7502 New Utrecht Avenue

April 2026

1. INTRODUCTION

7502 Property Inc. (the "Applicant") proposes a Zoning Map Amendment and Zoning Text Amendment (the "Proposed Actions") to develop a mixed-use building on property located at Block 6225, Lots 11, 12, 13, 14, 17, 21, 22, 23, 24, 25, 28 & Portions of Lots 8, 29, 30, 31 & 32 in the Borough of Brooklyn (the "Project Area") in the Bensonhurst area of Brooklyn Community District 11.

1. Zoning Map Amendment

The proposed zoning map amendment seeks the following:

- Zoning map amendment from R5/C2-2 to C4-4D
- Zoning map amendment from R5/C2-2 to R5

2. Zoning Text Amendment

- The proposed zoning text amendment seeks to amend Appendix F of the Zoning Resolution of the City of New York ("ZR") to establish the Project Area as a Mandatory Inclusionary Housing Area ("MIH").

The Proposed Actions would facilitate a new 12-story building at Block 6225, Lot 17 (the "Development Site") that would include 66,508 square feet of space (7.15 FAR), including 54 dwelling units and rise to a maximum height of 129.5 feet. The first two floors would provide approximately 14,921 square feet in commercial space (1.6 FAR). The proposed 54 dwelling units would provide at least 14 affordable units under Option 1 of MIH (25% for incomes averaging 60% AMI) or 17 affordable units under Option 2 of the program (30% for incomes averaging 80% AMI). 15 off-street parking spaces for commercial use are proposed.

2. BACKGROUND

At the inception of the 1961 Zoning Resolution (ZR), the Project Area was zoned R5/C2-2, which remains until the present time.

The area's larger zoning has also remained with few updates since 1961. The area three avenues to the west, at 14th Avenue, was amended in March of 2007 as part of the Dyker Heights/Fort Hamilton Rezoning (C 070387 ZMK). The 2007 Dyker Heights and Fort Hamilton Rezoning covered roughly 160 blocks in Brooklyn's Community District 10, aiming to preserve the neighborhood's low-rise, suburban character. The rezoning replaced R3-1, R4, and R5 zoning districts with more restrictive contextual districts such as R3A, R3X, R4-1, R4B, and R5B, which better matched the existing one- and two-family housing stock. Along commercial corridors like Fort Hamilton Parkway, 11th and 13th Avenues, and 86th Street, new C4-2A and R6B districts were mapped to allow moderate-density, mixed-use development consistent with the surrounding built form. The changes were designed to curb the demolition of detached homes for out-of-scale row houses or apartment buildings. This initiative was part of a broader citywide rezoning trend during the PlaNYC era, in which the Department of City Planning undertook neighborhood-specific rezonings to manage growth, maintain scale, and guide development in a way that respected established community patterns.

Subsequently in 2023, three blocks north, along 7120 New Utrecht Avenue, a rezoning was approved that amended the same underlying R5/C2-2 district to C4-4L and map a Mandatory Inclusionary Housing (MIH) area, facilitating a new mixed-use building with up to 115 feet in height at a maximum of 5.01 FAR (MIH). 7120 New Utrecht Avenue is located adjacent to the 71st Street D subway station and the C4-4L designation allows higher density, contextual mixed-use buildings near elevated transit while maintaining light and air at street level.

Most recently, the City of Yes for Housing Opportunity (CHO*)* text amendments were approved in December of 2024 (N 240290 ZRY). The text changes aim to facilitate the development of more housing across the city by creating floor area incentives and removing development barriers. As a result of this text amendment, Development Site was added to a new Outer Transit Zone (OTZ), which is part of a larger Greater Transit Zone. The OTZ reduces parking requirements in proximity to transit and waives qualifying affordable units. In addition, certain mid-rise districts were enhanced to permit additional floor area and height with the inclusion of qualifying affordable units, either under the Universal Affordable Program (UAP) or under MIH.

3. DESCRIPTION OF THE SURROUNDING AREA

The Project Area is located in Bensonhurst neighborhood in Brooklyn, in Community District 11, at the intersection of Bay Ridge Parkway and New Utrecht Avenue, both of which are 'wide' roadways in the Zoning Resolution (greater than 75 feet in mapped width) and are both notable neighborhood arterials. The surrounding area is defined as the 600-foot radius of the Project Area, or an area generally bound by 73rd Street in the north, 15th Avenue in the west, 78th Street in the south and 17th Avenue in the east. The surrounding area is primarily mixed in use and contains residential, commercial, community facility, transportation/utility and light industrial uses. The surrounding area is mapped with R5/C2-2, R5 and R4 zoning districts. The elevated rail right-of-way of the D Train travels along New Utrecht Avenue in this location.

Building typologies vary in density, use, and scale, reflecting the underlying mixed-use character of the surrounding area and New Utrecht Avenue as a large arterial thoroughfare. Building typologies range from two- to three-story mixed-use buildings with ground floor commercial, one and two-family homes, lower-rise multi-family residential buildings and industrial/commercial buildings between one- and four-stories, that include some transportation/utility uses. Mixed-use and commercial buildings are concentrated along New Utrecht Avenue, while purely residential uses are located along side streets, away from the arterial. Notable community facility use includes New Utrecht High School at 1601 80th Street at 17th Avenue and New Utrecht Avenue and P.S. 112 Lefferts Park Elementary School at 7115 15th Avenue. Adjacent P.S. 112 is a house of worship (Our Lady of Guadalupe Roman Catholic Church).

The only notable public open space in the surrounding area is Lt. Joseph Petrosino Park which is Department of Parks and Recreation (DPR) managed and operated facility that contains 0.87 acres of playground and active areas. Further south at 18th Avenue near New Utrecht Avenue is Milestone Park and Garibaldi Playground, two additional DPR-managed facilities. Milestone Park, between 81st and 82nd Streets on 18th Avenue. is a small triangular park of about 0.28 acres best known for housing New York City's oldest surviving milestone, a colonial-era navigation marker. In addition to its historical marker, the park offers benches, shaded seating areas, and landscaped plantings. Garibaldi Playground, just south between 82nd and 83rd Streets on 18th Avenue, spans roughly 0.86 acres and features children's play equipment, swings, spray showers, basketball courts, and seating areas.

As noted above, the Project Area is located in a R5/C2-2 district, which generally extends 150 feet from both sides of New Utrecht Avenue. Beyond that, the surrounding area located in a larger R5

zoning district. To the west, beyond 16th Avenue, is a large R4 district that extends west and south. As noted above, a C4-4L district was recent mapped along New Utrecht Avenue at 72nd Street.

The R5 district is a low-density general residence district that permits residential buildings up to 1.5 FAR and community facility buildings up to 2.0 FAR. For Qualifying Residential Sites up to 2.0 FAR is permitted for residential, where a lot size of more than 5,000 square feet is present, and the lot contains frontage along a wide street. The district primarily serves as a bridge between lower-density and higher-density residential districts. The maximum height of buildings within R5 districts is 45 feet for standard sites and up to 55 feet for Qualifying Residential Sites. In the Outer Transit Zone, parking is required for 35% of dwelling units and is waived below a requirement of 10 spaces. For Qualifying Residential Sites (QRS), the requirement is waived below 75 spaces. The R5/C2-2 district permits commercial uses at a maximum of 1.0 FAR and up to 2.5 FAR for a mixed-use building under QRS, where a lot size of more than 5,000 square feet is present, and the lot contains frontage along a wide street. The C2 district permits neighborhood retail and office uses (Use Groups VI and VII) on the ground floor of buildings where residential uses are provided above.

The R4 district is a general residence district that permits residential buildings at a maximum FAR of 1.0 and 1.5 FAR for Qualifying Residential Sites. Front yards of 10 feet and rear yards of 30 feet are required, with side yards between 5-8 feet, depending on the building configuration. The maximum building height is 35 feet and 45 feet for Qualifying Residential Sites. Inside the Outer Transit Zone, parking is required for 35% of dwelling units and is generally waived for Qualifying Residential Sites. Community facility uses are permitted up to 2.0 FAR.

The C4-4L zoning district, which has an R7A residential district equivalent, allows for buildings up to 5.01 under MIH and 4.0 FAR under commercial or community facility buildings. The bulk is generally controlled by the R7A equivalent, which permits a base height of 85 feet and a maximum height of 115 feet. Where the street wall height falls between the minimum and maximum base heights specified for the applicable district, the building shall provide a setback of at least 10 feet from any street wall facing a wide street, and at least 15 feet from any street wall facing a narrow street. The district is designed to complement adjacency to an elevated right-of-way and requires 5-foot sidewalk widenings to provide a larger setback from the rail and wider sidewalks to improve pedestrian conditions. In the Outer Transit Zone, parking is required for 15% of dwelling units, affordable units are waived, and the requirement is fully waived at 15 spaces and below. Commercial and community facility uses vary by use, with the requirement generally waived at 40 spaces and below.

As noted above, the surrounding area contains transit access and is located in the Outer Transit Zone. The elevated right-of-way of the D subway line runs along New Utrecht Avenue, which includes the D Train and offers two stops within several blocks of the property: one at 71st Street, and one at 79th Street. The B4 bus runs on Bay Ridge Parkway from Bay Ridge to Sheepshead Bay. The B8 operates on 18th Avenue between Bay Ridge and Remsen Village, while the B64 travels on 13th Avenue from Bay Ridge to Coney Island.

4. DESCRIPTION OF THE PROPOSED PROJECT AREA

The Project Area comprises Block 6225, Lots 11, 12, 13, 14, 17, 21, 22, 23, 24, 25, 28 and portions of Lots 8, 29, 30, 31 & 32. The Development Site comprises Lot 17 and is Applicant-owned and is discussed in greater detail below. The remaining properties are non-Applicant-owned and are not proposed to be materially affected by the Proposed Actions. These properties generally consist of mixed commercial and residential buildings. As noted above, the Project Area is zoned R5/C2-2, which extends 200 feet in depth from New Utrecht Avenue, which is mapped at 80 feet in width.

Lots 11-14 front Bay Ridge Parkway (100 feet wide) and consist of residences generally rising to two- or three-stories in height. Lot 11 (1614 Bay Ridge Parkway) is an interior lot that is improved with a two-story two-family residence with 2,178 square feet (1.24 FAR) and 1,750 square feet of lot area. Lot 12 (1616 Bay Ridge Parkway) is an interior lot that is improved with a two-story three-unit residence with 2,178 square feet (1.03 FAR) and 2,100 square feet of lot area. Lot 13 (1618 Bay Ridge Parkway) is an interior lot that is improved with a two-story three-unit residence with 2,178 square feet (1.03 FAR) and 2,100 square feet in lot area. Lot 14 (1620 Bay Ridge Parkway) is an interior lot that is improved with a two-story two-family residence with 2,178 square feet (1.06 FAR) and 2,050 square feet in lot area.

Lots 21-25 & 28 front 76th Street (60 feet wide) and primarily consist two- and three-story residences. Lot 21 (7502 New Utrecht Avenue) is a corner lot improved with a small two-story building that contains a house of worship in 1,485 square feet (1.99 FAR) on 743 square feet of lot area. Lot 22 (1637 76th Street) is a through lot improved with a three-story three-unit residence in 3,300 square feet (1.15 FAR) on a 2,853 square foot lot. Lot 23 (1633 76th Street) is an interior lot improved with a three-story three-unit residence in 3,300 square feet (1.73 FAR) on a 1,900 square-foot lot. Lot 24 (1631 76th Street) is an interior lot improved with a three-story three-unit residence in 3,300 square feet (1.73 FAR) on a 1,900 square-foot lot. Lot 25 (1627 76th Street) is an interior lot improved with a three-story three-unit residence in 3,300 square feet (1.17 FAR) on a 2,803 square-foot lot . Lot 28 (1623 76th Street) is an interior lot improved with a two-story

two-family residence in 1,560 square feet (0.65 FAR) on a 2,400 square-foot lot.

Small portions of the following properties (Lots 8, 29, 30, 31 & 32) are included in the Project Area and only comprise the areas zoned R5/C2-2.

Lot 8 (7501 16th Avenue) is a corner lot with 2,500 square feet of lot area and is improved with two-story mixed-use building containing 4,265 square feet (1.7 FAR). The building contains three residential units and a single commercial unit.

Lot 29 (1621 76th Street) is a 2,000 square-foot lot improved with a two-family residence with 1,200 square feet (0.60 FAR).

Lot 30 (1619 76th Street) is a 2,000 square-foot lot improved with a one-family residence with 2,466 square feet (1.23 FAR).

Lot 31 (1617 77th Street) is a 2,000 square-foot lot improved with a one-family residence with 1,200 square feet (0.60 FAR).

Lot 32 (1615 76th Street) is a 3,600 square-foot lot improved with a two-family residence with 2,216 square feet (0.62 FAR).

5. DESCRIPTION OF THE DEVELOPMENT SITE

The Development Site comprises a single zoning and tax lot on Block 6225, Lot 17 (7502 New Utrecht Avenue). It is a corner lot located at the southwest corner of New Utrecht Avenue (80 feet in width) and Bay Ridge Parkway (100 feet in width). The lot contains 9,302 square feet of lot area with 111 feet of frontage along New Utrecht Avenue and 68.5 feet of frontage along Bay Ridge Parkway. The site is currently improved with a 1-story plumbing supply store constructed in 1931, containing 5,385 square feet of floor area (0.65 FAR). The Development Site contains two curb cuts along New Utrecht Avenue near the southern lot line, each with approximately 20 feet in width. The sidewalks fronting New Utrecht Avenue contain 18 feet in width, while the sidewalks fronting Bay Ridge Parkway contain 25 feet in width.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Actions would facilitate a new 12-story mixed-use building with 66,508 square feet of space (7.15 FAR), including 54 dwelling units and rise to a maximum height of 129.5 feet at the tallest point, with a street wall height of 6-stories and 66.5 feet along New Utrecht and Bay Ridge Parkway (both wide streets) before setting back 10 feet. The street wall would begin approximately 18 feet away from the elevated right-of-way, with that area remaining as open sidewalk space. 25-foot sidewalks would be maintained along Bay Ridge Parkway. It should be noted the proposed building reaches its floor area potential without having to build to the maximum height of 14-stories.

The proposed 54 dwelling units would provide at least 14 affordable units under Option 1 of MIH (25% for incomes averaging 60% AMI) or 17 affordable units under Option 2 of the program (30% for incomes averaging 80% AMI).

The first two floors of the building would contain supporting commercial (or community facility) space in 14,921 square feet, which is currently envisioned as a supermarket. The commercial spaces would be accessible from a lobby along New Utrecht Avenue, while the residential units would be accessible from Bay Ridge Parkway. The parking would be accessible from a ramp located along Bay Ridge Parkway, with 15 off-street parking spaces for commercial use located in the cellar. These spaces would be made accessible with a new curb cut along Bay Ridge Parkway, with a ramp that extends into the cellar.

7. ACTION NECESSARY TO FACILITATE THE PROJECT

The Proposed Actions consist of a Zoning Map Amendment and Zoning Text Amendment. The proposed zoning map amendment would create a new C4-4D district that would be mapped along the entire block frontage of the west side of New Utrecht Avenue between Bay Ridge Parkway and 76th Street. The new district would be mapped at a depth of 150 feet and would extend that far along both Bay Ridge Parkway and 76th Street. This would encompass the Project Area, which includes the Development Site, while removing the C2-2 overlay from Lots 8, 29, 30, 31 & 32, which are generally developed with lower-rise one- and two-family residences.

A zoning text amendment would be sought that would make the Project Area applicable as a Mandatory Inclusionary Housing ("MIH") area under Options 1 and 2, which requires that at least 25% of the proposed new residential floor must be made affordable to incomes averaging 60% AMI and below (Option 1) – or at least 30% of the residential floor area averaging 80% AMI and below (Option 2). At this time, the Proposed Development would comply under Option 1, as outlined further below.

Zoning Map Amendment

The proposed zoning map amendment would rezone portions of an R5/C2-2 district to C4-4D. The C4-4D designation represents a contextual, regional commercial district that permits residential development at an R8A equivalent, as well as commercial and community facility uses. The district allows for a wider range of uses and provides sufficient height and the ability to set back from the elevated right-of-way. The district allows residential development up to 7.2 FAR under MIH and commercial and community facility uses up to 3.4 and 6.5 FAR, respectively. The district under MIH permits a base height of up to 105 feet and a max height of 145 feet. Above the base height, buildings would be required to set back 10 feet along a wide roadway and 15 feet along a narrow roadway feet. The C4-4D zoning districts requires off-street parking for 12% of dwelling units and qualifying affordable units are waived in the Outer Transit Zone. Commercial uses are generally required parking at one space per 1,000 square feet and the requirement is waived where under 40 spaces are required.

Brooklyn Community Board 11, which includes parts of Bensonhurst and Bath Beach, faces a significant shortage of housing production. Between 2010 and 2020, the area's population grew by approximately 9.3%, yet housing production only increased by 1.6% during that time. As a result, housing demand has far outpaced supply, leading to widespread rent burden. According to Census data, 58.4% of households in the district are rent-burdened (spending more than 30% of their income on rent), with 32.9% considered severely rent-burdened, meaning they spend more than 50% of their income on rent.

In response to these conditions, the Proposed Actions seek to map a C4-4D zoning district along the west side of New Utrecht Avenue and Bay Ridge Parkway, on a site with over 180 feet of combined frontage and located within a transit-rich corridor. The site is served by the D train, with stations located just blocks away at 71st Street and 79th Street, and lies at the intersection of two wide, heavily-trafficked corridors, making it well-suited for transit-oriented development.

The C4-4D district—an R8A-equivalent zoning designation—would permit medium-density mixed-use development with a maximum FAR of 7.2. This would significantly increase housing capacity compared to the current R5 zoning, which is intended for low-scale, walk-up residential buildings. The proposed district would support a development that not only rises above the adjacent elevated subway line but also makes productive use of an underutilized commercial property – and would continue to provide ground-floor commercial retail space to activate the street frontage. It should be noted, that although 14-stories are permitted in the C4-4D district, the Proposed Development maximizes floor area in 11-stories, keeping excess height in moderation for this intersection.

This proposal is also consistent with recent zoning actions in the area, including the approval of a C4-4L district at the intersection of 72nd Street and New Utrecht Avenue in August 2023, which permits up to 11-stories in height, following the adoption of CHO. That rezoning was ultimately approved based on an urgent need for new housing and strong population growth. It should be noted the CPC recognized this area of Council District 38 presents an opportunity for context-sensitive, mid-rise development on underutilized land in close proximity to transit and commercial corridors.

Given the compelling need for housing, the site's strategic location, and the consistency with nearby rezonings and land use principles, the proposed C4-4D district is a logical and appropriate update to zoning. It would enable balanced growth, support mixed-use development, and deliver a mix of market-rate and permanently affordable housing in a community where demand far exceeds supply.

Zoning Text Amendment

In tandem with the zoning map amendment, a zoning amendment is sought to Appendix F of the Zoning Resolution to include the Project Area as an MIH area in Brooklyn Community District 11. The applicant proposes mapping MIH Options 1 and 2 within the Project Area. Option 1 of MIH requires 25% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 60% AMI, with a minimum of 10% of housing to be affordable at 40% AMI. Option 2 requires 30% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 80% AMI. For the Proposed Development, the Applicant intends to utilize Option 1, which would provide 14 affordable units or approximately 25% of the Proposed Development's residential floor area. The MIH program would promote the creation of affordable housing units in close proximity to public transit, as the Development Site is located along the D Train station and in close proximity to bus transit, as noted above. These units would directly address the district's housing needs by expanding access for a diverse range of incomes in an area that currently lacks significant income-restricted housing stock.

8. CONCLUSION

The Proposed Actions would allow for an 12-story, mixed-use building with 54 residential units—including 14 units under Option 1—that will be permanently affordable per Mandatory Inclusionary Housing (MIH), plus ground-floor commercial space at New Utrecht Avenue and Bay Ridge Parkway, a transit-rich area. By mapping a C4-4D district, the project would replace a lower-density R5 zoning with a medium-density, mixed-use designation that can accommodate greater housing capacity, allow setbacks and sidewalk widenings to buffer the elevated rail line, and activate the street frontage through new commercial uses. The proposed scale is consistent with other recent rezonings in the area, including a nearby C4-4L district approved in 2023, while remaining below the maximum permitted height for the district at 12-stories, where 14-stories would be permitted. The design balances density and context, using its location at the intersection of two wide corridors to support a high-quality, transit-oriented project that delivers a mix of unit sizes and types.

In the context of Brooklyn Community Board 11's acute housing shortage, where population growth has far outpaced the creation of new units and nearly 60 percent of households are rent-burdened, the proposal responds directly to a documented need for additional housing, particularly affordable housing. The inclusion of MIH mapping ensures that a meaningful share of new units will be permanently income-restricted, helping diversify the local housing stock in an area where the overwhelming majority of units are market rate. Strategically positioned near multiple subway stations and bus routes, the project aligns with citywide land use policies to direct growth to well-served corridors and underutilized sites while delivering tangible community benefits in the form of new housing, retail, and public realm improvements.