential buildings, commercial uses, community facility space, and industrial uses. The Surrounding Area is primarily residential with multifamily towers located on the midblock and smaller 2-3- story mixed-residential and commercial buildings located to the north on Mermaid Avenue. The residential lots to the east and west of the Development Site are developed similarly to the Development Site itself, with large "tower-in-the-park" style developments featuring high-rise buildings on open, landscaped plots of land. South of the Development Site is a mixture of tower-in-the-park residential development, transportation / utility uses (including a NYC Parks storage facility and administration building), and community facility uses such as: a middle school (P.S. 288), nursing

and rehabilitation centers, and a police precinct. Further south of the Surrounding Area is the Coney Island Beach and Boardwalk. Public basketball courts are located to the northwest of the Project Area.

Transportation and Accessibility.

The Surrounding Area includes two east-west thoroughfares: Mermaid Avenue (80-ft. wide street) and Surf Avenue (120-ft. wide street). The Project Area is located within walking distance (approximately 10 blocks) of the Coney Island-Stillwell Avenue station for the D train (with a connection to the Bronx via Brooklyn and Manhattan), the F train (with a connection to Queens via Brooklyn and Manhattan), the N train (with a connection to Queens via Brooklyn and Manhattan), and the Q train (with a connection to Manhattan via Brooklyn). There are also numerous bus stops located near the Project Area. These bus lines include the: B74 (Sea Gate – Stillwell Avenue) with a stop located approximately 2 blocks from the Development Site, B36 (Sheepshead Bay to Coney Island) with a stop located approximately 1.5 blocks from the Development Site, and both X28 and X38 (both express buses from Sea Gate, Bensonhurst and Manhattan) with a stop located approximately 1.5 blocks from the Development Site.

Zoning.

Zoning in the Surrounding Area is comprised of a mixture of residential and commercial zoning districts, with commercial overlay zones mapped along Mermaid Avenue. Zoning districts within the Surrounding Area include: R6, R6/C1-2, and R5 zoning districts.

R5
R5 zoning districts are mapped to the north of Mermaid Avenue and to the south of Surf Avenue. R5 zoning districts are non-contextual districts that typically produce three-and four-story attached houses and small apartment houses and provide a transition between lower- and higher-density neighborhoods. The maximum FAR for standard zoning lots is 1.5, and a maximum FAR of 2.00 for qualifying residential sites ("QRS"). R5 districts have a maximum base height limit of 35 feet, and a maximum building height limit of 45 feet (or 45 and 55, respectively for QRS). At height not higher than the maximum base height, a setback must be provided at depth of at least 10 feet fronting a wide street and at a depth of 15 feet fronting a narrow street. A minimum front yard of 10 feet is required. Detached houses must have two side yards, each with a minimum width of 5 feet, semi-detached houses need one 5-foot-wide side yard, and for all other residences, no side yards are required. For sites with a qualifying residential site, side yards are only required if the adjacent zoning lot has a side yard adjoining the subject zoning lot – in these instances, an open area with a minimum width of 5 feet is required. Required parking regulations will vary depending on the dwelling type, date of issued Certificate of Occupancy, and location within or beyond the Greater Transit Zone. Parking is required for 35% of the standard dwelling units within the Outer Transit Zone and 50% of the standard dwelling units beyond the Greater Transit Zone.

R6
R6 zoning districts are mapped to the east and west of the Project Area. R6 zoning districts permit residential uses with a maximum FAR of 2.20 or 3.90 with QRS, a minimum base height of 30

feet, a maximum base height of 45 feet, and a maximum building height of 85 feet. R6 zoning districts permit community facility uses at 4.8 FAR. R6 zoning districts typically enable four- to five-story apartment buildings and four-story attached buildings. For new developments or enlargements in the R6 zoning district and located within Outer Transit Zone, parking is required for 25% per standard dwelling unit and 50% per standard dwelling unit beyond the Greater Transit Zone. The Quality Housing program is mandatory for residential developments.

C1-2 Commercial Overlay

C1-2 commercial overlay zoning districts are mapped within residence districts along streets that serve local retail needs. C1-2 generally permit use groups I, II, III, IV, VI, VII, and VIII. 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 R6 through R10 zoning districts, the maximum commercial FAR is 2.0. Parking requirements depend on the specific use.

Other Zoning Designations

The Project Area is located within a FRESH zone for both zoning and tax incentives. The FRESH program encourages development of healthy and affordable food options to communities. The Project Area is also located within a Coastal Zone and a Flood Zone and is subject to the NYC Waterfront Revitalization Program.

5. DESCRIPTION OF THE PROJECT AREA AND DEVELOPMENT SITE.

The Project Area is bounded by Mermaid Avenue, West 24th Street to the east, Surf Avenue to the south, and West 25th Street to the west. It is comprised of Block 7055, Lot 13. The northern portion of the Project Area is located within an R6/C1-2 zoning district and the remainder of the lot within an R6 zoning district. The Project Area is comprised of the entirety of the Development Site. Overall, the Development Site has a lot area of approximately 3.53 acres, or approximately 153,580 sq. ft.

The eastern portion of the Development Site is currently improved with the Existing Building, an approximately 367,163 sq. ft. (2.39 FAR), 19-story multifamily residential building, approximately built in 1972, with 360 income-restricted dwelling units. A surface parking lot with 160 spaces is located adjacent to the residential building on the north end of the Development Site and is accessed by one curb cut along West 24th Street. Pursuant to its Certificate of Occupancy, only 117 accessory parking spaces are required for the Existing Building. The western half of the Development Site is undeveloped and landscaped. This portion of the Development Site is gated and not accessible.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant proposes the redevelopment of part of the Development Site with a vibrant mix of residential, community facility, and commercial uses targeted at creating a sustainable, affordable neighborhood. Overall, the Proposed Development would locate a new building at the

Development Site, while maintaining the Existing Building. The Existing Building consists of 360 income-restricted dwelling units which will remain.

The Proposed Development will be a new 18-story (185 ft. tall), approximately 334,297 sq. ft. mixed residential, community facility, and commercial building at the Development Site. The Proposed Development will be located along the West 25th Street frontage of the Development Site. The Proposed Building will consist of approximately 334,297 sq. ft. (2.18 FAR) of residential floor area, approximately 10,898 sq. ft. (0.07 FAR) of community facility floor area, and 7,782 sq. ft. (0.05 FAR) of commercial floor area (currently contemplated as a supermarket). The Proposed Development will contain up to 410 income-restricted dwelling units. In total, the Proposed Development would include 701,460 sq. ft. (4.57 FAR) of floor area and 770 dwelling units. The tallest portion of the building (18-stories) will be located on the Surf Avenue frontage and step down towards Mermaid Avenue. A new curb cut will be proposed along the West 25th Street frontage and would provide access to the existing parking lot at the Development Site. The parking lot's capacity would be reduced to 143 spaces due to landscaping improvements. The Proposed Development also includes an active and passive recreation area, including playground facilities, landscaping, benches, and other amenities accessible to residents (*See* U-003).

6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The Applicant proposes the following actions:

1. Zoning map amendments to change: (1) an existing R6/C1-2 zoning district to an R6 district (reducing the depth of the C1-2 overlay from 150 ft. to 100 ft.); (2) an existing R6 zoning district to an R7-3 zoning district; and (3) an existing R6 district to an R7-3/C2-4 zoning district;

2. A zoning text amendment to the Zoning Resolution ("ZR") to amend Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Brooklyn Community District 13 to designate the Project Area as an MIH Area, with MIH Options 1 and 2;

3. A special permit pursuant to ZR § 74-743 (Special provisions for bulk modifications) to locate the buildings within a large-scale general development at the Development Site without regard to height and setback, distribution of bulk, and minimum distance between wall and windows; and

4. A zoning special permit pursuant to ZR § 74-52 to waive the required accessory parking spaces for the Proposed Development.

<u>Zoning Map Amendments to rezone portions of Block 7055, Lot 13.</u>
The Proposed Development requires an amendment to Zoning Map 28d to rezone the Project Area which is currently zoned R6 and R6/C1-2. The applicant proposes to change: (1) an existing R6/C1-2 zoning district to an R6 district (reducing the depth of the C1-2 overlay from 150 ft. to 100 ft.); (2) an existing R6 zoning district to an R7-3 zoning district; and (3) an existing R6 district

to an R7-3/C2-4 zoning district. The proposed zoning map amendment will permit a greater density that will be more consistent with the character of the neighborhood with buildings exceeding 17 stories. The Existing Building, at 19 stories, is a legal non-complying building and exceeds the permitted height within the existing zoning districts. R7-3 zoning districts permit residential and community facility uses. Qualifying Affordable Housing within R7-3 districts permit a maximum FAR of 6.0. Within 100 feet of a wide street, the minimum base height is 60 feet, the maximum base height is 105 feet, and the maximum building height is 185 feet. The maximum lot coverage is 50 percent for large lots. The C2-4 commercial overlay would be mapped for a depth of 100 feet from Surf Avenue. The commercial overlay would complement the existing C2-4 commercial overlay already mapped along Surf Avenue to the east.

The proposed R7-3 zoning district reflects the built context of the Development Site and the Surrounding Area. 17-story buildings are located within the Surrounding Area both to the east and west of the Project Area. The Project Area is an appropriate location for residential development on an underutilized lot. The Proposed Development is directly in line with city policies such as Housing Our Neighbors: A Blueprint for Housing and Homelessness as it will replace inaccessible open space on a lot that has been historically underutilized with needed residential and income restricted housing units. The Proposed Development is also in line with the Coney Island Neighborhood Plan which stressed the preservation of affordable housing, promoting new affordable housing and rezoning land to support residential growth. The proposed rezoning would serve and improve the neighborhood.

The subject block (Block 7055) is characterized by four different land use patterns: (1) Mermaid Avenue is improved with three-story attached buildings with retail on the ground floor and residential above, (2) a parking lot accessory to the Existing Building along West 24th Street which extends approximately 335 feet further south from Mermaid Avenue, (3) the Existing Building (19-stories) along West 24th Street, and (4) undeveloped land along West 25th Street. The immediate area is dominated by high-rise buildings. Within two blocks of the site, there are 5 existing buildings of 16-stories or more and 6 buildings of 11-16 stories. The building sections step up.

An R7-3 district is an appropriate zoning district for the block maximizing housing opportunities in a configuration that is contextual with the Existing Building on the zoning lot and with the aforementioned nearby high-rises. An R7-3 district has already been mapped in Coney Island for the 21-story Ocean Drive development at Coney Island's western edge very near to Sea Gate. The proposed site is approximately 2,400 feet east of the Ocean Towers site and approximately one-half of a mile closer to the nearest subway (Stillwell Avenue Subway Stop) than the existing R7-3 district. The R7-3 would be mapped south of a line 300 feet from Mermaid Avenue. This would leave a 300-foot deep R6 district measured from Mermaid Avenue that would better reflect the existing context (three-story commercial and residential buildings and open parking) than the higher-density R7-3.

Since the commercial use along Mermaid Avenue is limited to 100 feet in depth, the Applicant seeks a zoning map amendment to reduce the depth of the existing C1-2 commercial overlay to a depth of 100 feet as well. A C2-4 commercial overlay is proposed for the Surf Avenue frontage to a depth of 125 feet from Surf Avenue. The 125 foot-depth for the C2-4 district would allow

sufficient commercial depth to accommodate the contemplated supermarket. A C2-4 overlay offers more choice for potential commercial tenants. C2-4 districts have been mapped repeatedly by the City in Coney Island in recent years including the Coney rezoning, on bother Mermaid and Neptune Avenues between West 28th and West 29th Street and in conjunction with the mapping of the R7-3 district for the Ocean Drive development at West 35th and West 36th Streets.

The increase in density from an R6 zoning district will facilitate the development of greatly needed affordable housing in Brooklyn Community District 13. At this density, the applicant will be able to construct 410 new income-restricted housing units. The Proposed Development will further the goals of the City's Housing Our Neighbors: A Blueprint for Housing and Homelessness, which include: (1) accelerating and increasing capacity for new housing supply citywide, (2) increasing access to transit and amenities for low-income New Yorkers, and (3) meeting the housing needs for seniors and people with disabilities. The new affordable units will be subject to a regulatory agreement with HPD which will require that these units remain permanently affordable.

According to the 2020 Decennial Census ACS Profile, total population in Brooklyn Community District 13 grew by 4.5% in the past ten years. While population has grown, there has been a decrease in housing stock. According to the NYU Furman Center's report, there is a 1.6% vacancy rate of apartments within Community District 13. The proposed development would add 410 new affordable housing units to help meet area demand 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 2024, median monthly rent in Community District 13 has risen from $980 in the year 2006 to $1,450 in 2022, as the demand for housing has placed upward pressure on the supply of housing. The proposed project would increase opportunities for affordable housing and introduce income-restricted units into the housing stock, helping alleviate market pressures in a neighborhood.

The proposed project is consistent with the City's goals to affirmatively further fair housing by developing approximately 410 new income-restricted dwelling units. In addition to creating new housing on the project site, the proposed actions would also maintain the existing residential building, which contains approximately 360 rent stabilized units. The proposed project would develop accessible, equitable housing opportunities for residents with varying income levels.

Zoning Text Amendment to ZR Appendix F: Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas for Community District 13

The Applicant seeks to amend the boundaries of the MIH map in Appendix F of the Zoning Resolution, to designate the Project Area for both MIH Options 1 and 2. MIH Option 1 requires an affordable housing set aside of 25 percent of the residential floor area at an average of 60 percent of AMI, with 10 percent at 40 percent AMI. 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 applicant will seek additional input from Brooklyn Community Board 13 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 13. The proposed MIH Area would

address the City's Housing Our Neighbors: A Blueprint for Housing and Homelessness 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 housing is a critical need in Brooklyn Community District 13, where 33.4% of households are severely rent-burdened.[1]

ZR § 74-743 Special Permit to modify certain bulk provisions for the proposed LSGD.
The proposed LSGD will allow the proposed building to be designed with varying heights and street wall locations. New commercial and community facility space will bring needed services to neighborhood residents and will enliven Surf Avenue.

With the proposed LSGD, the following modifications are requested to allow for the design of the Proposed Development:

- ZR § 23-432 to allow variable base heights over 105 feet (a maximum base height of 105 feet is permitted);
- ZR § 23-371 to permit a 30 ft. window to wall distance (40 ft. minimum is required); and
- ZR § 23-22 to permit a redistribution of bulk from R6 to R7-3 districts within the same zoning lot.

The above modifications will contribute to a better site plan that will knit together the Project Area and foster a better relationship among the proposed buildings and the adjacent streets. Development on the site is currently constrained by the Existing Building and the parking lot at the Development Site. Granting the waivers will greatly enhance the design of the building and will permit the creation of additional affordable units that would otherwise be prohibited. The waivers will permit innovative design elements which will contribute to a sustainable living environmental for tenants. The proposed LSGD will benefit both the occupants of the LSGD and the surrounding neighborhood.

Special Permit for Required Accessory Parking Reduction
The proposed special permit pursuant to ZR § 74-52 is necessary to provide a full waiver of the 167 required parking spaces at the Proposed Development Site. Without the proposed special permit, the required spaces would be both prohibitively costly and would cause a reduction in the number of dwelling units. Furthermore, the Project Area is well served by public transportation with multiple options for subway and bus service. The proposed waiver 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 parking waiver significantly contributes to the financial feasibility of the project.

[1] Furman Center – Coney Island Neighborhood Indicators https://furmancenter.org/neighborhoods/view/coney-island

7. CONCLUSION

As discussed above, the Applicant proposes a series of land use actions to facilitate the development of a new mixed-use building within Brooklyn Community District 13. The Proposed Development will enhance the streetscape on West 25th Street and provide more sustainable development by creating approximately 410 new income-restricted residential dwelling units. The proposed actions are directly in line with the City's goals of providing more affordable housing and enlivening streetscapes with local retail.