April 9, 2025 / Calendar No. 9 N 240295 ZRK

IN THE MATTER OF an application submitted by Neptune Avenue Commercial, LLC, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York to amend Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F to establish a Mandatory Inclusionary Housing area.[1]

This application for an amendment to the Zoning Resolution of the City of New York was filed by Neptune Avenue Commercial, LLC on March 13, 2024. This application, in conjunction with the related zoning map amendment (C 240294 ZMK), would facilitate the development of a new 18-story, approximately 161,500 square-foot mixed-use building containing approximately 141,417 square feet of residential space with 145 dwelling units, approximately 37 of which would be permanently income-restricted per the Mandatory Inclusionary Housing (MIH) program, as well as approximately 20,100 square feet of ground floor commercial space. The development would be located at 2201-2227 Neptune Avenue in the Coney Island neighborhood of Brooklyn, Community District 13.

RELATED ACTION

In addition to the zoning text amendment (N 240295 ZRK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 240294 ZMK Zoning map amendment to change an M1-2 zoning district to an M1-5/R7-3 (MX-26) zoning district.

[1] Non-substantive changes to terminology have been made to reflect the City of Yes for Housing Opportunity text amendment (N 240290 ZRY) adopted on December 5, 2024

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 240294 ZMK).

After this application was certified, the City Council adopted the City of Yes for Housing Opportunity zoning text amendment on December 5, 2024.

ENVIRONMENTAL REVIEW

This application (N 240295 ZRK), in conjunction with the application for the related action (C 240294 ZMK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 24DCP108K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 240294 ZMK).

PUBLIC REVIEW

This application (N 240295 ZRK) was duly referred to Brooklyn Community Board 13 and the Brooklyn Borough President on November 18, 2024 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 240294 ZMK), which was certified as complete by the Department of City Planning and duly referred in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Brooklyn Community Board 13 held a public hearing on this application (N 240295 ZRK) on December 18, 2024, and on January 22, 2025 by a vote of 29 in favor, 15 opposed, and two abstaining, adopted a favorable resolution for the application. A summary of the Community Board's recommendation appears in the report for the related zoning map amendment (C 240294 ZMK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 240295 ZRK) and on February 25, 2025, issued a recommendation to approve the application with one condition. A summary of the borough president's recommendation appears in the report for the related zoning map amendment (C 240294 ZMK).

City Planning Commission Public Hearing

On February 19, 2025 (Calendar No. 3) the City Planning Commission scheduled March 5, 2025 for a public hearing on this application (N 240295 ZRK) in conjunction with the related application (C 240294 ZMK). The hearing was duly held on March 5, 2025 (Calendar No. 20).

A summary of the public hearing appears in the report for the related zoning map amendment (C 240294 ZMK).

CONSIDERATION

The Commission believes that the proposed zoning text amendment (N 240295 ZRK), in conjunction with the application for the related action (C 240294 ZMK), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment (C 240294 ZMK).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on November 15, 2024, with respect to this application (CEQR No. 24DCP108K), the City Planning Commission finds that the action described herein will have no significant impact on the environment and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use District

* * *

123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED

* * *

#Special Mixed Use District# - 25:

Gowanus, Brooklyn

The #Special Mixed Use District# - 25 is established in Gowanus in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 26:

Coney Island, Brooklyn

The #Special Mixed Use District# - 26 is established in Coney Island in Brooklyn as indicated on the #zoning maps#.

* * *

APPENDIX F
Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated

Areas

* * *

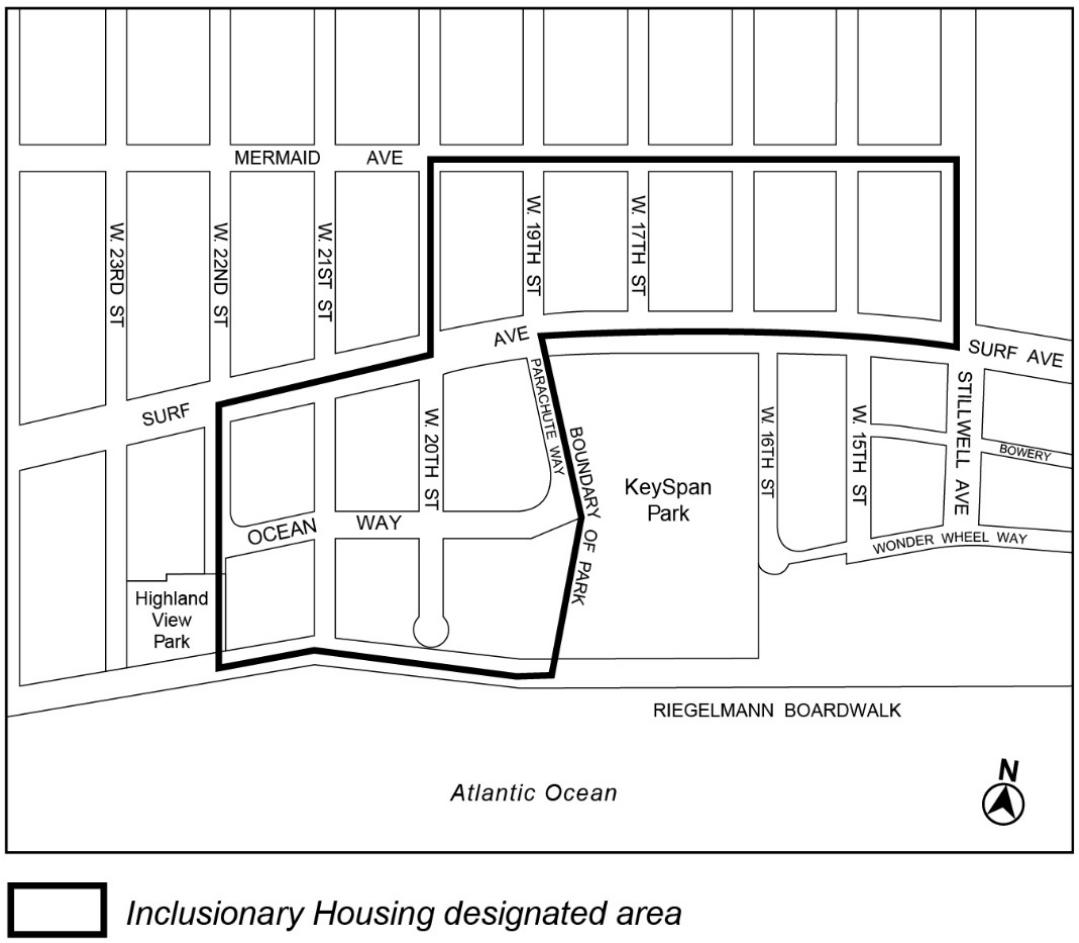
BROOKLYN

* * *

Brooklyn Community District 13

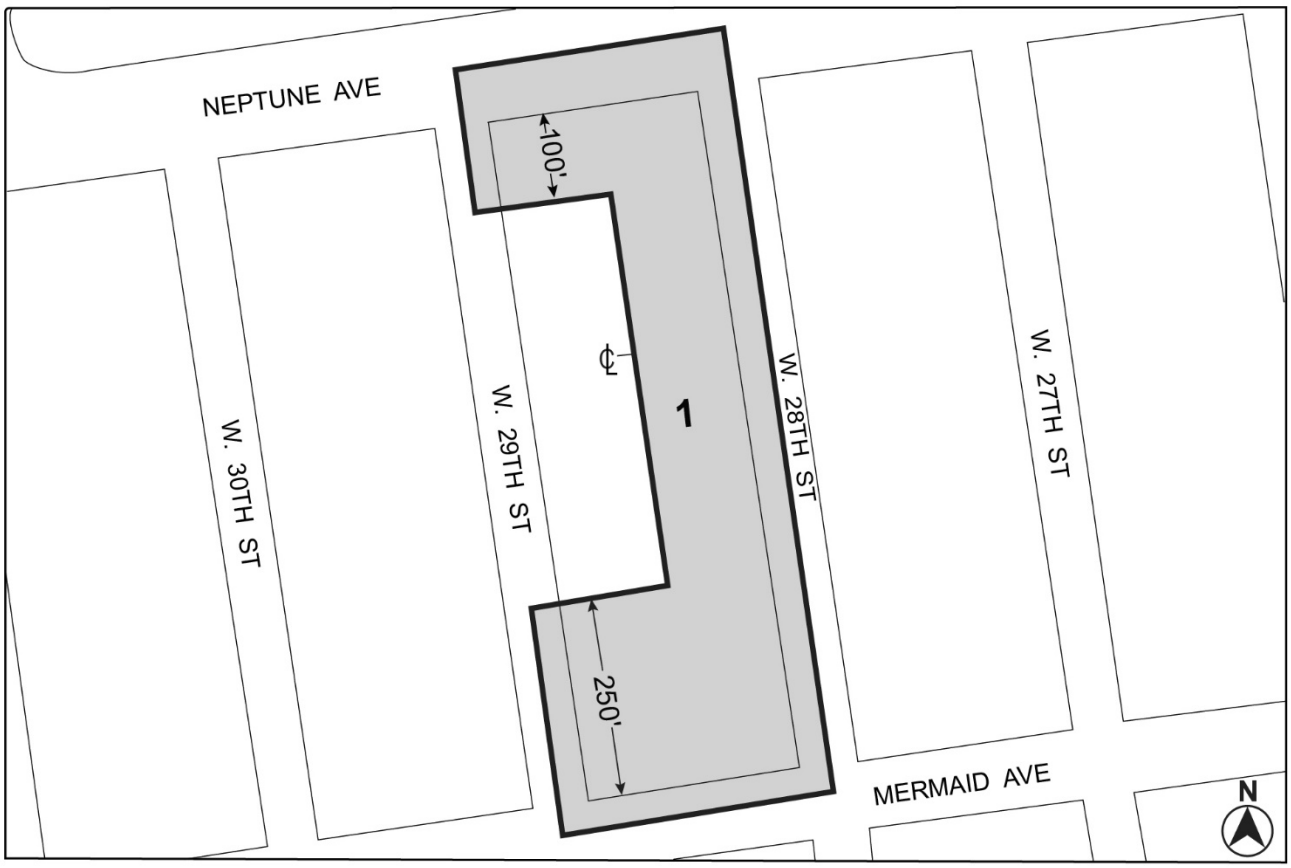
Map 1 – [date of adoption]

[EXISTING MAP]



~~Map 2 – (3/22/18)~~

[EXISTING MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*
Area **1** – 3/22/18 MIH Program Option 1

[PROPOSED MAP]



Former Inclusionary Housing designated area

Mandatory Inclusionary Housing area
Area **1** — 3/22/18 MIH Program Option 1
Area **#** — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 13, Brooklyn

* * *

The above resolution (N 240295 ZRK), duly adopted by the City Planning Commission on April 9, 2025 (Calendar No. 9), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

DANIEL R. GARODNICK, Esq., *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chairman*

GAIL BENJAMIN, ALFRED C. CERULLO III, ESQ., ANTHONY W. CROWELL, Esq., JOSEPH I. DOUEK, DAVID GOLD, Esq., LEAH GOODRIDGE, Esq.,

RASMIA KIRMANI-FRYE, RAJU MANN, ORLANDO MARÍN, RAJ RAMPERSHAD, *Commissioners*

JUAN CAMILO OSORIO, *Commissioner, VOTING NO*