250 86th Street Rezoning
Community District 10, Brooklyn
May 15, 2023

1. INTRODUCTION

Dr. Helen Kim (the "Applicant"), proposes a zoning map amendment to rezone 238 – 250 86th Street, a portion of 252 86th Street, and 264-272 86th Street, Block, 6043, Lots 22, 23, 24, 26, 27, p/o 28, 32, 34, 35, and 36 (the "Project Area"), in the Bay Ridge neighborhood of Brooklyn, Community District 10, from an R3-2 zoning district to an R6B zoning district within the Special Bay Ridge District. The Applicant also proposes a zoning text amendment to amend Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 10 in Brooklyn, to establish the Project Area as an MIH Designated Area. The Applicant proposes mapping both Option 1 and Option 2 within the Project Area to provide maximum flexibility. The proposed actions would permit the applicant's medical office to occupy a portion of a two-story plus basement building (the "Proposed Development") at 250 86th Street, Block 6043, Lot 27 (the "Development Site").

2. BACKGROUND

The proposed Project Area is located within the Bay Ridge neighborhood of Brooklyn and has been zoned R3-2 since the adoption of the Zoning Resolution in 1961. On November 2, 1978, the Project Area was included as part of the Special Bay Ridge District (C 780284 ZMK, N 780285 ZRK). The Special Bay Ridge District was designed to strengthen, preserve, and protect the existing scale and character of Bay Ridge. There are no additional recent land use actions within the Project Area.

3. DESCRIPTION OF THE SURROUNDING AREA

Land Uses
The land uses within the Surrounding Area (the area within a 600-foot radius of the Project Area) consist primarily of a mixture of residential, commercial, and institutional uses. The Project Area is surrounded primarily by two-and three-story residential buildings. Third Avenue is a commercial throughfare generally lined with two-, three-, and four-story mixed-used buildings. Ground floor commercial uses include eating and drinking establishments, mini-marts, laundromats, local offices, banks, and pharmacy. The midblocks generally consist of one- and two-family residential buildings. There are a few community facilities and institutions in the Surrounding Area including the Salvation Army Community Center located adjacent to the Development Site at 252 86th Street (Block 6043, Lot 28), the P.S. 185 elementary school located at 8601 Ridge Boulevard (Block 6043, Lot 1), the Adelphi Academy of Brooklyn located at 8515 Ridge Boulevard (Block 6033, Lot 1), and the Dimitrios and Georgia Kaloidis Parochial School located at 8502 Ridge Boulevard (Block 6032, Lot 37).

Zoning
The Surrounding Area is zoned R3-2, R6B/C1-3, R6B/C2-3, R2, R5B, and R4-1. The Project Area is bounded by R3-2 zoning districts to the north, west and south and an R6B/C1-3 zoning district to the east.

R2
An R2 zoning district is located to the north and northwest of the Project Area. R2 districts are limited to single-family detached houses. The minimum lot area is 3,800 square feet and the minimum lot width is 40 feet. The maximum Floor Area Ratio ("FAR") is 0.5. A minimum 15-foot front yard and a minimum 30-foot rear yard are required. Two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. The maximum height of buildings is governed by a sky exposure plane. One off-street parking space is required for each dwelling unit.

R3-1
An R3-1 zoning district is located to the west of the Project Area. R3-1 districts are contextual zoning districts that are the lowest density to permit semi-detached one- and two-family

residences, as well as detached homes. The minimum lot width for detached houses is 40 feet, and semi-detached buildings must be on zoning lots that are at least 18 feet wide. The maximum lot coverage is 35% and the maximum FAR is 0.5 (with a permitted attic increase of 20%). The perimeter wall may rise to 21 feet before sloping and the maximum building height is 35 feet. The front yard must be 15 feet deep. Two side yards with a minimum combined 13 feet are required for detached residence, and one eight-foot side yard is required for each semi-detached residence. One off-street parking space is required for each dwelling unit.

R3-2

The Proposed Development Site is located within an R3-2 zoning district. R3-2 districts permit all housing types with a minimum lot width of 40 feet for detached single-family residences and 18 feet for all others. Maximum lot coverage is 35% and the maximum FAR is 0.5 (plus 0.1 attic allowance). The perimeter wall maximum is 21 feet and the maximum building height is 35 feet. A front yard of at least 15 feet is required and a 30-foot rear yard is required. For detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For semi-detached one- and two-family homes, one eight-foot side yard is required. For all other dwellings, two eight-foot side yards are required for buildings, or abutting buildings on the same zoning lot with aggregate width of street walls not more than 80 feet, for buildings or abutting buildings where the aggregate width of the street walls exceeds 80 feet, a two side yards equal to at least 10% of the aggregate width of the street wall shall be provided. Community facilities are permitted at a maximum FAR of 1.0. One parking space is required for each dwelling unit or 50% of Income-Restricted Housing Units ("IRHU").

R4-1

Within the Surrounding Area, R4-1 zoning districts are mapped on small portions of the midblocks on 85th Street and 88th Street to the south and northeast of the Project Area. R4-1 zoning districts are contextual residential districts and permit only one- and two-family detached and semi-detached houses. Houses in R4-1 zoning districts have a maximum FAR of 0.75 and have an attic allowance. The perimeter wall may rise to 25 feet before sloping or being set back to a maximum building height of 35 feet. Detached residences must provide two side yards that total eight feet. There is no minimum width for each of these side yards, but there must be eight feet between buildings on adjacent zoning lots. One four-foot side yard is required for each semi-detached residence, which must be on a lot at least 18 feet wide. Zero lot line buildings are permitted. Front yards must be at least 10 feet deep and at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. A 30-foot rear yard is required. The parking requirement is one spot per dwelling unit.

R5B

An R5B zoning district is located on a portion of the midblock between 87th Street and 86th Street east of the project area. R5B zoning districts are contextual residential districts which typically produce three-story row houses. Within an R5B district, the maximum permitted FAR is 1.35, the maximum permitted street wall height is 30 feet, and the maximum permitted building height is 33 feet. R5B districts require a minimum front yard of five feet (which must be at least as deep as one adjacent front yard and no deeper than the other but need not exceed 20 feet) and a minimum rear yard of 30 feet. Attached row houses do not require side yards, but there must be at least eight feet between the end buildings in a row and buildings on an adjacent zoning lot. Off-street parking is required for 66% of the dwelling units, but parking can be waived if only one space is required.

R6B, R6B/C1-3 and R6B/C2-3

An R6B zoning district is located along the frontage of Third Avenue within the Surrounding Area. C1-3 commercial overlays are mapped south of 86th Street and C2-3 commercial overlays are mapped north of 86th Street. R6B districts are contextual zoning districts that permit residential uses with a maximum FAR of 2.0 or 2.2 with inclusionary housing. These districts require a streetwall height between 30 and 40 feet, and a maximum building height of 50 feet. R6B zoning districts permit community facility uses at 2.0 FAR. A 10-foot setback is required on a wide street and a 15-foot setback is required on a narrow street. R6B zoning districts typically permit four- to five-story apartment buildings and four-story attached buildings. R6B zoning 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.

C1-3 and C2-3 zoning districts are commercial overlay districts mapped within residence districts along streets that serve local retail needs. C1-3 overlay districts permit typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2-3 overlay districts permit a slightly wider range of uses than C1 districts, including repair services and funeral homes. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. C1-3 and C2-3 overlay districts are mapped to a depth of 150 feet. One parking space per 400 square feet of commercial floor area is required.

Special Bay Ridge District

The Surrounding Area is located within the Special Bay Ridge Special District was designed to: (a) preserve the existing scale and character of the residential and commercial community, (b) encourage design of residential, commercial, and community facility development which is in character with the neighborhood and surrounding community; and (c) promote the most desirable land use in the area and to conserve the value of land and buildings. The SBRD provides special bulk regulations relating to maximum FAR, and height and setback regulations. These regulations apply to lower residential districts, including R4A, R4-1, R4B and R5B zoning districts, as well as to C8-2 zoning districts.

Public Transportation

The Surrounding Area is served by public transit. The 86th Street subway station with service from the R train is located on Fourth Avenue (1.5 blocks east of the Project Area). There are two bus lines (B16 and B37) that have stops near the corner of 86th Street and Third Avenue. The B16 bus provides service between Bay Ridge and Lefferts Garden and the B37 bus provides service between Downtown Brooklyn and Bay Ridge.

4. Description of the Project Area and Development Site

The proposed Project Area consists of Block 6043, Lots 22, 23, 24, 26, 27, p/o 28, 32, 34, 35, and 36 within the Bay Ridge neighborhood of Brooklyn Community District 10. The Project Area is located on the southern side of 86th Street and contains approximately 30,000 square feet of area bounded by 86th Street to the north, Third Avenue to the east, 87th Street to the south and Ridge Boulevard to the west.

Applicant Owned Development Site

The Development Site is located at 250 86th Street (Block 6043, Lot 27) and is an approximately 2,000 sq. ft. interior lot with 20 feet of frontage along 86th Street. The development site is improved with an approximately 3,090sq. ft. (1.5 FAR), two-story plus basement residential building.

Non-Applicant Controlled Sites

Block 6043, Lot 22 is an approximately 2,499 sq. ft. lot improved with an approximately 3,840 sq. ft. (1.54) FAR two-story mixed-use building with a dentist office and two dwelling units.

Block 6043, Lot 23 is an approximately 2,499 sq. ft. lot improved with an approximately 2,560 sq. ft. (1.02 FAR) two-story residential building with three dwelling units.

Block 6043, Lot 24 is an approximately 3,000 sq. ft. lot improved with an approximately 3,560 sq. ft. (1.19 FAR) two-story mixed-use building containing both community facility (medical office) use and one dwelling unit.

Block 6043, Lot 26 is an approximately 2,000 sq. ft. lot improved with an approximately 3,072 sq. ft. (1.54 FAR) two-story residential building with three dwelling units.

Block 6043, Lot 28 is an approximately 15,999 sq. ft. lot improved with an approximately 13,865 (0.86 FAR) two-story community facility building owned by the Salvation Army. Approximately half of this lot is located within the Project Area.

Block 6043, Lot 32 is an approximately 3,999 sq. ft. lot improved with an approximately 2,021 sq. ft. (0.51 FAR) three-story single-family home.

Block 6043, Lot 34 is an approximately 2,000 sq. ft. lot improved with an approximately 5,160 sq. ft. (2.58 FAR) three-story residential building with six dwelling units.

Block 6043, Lot 35 is an approximately 2,000 sq. ft. lot improved with an approximately 5,160 sq. ft. (2.58 FAR) three-story residential building with six dwelling units.

Block 6043, Lot 36 is an approximately 2,000 sq. ft. lot improved with an approximately 5,160 sq. ft. (2.58 FAR) three-story residential building with six dwelling units.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed rezoning will permit the applicant to open her medical practice within the basement and first floor in the existing building. The second floor would remain a residential dwelling unit. The basement would consist of offices and storage and the first floor would consist of exam rooms and a reception area. The existing building envelope will remain the same. No enlargements are proposed.

6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The actions necessary to facilitate the proposed project are: (1) a zoning map amendment to rezone the Project Area from an R3-2 zoning district to an R6B zoning district; and (2) a zoning text map amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Brooklyn Community District 10, to establish the Project Area as an MIH Designated Area.

a. Rationale for the Zoning Map Amendment from R3-2 zoning district to an R6B zoning district at the Proposed Project Area

This application seeks to rezone the Project Area from an R3-2 zoning district to an R6B zoning district within the Special Bay Ridge District. R6B zoning districts are contextual residential zoning district which mandate compliance with Quality Housing regulations and produce apartment buildings with a maximum height of 55 feet (five stories) and a maximum permitted FAR of 2.20 with inclusionary housing. R6B districts are typical rowhouse districts that look to preserve the scale of harmonious streetscapes, similar to the existing streetscape along 86th Street.

The proposed zoning map amendment would extend the existing R6B zoning district mapped along Third Avenue west over the Project Area. The extension of this zoning district would permit the conversion of the Proposed Development to a doctor's office and residential dwelling unit. The existing R3-2 zoning district does not reflect the existing built conditions within the Project Area. Eighty percent of the buildings within the Project Area are currently non-complying, as their FARs exceed the permitted 0.5 FAR. The proposed zoning amendment will bring approximately 70% of the existing buildings within the Project Area into compliance and decrease many of the buildings' degree of non-compliance as the permitted FAR will be 2.0 (2.2 for inclusionary housing). The R6B zoning district would provide that any new developments or enlargements are consistent with the built character. 86th Street is a 100 ft. wide street and can support the proposed density. The R6B district's height limits and street wall provisions ensure that new buildings are consistent with the scale and character of the existing built context. The proposed R6B district is consistent with the low-scale character of the neighborhood and the immediate context of the Project Area. While no new development is proposed, any future development will maintain the neighborhood character.

b. Rationale for the ZR Appendix F Text Amendment to map an MIH Designated Area at the Project Area

The Bay Ridge neighborhood of Brooklyn has experienced consistent growth over the past decade. Within the last 10 years, demand for housing in both this community and throughout the City have steadily increased. 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 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 proposes mapping both MIH Option 1 and Option 2 within the Project Area to provide maximum flexibility for future development of non-Applicant controlled sites. The proposed MIH Area would address the City's Housing New York: A Five-Borough, Ten-Year Plan goals by requiring the addition of affordable units in future developments within the Project Area.

7. CONCLUSION

The Applicant proposes a zoning map amendment to extend an existing R6B zoning district over the Project Area currently zoned as R3-2 and a zoning text amendment to establish the Project Area as an MIH Area within Brooklyn Community District 10. The proposed zoning map amendment would permit the conversion of an existing two-story plus basement residential building to a mixed-use building with a doctor's office and one residential dwelling unit. The proposed zoning text map amendment of Appendix F will facilitate the development of affordable housing units within the Proposed Development pursuant to City's MIH program, thereby ensuring that it addresses the needs for housing to serve a broad range of the City's diverse needs and incomes.