132-136 Melrose Street Rezoning
132-136 Melrose Street, Brooklyn, NY 11206
September 2, 2025

1. Introduction

Melrose Towers Corp. (the "**Applicant**") seeks approval for a zoning map amendment and zoning text amendments to a portion of Melrose Street (comprised of Block 3162, Lots 20, 21, 22 and part of Lots 19 and 23 (the "**Proposed Project Area**")) in the Bushwick neighborhood of Brooklyn within Community District 4. The Applicant seeks to develop a single 24,653 square foot (3.89 FAR) mixed-use residential and commercial building (the "**Proposed Development**") on Lots 21, 22, and 23 (the "**Proposed Development Site**").

In order to accomplish the Proposed Development, the Applicant proposes: (1) a zoning map amendment of the Proposed Project Area from an M1-1 to an M1-2A/R6A (MX-22) zoning district; and (2) a zoning text amendment to modify Appendix F of the Zoning Resolution to add the Project Area as a Mandatory Inclusionary Housing ("**MIH**") area (collectively, the "**Proposed Actions**").

The Proposed Development would contain approximately 6,582 GSF (6,329 ZSF, 1.0 FAR) of local retail and 19,607 GSF (18,324 ZSF, 2.9 FAR) of residential uses on the upper floors. The Proposed Development would result in eighteen (18) dwelling units, five (5) of which would be permanently affordable at an average of sixty percent (60%) AMI pursuant to MIH Option 1. The Proposed Development would have six (6) stories and rise to sixty-five (65) feet. The Proposed Development does not include any parking and no new curb cuts are proposed.

2. Background

The Proposed Development Site is located within an M1-1 zoning district that was designated in the December 15, 1961 version of the Zoning Resolution, and has not been rezoned since.

There was a recent rezoning in the Surrounding Area (as hereinafter defined), the Rheingold Rezoning (C070250MMK, C080322ZMK, N110179ZRK, effective December 10, 2013), which is located directly north across Melrose Street from the Proposed Development Site. rezoned approximately five and a half blocks in Brooklyn Community District 4 from M1-1 to R6A, R6A/C2-4, R7A, and R7A/C2-4 and from M3-1 to M1-2, for a mixed-use residential and commercial development. The Rheingold Rezoning encompassed an area of approximately 623,080 SF bounded by Flushing Avenue on the north, Evergreen Avenue on the east, Melrose Avenue on the south, and Stanwix, Beaver, and Garden Streets to the west.

Additionally, in 2021, Brooklyn Community Board 4 approved a Zoning Certification for a FRESH food store located at 54 Noll Street, between Stanwix Street and Evergreen Avenue. The certification, pursuant to ZR Section 63-30, facilitated the development of a 13,896 SF FRESH

food store in the ground floor of an eight-story mixed-use residential and commercial development.

The Board of Standards and Appeals ("**BSA**") recently granted a variance for the property located at 18 Stanwix Street, on the same block as the Proposed Development Site (Block 3162, Lot 7). The variance, granted under Section 72-21 of the Zoning Resolution, permits the development of a three-story, plus cellar, six-unit, residential building in an M1-1 zoning district, contrary to use requirements. The BSA found that there would be practical difficulties or unnecessary hardship in complying strictly with applicable zoning regulations due to the unique physical conditions of the site.

The Department of City Planning ("DCP")-proposed Bushwick Neighborhood Plan also has the potential to affect the surrounding area and the Proposed Development Site. Released in 2019, the Bushwick Neighborhood Plan proposes zoning map amendments and zoning text amendments that would affect a 300-block section of Brooklyn Community District 4, including the Proposed Development Site. The Plan proposes to rezone the subject block to Special Mixed Use Districts similar to that proposed by the Applicant, with the Proposed Development Site specifically envisioned to be zoned R6A/M(3). The Bushwick Neighborhood Plan is the result of community planning and seeks to preserve and create affordable housing and invest in neighborhood infrastructure and programming. While the Bushwick Neighborhood Plan has been on hold since July 2019, it is evident that the Applicant's proposal directly aligns with the future vision of the neighborhood as crafted by the community and DCP.

3. Description of the Surrounding Area

The area within 600 feet of the Proposed Development Site (the "**Surrounding Area**") is located within the Bushwick neighborhood, in the eastern portion of Brooklyn Community District 4. The Surrounding Area is comprised of multifamily use, industrial and manufacturing use, mixed commercial and residential use, one- and two-family residential use, parking, and community facility use.

The Proposed Development Site is approximately 0.5 miles from the Central Ave subway station which provides access to the M train. The M train runs into midtown Manhattan and out to eastern Queens. Across the street from the Proposed Development Site is a mixed commercial and residential development that contains approximately 468 residential units, known as "Denizen Bushwick." One block south of the Proposed Development Site, on Jefferson Street, the land use is predominantly one- and two-family residences and multifamily walkup buildings. The Green Central Knoll Park is within the Surrounding Area, approximately 0.1 miles to the north of the Proposed Development Site. The Green Central Knoll Park contains a softball field and a small children's playground. Bushwick Avenue runs through the Surrounding Area and connects Broadway Junction to East Williamsburg in Brooklyn.

The existing zoning districts in the Surrounding Area include R6, R6A, R7A, R7-2, M1-1, and M3-1.

R6 zoning districts allow all housing types at a maximum FAR of up to 2.43 (Height Factor), 3.0 on wide streets and 2.2 on narrow streets (Standard Residential Zoning Lots), or 3.9 (Qualifying Affordable Housing/Qualifying Senior Housing). R6 zoning districts allow for the option of standard/contextual or Height Factor zoning regulations. Buildings developed under height factor zoning permit the development of residential and community facility buildings with no fixed height limits or building envelopes, and are instead regulated by a sky exposure plane and open space ratio after a maximum base height of 60 feet. Residential development under the standard/contextual regulations have a maximum building height of 75 feet on wide streets or 55 feet on narrow streets. If developing Qualifying Affordable Housing or Qualifying Senior Housing, the maximum building height is increased to 95 feet on wide streets or 85 feet on narrow streets with a setback required after 65 feet. In the Outer Transit Zone, where the Proposed Development Site is located, off-street parking is required for 25 percent of the standard dwelling units and no parking is required for income-restricted units. In R6 zoning districts, the off-street parking requirement is waived if 15 or fewer spaces are required.

Standard/contextual bulk regulations are mandatory in R6A zoning districts. The maximum FAR in R6A districts is 3.00 for standard/contextual buildings with a maximum building height of 75 feet, and 3.90 for Qualifying Affordable Housing or Qualifying Senior Housing buildings with a maximum building height of 95 feet. In the Outer Transit Zone, where the Proposed Development Site is located, off-street parking is required for 25 percent of the standard dwelling units and no parking is required for income-restricted units. In R6A zoning districts, the off-street parking requirement is waived if 15 or fewer spaces are required.

R7-2 zoning districts allow all housing types at a maximum FAR of up to 3.44 (Height Factor), 4.00 along wide streets or 3.44 along narrow streets (Standard Residential Zoning Lots), or 5.01 (Qualifying Affordable Housing/Qualifying Senior Housing). R7-2 zoning districts also offer the choice between Height Factor and standard/contextual regulations. Under Height Factor regulations, the permissible height of buildings is determined by a sky exposure plane and a property's open space ratio, but all buildings must setback after 60 feet. Residential development under the standard/contextual regulations have a maximum building height of 75 feet on narrow streets, or 85 feet on wide streets. If developing Qualifying Affordable Housing or Qualifying Senior Housing, the maximum building height is increased to 115 feet along wide streets or 105 feet along narrow streets, with a setback required after 85 feet. In the Outer Transit Zone, off-street parking is required for 25 percent of the standard dwelling units in R7-2 districts. No parking is required for income-restricted units. For R7-1 zoning districts, the off-street parking requirement is waived if 15 or fewer spaces are required.

The maximum FAR in R7A districts is 4.00 for Standard Residential Zoning Lots with a maximum building height of 85 feet, and 5.01 for Qualifying Affordable Housing or Qualifying Senior Housing buildings with a maximum building height of 115 feet. In the Outer Transit Zone, off-street parking is required for 15 percent of the standard dwelling units in R7A districts. No parking is required for income-restricted units. For R7A zoning districts, the off-street parking requirement is waived if 15 or fewer spaces are required.

M1 zoning districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. The maximum FAR in M1-1 districts for any

given lot area is 1.00. This number is increased to 2.40 for any community facility use in M1-1 districts. Off-street parking requirements in M1-1 districts vary dependent upon the use.

M3 zoning districts typically include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. The maximum FAR in M3-1 districts is 2.00. M3-1 districts are subject to the same parking requirements as M1-1 districts.

4. Description of the Proposed Project Area

The Proposed Project Area comprises Lots 20, 21, and 22, and part of Lots 19 and 23 of Block 3162 in the Bushwick neighborhood of Brooklyn Community District 4. Lots 19 and 20 in the Proposed Project Area are non-Applicant controlled lots, while Lots 21, 22, and 23 are owned and controlled by the Applicant. The Proposed Project Area is located on Melrose Street between Evergreen Avenue and Stanwix Street. Lots 19, 20, and 23 each contain approximately 25 feet of frontage on Melrose Street, while Lots 21 and 22 each contain approximately 18.12 feet of frontage on Melrose Street.

Lot 19 is currently improved with a three-story, 3,750 SF (1.50 FAR) multifamily walkup building that contains a total of six (6) residential units. Lot 20 is currently improved with a three-story, 3,750 SF (1.50 FAR) multifamily walkup building that contains a total of five (5) residential units. The buildings on Lots 19 and 20 were both constructed in 1931, prior to the enactment of the Zoning Resolution, and as a result, are both legal nonconforming uses. Lots 19 and 20 are both approximately 100 feet deep.

Lot 21 is currently improved with a 3,934 SF (2.05 FAR) warehouse that was constructed in 2009. Lots 22 and 23 are currently utilized as an accessory parking lot for Lot 21 and include a total of 17 parking spaces. The combined area of Lots 22 and 23 is 4,415 SF. Lots 21, 22, and 23 are all approximately 100 feet deep.

5. Description of Proposed Development Site

The Proposed Development Site is comprised of Lots 21, 22, and 23 on Block 3162. The street addresses of the respective lots in the Proposed Development Site are 132 Melrose Street, 134 Melrose Street, and 136 Melrose Street, Brooklyn, New York 11206. Currently, only Lot 21 of the Proposed Development Site is improved upon, containing a 3,934 SF two-story warehouse, which was constructed in 2009. Lots 22 and 23 are currently utilized as an accessory parking lot for the use of the warehouse on Lot 21 and include a total of 17 parking spaces. In total, the Proposed Development Site contains approximately 61.24 feet of frontage along Melrose Street, and each lot in the Proposed Development Site has a depth of 100 feet. Combined, the Proposed Development Site has a lot area of approximately 6,331 SF. There is currently a curb cut in front of Lots 22 and 23. However, the Proposed Development does not include any parking or any new curb cuts.

6. Description of the Proposed Development

The Applicant proposes to develop a new nine-story, 26,225 GSF (24,687 ZSF, 3.90 FAR) mixed-use residential and commercial building on the Proposed Development Site. It would contain approximately 19,643 GSF (18,358 ZSF, 2.90 FAR) of residential uses and 6,582 GSF (6,329 ZSF, 1.00 FAR) of local retail. It is proposed to have 18 dwelling units, five (5) of would be permanently affordable at an average of 60% AMI pursuant to MIH Option 1, 2, 3, or 4, depending on the option selected. The Proposed Development would rise to 65 feet, with an approximately 33-foot setback from Melrose Street at approximately 55 feet. The Proposed Development Site is located within the Outer Transit Zone which requires parking for 25% of market rate dwelling units. For the Proposed Development, this would result in approximately five (5) parking spaces. However, under ZR Section 25-222, residential parking may be waived if less than 15 spaces are required. Further, commercial parking is not required for general retail in M1-2A districts within the Outer Transit Zone pursuant to ZR Section 44-21. As such, the Proposed Development does not include parking.

Floors two through five of the Proposed Development would contain four (4) dwelling units each, while the sixth floor would contain two (2) dwelling units, for a total of 18 dwelling units in the entire Proposed Development. The ground floor of the Proposed Development would contain two (2) separate retail spaces. The retail spaces on the ground floor will span the full 100-foot depth of the Proposed Development Site. The dwelling units on floors two through five will span a depth of approximately 65 feet, and the dwelling units on floor six will be set back approximately 33 feet from the street wall of the Proposed Development and will span a depth of approximately 32 feet. Floor six will also contain an outdoor recreation space located at the back of the Proposed Development.

7. Action(s) Necessary to Facilitate the Project

Three actions are necessary to facilitate the Proposed Development:

1. a zoning map amendment of the Proposed Project Area from an M1-1 to an M1-2A/R6A (MX-22) zoning district; and

2. a zoning text amendment to modify Appendix F of the Zoning Resolution to add the Project Area as an MIH area.

<u>Rationale for the Zoning Map Amendment</u>
The Proposed Project Area and the Proposed Development Site have been zoned in a M1-1 zoning district since 1961 and have not been rezoned since. The Applicant seeks to have the Proposed Area rezoned from an M1-1 to an M1-2A/R6A (MX-22) zoning district.

The Special Mixed Use District (MX) was established in 1997 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential uses and industrial uses in close proximity, such as Bushwick, and create expanded opportunities for new mixed-use communities. New residential and non-residential uses (commercial, community facility, semi industrial and light industrial) can be developed as-of-right and be located side-by-side or within

the same building. Pairing a manufacturing district with a residential district (*e.g.*, the proposed pairing of R6A and M1-2A zoning districts) ensures a balanced variety of available uses.

The proposed MX zoning district would be compatible with both the residential districts (R6A, R7A, R6, and R7-2) and manufacturing districts (M1-1 and M3-1) in the Surrounding Area and would further facilitate the introduction of the needed residential uses in the area. It would also provide opportunities for mid-rise mixed-use building construction and help induce the development of underutilized lots within the Proposed Project Area.

Rationale for the Mandatory Inclusionary Housing Area Text Amendment

The Applicant seeks a zoning text amendment to Appendix F to add the Project Area as an MIH area, which would allow for residential growth, furthering the development of affordable housing in an area supported by transit, recreational facilities and supportive commercial and community facility uses. Pursuant to this Proposed Action, the Proposed Development would result in 18 dwelling units, 20-30% (4-5 dwelling units) would be permanently affordable at an average of 40-80% AMI pursuant to MIH Options 1, 2, 3, or 4, depending on the option selected.

The proposed MIH area aligns with the City's 'City of Yes for Housing Opportunity' goals by increasing affordable housing to help ensure the community remains economically diverse in the face of increasing pressure for market-rate development.

8. Conclusion

The Applicant proposes (1) a zoning map amendment of the Proposed Development Site from an M1-1 to an M1-2A/R6A (MX-22) zoning district; and (2) a zoning text amendment to modify Appendix F of the Zoning Resolution to add the Project Area as an MIH area. The Proposed Actions would facilitate development in the Proposed Project Area that would not, otherwise, be possible under the existing M1-1 zoning regulations that do not permit residential use. The Proposed Actions would allow new residential and commercial uses within the Proposed Project Area and would bring into conformance the existing legal non-conforming residential uses on Lots 19 and 20 of the Proposed Project Area. In sum, the Proposed Actions would be supportive of the City's housing goals as identified in City of Yes for Housing Opportunity.