395 Flatbush Avenue Extension Redevelopment

CD 2 **N 260039 ZRK**

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending provisions of Article X, Chapter 1 (Special Downtown Brooklyn District) and APPENDIX F (Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas) for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10 or 101-01;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE X
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Downtown Brooklyn District

101-00
GENERAL PURPOSES

* * *

101-01
Definitions

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), 32-301 (Definitions), Section 101-702 (Definitions Specific to the Atlantic Avenue Subdistrict) or in this Section.

Development or to develop

For purposes of this Chapter, "development" includes a #development#, an #enlargement# or an #extension#.

To "develop" is to create a #development#.

Large qualifying site

"Large qualifying site" is a #zoning lot# that:

(a) occupies an entire #block#; or

(b) has a minimum #lot area# of 30,000 square feet with at least one full #block# frontage along a #street#.

101-02
General Provisions

* * *

101-20
SPECIAL BULK REGULATIONS

* * *

101-21
Special Floor Area Regulations

R7-1 C6-1 C6-4.5 C6-6 C6-9 C6-12

(a) In R7-1 Districts

* * *

(e) In C6-9 Districts

* * *

(f) In C6-12 Districts

In C6-12 Districts, the underlying #floor area# regulations shall apply.

However, for #large qualifying sites# in C6-12 Districts:

(1) the maximum #commercial# and #community facility# #floor area ratio# shall be subject to the underlying regulations;

(2) the maximum #residential# #floor area ratio# for #qualifying affordable housing# and #qualifying senior housing# shall be 19.0; and

(3) the total #floor area ratio# for all #uses# shall be 23.0.

101-22
Special Height and Setback Regulations

The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Section 101-221 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Brooklyn District#.

In R7-1, C5-4, C6-1, C6-4, ~~and~~ C6-9 and C6-12 Districts, except C6-1A Districts, the underlying height and setback regulations shall apply except as modified by the provisions of this Section. #Buildings or other structures# within the Schermerhorn Street Height Limitation Areas shall comply with the provisions of Section 101-30 (SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS).

* * *

101-222
Standard height and setback regulations

C2-4/R7-1 C6-1 C6-4.5 C6-6 C6-9 C6-12

In the districts indicated, except C6-1A Districts, a #building or other structure# shall not exceed the applicable maximum #building# height set forth in the table in this Section. Furthermore, any portion of a #building or other structure# that exceeds the applicable maximum base height shall provide a setback pursuant to the provisions of Section 23-433 (Standard setback regulations).

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS IN C2-4/R7-1, C6-1, C6-4.5, C6-6, C6-9, AND C6-12 DISTRICTS

	Maximum base height		Maximum #building# height	
District	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#
C2-4/R7-1	85	85	165	165
C6-1	125	155	185	215
C6-4.5 C6-6 C6-9	125	155	255	255
C6-12	155	155	395	395

C5-4 C6-4

In the districts indicated, the underlying height and setback provisions applicable to an R10A District shall apply. However, the minimum base height requirements need not apply.

101-223
Tower regulations

C5-4 C6-1 C6-4 C6-6 C6-9 C6-12

In the districts indicated, except C6-1A Districts, above the maximum base heights specified pursuant to Section 101-222 (Standard height and setback regulations), towers provided in accordance with the provisions of Section 23-435 (Tower regulations) shall be permitted as an alternative to the maximum #building# heights specified in Section 101-222. For #buildings or other structures# utilizing such provisions, no height limit shall apply, except that, in C6-1 Districts, the maximum height shall be 495 feet.

101-224
Special provision for certain sites

For #large qualifying sites# that have below-grade transit infrastructure which occupies at least 30 percent of the #lot area#, the underlying setback requirements shall be modified to exempt up to 30 percent of the total #street wall# width of the #development# from such setback requirements.

101-30
SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS

* * *

101-40
MANDATORY DISTRICT PLAN ELEMENTS

101-41
Special Street Wall Location Regulations

Map 3 (Street Wall Continuity and Mandatory Sidewalk Widenings) in Appendix E of this Chapter specifies locations where the special #street wall# location regulations of this Section apply. However, such regulations shall not apply along the #street# frontage of that portion of any #zoning lot# occupied by existing #buildings# to remain.

* * *

(d) All other areas

* * *

(e) #Large qualifying sites#

For #large qualifying sites# where a publicly accessible area is provided along one or more #street# frontages, the #street wall# location requirements of this Section shall not apply along such #street# frontages or portions thereof occupied by the publicly accessible area.

101-42
Mandatory Sidewalk Widenings

* * *

APPENDIX F
Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas

* * *

BROOKLYN

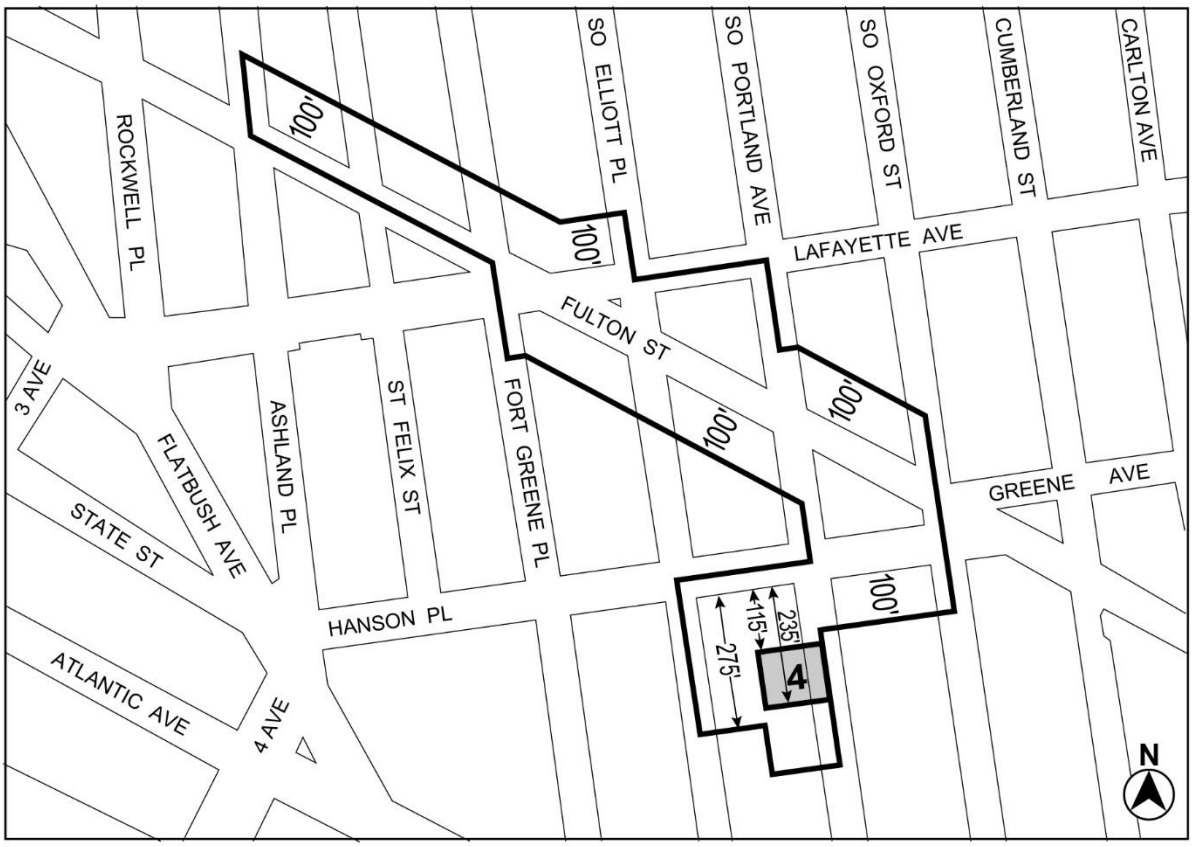
* * *

Brooklyn Community District 2

* * *

Map 2 – [date of adoption]

[EXISTING MAP]

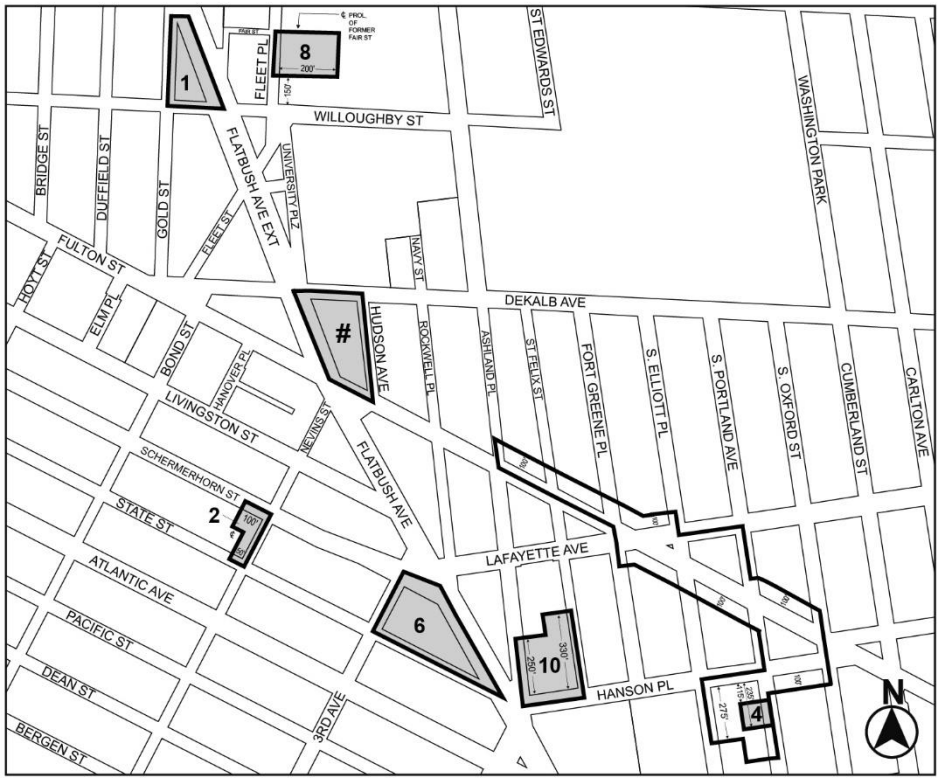


Inclusionary Housing designated area

Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

Area **4** – 6/28/18 MIH Program Option 1

[PROPOSED MAP]



Former Inclusionary Housing designated area

Mandatory Inclusionary Housing area

Area **1** — 11/16/16 MIH Option 2

Area **2** — 9/7/17 MIH Option 1

Area **4** — 6/28/18 MIH Option 1

Area **6** — 9/26/18 MIH Option 1 and Option 2

Area **8** — 12/10/19 MIH Option 1

Area **10** — 10/21/21 MIH Option 1 and Option 4

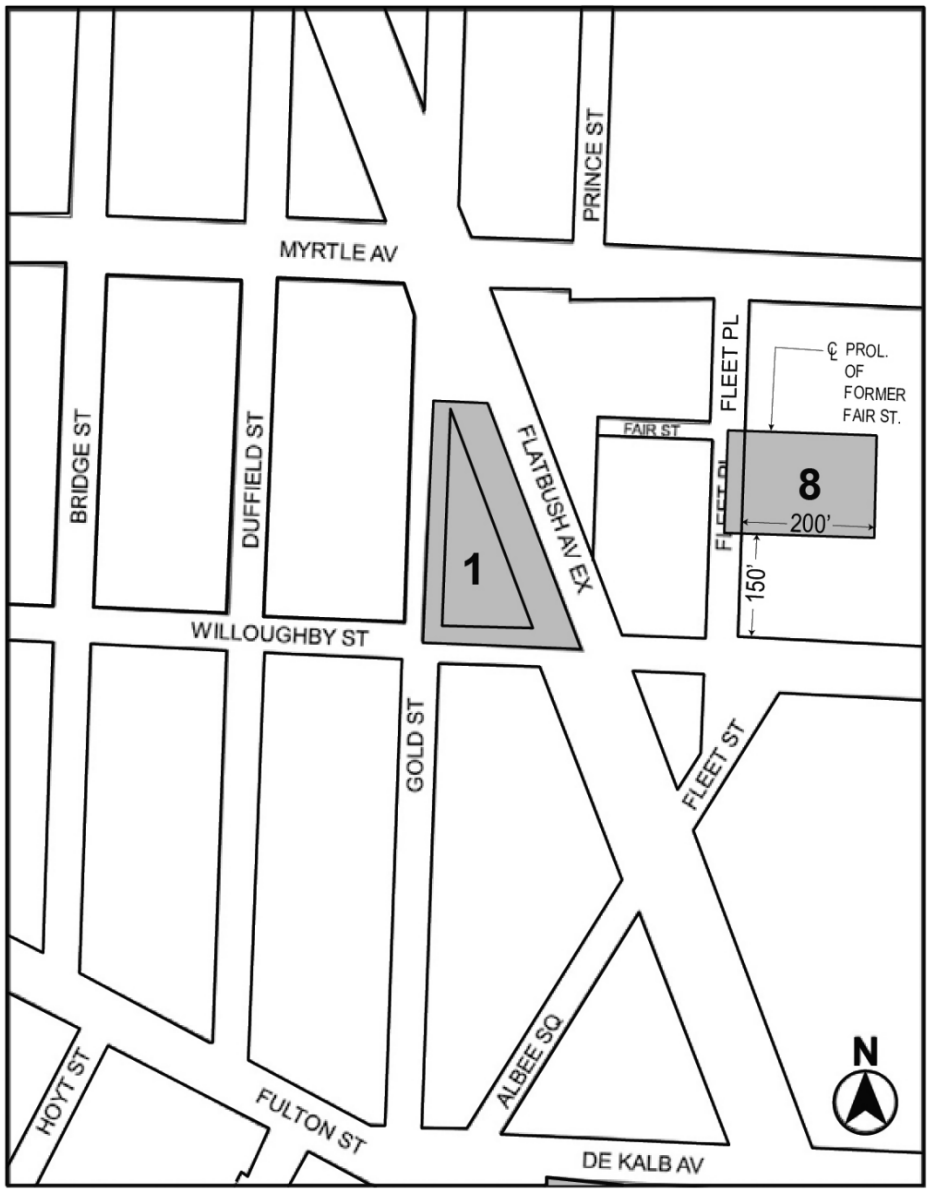
Area **#** — [date of adoption] MIH Option 1 and Option 2

Portion of Community District 2, Brooklyn

* * *

~~Map 5 (12/10/19)~~

[EXISTING MAP – TO BE REMOVED]



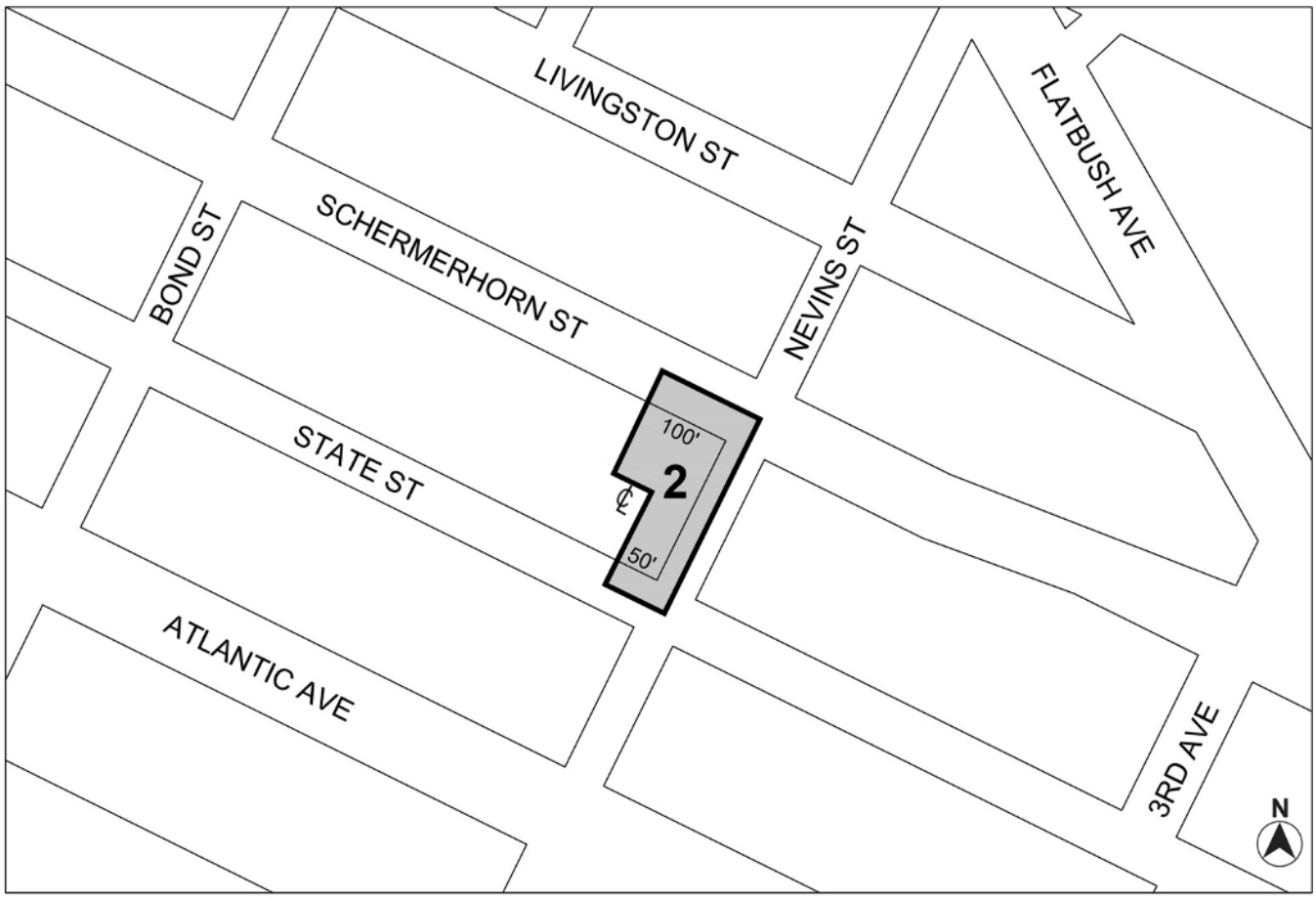
Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **1** — 11/16/16 MIH Program Option 2

Area **8** — 12/10/19 MIH Program Option 1

~~Map 6 – (9/7/17)~~

[EXISTING MAP – TO BE REMOVED



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

Area **2** – 9/7/17 MIH Program Option 1

~~Map 8 – (10/21/21)~~

[EXISTING MAP – TO BE REMOVED]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **6** — 9/26/18 MIH Program Option 1 and Option 2

Area **10** — 10/21/21 MIH Program Option 1 and Workforce Option

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