364 Coney Island Avenue, Brooklyn

October 2025

1. Introduction

This application is made on behalf of 364 Coney Island Avenue LLC ("the Applicant"), for a zoning map amendment and zoning text amendment in the Windsor Terrace area of Brooklyn Community District 7. The proposed zoning map amendment would rezone portions of C8-2 and R5B districts within the Special Ocean Parkway District (SOPD) to C4-4D. In addition, a zoning text amendment would be made to Appendix F of the Zoning Resolution ("ZR") in order to make Options 1 and 2 of the Mandatory Inclusionary Housing ("MIH") program applicable to the affected area (the "Proposed Actions"). The Proposed Actions would affect the eastern portion of Block 5322, Lots 44 (p/o), 51 (p/o), 69 (p/o), 73, 124, 125, 126 (p/o) and 7501 (the "Project Area").

The Proposed Actions would facilitate the development of a new 59,702 zoning square feet (zsf) 12-story (128 feet tall) mixed-use building at Block 5322, Lots 73 and 124 (The "Development Site") with 56,830 zsf of residential space (6.85 FAR), 2,872 zsf of retail space within the ground floor, and 8,292 gross square feet (gsf) of cellar-level space, that does not count as zoning floor area, comprising accessory space to residential use, retail space and mechanical space (the "Proposed Development") The development would include 71 dwelling units, of which at least 25% would be affordable pursuant to MIH. The Applicant intends to pursue MIH Option 1, which requires that 25 percent (18) of dwelling units be affordable, on average, to households making 60% of area median income (AMI), with 10% of dwelling units to be affordable on average to households making 40% AMI. The Proposed Development would have a total FAR of 7.2, including 6.85 residential FAR, and 0.35 commercial FAR. Additionally, the cellar would contain 2,000 gsf of mechanical space, 2,000 gsf of accessory retail space and 4,292 gsf of residential space. The building would rise to a base height of 83 feet along Coney Island Avenue, where the building would set back 10 feet before rising to 12-stories (148 feet with bulkhead). No parking would be provided, as no parking is required under *City of Yes for Housing Opportunity* - with the Development Site located in the recently established "Inner Transit Zone."

2. Background

The Development Site was zoned C8-2 at the inception of the 1961 Zoning Resolution. At that time, the area beyond Coney Island Avenue (to the west) was zoned R6. The C8-2 district was mapped at that time to reflect the mix of warehouse, auto-oriented commercial, and community facility uses that existed along Coney Island Avenue.

According to City Planning Commission (CPC) reports, the early 1970s coincided with the increased growth of community facilities along nearby Ocean Parkway, as well as side streets from the parkway, such as Coney Island Avenue. In response to the community concerns that the proliferation of community facilities posed a threat to the housing stock and residential character and appearance of the Ocean Parkway community, the CPC and the Board of Estimate adopted the SOPD in 1977 (CP 23285, CP 760088). The SOPD is a six-mile-long corridor up to one-half mile wide covering over 350 blocks. Portions of five community districts are within its boundaries: Community Districts 7, 12, 13, 14 and 15. The SOPD is bounded on the north by Fort Hamilton Parkway, on the east by Coney Island Avenue, on the west by McDonald Avenue and on the south by Brighton Beach Avenue.

In 1992 and 1993, the SOPD and surrounding area were amended (930182 ZRK & C 930183 ZMK), along with zoning map amendments to expand opportunities for new housing development, and to reduce the depth of the C1-3 and C2-3 commercial overlays to prevent commercial development on residential lots in areas of the SOPD. The amendments coincided with the creation of a subdistrict of the SOPD ("SOPD Subdistrict"). This subdistrict was intended to facilitate the enlargement of detached and semi-detached one and two-family homes with an overall maximum FAR of 1.5 in the subdistrict. The subdistrict affected areas zoned R3-1, R4 and R5 for the area generally bounded by the Long Island Railroad (LIRR) Bay Ridge Branch tracks to the north, McDonald Avenue to the west, Coney Island Avenue to the east and Avenue V and Gravesend Neck Road to the south. The area was characterized by detached and semi-detached houses with one and two units.

A series a residential and mixed-use rezonings have affected the immediate area in the last 20 years. Beginning in 2005, the CPC approved a private rezoning application to the immediate west of the Development Site at 22 Caton Place (Block 5320, Lot 55 and a portion of Lot 46), from R6 to R7A (C 050203 ZMK) to enable 8-story, 68 unit residential building. That same area was again modified in 2009 under the East Windsor Terrace Rezoning (C 090197 ZMK) which rezoned 5 blocks bound by Ocean Parkway Service Road to the north, Ocean Parkway to the west, Coney Island Avenue to the east, and Caton Avenue to the south, from R5, R6 and R7A to R5B, from R6 to R6A, and from R6 to R6A/C2-4. This rezoning undertaken at the request of local community groups, Community Board 7 and the local Councilmember in response to out-of-character development. The proposed rezoning was intended preserve the existing neighborhood built

character by limiting new development to heights and densities consistent with the existing built context.

Subsequently in 2018, the 57 Caton Place Rezoning was approved (C 170213 ZMK) which rezoned a C8-2 district to R7A (under MIH) on two adjacent lots located between Ocean Parkway and Caton Place, east of East 8th Street and west of Coney Island Avenue (Block 5322, Lots 1 and 4) and to establish a C2-4 overlay over one of those lots (Lot 4). That rezoning was intended to facilitate a new 9-story, mixed-use building with approximately 107 residential units and approximately 10,000 square feet of ground floor local retail or community facility space fronting on Caton Place. Approximately 27 units (25%) were anticipated to be permanently affordable, pursuant to MIH Option 1. The building would also include below-ground off-street parking for approximately 74 cars.

The area to the southeast of the Project Area was amended in 2020 under the Flatbush Rezoning (C 090336 ZMK) to R6A/C2-4. The rezoning amended a 180-block area bounded by Caton Avenue, Parkside Avenue and Clarkson Avenue on the north; Bedford Avenue and the Community District 14 boundary to the east; Campus Road and the Long Island Railroad's Bay Ridge freight line on the south; and Coney Island Avenue on the west. The rezoning amended R1-2, R3-1, R3-2, R4, R5, R6, R7-1, C4-2, C4-2 districts, as well as C1-3/C2-3 commercial overlays to R1-2, R3X, R4A, R5B, R5D, R6B, R6A, R7A, C4-4A and C2-4 districts. A text amendment also added R7A and C4-4A districts as Inclusionary Housing areas. The zoning map amendments were primarily intended to match new zoning to the existing built character which includes areas of detached homes, row houses and apartment buildings. At the time, the existing zoning did not reflect the built character of lower-density detached and apartment building areas. Under the then R6 zoning, development of tall apartment buildings without height limitation was permitted and resulted in demolition of existing detached, one- and two-family homes. Specifically, this created R6A/C2-4 and R7A/C2-4 districts on the eastern side of Coney Island Avenue, to the southeast of the Project Area.

Finally, the 312 Coney Island Avenue Rezoning (C 200092 ZMK) was approved by the City Planning Commission in November 2020. The rezoning included several parcels along Coney Island Avenue and Caton Place, directly north of the Development Site on Block 5322, and changed the zoning from C8-2 to R8A with a C2-4 commercial overlay. It also included a zoning text amendment to apply MIH, a modification of building setback regulations, and a zoning special permit to waive accessory off-street parking requirements These actions facilitated the development of a 13-story mixed-use building with approximately 387,465 square feet of floor area, including 41,380 square feet of community facility space, 5,000 square feet of retail, and 310 dwelling units, 78 of which were anticipated to be affordable under MIH Option 1.

Since that time, 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 Inner Transit Zone, which waives residential and mixed-use parking requirements. In addition, certain mid-rise districts, such as the adjacent R7A district, were enhanced to permit additional floor area and height with the inclusion of qualifying affordable units.

There are no other recently approved land use actions within 600 feet of the proposed Development Site.

3. Description of the Surrounding Area

The Proposed Actions affect a portion of a single tax block in the Windsor Terrace area of Brooklyn Community District 7. The area within 600' of the Project Area (the "Surrounding Area") is generally bound by Ocean Parkway to the west, Machate Circle to the north (also known as Park Circle), the Parade Grounds to the east and Church Avenue to the south. Coney Island Avenue lines the Project Area and is a neighborhood corridor with 100 feet in mapped width. Ocean Parkway, two blocks west, is a major regional thoroughfare with 210 feet in width and terminates into Park Circle, a roundabout with 120' in width, per the circular roadway that follows the circle. Caton Avenue is a block south of the Development Site is and has 90 feet in width. In terms of limited access freeways, the Prospect Expressway merges with Ocean Parkway one block west of the Project Area.

The Surrounding Area is mixed in use, with residential, manufacturing/industrial, commercial/office, transportation/utility, community facility, as well as vacant land and parkland. In terms of residential uses, there is a high concentration of one- and two-family homes, particularly along side streets such as Kermit Place, East 8th Street, and Caton Avenue. Multifamily walk-up and elevator buildings are clustered along major corridors, such as Coney Island Avenue and Ocean Parkway. Institutional uses are distributed throughout and include public schools (P.S. 130 and M.S. 839), religious facilities like the Cavalry Cathedral of Prais. Commercial, mixed-use, light industrial and automotive related-uses are concentrated along Coney Island Avenue, which reflect a legacy of those uses that date from the last 100 years. Accordingly, the west side of Coney Island Avenue contains two gas stations at 378 Coney Island Avenue and 418 Coney Island Avenue. In addition, below Friel Place and Church Avenue are some additional automotive service, light industrial uses and an automotive-centric retail establishment (AutoZone).

The Surrounding Area also contains significant parkland and open spaces, most notably the Prospect Park Parade Ground, which is an extension of Prospect Park, and Machate Circle (also known as Park Circle). The Parade Ground is a major active recreation area with multiple athletic fields, the Prospect Park Tennis Center, and facilities used by local schools and sports leagues, making it a vital community resource. Adjacent to it, Machate Circle serves as a landscaped traffic

circle and formal entrance to the park, offering a small green space with benches and pathways that provide a passive recreational setting and a visual transition between the surrounding urban fabric and the natural landscape of the park. Machate Circle was designated a scenic landmark as part of the Prospect Park scenic landmark designation in 1975.

In terms of built-form, the area includes historic low-rise housing stock, mid-rise infill, and new higher-density projects concentrated along Coney Island Avenue. one- and two-story homes dominate the internal residential blocks, while mid-rise walk-ups and elevator buildings appear more frequently along major streets like Coney Island Avenue and Ocean Parkway. The southern and western portions of the study area exhibit a more traditional residential character, while the eastern and northern edges—particularly near recent developments (described above)—reflect increase to mid-rise density. Notable nearby developments include 57 Caton Place and 11 Ocean Parkway (312 Coney Island Avenue), the former of which contains two nine-story wings, and the latter which rises to 13-stories over shared podiums and offering hundreds of residential units with ground-floor commercial or community use. These newer buildings represent a recent trend toward mixed-use, higher-density forms supported by earlier rezonings.

The Surrounding Area contains C8-2, R5, R5B, R6, R6A, R6B, R7A, R7B and R8A. In addition, there are C2-4 overlay present along areas of Caton Avenue and Coney Island Avenue (R6A/C2-4, R7A/C2-4 and R7A/C2-4) as well as Church Avenue. The Surrounding Area is located in the Inner Transit Zone, which is part of the Greater Transit Zone. However, it should be noted the boundary between the Inner Transit Zone and Outer Transit Zone runs along Coney Island Avenue and nearby Caton Avenue, with much of the surrounding area, to the east and south of the Project Area, located in the Outer Transit Zone.

The C8-2 district, which encompasses most of the Project Area including the Development Site, is a commercial zoning district that permits a broad range of service and automotive-related uses but prohibits residential development. It allows a maximum floor area ratio (FAR) of 2.0 for commercial uses and 4.8 for community facility uses. Building heights are controlled by a sky exposure plane starting at 60 feet or four stories, whichever is lower. C8-2 districts are typically located along major thoroughfares like Coney Island Avenue and accommodate uses such as car dealerships, auto repair shops, gas stations, and warehouses. While commercial and some community facilities are allowed, residential uses are excluded. Parking is generally required, and performance standards apply to limit the impact of semi-industrial uses on adjacent properties. This zoning designation reflects the corridor's historic role as an auto-oriented commercial area.

The R5B district permits detached and semi-detached residential buildings but is primarily a three-story rowhouse district. The maximum FAR is 1.50, which is increased to 2.0 for Qualifying Residential Sites, which are sites with 5,000 square feet or more in lot area and frontage along a wide roadway (75 feet or greater in width) or along the short side of a block. A maximum height

of 35 is permitted for standard sites and 55 feet for Qualifying Residential Sites. The front yard must be at least five feet deep, and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. No parking is required in the Inner Transit Zone.

It should be noted, the Special Ocean Parkway District (SOPD) lines that roadway, with overlap in the C8-2 and R5B portions of the Rezoning Area and much of the surrounding study area. Established in 1977, the special district was designed to preserve and enhance the scenic character of Ocean Parkway, support orderly development, and protect property values. It imposes additional controls on signage, landscaping, and building bulk to maintain the parkway's historic appearance and tree-lined vistas. While the portion of Ocean Parkway within the Project Area is not a designated scenic landmark, the special district adds a layer of urban design regulation that governs development fronting Ocean Parkway, particularly for community facilities in residential districts.

The area to the south of Caton Avenue and to the west of Coney Island Avenue is zoned R5. 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. The maximum height of buildings within R5 districts is 45 feet. R5 districts require side yards of 5-8 feet depending on building configuration, a 10-foot front yard and a 30-foot rear yard. Qualifying Residential Sites in R5 districts permit 2.0 FAR and height can be increased to 55 feet. Parking requirements are generally waived in the Inner Transit Zone.

The Surrounding Area includes several medium- and high-density contextual zoning districts. The R6 district, covering parts of the Surrounding Area such as Machate Circle. The R6 zoning district is a general medium-density residential zoning district that permits buildings pursuant to both quality housing and height factor regulations. The height factor regulations for R6 districts encourage small apartment buildings on small zoning lots, and tall, narrow buildings that are set back from the street on larger lots. Quality housing regulations encourage buildings with higher lot coverage set at or near the street line, and height limitations ensure that these buildings are often more compatible with older buildings in the neighborhood. As an incentive for developers to choose the Quality Housing option, a higher floor area ratio (3.0 FAR) is permitted for buildings on or within 100 feet of a wide street than would be permitted under height factor regulations. For buildings located away from a wide street, 2.2 FAR is permitted. For height factor regulations, the district allows a maximum FAR from 0.78 to 2.43 and the required open space ratio (OSR) ranges from 27.5 to 37.5 percent. With the inclusion of qualifying affordable units, 3.9 FAR is permitted under the Universal Affordability Preference (UAP). Community facility uses are permitted at 4.8 FAR, except within the SOPD, where the maximum is limited to the equivalent residential FAR. For quality housing buildings on standard sites, a minimum base height of 30-40 feet is permitted, a maximum base height of 45-65 feet is permitted and a maximum height of 55-75 feet is permitted,

depending on proximity to a wide roadway. For buildings containing qualifying affordable units, a max height of 85-95 feet is permitted, depending on proximity to a wide roadway. In the Inner Transit Zone, parking is not required for residential units.

The R6A district is located along Caton Avenue and permits residential, and community facility uses (Use Groups I through IV). Under UAP, residential uses are permitted at 3.9 FAR (with a base of 3.0 FAR) and community facility uses are permitted at 3.0 FAR. Under UAP, a maximum street wall height of 65 feet is permitted before a setback of 10 or 15 feet is required, and the maximum building height is 95 feet. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the Inner Transit Zone, parking is not required for residential units. The R6A/C2-4 district permits commercial use at 2.0 FAR and when included with residential uses, the off-street parking requirement is waived.

The R6B district is located to the south of Caton Avenue and to the east of Coney Island Avenue. The district permits residential, and community facility uses (Use Groups I through IV). Under UAP, residential uses are permitted at 2.4 FAR (with a base of 2.0 FAR) and community facility uses are permitted at 2.0 FAR. Under UAP, a maximum street wall height of 45 feet is permitted before a setback of 10 or 15 feet is required, and the maximum building height is 65 feet. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the Inner Transit Zone, parking is not required for residential units.

The R7A district is mapped along areas of Coney Island Avenue and Ocean Parkway. The R7A district permits residential, and community facility uses (Use Groups I through IV). Under UAP or MIH, residential uses are permitted at 5.01 FAR (with a base of 4.0 FAR) and community facility uses are permitted at 4.0 FAR. Under UAP (or MIH), a maximum street wall height of 85 feet is permitted before a setback of 10 or 15 feet is required, and the maximum building height is 115 feet. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the Inner Transit Zone, parking is not required for residential units. The R7A/C2-4 district permits commercial use at 2.0 FAR and when included with residential uses, the off-street parking requirement is waived.

A small R7B district is located west of the Development Site along Caton Place The R7B permits residential, and community facility uses (Use Groups I through IV). Under UAP (or MIH), residential uses are permitted at 3.9 FAR (with a base of 3.0 FAR) and community facility uses are permitted at 3.0 FAR. Under UAP, a maximum street wall height of 65 feet is permitted before a setback of 10 or 15 feet is required, and the maximum building height is 95 feet. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the Inner Transit Zone, parking is not required for residential units.

An R8A/C2-4 district is located at the intersection of Coney Island Avenue and Machate Circle. This area is also mapped as an MIH area. The R8A/C2-4 district permits residential, commercial

and community facility uses (Use Groups I through X). Under MIH residential uses are permitted at 7.2 FAR, community facility uses are permitted at 6.5 FAR and commercial uses are permitted at 2.0 FAR. Under MIH, a maximum street wall height of 105 feet is permitted before a setback of 10 or 15 feet is required, and the maximum building height is 145 feet. A max lot coverage of 80% is permitted for interior lots and corner lots permit 100% lot coverage. In the Inner Transit Zone, parking is not required for residential units and when a residential use is included, non-residential parking requirements are waived.

A portion of the Surrounding Area, to the south of Caton Avenue, is located in a Food Retail Expansion to Support Health (FRESH) area and qualify for zoning incentives to provide a qualifying FRESH use.

The Surrounding Area is well served by Metropolitan Transit Authority (MTA) subway access. The Project Area is within walking distance (0.4 miles) from the Fort Hamilton Parkway station on the F and G lines, which provides direct service to Downtown Brooklyn, Midtown Manhattan, and Queens. Coney Island Avenue itself is a major surface transit corridor served by multiple MTA bus routes, including the B68, which runs north-south along the corridor between Prospect Park and Coney Island. The area also benefits from proximity to the Ocean Parkway greenway, which provides a bike-friendly corridor connecting to the larger Prospect Park network. These transit options, combined with the site's location near major roadways such as the Prospect Expressway, make it a well-connected area for both public and private transportation.

4. Description of the Proposed Project Area

The Proposed Project Area consists of the Block 5322, Lots 44 (p/o), 51 (p/o), 69 (p/o), 73, 124, 125, 126 (p/o) and 7501 . Lots 73 and 124 comprise the Applicant-owned Development Site, further described below. The remaining lots are non-Applicant owned. The Project Area comprises the Coney Island Avenue frontage of Block 5322, measured 150 feet from East 8th Street.

Lot 44 (58 Caton Place) is an irregular-shaped corner lot with 36,231 square feet in lot area. The parcel contains 251 square feet along East 8th Street and 143 feet along Caton Place. The parcel is currently improved a house of worship (Calvary Pentecostal Church) with approximately 46,233 square feet (1.27 FAR), constructed in 1997. The property is zoned C8-2 and only a small portion is located in the Project Area, with the area beyond 150 feet of East 8th Street included.

Lot 51 (72 Caton Place) is a corner lot with 20,751 square feet in lot area with approximately 104 feet of frontage along Coney Island Avenue and a depth of approximately 232 feet. The parcel is currently improved with an 8-story self-storage facility. The building is approximately 168,034 square feet (8.10 FAR) and was constructed in 2019. The property is zoned C8-2, and a majority of the lot is located in the Project Area.

Lot 69 (350 Coney Island Avenue) is an irregular-shaped interior through lot with approximately 18,416 square feet in lot area. The parcel contains approximately 85 feet of frontage along Coney Island Avenue and a small area of frontage along East 8th Street (50 feet wide). The parcel is improved with a 5-story school, the Brooklyn College Academy, with approximately 84,780 square feet (4.6 FAR). The building was constructed in 1927. The entire parcel is zoned C8-2 and a majority of the parcel is included in the Project Area.

Lot 125 (83 Kermit Place) is a 1,560 square-foot interior lot, with 20 feet in frontage and a depth of 78 feet. The lot is improved with single-family residence containing 2,080 square feet (1.33 FAR), constructed in 1910. The lot is zoned R5B.

Lot 126 (81 Kermit Place) is a 1,560 square-foot interior lot, with 20 feet in frontage and a depth of 78 feet. The lot is improved with two-family residence containing 2,040 square feet (1.30 FAR), constructed in 1910. Approximately half (the western 10 feet) of the lot is included in the Project Area and the lot is zoned R5B.

Lot 7501 (347 Coney Island Avenue) is an interior lot with 17,325 square feet of lot area with approximately 99 feet of frontage along Coney Island Avenue and a depth of approximately 175 feet. The property is currently improved with a 9-story, approximately 90,55 square-foot residential building (5.22 FAR) constructed in 2006 pursuant to a variance at the Board of Standards and Appeals (218-02-BZ). The parcel is zoned C8-2 and the entire lot is located in the Project Area.

5. Description of the Proposed Development Site

The Proposed Development Site comprises Block 5322, Lots 73 and 124, which are two separate tax and zoning lots that would be merged into a single zoning lot. Combined, the lot contains 8,292 square feet in lot area (according to survey) with approximately 76 feet along Kermit Place (40 feet wide) and approximately 104 feet along Coney Island Avenue (100 feet wide, as noted above). Both lots are currently vacant. The Lot 73 portion of the zoning lot is zoned C8-2, while the Lot 124 portion of the lot is zoned R5B.

6. Description of Proposed Development

The Proposed Actions would facilitate a new 12-story mixed-use building on the Development Site, to contain approximately 59,702 zsf of floor area (7.2 FAR). This would include a total of approximately 2,872 zsf of commercial floor area at the first floor and 56,830 zsf of residential

floor area on the remaining floors. A cellar would contain 8,292 gsf of space, with 2,000 gsf of mechanical space, 2,000 gsf of accessory retail space (storage) and 4,292 gsf of amenity space accessory to residential use.

The building would rise to 12 floors with 128 feet in height, with a bulkhead rising to 148 feet. The building would include a street wall of 8-stories (83 feet) before setting back 10 feet along Coney Island Avenue. Along the Kermit Place frontage (narrow), the building would set back 15 feet with the same street wall height of 83 feet. However, a portion of the building within 25 feet of the side lot line would max out at 5-stories (approximately 53 feet), due to transition rules between the C4-4D and R5B district. A required open area of 8 feet would be provided along the shared lot line with Lot 125, as the proposed new C4-4D zoning district would align with the boundary of an R5B district, directly along the shared lot line. This rule, and the 5-story portion of the building, would serve to provide a transition area in bulk between the 12-story building fronting Coney Island Avenue and lower-rise residences located to the west.

The proposed 56,830 zsf of residential space would comprise 71 residential units. Since the Proposed Development is located in the Inner Transit Zone, no accessory parking is required and none would be provided. Accordingly, no curb cuts are provided, and no loading bays are required to improve the pedestrian environment along Coney Island Avenue.

To serve the open space needs of residents, the Applicant is proposing terraces on the 5th, 8th and 12th floors. In addition, at least two new required street trees would be provided along the Coney Island Avenue frontage, as well as three along the Kermit Place frontage.

7. Actions Necessary to Facilitate the Project

The Applicant seeks a zoning map amendment that would rezone portions existing C8-2 and R5B districts to C4-4D. In addition, a zoning text amendment to Appendix F of the Zoning Resolution (ZR) would be required to make MIH Options 1 and 2 applicable to the Proposed Project Area. At this time, the Applicant intends to comply with MIH under Option 1, which would require that 25% percent of the proposed residential floor area, or approximately 18 of the proposed 71 dwelling units, be made affordable to households with incomes at 60% AMI. Additionally, of the 71 units, 10% (7 units) must be made available to households with incomes at 40% AMI.

The C4-4D district is proposed for the Coney Island Avenue block frontage of Block 5322, between Caton Place and Kermit Place. The new C4-4D district would extend 150 feet east of East 8th Street, including the Development Site as well as all or a majority of properties fronting Coney Island Avenue (Lots 51, 69, 73, 124 and 7501).

The C4-4D district permits Use Groups I through X, consisting of residential, community facility, and commercial uses. The district has the residential bulk equivalent of an R8A district, permitting a residential FAR of 7.20 under MIH. C4-4D districts allow a maximum community facility FAR of 6.50, with a maximum commercial FAR of 3.40. Under MIH requirements, a base height of 60'-105' is permitted, with a maximum building height of 145 feet. Parking is waived for residential units in the Inner Transit Zone. Parking requirements for commercial and community facility uses vary by use but are generally waived where residential uses are provided in a mixed-use development.

The Proposed Actions would enable redevelopment of the Development Site with a new mixed-use building containing 71 residential units and ground-floor commercial space. The proposed C4-4D zoning district would also align zoning with existing site conditions by recognizing pre-existing density and non-permitted residential uses in the area. Within the Project Area, Lot 51 is developed with an 8-story self-storage facility totaling 168,034 square feet (8.10 FAR); Lot 69 contains a 5-story school (Brooklyn College Academy) with 84,780 square feet (4.6 FAR); and Lot 7501 is improved with a 9-story residential building totaling 90,551 square feet (5.22 FAR). Since the current C8-2 zoning permits a maximum 2.0 FAR for commercial uses, 4.8 FAR for certain community facilities, and prohibits residential use entirely, it does not reflect the existing built form or support future mixed-use development. The proposed rezoning to C4-4D would allow for residential uses and more accurately reflect the area's existing density and land use patterns.

The Proposed Project Area is well-situated near multiple transit options, including subway and bus routes, as well as major transportation corridors such as the Prospect Expressway, Ocean Parkway, and Coney Island Avenue. It is also adjacent to significant public open spaces, including Prospect Park and the Parade Ground. This high level of accessibility makes the area a focal point for neighborhood activity and an ideal location for new mixed-income housing and updated commercial and community facility uses. The Proposed Actions would facilitate the development of approximately 71 new residential units, including permanently affordable housing—addressing a recognized citywide need.

A zoning map amendment is necessary because the existing C8-2 zoning does not permit residential use. To allow for a substantial number of new homes and better reflect actual land use patterns in the surrounding area, a higher-density mixed-use district such as C4-4D is appropriate. The Project Area is adjacent to established residential districts that already support a mix of residential, commercial, and community facility uses. As such, the Proposed Development would be compatible with its surroundings. Moreover, it would replace a currently vacant site with new housing, services, and economic opportunities, enhancing neighborhood vitality and delivering long-term community benefits. For these reasons, the Proposed Actions are well-suited to this location.

8. Conclusion

The Proposed Actions would rezone portions of existing C8-2 and R5B districts to C4-4D and amend Appendix F of the Zoning Resolution to apply Mandatory Inclusionary Housing (MIH) Options 1 and 2 to the Project Area, with the Applicant electing Option 1 to provide 25% of the residential floor area—approximately 18 of 71 units—as affordable housing, including 10% at 40% AMI. The proposed C4-4D district, with residential bulk equivalent to R8A and permitted FARs up to 7.2 (residential), 6.5 (community facility), and 3.4 (commercial), would facilitate redevelopment of the Development Site with a new mixed-use building that reflects the surrounding area's existing density and land use. The Project Area includes several mid- to high-density institutional, residential, and commercial buildings that exceed the limits of current C8-2 zoning, which prohibits residential use. Located near major transit options, arterials, and public open space, the Project Area is well-positioned for transit-oriented, mixed-use development that meets pressing housing needs and enhances neighborhood vitality.