**Project Description**
**341 10th Street**
**Community District 6, Brooklyn**
**September 13, 2023**

## 1. INTRODUCTION

Stellar 341 LLC (the "Applicant") requests the following actions (the "Proposed Actions") with respect to Brooklyn Block 1010, Lot 26, within Brooklyn Community District 6 (the "Development Site" and "Project Area");

1. Zoning map amendments to change: (1) an existing R6A zoning district to an R7-3/C2-4 district; (2) an existing R6A district to an R7-3 district, and; (3) an existing R6B zoning district to an R7-3 zoning district;

2. A zoning text amendment to the Zoning Resolution ("ZR") to establish bulk regulations applicable to R7-3 within MIH areas and to amend Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 6 to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") Area, with MIH Option 1, Option 2, and Workforce Option (Option 4).

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, setback, and rear yard requirements; and

*4.* A special permit pursuant to ZR § 74-532 to reduce the required number of parking spaces for the existing development from 77 parking spaces to 39 parking spaces and to waive all of the required accessory parking spaces (approximately 97 spaces) for the new market rate dwelling units.

The Project Area extends slightly beyond the Rezoning Area by approximately 932 sf. to the west, approximately 531 sf to the east and approximately 166 sf to the northwest. The development will utilize the 25 ft. rule pursuant to ZR § 77-11 to apply the proposed R7-3 regulations and the MIH regulations along the Project Area.

The Proposed Actions will facilitate the development of two new mixed-use buildings along the 9th Street and 10th Street frontages of the Development Site. The new building on the northern frontage (the "9th Street Building") will be an approximately 76,373 sf. (1.10 FAR), 17-story mixed-use commercial and residential building. The new building on the southern frontage (the 10th Street Building") will be an approximately 168,923 sf. (2.45 FAR), 19-story mixed-use community facility and residential building. An existing 18-story, 164,180 sf. (2.38 FAR) residential building at the Development Site will remain (the "Existing Building"). The two new buildings will contain approximately 245,296 sf. of floor area; including the Existing Building, the Development Site would contain a total of 409,476 sf (5.93 FAR). The new buildings will contain up to 305 dwelling units of which approximately 162 dwelling units[1] will be affordable, for a total of 459 dwelling units at the Development Site. The new buildings

[1] Subject to coordination with HPD.

will include approximately 6,485 sf. (0.09 FAR) of retail space and 4,458 sf. (0.06 FAR) of community facility space. 39 accessory parking spaces will be provided.

## 2. BACKGROUND

The Project Area is bounded by 9th Street to the north, 5th Avenue to the east, 10th Street to the south, and 4th Avenue to the west. The Project Area is comprised of Block 1010, Lot 26 and is split between R6B and R6A zoning districts. A small sliver of the western portion of the Project Area is located within the C4-4D zoning district mapped along 4th Avenue. The Development Site is coterminous with the Project Area and has a lot area of 1.58 acres (approximately 69,022 square feet). The Project Area was zoned R6 and C4-3 (the C4-3 zoning district was mapped to a depth of 200 feet) at the time of the adoption of the Zoning Resolution in 1961.

In 2003, the Project Area and the Surrounding Area were rezoned as part of the Park Slope Rezoning (C 030194(A) ZMK, effective April 30, 2003) from R6 and C4-3 zoning districts to the existing R6B district along 10th Street and the R6A district along 9th Street (the C4-3 zoning district was reduced from a depth of 200 ft to 100 ft and rezoned to C4-3A zoning district). The Park Slope Rezoning affected approximately 110 blocks bounded by a line midway between Union and President Streets, 4th Avenue, 3rd Avenue, 15th Street, and Prospect Park West. The goal of the rezoning was to preserve the historic scale of the brownstone neighborhoods and provide increased opportunities for residential and commercial development on 4th Avenue. The proposed rezoning replaced existing R6 zoning districts with R6B and R7B contextual designations in midblock areas and avenues where rowhouses predominate and R6A along a portion of 9th Street.

In 2011, a Special District "EC" was mapped along 4th Avenue as part of the Special 4th Avenue Enhanced Commercial District (C 110386 ZMK, effective November 29, 2011). The special district ensured the continued development of 4th Avenue as a lively, mixed-use corridor by establishing regulations to promote a vibrant mix of commercial and community facility uses on the ground floor of new developments and enlargements.

Most recently, in 2021, the area immediately to the west of the Project Area was rezoned from an R8A zoning district to a C4-4D zoning district and the Special Gowanus Mixed-Use District ("GSD") as part of the Gowanus Neighborhood Plan (C 210177 ZMK, effective November 23, 2021). The GSD permits a maximum FAR of 8.5 for residential uses with MIH (R9A equivalent) and modifies the height and setback regulations to ensure that buildings have a maximum base height of 125 feet and a maximum building height of 175 feet on wide streets. The GSD eliminates the non-residential parking requirement and reduces the underlying parking requirement, such that parking would be required for 20 percent of market-rate residential units.

## 3. DESCRIPTION OF THE SURROUNDING AREA

The area within 600 feet of the Project Area (the "Surrounding Area") is comprised of the neighborhoods of Park Slope to the north, east, and south and Gowanus to the north and west. The Surrounding Area is located in Brooklyn Community District 6.

<u>Transportation and Accessibility</u>.

The Surrounding Area includes several major thoroughfares: 9th Street, which runs east-west and provides access to Prospect Park West, 7th Avenue and the Ninth Street Bridge crossing over the Gowanus Canal to western Brooklyn (including the Red Hook, Cobble Hill and Gowanus neighborhoods); and 4th and 5th Avenues, which run north-south and include access points to Union Street, the Prospect Expressway and Gowanus Expressway, arterial highways to the south and west of the Surrounding Area.

The Surrounding Area is well-served by mass transit. The 4 Av/9 St subway station, serving the F and G lines is located on the subject block, directly west of the Project Area at the corner of 10th Street and 4th Avenue. The 9 St subway station serving the R line is located directly north of the Project Area at the corner of 9th Street and 4th Avenue. The 7 Ave subway station serving the F and G lines is located just east of the Surrounding Area at the corner of 9th Street and 7th Avenue (this station is accessible by the B61 bus line).

The Surrounding Area is also served by the following bus lines:

- B61, which extends from downtown Brooklyn to Red Hook, and provides access to the 9 St R subway station;
- B63, which extends from Bay Ridge to Pier 6 Brooklyn Bridge Park; and
- B103, which extends from downtown Brooklyn to Canarsie, and provides access to the 4 Av/10 St F and G subway station.

Zoning.

Zoning in the Surrounding Area is comprised of a mixture of residential and commercial zoning districts, with commercial overlay zones mapped along major corridors, including 4th and 5th Avenues. Zoning districts within the Surrounding Area include: R6A, R6A/C1-4, R6A/C2-4, R6B, C4-3A and C4-4D.

The subject block is bifurcated by both R6A (north, along 9th Street) and R6B (south, along 10th Street) zoning districts, with a C4-4D zoning located on the western portion of the block along the 4th Avenue frontage and a C4-3A zoning district located on the eastern portion of the block along the 5th Avenue frontage. The C4-3A district extends from 8th Street to the Prospect Expressway along the 5th Avenue corridor. The C4-4D district extends from Pacific Street to 15th Street along the 4th Avenue corridor. In connection with the Gowanus Neighborhood Plan, Mandatory Inclusionary Housing Options 1 and Deep Affordability are mapped along the 4th Avenue corridor, including the western portion of the subject block currently zoned C4-4D.

Directly north of the Project Area, along 9th Street between 4th and 5th Avenues, the zoning district is R6A/C2-4. The remainder of the blocks to the north are zoned R6B within the interior of the blocks and R6A/C1-4 north of 8th Street along 5th Avenue. East of the Project Area is zoned primarily R6A and R6B, with some R6A/C2-4 zoned along 9th Street between 5th and 6th Avenues. West of the Project Area is zoned primarily R6A and R6B. South of the Project Area is zoned primarily R6B within the interior of the blocks.

R6A districts are contextual residential districts where Quality Housing bulk regulations are mandatory. These regulations produce high lot-coverage, six- to eight-story apartment buildings set at or near the street line. R6A districts allow a maximum FAR of 3.0 or 3.6 with inclusionary housing. Buildings must set back by at least 10 feet on a wide street and 15 feet

on a narrow street before rising to its maximum height of 70 feet, or 75 feet if providing a qualifying ground floor (80 or 85 feet if inclusionary housing is provided).

R6B districts reflect more traditional four- to five-story scale of row houses, often preserving the scale and streetscape of neighborhoods. Many of these rowhouses are set back from the street with stoops and small front yards. R6B districts allow a maximum FAR of 2.0 or 2.2 with inclusionary housing. The base height of a new building before setback must be between 30 and 40 feet and maximum height is 50 feet (the maximum base and building heights may increase by 5 feet for buildings providing a qualifying ground floor).

C4 districts are mapped in regional commercial centers that are located outside of central business districts. C4 districts include specialty and department stores, and theaters and other commercial and office uses that serve a larger region. Use groups 5, 6, 8, 9, 10, and 12, which include most retail establishments, are permitted in C4 districts. Use Group 7 establishments, uses that would interrupt the desired continuous retail frontage such as home maintenance and repair service stores, are not permitted. C4-3A and C4-4D districts are contextual districts in which commercial and residential bulk and density regulations may differ – these districts are mapped typically in more densely built areas. C4-3A districts (R6A equivalent) allow a maximum commercial FAR of 3.0 and require accessory parking (1 per 400 square feet). C4-4D districts (R8A equivalent) allow a maximum commercial FAR of 3.4 and require accessory parking (1 per 1,000 square feet). The C4-4D district mapped along 4th Avenue is mapped as an R9A equivalent. This C4-4D district permits the development of an 8.5 FAR residential building with a maximum building height of 175 feet

C1 and C2 districts are commercial overlays mapped within residential districts and are mapped along streets that serve local retail needs and are found throughout lower- and medium-density areas. Typical retail uses include grocery stores, restaurants and beauty salons. C2 districts permit a slightly wider range of uses, such and repair services and funeral homes. Commercial uses are limited to one or two floors and must always be located below the residential use within mixed-use buildings. When mapped together with an R6A district, the maximum commercial FAR is 2.0 and commercial buildings are subject to commercial bulk regulations.

Other Zoning Designations and Policies.

The Special Gowanus Mixed-Use District, effective November 2021, is mapped west of the Project Area along the western portion of the subject block, and extends along 4th Avenue (15th Street to the south, Pacific Street to the north, Smith Street at its westernmost boundary and 4th Avenue as its easternmost boundary). The Special Gowanus Mixed-Use District was established to create special use, bulk, and parking regulations on waterfront and non-waterfront blocks. The general goals of the district include: (1) recognizing and enhancing the vitality and character of the existing mixed use neighborhood; (2) encouraging stability and growth by permitting compatible light manufacturing and residential uses to coexist; (3) encouraging investment in mixed-use neighborhoods by permitting the expansion and new developments of a wide variety of uses in a manner that ensures the health and safety of residents and employees; (4) improving the physical appearance of the streetscape; (5) promoting and enhancing visual and physical access to the Gowanus Canal; (6) enhancing neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes; (7) expanding local employment opportunities and promoting walk-to-work opportunities; and (8) promoting the most desirable use of land.

The entirety of the Project Area and Surrounding Area is located within the Transit Zone, where special lower accessory parking requirements apply for various types of income-restricted housing. The Transit Zone is generally mapped in areas of the city beyond the Manhattan Core within one-half mile of a subway station, where auto ownership rates are low.

The portion of the Surrounding Area west of 4th Avenue is located within the Coastal Boundary Zone and where land use proposals are subject to additional review under the Waterfront Revitalization Program.

The Park Slope 5th Avenue Business Improvement District (BID) runs generally north/south along 5th Avenue between Dean Street to the north and 18th Street to the south. The eastern portion of the subject block is located within the BID, as well portions of the Surrounding Area along 5th Avenue.

Just outside the Surrounding Area to the west of the Project Area and 3rd Avenue Gowanus is a M2-1 district. This district reflects a medium intensity of industrial uses. The performance standards in M2 districts are lower compared to M1 districts. Except when M2 uses border a residential district, higher levels of noise and vibration are allowed, smoke is permitted, and industrial activities do not need to be entirely enclosed. M2-1 zoning districts permit an FAR of 2.0 for commercial and industrial uses. The required parking varies based on the type of use proposed. The majority of the M2-1 district in Gowanus falls within the Southwest Brooklyn Industrial Business Zone, which extends into Sunset Park to the south and Red Hook to the west.

Land Use.

As described below, land uses in the Surrounding Area include a wide range of low-rise and taller residential buildings (one and two family and multi-family residences), community facility space, local retail, commercial office buildings, warehouse, and utility/transportation space.

Much of the land use in the Surrounding Area is predominantly residential which located primarily within the interior portions of the blocks. There are also mixed-use buildings, commercial buildings (located primarily on the 4th and 5th Avenue commercial corridors) and other community facility, warehousing and utility spaces (interspersed throughout). The residential buildings range from 2 to 12 stories in height (the Existing Building is 18 stories (165.58 ft) tall). There is a 12-story multi-family residential building located northwest of the Project Area, at 438 4th Avenue (Block 1003, Lot 38) built in 2011 and contains approximately 56,868 of gross floor area (5.99 FAR). Abutting the building on Lot 38 is 229 9th Street (Lot 7505), a 9-story multi-family building built in 2018 and containing approximately 35,181 sf of gross floor area (4.39 FAR).

Mixed-use buildings with ground floor retail and residential above are located primarily along 5th Avenue, 4th Avenue and 9th Street. There is a wide variety of local retail and office spaces including: restaurants and fast food, cafes, delis and bodegas, grocery stores, drug stores and pharmacies, dry cleaners and laundromats, beauty and hair salons, mobile phone retailers, banks, discount stores, clothing stores, urgent care and medical offices, liquor stores, bars, veterinary care and pet supply stores, real estate offices, a hardware store, an auto repair shop and a funeral home.

The Surrounding Area also includes a number of community facility uses including: a United States Postal Office directly across from the Project Area (Block 1004), a non-for-profit social services agency assisting families and children in need in the New York metropolitan area (MercyFirst on Block 1004), schools (Slope Music school located directly across from the Project Area on Block 1004 and PS 118 -- The Maurice Sendak Community Elementary School on Block 998), and several houses of worship (Holy Family St. Thomas Aquinas located directly across from the subject block on Block 1004, Park Slope Community Church on Block 1022, Sisters of Good Church on Block 1011, Kingdom Hall of Jehovah's' Witnesses and United Temple of Park Slope located on Block 999). There are other community facility uses located just outside of the Surrounding Area – PS 124 Silas B. Dutcher elementary school, MS 51 William Alexander Middle School, Beansprouts Nursery School, the Prospect Park YMCA, the Park Slope Library, Congregation Beth Temple and Inglesia Evangelica Luteran Del Espiritu Santo.

A motorcycle repair shop is located on 9th Street between 4th and 3rd Avenues. NYC MTA utility storage and parking is located on the southwestern portion of the subject block as well as the southern half of Blocks 1009 and 1008 to the west. The elevated F and G subway lines run directly above these portions of utility space.

Historic Resources.

The 271 Ninth Street House (William B. Cronyn House) located on Block 1004 is a Landmarks Preservation Commission designated Individual Landmark (designated in July 1978, LP-0997).

Open Space.

There is no designated open space located within the Surrounding Area. Just outside of the Surrounding Area, on Block 981 and bounded by 3rd Street, 5th Street, 5th Avenue and 4th Avenue, is Washington Park (including the J.J. Bryne Playground, basketball courts, a skate park and a dog run). Washington Park is adjacent to MS 51 William Alexander Middle School and the historic Old Stone House of Brooklyn. Prospect Park is located approximately 0.7 miles east (15 minute walk) from the Project Area.

## 4. DESCRIPTION OF THE PROJECT AREA AND DEVELOPMENT SITE.

The Project Area is bounded by 9th Street (a wide street with a width of approximately 108 feet) to the north, 5th Avenue (a wide street with a width of approximately 80 feet) to the east, 10th Street (a narrow street with a width of approximately 60 feet) to the south, and 4th Avenue (a wide street with a width of approximately 120 feet) to the west. It is comprised of Block 1010, Lot 26. The northern portion of the Project Area (the approximately 245 ft frontage along 9th Street) is located primarily within an R6A zoning district. The southern portion of the Project Area (the approximately 496 ft along 10th Street) is located primarily within an R6B district. Small areas of the northern, eastern and western portions of the Development Site are located in R6A, C4-3A, C4-4D, and the Gowanus Special Mixed Use districts. Metropolitan Transportation Authority ("MTA") subway tracks run east-west through the Development Site; the tracks transition from elevated to below-grade through a tunnel structure that traverses the Development Site. The Project Area is comprised of the entirety of the Development Site.

Overall, the Development Site has a lot area of approximately 1.58 acres, or approximately 69,022 square feet.

The eastern portion of the Development Site is currently improved with the Existing Building, an approximately 164,180 sf (2.38 FAR) 18-story-story multifamily residential building, approximately built in 1968, with 154 dwelling units. A surface parking lot with 68 spaces is located adjacent to the residential building on the northeast end of the Development Site and is accessed from 9th Street. Two garages are located underneath the building and surface parking structure; one is located on 9th Street and contains 14 spaces and the other is located on 10th Street and contains 8 spaces. Two small surface parking lots (19 spaces and 6 spaces, respectively) are also located along 10th Street. In total, the Development Site contains 115 spaces accessory to the residential building. There are three existing curb cuts on 9th Street (two leading to the below-grade garage and one leading to the surface parking area) and five existing curb cuts on 10th Street (three leading to the small surface parking lot at the western end of the Project Site, one leading to the below-grade garage, and one leading to the small surface parking lot on the eastern end of the Development Site).

The western portion of the Development Site primarily contains the MTA cover to the tunnel structure built in approximately 1912. The outdoor area above the tunnel structure is an unused open space controlled by the Applicant, which includes trees, plantings, and benches. Access to the area was closed by prior ownership.

## 5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant proposes the redevelopment of the surface parking lot at 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 two new buildings at the Development Site, while maintaining the Existing Building. The Existing Building consists of a mix of rent stabilized (115 units) and market rate residential units (39 units). All rent stabilized units will remain.

In total, the Proposed Development is anticipated to include approximately 234,353 square feet (3.83 FAR) of new residential floor area, approximately 4,458 square feet (0.06 FAR) of community facility uses and approximately 6,485 square feet (0.09 FAR) of local retail uses. The total floor area of all three buildings would be approximately 409,476 square feet (5.9 FAR). The 9th Street Building would be a 17-story, 181.15 ft. tall (201.15 ft. tall to bulkhead), 76,373 sf (1.10 FAR) building with approximately 69,888 square feet of residential uses and 6,485 square feet of commercial uses. The 10th Street Building would be a 19-story, 204.75 ft. tall (224.75 ft to bulkhead.), 168,923 square foot (2.45 FAR) building with approximately 164,465 square feet of residential uses and 4,458 square feet of community facility uses, currently contemplated as a senior center. The new buildings would contain up to 305 dwelling units. There will be a total of 459 dwelling units at the Development Site. 39 accessory parking spaces would be provided.

Almost all of the Proposed Development will be located within an MIH Designated Area, upon approval of the proposed zoning text map amendment of ZR Appendix F. The 9th Street building will be a 100% affordable building with incomes up to 50% AMI. As currently proposed, HPD's SARA and ELLA programs will be utilized, where approximately 100 units would be reserved for seniors and families making at or below 50% AMI. The applicant

currently anticipates using the MIH Workforce Option for the 10th Street building, by providing 62 affordable units with 11 units at low income levels (70% AMI), 11 units at moderate income levels (90% AMI) and 40 units (middle income levels) at 130% AMI. The applicant will continue to seek additional input from HPD, Brooklyn Community Board 6, and the local City Council Member.

## 6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The Applicant proposes the following actions:

1. Zoning map amendments to change: (1) an existing R6A zoning district to an R7-3/C2-4 district; (2) an existing R6A district to an R7-3 district, and; (3) an existing R6B zoning district to an R7-3 zoning district;

2. A zoning text amendment to the Zoning Resolution ("ZR") to establish bulk regulations applicable to R7-3 within MIH areas and to amend Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 6 to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") Area, with MIH Option 1, Option 2, and Workforce Option.

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, setback, and rear yard requirements; and

*4.* A special permit pursuant to ZR § 74-532 to reduce the required number of parking spaces for the existing development from 77 parking spaces to 39 parking spaces and to waive all of the required accessory parking spaces (approximately 97 spaces) for the new market rate dwelling units.

<u>Zoning Map Amendment to rezone portions of Block 1010, Lot 26 from R6A and R6B zoning districts to R7-3 and R7-3/C2-4 zoning districts.</u>

The Proposed Development requires an amendment to Zoning Map 16d to rezone the Rezoning Area which is currently zoned R6A and R6B. The applicant proposes to rezone the R6A zoning district to an R7-3/C2-4 zoning district and the R6B zoning district to an R7-3 zoning district. The proposed zoning map amendment will permit a greater density that will be more consistent with the character of the neighborhood along 4th Avenue. The existing R6A and R6B zoning districts restrict development to medium density at maximum FAR of 3.6 and 2.2, respectively. The Existing Building, at 18 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. R7-3 districts in MIH Areas permit a maximum FAR of 6.0. Within 100 feet of a wide street, the minimum base height is 40 feet, the maximum base height is 75 feet, and the maximum building height is 185 feet. The maximum lot coverage is 70 percent. The C2-4 commercial overlay would be mapped for a depth of 245 feet from the existing C4-3A zoning district along 5th Avenue. The commercial overlay would complement the existing C2-4 commercial overlay already mapped along the northern midblock of 9th Street and the commercial uses along 5th Avenue.

The Rezoning Area is immediately adjacent to the Fourth Avenue Corridor which was recently rezoned to a C4-4D (R9A equivalent) zoning district as part of the Gowanus Neighborhood

Plan. This C4-4D district permits the development of an 8.5 FAR residential building with a height of 175 feet. At 120 feet wide, 4th Avenue is the widest corridor running through the neighborhood. It is one of the main thoroughfares in Brooklyn and is also a truck route. The D/N/R subway lines run below 4th Avenue and stop at 4th Avenue and 9th Street (with the D and N trains stopping at the station at night). 11- and 12-story buildings are located along 4th Avenue near the Project Area. The proposed R7-3 zoning district would be consistent with the height and density of the existing C4-4D district to the west.

Additionally, the Rezoning Area is an appropriate location for residential development at the proposed density due to its immediate proximity to public transit. As noted above, the Project Area is located .5 blocks from the 4th Avenue/9th Street stop for the F and G trains, and the 9th Street stop for the R train. Numerous bus lines are located near the Project Area such as the B61 bus located on 4th Avenue (Park Slope to Downtown Brooklyn), the B63 bus traveling along 5th Avenue (Bay Ridge and Cobble Hill) and the B37 bus with a stop on 12th Street and 3rd Avenue traveling between Downtown Brooklyn and Bay Ridge.

The Rezoning Area is currently underutilized. 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 an unused surface parking lot that has been historically underutilized with needed residential and income restricted housing units. The Proposed Development is also in line with the Gowanus 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 increase in density from R6A and R6B zoning districts will facilitate the development of greatly needed affordable housing in Community District 6. At this density, the applicant will be able to construct 305 new housing units, of which approximately 162 units would be permanently affordable. 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 Proposed Development will provide 100 affordable housing for seniors and extremely low income families. These 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 the local Census Tract (Brooklyn 139) grew by 7% in the past ten years and the total population for Community District 6 grew by 8.8%. While population has grown, there has been a decrease in housing stock. According to the 2020 Census, there is a 7% vacancy rate of apartments within Community District 6. The proposed development would add 305 new housing units to help meet area demand. Additionally, approximately 162 affordable housing units would be added in a neighborhood 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 2021, median monthly rent in Community District 6 has risen from $1,770 in the year 2006 to $2,450 in 2019, as the demand for housing has placed upward pressure on the supply of housing.

The Park Slope/Gowanus Neighborhood Tabulation Area (NTA) is considered to have the "lowest" displacement risk on a scale of highest, higher, intermediate, lower, and lowest,

according to the Equitable Development Data Explorer's (EDDE) Displacement Risk Index (DRI). However, as indicated by the EDEE, rents are currently rising at a higher rate than in the City overall, and the vast majority (99 percent) of units in the area are not income-restricted. 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 with the "lowest" risk of displacement.

The proposed project is consistent with the City's goals to affirmatively further fair housing by developing approximately 305 new dwelling units, including 162 income restricted units. In addition to creating new housing on the project site, the proposed actions would also maintain the existing residential building, which contains approximately 115 rent stabilized units. The proposed project would develop accessible, equitable housing opportunities for residents with varying income levels, including 162 affordable units in a neighborhood with high quality of life and low displacement risk.

Zoning Text Amendment to create an R7-3 Zoning District.

A zoning text amendment would be required to map an R7-3 zoning district at the Rezoning Area, as R7-3 zoning districts are generally located within waterfront areas, MX districts, and Special Districts. This text amendment will enable the district to be mapped more broadly. The R7-3 zoning district is a non-contextual district and is appropriate to map over the Rezoning Area due to the existing non-contextual building that will remain. Proposed development is constrained due to the existing MTA tunnels and the proposed non-contextual district will permit greater use and development at the Development Site.

Zoning Text Amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 6

The Applicant seeks to amend the boundaries of the Mandatory Inclusionary Housing Designated Areas map in Appendix F of the Zoning Resolution, under Zoning Map 16d. Brooklyn Community District 6, to designate the Rezoning Area for both MIH Options 1, 2 and the Workforce Option. Accordingly, a portion of the new dwelling units in the Proposed Developments will be permanently affordable MIH units. The Applicant proposes mapping MIH Option 1, Option 2, and the Workforce Option (Option 4) within the Project Area to provide maximum flexibility. 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 Workforce Option requires an affordable housing set aside of 30 percent of the residential floor area at an average of 115 permit AMI. The applicant intends to provide a 100% affordable building along 9th Street and intends to utilize the Workforce Option for the 10th Street Development. Project will have over 50% of newly constructed units be affordable units at blended rents of below 80% AMI Applicant team is committed to working further with HPD and local council member to ensure more affordable housing is provided on site than a typical MIH Option 1 or Option 2 would provide. The applicant will seek additional input from Brooklyn Community Board 6 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 6. 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 6, where 17.2% of households are severely rent-burdened and 19.4% are moderately rent-burdened.[2] According to the U.S. Census Bureau, ACS 2016-2020 Five Year Estimates for Community District 6, approximately 36.4% of households spend 30 percent or more of their income on rent.

ZR § 74-743 Special Permit to modify certain bulk provisions for the proposed LSGD.

The proposed LSGD will allow the proposed buildings 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 9th and 10th Streets.

With the proposed LSGD, the following modifications of height and setback and rear yard provisions are requested to allow for the design of the Proposed Development:

- ZR § 23-66 to permit:

    (i) A base height of 88.74 feet for the 9th Street Building and 94.75 feet for the 10th Street Building (85 feet is permitted);

    (ii) Permit an overall height of 204.75 feet (185 feet is permitted) and 19 stories (18 stories are permitted) for the 10th Street Building; and

    (iii) Permit setbacks of 9 feet from a narrow street (a minimum of 15 feet is required) and 7 feet from a wide street (a minimum of 10 feet is required).

- ZR § 23-47 to allow the structural trusses that straddle the MTA tunnel in the required rear yard.

- ZR § 23-532 to allow structural trusses that straddle the MTA tunnel in required rear yard equivalent and to waive the new noncompliance of the Existing Building and MTA tunnel.

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 MTA's above-ground cover. Waiving the rear yard and rear yard equivalent requirements allows for the location of the building against the MTA cover. The waivers would allow structural trusses that straddle the MTA tunnel in the required rear yard and rear yard equivalent. ZR §§ 23-47 and 23-532 require a 30

[2] Furman Center – Park Slope/Carroll Gardens Neighborhood Indicators https://furmancenter.org/neighborhoods/view/park-slope-carroll-gardens (last visited August 31, 2022).

ft rear yard on the interior lot and a 53 ft. rear yard equivalent (narrow block width) for the through lot. A 30 ft. rear yard for the interior lot and 53 ft. rear yard equivalent will be provided for most of the site with portions of the above-grade MTA tunnel to remain. The applicant is constrained with the MTA tunnel and MTA access below the Development Site and is required to provide structural trusses for the new development. The proposed LSGD will benefit both the occupants of the LSGD and the surrounding neighborhood.

ZR § 74-532 Special Permit to reduce the number of required parking spaces.
The proposed special permit pursuant to ZR § 74-532 is being requested to reduce the number of required accessory parking for the existing development from 77 spaces to 39 spaces and to waive all of the required accessory parking spaces (approximately 97 spaces) for the new market rate dwelling units. Maintaining the existing surface parking lots eliminate prime development opportunities for affordable housing, while replacing the existing parking with underground or structured parking would be prohibitively costly and detract from the amount of affordable housing that could be provided to the community.

## 7. CONCLUSION

As discussed above, the Applicant proposes a series of land use actions to facilitate the development of two new buildings within Brooklyn Community District 6. The Proposed Development will enhance the streetscape on 9th and 10th Streets and provide more sustainable, transit-oriented development by creating approximately 305 new residential dwelling units. The proposed actions are directly in line with Housing Our Neighbors: A Blueprint for Housing and Homelessness through redevelopment of underutilized surface parking lots with housing units (including 162 affordable units), community facility space and local retail.