Project Description: (LR Item 3)
Project ID No.: 2022K0408

1946 East 7th Street

January 2024

1. Introduction

This application seeks a zoning map amendment and two zoning text amendments (the "Proposed Actions") by Ahi Ezer Expansion Fund Inc (the "Applicant") for properties in the Homecrest neighborhood of Brooklyn Community District 15. The area is also wholly located in the Special Ocean Parkway District. The Proposed Actions consist of the following:

- A proposed zoning map amendment would rezone Block 6682, Lots 41, 43, 45 and portions of ("p/o") Lots 39, 60, 62, 64, 66 & 68; as well as Block 6683, Lot 49 (p/o) and Lots 51, 52, 57 and 61 (hereafter, the "Rezoning Area"). These properties would be amended from R5 to R6A and R7A:
    - Block 6682, Lots 39 (p/o), 41, 43, 64 (p/o), 66 (p/o) & 68 (p/o) would be amended from R5 to R6A
    - Block 6682, Lots 45, 60 (p/o) & 62 (p/o) would be amended from R5 to R7A
    - Block 6683, Lots 57 & 61 would be amended from R5 to R6A
    - Block 6683, Lots 49 (p/o) 51 and 52 would be amended from R5 to R7A

- In addition, three zoning text amendments are sought:
    - An amendment to Appendix A of Article XI, Chapter 3 of the Zoning Resolution ("ZR") to remove the Rezoning Area from the Special Ocean Parkway ("SOPD") Subdistrict.
    - An amendment to Appendix F of the ZR to establish the Rezoning Area as a Mandatory Inclusionary Housing Area ("MIH").
    - An amendment to Appendix I that would enlarge the Transit Zone along portions of three blocks from Ocean Parkway to East 5th Street along Avenue S to encompass the Rezoning Area and properties between: Block 6681, Lots 455, 458, 464, 469, 472, 476, 478, 480 (p/o); Block 6682, Lots 39 (p/o), 41, 43, 45, 60, 62, 64, 66, 68 (p/o); and Block 6683, Lots 49 (p/o), 51, 52, 57 and 61. Combined, these properties constitute the Project Area (the "Project Area")

The Proposed Actions are intended to facilitate the development of an 8-story 33,056 square foot residential-community facility development (the "Proposed Development") on Block 6682 Lots 41 and 43 (the "Development Site"). The building would contain 36 affordable dwelling units for

seniors, as well as ground-floor and cellar level community facility use for supportive services. Accessory parking would be waived for the Proposed Development as part of the inclusion in the Transit Zone.

The building would be operated by the Ahi Ezer Congregation, an Orthodox Jewish organization that has served the Sephardic community in Brooklyn for close to 100 years and owns and operates several facilities adjacent the Development Site.

2. Background

According to City Planning Commission (CPC) reports, the early 1970s coincided with the increased growth of community facilities along Ocean Parkway, as well as side streets from the parkway. 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 Special Ocean Parkway District (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), 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 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.

The SOPD Subdistrict permits the enlargement of detached and semi-detached housing and would prohibit attached housing in R4 and R5 zones. As noted above, the maximum FAR in the subdistrict limited developments to 1.5 FAR, which was an increase in the R3-1 districts from 0.6 FAR but would a slight decrease in R5 zones where the infill housing regulations could be applied. The proposed minimum side yard and rear yard requirements were less restrictive than those of the existing R3-1, R4 and R5 zoning districts. These less restrictive regulations would permit the

expansion and/or development of larger one and two-family detached and semi-detached homes. The regulations in the subdistrict also include elements of existing lower density contextual zones.

In February 2006, the City adopted the Homecrest Rezoning (C 060129 ZMK), which rezoned an approximately 70-block area in the Homecrest neighborhood of Community District 15, where the Project Area is located. The area rezoned under the Homecrest Rezoning is predominately residential and was bounded mainly by Coney Island Avenue to the west, Kings Highway to the north, Ocean Avenue to the east and Avenue S to the south, with the western boundary of the rezoning is approximately three blocks east of the Project Area. The Homecrest Rezoning was meant to preserve the existing neighborhood scale and character by creating lower density and contextual zoning districts. The proposal created R4-1, R5B, R7A and C4-4A zoning districts in select portions throughout the study area, as well as a C2-3 commercial overlay district along Coney Island Avenue.

In March 2008, the Board of Standards and Appeals (BSA) granted a variance under BSA Cal. No. 237-07-BZ to permit the construction of a 2-story synagogue community facility building located on 718 Avenue S between East 7th Street and East 8th Street immediately adjacent to the proposed Project Area.

No other notable land use actions have been approved within 600 feet of the Project Area within the past 15 years.

3. Description of the Surrounding Area

The surrounding area is predominantly residential in nature consisting of low density detached, semi-detached and attached 1-2 family homes. The surrounding area also contains a concentration of community facility uses, most notably synagogues and yeshivas that cater to the area's large Orthodox Jewish population. Taller residential and community facility buildings rising to approximately 4- and 6-stories tall are found along the lettered avenues as well as along Ocean Parkway. The large residential makeup of the area can be attributed to the SOPD Subdistrict, which covers an area from the Long Island Railroad 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 main commercial thoroughfares in the surrounding area are along Kings Highway (80 feet in width), which is approximately 2 blocks north of the Project Area and portions of Coney Island Avenue (100 feet wide), which is located approximately three blocks east of the Project Area.

Ocean Parkway, which transverses the SOPD north to south, is a scenic boulevard that was completed in 1876 and today is lined with a mix of mid-to-high rise apartment buildings and one, two and three-family houses. The areas to the east and west of Ocean Parkway are also residential

but lower in density. Some blocks have a suburban quality provided by tree lined streets, one- and two-family homes and small apartment buildings. The commercial streets that run perpendicular to Ocean Parkway are characterized by low rise attached and detached buildings, mostly from one to six stories, with a mix of residential and commercial uses.

As noted above, the purpose of the SOPD is to strengthen the existing character of the community and to enhance the scenic landmark designation of Ocean Parkway. All new community facility developments or enlargements are limited to the residential bulk regulations of the underlying districts. All developments with frontage on Ocean Parkway are required to provide a 30-foot unobstructed front yard, subject to limitations on paving and landscaping. Accessory off-street parking for all new developments having frontage on Ocean Parkway must be completely enclosed and all new developments along Ocean Parkway are required to provide street trees.

Ocean Parkway itself is excluded from the SOPD Subdistrict area, with the subdistrict generally mapped to the midblock, affecting lots with frontage away from Ocean Parkway. The purpose of the SOPD Subdistrict is to preserve and enhance the character of the neighborhood, by encouraging large single- or two-family detached and semi-detached residences. To help facilitate this goal, the Subdistrict only permits single and two-family detached and semi-detached residences and community facility uses listed in Use Groups 3 and 4. The bulk of all buildings in the SOPD Subdistrict is limited to 1.5 FAR to help maintain and preserve the low-density character of the neighborhood.

Notable community facility buildings in the surrounding area include the Mirrer Yeshiva K'tana and High School located on Avenue R between Ocean Parkway and East 7th Street, the Young Israel of Ocean Parkway located on Ocean Parkway between Avenue R and Kings Highway and the Sephardic Community Center located on Avenue S between Ocean Parkway and East 7th Street, directly across the street from the proposed Project Area. The Ahi Ezer Synagogue is located on the corner of Ocean Parkway and Avenue S, which is included as part of Project Area (Block 6682, Lot 60).

In the immediate area, open spaces include the malls of Ocean Parkway and Avenue R, to the west and north, respectively. The malls of Ocean Parkway is a green corridor that lines the roadway and is under the jurisdiction of the Department of Parks and Recreation (DPR). The roadway dates from 1866, modeled after grand boulevards of Paris. Avenue R malls contain a planted median, also under DPR jurisdiction. Beyond the immediate area, further east at Avenue S and East 14th Street, is Kelly Park. Kelly Park is a 1.45 acre-DPR maintained facility that is a Jointly Operated Playground with the Department of Education (P.S. 255 Barbara Reing School). The facility contains a playground, tennis courts and other amenities. Further west is McDonald Playground, at McDonald Avenue and Avenue S, which is a 3.48-acre neighborhood park with handball courts, playgrounds, tennis courts and other amenities.

The Project Area is located in R2X, R5 and R6A districts. Within the R5 district, a C1-3 district is mapped along Avenue S between 8th and 9th Streets in the surrounding area.

An R2X district is mapped to the west of Ocean Parkway. R2X districts allow large single-family detached houses on lots with a minimum width of 30 feet. Residential buildings are permitted at a maximum FAR of 0.85 and may be increased to 1.02 by an attic allowance for the inclusion of space beneath a pitched roof. Community facility uses are permitted at a maximum FAR of 1.0. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. One off-street parking space is required for each dwelling unit.

The Rezoning Area is zoned R5. R5 districts are low-density general residence districts, in which all housing types are permitted including garden apartments, row houses and attached homes. Residential buildings may be built up to a maximum FAR of 1.25 while community facility buildings have a maximum FAR of 2.0. Residential buildings have a maximum street wall height of 30 feet and a maximum building height of 40 feet. Above a height of 30 feet, a minimum setback of 15 feet is required from the street wall of the building. Minimum lot width and lot area depend upon the housing configuration. Detached structures require a 40-foot lot width and at least 3,800 square feet of lot area and other housing types require lots at least 18 feet wide and a minimum of 1,700 square feet. Off-street parking is required for 85 percent of dwelling units. In the SOPD Subdistrict, the maximum FAR of this district is 1.5 FAR. The R5/C1-3 district permits limited neighborhood retail and office uses (Use Groups 5 & 6) at a maximum FAR of 1.0.

An R6A district is mapped immediately west of the subject R5 district along the western side of Ocean Parkway and to the north. R6A districts are contextual districts with a maximum residential FAR of 3.0 (3.6 with MIH). Quality Housing regulations are mandatory in this district. Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 or 75 feet (80 or 85 feet with MIH) depending on whether a qualifying ground floor is provided. Off-street parking is required for 50% of a building's dwelling units or can be waived if five or fewer spaces are required.

The area is well-served by public transit. The New York City Transit (NYCT) F train's Kings Highway Station is located approximately 6 blocks (0.5 miles) west of the Project Area along McDonald Avenue. The Kings Highway Station along the B and Q lines is located approximately 0.7 miles northeast of the Project Area at Kings Highway and East 15th Street. The B82 bus runs along Kings Highway approximately two blocks north of the Project Area with service between Coney Island and Spring Creek Towers and the B68 runs along Coney Island Avenue approximately three blocks east of the Project Area with service between Coney Island and Windsor Terrace. Accordingly, the Transit Zone is located to the west of Ocean Parkway.

4. **Description of the Proposed Project Area**

The Proposed Project Area consists of portions of the southern portions of Blocks 6681, 6682 and 6683, which include areas to be rezoned and removed from the SOPD Subdistrict, as well as an area to be added to the Transit Zone. The Rezoning Area and area to be removed from the SOPD Subdistrict comprises Block 6682, Lots 41, 43, 45 and p/o Lots 39, 60, 62, 64, 66 & 68; as well as Block 6683 Lot 49 (p/o) Lots 51, 52, 57 and 61. In addition, the following properties are included in the Project Area under the text amendment to include as part of the Transit Zone: Block 6681, Lots 455, 458, 464, 469, 472, 476, 478, 480 (p/o); Block 6682, Lots 39 (p/o), 41, 43, 45, 60, 62, 64, 66, 68 (p/o); and Block 6683, Lots 49 (p/o), 51, 52, 57 and 61. These properties are in the Homecrest neighborhood of Brooklyn Community District 15. Block 6682, Lots 41 and 43 consist of the Development Site and are discussed in greater detail below.

The Project Area primarily contains frontage along East 7th Street, Avenue S and Ocean Parkway. East 7th Street is 60 feet in width, making the street 'narrow' under the ZR, while Avenue S and Ocean Parkway are wide with 80 feet and 210 feet in width, respectively. The properties that would be included as part of the Transit Zone extend west along Avenue S to East 5th Street.

As noted above, the Rezoning Area is zoned R5 and is in the SOPD Subdistrict, which is mapped along the center lot line of the subject block. However, certain parcels on the lot are irregular in shape, namely in depth, with small portions of the SOPD Subdistrict affecting the eastern areas of Lots 60, 62, 64 and 66 (approximately 10 feet), which contain frontage along Ocean Parkway, while the remaining parcels (Lots 39, 41, 43 and 45) are entirely in the SOPD Subdistrict, in addition to the entirely affected parcels on Block 6683. It should be noted the areas extending west to East 5th Street along Avenue S as part of the addition to the Transit Zone, are not located in the SOPD Subdistrict and are zoned R5, R6A and R2X.

The Rezoning Area would also be removed from the SOPD Subdistrict. Portions of Blocks 6681, 6682 and 6683 are proposed to be included as part of the Transit Zone, measured 200 feet in depth traveling north from Avenue S between the Rezoning Area to East 5th Street. All affected parcels in the Rezoning Area are described below.

Block 6681:

- Block 6681, Lot 455 (1872 Ocean Parkway) is an interior lot with 50 feet of frontage along Ocean Parkway and a depth of 150 feet. The parcel is zoned R6A and is improved with a two-story residence with 5,600 square feet on a 7,500 square-foot lot (0.74 FAR).

- Block 6681, Lot 458 (1882 Ocean Parkway) is an interior lot with 50 feet of frontage along Ocean Parkway and a depth of 150 feet. The parcel is zoned R6A and is improved with a two-story residence with 3,240 square feet on a 7,500 square-foot lot (0.43 FAR).

- Block 6681, Lot 464 (1888 Ocean Parkway) is a corner with 110 feet of frontage along Ocean Parkway and a depth that varies between 130-150 feet. The parcel is zoned R6A and is improved with a two-story residence with 3,156 square feet on a 14,500 square-foot lot (0.21 FAR).

- Block 6681, Lot 469 (509 Avenue S) is an interior lot with 20 feet of frontage along Avenue S and a depth of 100 feet. The parcel is zoned R2X and is improved with a two-story residence with 1,894 square feet on a 6,000 square-foot lot (0.31 FAR).

- Block 6681, Lot 472 (509 Avenue S) is a corner lot with 60 feet of frontage along Avenue S and a depth of 100 feet. The parcel is zoned R2X and is improved with a two-story residence with 3,072 square feet on a 6,000 square-foot lot (0.51 FAR).

- Block 6681, Lot 476 (1959 East 5th Street) is an interior lot with 40 feet of frontage along East 5th Street and a depth of 100 feet. The parcel is zoned R2X and is improved with a two-story residence with 2,925 square feet on a 4,000 square-foot lot (0.73 FAR).

- Block 6681, Lot 478 (1955 East 5th Street) is an interior lot with 40 feet of frontage along East 5th Street and a depth of 100 feet. The parcel is zoned R2X and is improved with a two-story residence with 3,375 square feet on a 4,000 square-foot lot (0.73 FAR).

- Block 6681, Lot 480 (1951 East 5th Street) is an interior lot with 40 feet of frontage along East 5th Street and a depth of 100 feet. The parcel is zoned R2X and is improved with a two-story residence with 4,084 square feet on a 4,000 square-foot lot (1.02 FAR). Only a portion of this property is included.

Block 6682:

- Block 6682, Lot 39 (1940 East 7th Street) consists of a 4,960 square foot interior lot located along the western side of East 7th Street. It has 40 feet of frontage along East 7th Street and a depth between 116-125 feet. It is currently improved with a three-story detached single-family residence containing approximately 4,072 square feet of floor area (0.82 FAR). The building was constructed in 1905. It should be noted only 2,300 square feet of this property is included in the Project Area – or the southern 20 feet of the lot. The property is zoned R5, and the entire lot is inside the SOPD Subdistrict.

- Lot 41 (1946 East 7th Street) consists of a 4,600 square foot interior lot on the western side of East 7th Street. It has 40 feet of frontage along East 7th Street and extends approximately 115 feet deep. It is improved with a 4-story approximately 10,368 square foot residential building (2.25 FAR) containing 11 dwelling units. The building though is currently vacant. The building was constructed in 1925. This lot is part of the Development Site. The property is zoned R5, and the entire lot is inside the SOPD Subdistrict.

- Lot 43 (1950 East 7th Street) consists of a 4,600 square foot interior lot with 40 feet of frontage along East 7th Street. The lot is improved with a 4-story 10,880 square foot institutional building (2.36 FAR) called the Ahi Ezer Torah Center, which includes 16 dwelling units. It includes a private library and the Tichon B'Not Rachel Girls High School. The building was constructed in 1925. This lot is part of the Development Site. The property is zoned R5, and the entire lot is inside the SOPD Subdistrict.

- Block 6682, Lot 45 (1960 East 7th Street) consists of an 11,024 square foot irregular-shaped corner lot situated on the northwest corner of East 7th Street and Avenue S. It has 100 feet of frontage along East 7th Street and 100 feet of frontage along Avenue S, with a depth between 100 feet and 115 feet measured from East 7th Street. The lot is improved with a 4-story approximately 32,930 square foot (2.99 FAR) assisted living facility for seniors owned and operated by the Ahi Ezer Housing Development. The building contains 39 residential units. The Ocean Parkway Senior Center is located on the ground floor, which is open to all seniors in the community. The building was constructed in 1929. The property is zoned R5, and the entire lot is inside the SOPD Subdistrict.

- 6682, Lot 60 (1887 Ocean Parkway) is a part corner, part interior lot located on the northeast corner of Ocean Parkway and Avenue S with 8,240 square feet of lot area. It has 150 feet along Avenue S and approximately 57 feet along Ocean Parkway. It is currently improved with a two-story synagogue with 10,750 square feet (1.3 FAR), known as the Ahi Ezer Congregation, constructed around 1970. The property is zoned R5 and only the eastern 10 feet of the property is in the SOPD Subdistrict. This area would be rezoned and removed from the SOPD Subdistrict.

- Block 6682, Lot 62 (1881 Ocean Parkway) is an interior lot with approximately 40 feet of frontage along Ocean Parkway and a depth of 135 feet, for a lot area of 5,321 square feet. It is currently improved with a two-story single-family home containing 4,363 square feet (approximately 0.82 FAR). The property is zoned R5 and only the eastern 10 feet of the property is in the SOPD Subdistrict. This area would be rezoned and removed from the SOPD Subdistrict.

- Block 6682, Lot 64 (1877 Ocean Parkway) is an interior lot with approximately 40 feet of frontage along Ocean Parkway and a depth of 135 feet, for a lot area of 5,321 square feet. It is currently improved with a two-story two-family home containing 2,400 square feet (approximately 0.45 FAR). The property is zoned R5 and only the eastern 10 feet of the property is in the SOPD Subdistrict. This area would be rezoned and removed from the SOPD Subdistrict.

- Block 6682, Lot 66 (1873 Ocean Parkway) is an interior lot with approximately 40 feet of frontage along Ocean Parkway and a depth of 135 feet, for a total lot area of 5,434 square feet. It is currently improved with a two-story one-family home containing 5,577 square feet (approximately 1.02 FAR). The property is zoned R5 and only the eastern 10 feet of the property is in the SOPD Subdistrict. This area would be rezoned and removed from the SOPD Subdistrict.

- Block 6682, Lot 68 (1869 Ocean Parkway) is an interior lot with approximately 30 feet of frontage along Ocean Parkway and a depth of approximately 125-135 feet, for a lot area of 4,959 square feet. It is currently improved with a two-story two-family home containing 2,600 square feet (approximately 0.52 FAR FAR). The property is zoned R5 and only the eastern 10 feet of the property is in the SOPD Subdistrict. This area would be rezoned and removed from the SOPD Subdistrict.

Block 6683:

- Block 6683, Lot 49 (715 Avenue S) is an interior lot with approximately 33 feet of frontage along Avenue and a depth of 100 feet, for a lot area of 3,200 square feet. It is currently improved with a two-story residence containing 3,080, square feet (approximately 0.96 FAR). This parcel is zoned R5 and is located in the SOPD Subdistrict. Only the western 7 feet of the lot is included in the Project area – or approximately 700 square feet.

- Block 6683, Lot 51 (711 Avenue S) is an interior lot with approximately 33 feet of frontage along Avenue and a depth of 100 feet, for a lot area of 3,200 square feet. It is currently improved with a two-story residence containing 3,080, square feet (approximately 0.93 FAR). This parcel is zoned R5 and is located in the SOPD Subdistrict

- Block 6683, Lot 52 (1965 East 7th Street) is a corner lot with approximately 80 feet of frontage along East 7th Street and a depth of 100 feet, for a lot area of 8,050 square feet. It is currently improved with a 4-story residential building containing approximately 25,075 square feet (3.11 FAR). It should be noted this building is Applicant-controlled and

contains supportive housing units and is not proposed to be materially affected by the Proposed Actions. This parcel is zoned R5 and is located in the SOPD Subdistrict.

- Block 6683, Lot 57 (1955 East 7th Street) is an interior with approximately 80 feet of frontage along East 7th Street and a depth of 120 feet, with 9,640 square feet of lot area. It is currently improved with a 4-story residential building containing approximately 25,200 square feet (2.41 FAR). This parcel is zoned R5 and is located in the SOPD Subdistrict.

- Block 6683, Lot 61 (1943 East 7th Street) is an interior with approximately 22 feet of frontage along East 7th Street and a depth of 120 feet, with 2,711 square feet of lot area. It is currently improved with a three-unit residential building containing 3,509 square feet (1.29 FAR). This parcel is zoned R5 and is located in the SOPD Subdistrict.

5. **Description of the Proposed Development Site**

The Proposed Development Site consists of Block 6682 Lots 41 and 43, which is part of the Project Area and Rezoning Area. Combined, the Development Site contains 9,200 square feet. The Development Site is entirely in the SOPD Subdistrict and is zoned R5, as noted above.

Lot 41 (1946 East 7th Street) consists of a 4,600 square foot interior lot on the western side of East 7th Street. It has 40 feet of frontage along East 7th Street and extends approximately 115 feet deep. It is improved with a 4-story approximately 10,368 square foot residential building (2.25 FAR) containing 11 dwelling units. The building though is currently vacant. The building was constructed in 1925. There are no curb cuts or off street parking on Lot 41.

Lot 43 (1950 East 7th Street) consists of a 4,600 square foot interior lot with 40 feet of frontage along East 7th Street. The lot is improved with a 4-story 10,880 square foot institutional building (2.36 FAR) called the Ahi Ezer Torah Center, which includes 16 dwelling units. It includes a private library and the Tichon B'Not Rachel Girls High School. The building was constructed in 1925. There are no curb cuts or off street parking on Lot 43.

A title agreement is executed against these properties with the US Department of Housing and Urban Development (HUD). This agreement includes construction loans for assisted living and housing for the elderly.

6. **Description of Proposed Development**

The Proposed Actions would facilitate the development of a new 8-story 33,056 square foot (3.6 FAR) residential-community facility use. The building would contain 36 dwelling units along

with supporting 4,817 square feet of community facility space in the cellar and first floor (approximately 0.52 FAR). The first floor would contain a lobby space, along with a 1,452 square-foot synagogue space and library area. The cellar would contain 2,281 square feet of supportive services (community facility use), along with utility rooms, storage and building services. The remaining floors, two to eight, would contain the residential units, which would comprise a mix of one- and two-bedroom units. Outdoor recreation space would be provided in the rear of the property (4,301 square feet) and on terrace areas on the 5th (1,500 sf) and 7th floors (768 sf), which would be reserved for residents.

The building would have a base height of 65 feet, where it would set back 15 feet along East 7th Street before rising to a max height of 85 feet. The northern portion of the building would be affected by transition rules between the existing R5 and new R6A district and would include a max 45-foot-tall area within 25 feet of the of the boundary of the R5 and proposed R6A district. This would result in the northern 25 feet of the building rising to 45 feet, with the rooftop of this area containing the 1,500 square-foot terrace described above. The building would provide no parking. All of 36 dwelling units would be permanently affordable and oriented towards seniors under an agreement with HUD for the provision of affordable housing for the elderly. As such, no off-street parking would be required with the Development Site under Transit Zone regulations and no curb cuts would be provided in the Proposed Development.

7. **Action Necessary to Facilitate the Project**

The Proposed Actions consist of a zoning map amendment and three separate zoning text amendments.

Proposed Zoning Map Amendment

The proposed zoning map amendment would rezone Block 6682, Lots 41, 43, 45, and p/o Lots 39, 60, 62, 64, 66 & 68. In addition, Block 6683, Lots 49 (p/o). 51, 52, 57 and 61 would be amended. These parcels would be amended from R5 to R6A and R7A, as outlined below.

- Block 6682, Lots 39 (p/o), 41, 43, 64 (p/o), 66 (p/o) & 68 (p/o) would be amended from R5 to R6A
- Block 6682, Lots 45, 60 (p/o) & 62 (p/o) would be amended from R5 to R7A
- Block 6683, Lots 57 & 61 would be amended from R5 to R6A
- Block 6683, Lots 49 (p/o) 51 and 52 would be amended from R5 to R7A

The first 100 feet in depth measured from Avenue S on Block 6682 would be amended R7A, while the following 100 depth would be amended to R6A. This would be mapped from the centerline, or 125 feet, from East 7th Street. For Block 6683, the R7A district would be mapped 100 feet from

Avenue S and the following 100 feet would be mapped R6A. This new district would be measured from the center line of the block.

R6A districts are commonly found mapped deep into narrow street in largely built-up areas throughout Brooklyn. R6A districts are contextual districts with a maximum residential FAR of 3.0 with no affordable units and 3.6 with MIH. Quality Housing regulations are mandatory in this district. Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 or 75 feet (80 or 85 feet with MIH), depending if a qualifying ground floor is provided. Off-street parking is required for 50% of a building's dwelling units and can be waived if five or fewer spaces are required. For income-restricted dwelling units, the parking requirement is waived in the Transit Zone.

R7A districts are commonly mapped on corners of wide roadways. R6A districts are also contextual districts with a maximum residential FAR of 4.0 with no affordable units and 4.6 with MIH. Quality Housing regulations are mandatory in this district. Above a base height 40-65 feet (or 75 feet MIH), the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 80 (85 feet with a Qualifying Ground Floor) or 90 feet with MIH (95 feet with a Qualifying Ground Floor). Off-street parking is required for 50% of a building's dwelling units and can be waived if five or fewer spaces are required. For income-restricted dwelling units, the parking requirement is waived in the Transit Zone.

The Proposed Actions are necessary to facilitate the Proposed Development. Currently, the R5 district permits a maximum of 2.0 FAR and in the SOPD Subdistrict only permits a maximum FAR of 1.5. The proposed R7A district would recognize pre-existing mid-rise density at corner locations and reinforce any new permitted density along wide roadways. The proposed R6A district that would follow (beyond 100 feet of the wide roadway) would serve as a mid-rise step-down district along East 7th Street, while also recognizing density in this area that exceeds the underlying R5 district and under the SOPD Subdistrict. These new districts would also be appropriate due to its location adjacent heavily trafficked roadways and close proximity to transit, with nearby NYCT subway and bus lines. Furthermore, the proposed R6A and R7A district would be consistent with the pre-existing R6A district located one block to the north and west. The proposed R6A district would also be consistent with existing character of the Rezoning Area and immediate surrounding area and would result in greater compliance with zoning, where a max of only 1.5 FAR is currently permitted. For example, the 4-story building on Lot 45, next to the Proposed Development, is currently overbuilt with 2.99 FAR and the proposed rezoning would legalize its noncompliant status. Moreover, the eastern side of East 7th Street contains mid-rise apartment buildings in 4-stories and the proposed new R6A and R7A districts would recognize that density resolve their noncompliant status.

Zoning Text Amendments

The three proposed zoning text amendments to the Zoning Resolution include:

- An amendment to Appendix A of Article XI, Chapter 3 of the Zoning Resolution ("ZR") to remove the Rezoning Area from the Special Ocean Parkway ("SOPD") Subdistrict, which would include Block 6682, Lots 39 (p/o), 41, 43, 45, 60 (p/o), 62 (p/o), 64 (p/o), 66 (p/o) & 68 (p/o); Block 6683, Lots 49 (p/o), 51, 52, 57 & 61.
- An amendment to Appendix F of the ZR to establish the Rezoning Area as a Mandatory Inclusionary Housing Area ("MIH") which would include Block 6682, Lots 39 (p/o), 41, 43, 45, 60 (p/o), 62 (p/o), 64 (p/o), 66 (p/o) & 68 (p/o); Block 6683, Lots 49 (p/o), 51, 52, 57 & 61.
- An amendment to Appendix I that would enlarge the Transit Zone to include the Rezoning Area, as well as portions of Block 6682 and 6683. This would include the area between Ocean Parkway to East 5th Street along Avenue S measured at a length of 200 feet in depth from Avenue S. In total, this encompasses Block 6681, Lots 455, 458, 464, 469, 472, 476, 478, 480 (p/o); Block 6682, Lots 39 (p/o), 41, 43, 45, 60, 62, 64, 66, 68 (p/o); and Block 6683, Lots 49 (p/o), 51, 52, 57 and 61.

SOPD Subdistrict

The removal of the Project Area from the SOPD Subdistrict would permit development in excess of 1.5 FAR, which is consistent with the existing character of the Project Area, as noted above. The SOPD was implemented to preserve the historic features of the landmarked Ocean Parkway, as well as the proliferations of community facility uses along the roadway and intersecting avenues. Of particular concern were the conversion of existing housing stock to community facilities, as well as the adverse impact on light and air of adjacent residences. The SOPD Subdistrict aimed to preserve the residential character of surrounding neighborhoods, in particular by preserving the lower density-built patterns of the area which primarily consisted of one and two-family homes. The most significant element of that text amendment in 1993 was the FAR limitation that limited all development in the SOPD Subdistrict to 1.5 FAR.

The removal of the SOPD Subdistrict would predominantly affect properties that do not front Ocean Parkway, except for the rear yard portions of three properties along Ocean Parkway (Block 6682, Lots 62, 64, 66 and small portion of Lot 68). These properties are currently developed with one- and two-family homes and would continue to be located in the overall SOPD with additional development restrictions that would continue to preserve such development along Ocean Parkway. The remaining parcels that would be removed from the SOPD Subdistrict primarily consist of overbuilt community facility developments and a single one-family home located along East 7th Street (Block 6682, Lot 39), which would be rezoned R6A under MIH. Given their location along and nearby Avenue S, the increased density necessitates removal from the SOPD Subdistrict, with

increased density appropriate for this location, as noted above. Given that the proposed adjustment of the SOPD Subdistrict would not affect parcels along Ocean Parkway and would otherwise affect community facility uses on East 7th Street and a single residential property, it is demonstrated the Proposed Actions would not be inconsistent with the SOPD or general intent of the SOPD Subdistrict and would be appropriate for removal in the Project Area.

Mandatory Inclusionary Housing
The second text amendment would amend Appendix F of the ZR by establishing the Rezoning Area as an MIH area. The area would be mapped with Option 1 or Option 2. Under Option 1, 25% of new residential floor area must made affordable for residents with incomes averaging 60% AMI and below. Under Option 2, 30% of new residential floor area must be made available to incomes averaging 80% AMI and below. As the Proposed Development consists of a fully affordable development, either MIH would comply. However, should any residential development occur in the future in the Rezoning Area, MIH would apply to those redevelopments.

Transit Zone
Finally, the proposed zoning text amendment to enlarge the Transit Zone is appropriately located, as it would affect a limited area near subway and bus transit. As noted above, the Project Area is located near the the Kings Highway Station (two blocks north) with B and Q lines. In addition, the B82 bus runs along Kings Highway approximately two blocks north and the B68 runs along Coney Island Avenue approximately three blocks east. The inclusion of the Transit Zone to encompass the Project Area would eliminate parking requirements only for income-restricted dwelling units, a recognized need for this area, considering the uses present that include supportive services and affordable housing for the senior population. This would not affect parking requirements for any other permitted use and market rate housing would continue to require off-street parking in this area.

7. **Conclusion**

The Proposed Actions would facilitate a new residential-community facility development that would result in much needed affordable dwelling units for seniors. The proposed zoning map amendment would result in an increased but appropriate amount of new density in an area located along a heavily trafficked wide roadway (Avenue S) in proximity to Ocean Parkway, a regional arterial.

The proposed R7A and R6A districts would be consistent with pre-existing mid-rise R6A and R7A districts in close proximity and would not affect the overall character of the surrounding area, which is developed with mid-rise residential and community facility developments that generally exceeds the maximum FAR of the underlying R5 zoning and SOPD Subdistrict. Further, the proposed zoning text amendment to remove the Project Area from the SOPD Subdistrict would

not be inconsistent with the original intent of the special district, as affects only small rear portions of areas along Ocean Parkway and parcels predominantly developed with pre-existing community facility uses, as noted above.

The Proposed Actions include a zoning text amendment to make the Rezoning Area applicable to MIH, which would result in permanently affordable dwelling units, should any new residential development occur in this area in the future. Moreover, the proposed text amendment to include the Rezoning Area and areas between in the Transit Zone would eliminate parking requirements for supportive services and income-restricted dwelling units, in an appropriate area near transit.

As such, the Proposed Actions are appropriate for this area and would result in much needed affordable housing for the local community and would not negatively impact the character of the surrounding area, nor be inconsistent with the intent of the Special Ocean Parkway District or Subdistrict. In addition, parking requirements would not be adjusted for market rate housing and other permitted uses.

Overall, the Proposed Actions would promote economic development, public health and safety - through the provision of permanently affordable dwelling units for seniors. Given increasing demand for residential units in the city, seniors experience increased pressure to remain in the community and the Proposed Development would provide increased stability through the provision of 36 permanently affordable dwelling units. The Proposed Development would also provide supportive and social services that would complement existing facilities in the immediate area owned and operated by the Ahi Ezer Congregation, which has supported the surrounding community for close to 100 years, a public benefit.