3033 Avenue V Rezoning
Tax Block 7367, Lot 36, Borough of Brooklyn
PROJECT ID: 2023K0172

Introduction

This is an application filed by Ford Coyle Properties Inc. (the "Applicant"), owner of 3033 Avenue V, Tax Block 7367, Lot 36, Borough of Brooklyn (the "Development Site"), seeking:

1. An amendment to Zoning Map 29a, changing the existing R4/C1-2 District underlying the Development Site, to an R7D/C2-4 District (the Development Site is the "Project Area");
2. An amendment to the text of Appendix F of the Zoning Resolution of the City of New York ("ZR") to create a Mandatory Inclusionary Housing Area ("MIH Area") on the Project Area;

The requested actions will facilitate the construction of a proposed approximately 112,000 square foot, nine-story mixed-use building, with approximately 13,650 square feet of Use Group 6 retail floor area and approximately 98,350 square feet of residential floor area ("the Proposed Building"). The Proposed Building will accommodate 109 dwelling units, of which approximately 27 to 33 dwelling units will be constructed pursuant to Option 1 or 2 of the Mandatory Inclusionary Housing Program (ZR §23-154(d)(3)(i or ii)). The Proposed Building will contain 109 attended parking spaces.

Background

There are two previous New York City Planning Commission ("CPC") actions related to the Project Area.

1. On April 9, 1964, CPC approved a zoning map amendment, under Application No. CP-18261, which established a C1-2 commercial overlay, bounded by Avenue V, Ford Street, a line 100 feet north of Avenue V, a line midway between Ford Street and Coyle Street, a line 150 feet south of Avenue U, and Bragg Street. The rezoning was intended to facilitate the development of a privately-owned site with new commercial uses.
2. The 2134 Coyle Street Rezoning, under Application Nos. C 210239 ZMK and N 210240 ZRK, was approved by the CPC on January 5, 2022 and adopted by the New York City Council on February 24, 2022. The 2134 Coyle Street Rezoning rezoned an approximately 50,000 square foot portion of Tax Block 7367 (Lots 11 and 29) located immediately north of the Project Area, on the west side of Coyle Street from an R4 District, within a C1-2 commercial overlay to an

R6D District, within a C2-4 commercial overlay, as well as the establishment of an MIH Area (Option 2 and Deep Affordability Option).

The 2134 Coyle Street Rezoning was intended to facilitate the development of a new five-story, 129,000 square foot (2.58 FAR) mixed-use development with approximately 120 dwelling units, including approximately 36 permanently income-restricted units, 32,000 square feet of commercial floor area, and 167 parking spaces.

Proposed rezoning of adjacent block, Tax Block 7368

A portion of Tax Block 7368 (Tax Lots 1, 15, 17, 65 and 68) is proposed to be rezoned, under ULURP Nos. 230248ZMK and N230249ZRK, from R4/C1-2 to R6A/C2-4, R7A/C2-4, and R7X/C2-4 Districts.

Description of the Surrounding Area

The Project Area and surrounding area are located within the Sheepshead Bay neighborhood of Brooklyn and within Brooklyn Community District 15.

Land Uses

The surrounding area is predominately residential and commercial land uses, with one- and two-family residences to the north and west, the New York City Housing Authority ("NYCHA") Nostrand and Sheepshead Bay Houses to the south and southwest, and commercial uses to the east. The NYCHA Nostrand Houses contain sixteen 6-story multifamily elevator buildings across 23.8-acres and the NYCHA Sheepshead Bay Houses contain eighteen 6-story multifamily elevator buildings.

The block to the east of the Project Area, Tax Block 7368, is developed entirely with commercial uses, including a grocery store, beverage distributor, and flooring supply store. However, as discussed above, a portion of Block 7368 is proposed to be rezoned, under ULURP Nos. 230248ZMK and N230249ZRK, from R4/C1-2 to R6A/C2-4, R7A/C2-4, and R7X/C2-4 Districts. Further east is a mixture of multi-family residences, one-family residences, a daycare, and a pharmacy, as well as a little league baseball stadium on Knapp Street, and P.S. 194 Raoul Wallenberg on Avenue W. Other than commercial uses along Avenue U, the areas to the north and west of the Project Area are almost exclusively residential uses with a mix of one-and two-family and multi-family residences.

Other notable uses located within the surrounding area include several publicly accessible open spaces, including: Marine Park, an 800 acre park located approximately 1,500 feet east of the Project Area along Gerritsen Avenue and Burnett Street, which contains athletic fields, basketball and tennis courts,

playgrounds, lawns, hiking trails, a canoe and kayak launch, and food stands; and Herman Dolgon Playground, a 1.89 acre neighborhood park with playgrounds and basketball and handball courts located two and half blocks west of the Project Area on the southside of Avenue V between Batchhelder Street and Nostrand Avenue.

The Project Area is well served by public transportation, with numerous New York City bus lines, including the 3 line which runs east and west along Avenue U, the 36 line, which runs north and south along Nostrand Avenue and the 4 and 31 lines that runs north and south along Gerristen Avenue, 36 and 44 lines, located within four blocks of the Project Area. The 3 line also provides service to the B and Q subway lines located on Avenue U and East 16th Street, approximately one mile from the Project Area.

Zoning

The zoning districts mapped within the surrounding area include R4, R5, and R6A Residence Districts and C1-2, C2-2 and C2-4 commercial overlays.

R4 Residence District

The surrounding area to the west and north of the Project Area is predominately mapped as an R4 Residence District, with C1-2 and C2-2 commercial overlays along Avenue U. R4 districts are low density non-contextual residential districts that allow residential uses (Use Groups 1 and 2) and community facilities (Use Groups 3 and 4) at a maximum floor area ratio ("FAR") of 0.75, and 2.0, respectively. Residential uses are permitted with a maximum lot coverage of 45 percent of the lot area. The maximum permissible building height in an R4 district is 35 feet for residential uses. Residential buildings must provide a minimum front yard of 10 feet and may have a perimeter wall up to 25 feet tall. Above a height of 25 feet, buildings are subject to setback regulations guided by a sky exposure plane. Accessory parking is required at a rate of one space per dwelling unit.

R5 Residence District

The surrounding area to the south and east of the Project Area is predominately mapped as an R5 District. Similar to R4 districts, R5 districts are low density non-contextual residential districts. R5 districts allow residential uses (Use Groups 1 and 2) and community facilities (Use Groups 3 and 4) at a maximum FAR of 1.25, and 2.0, respectively. Residential uses are permitted with a maximum lot coverage of 55 percent of the lot area.

The area to the north, adjacent to the Project Area along Coyle Street is mapped R6A within a C2-4 commercial overlay, within a Mandatory Inclusionary Housing Area. R6A Residence Districts are medium-density contextual residential districts. The maximum FAR for residences within a

Mandatory Inclusionary Housing area at a maximum FAR is 3.6. The maximum FAR for community facility uses is 3.0.

R6A Residence District

In R6A districts within a Mandatory Inclusionary Housing area, a building containing residences must comply with the Quality Housing height and setback regulations. Accordingly, the minimum base heights in R6A districts must be between 40 and 65 feet, with a maximum building height (excluding bulkhead and other permitted obstructions) of 85 feet, but no more than eight stories. Above the base height, a 10 foot setback on a wide street and a 15 foot setback on a narrow street must be provided. Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units.

C1-2 commercial overlay

C1-2 commercial overlay districts are mapped across the surrounding area's R4 district on both sides of Avenue U to a depth of 100 feet, and across the entire block to the east of the Project Area. C1-2 overlay districts are local retail and service districts that allow commercial uses in Use Group 6 at an FAR of 1.0 when mapped across an R4 district. Commercial uses must be located below residential uses and are limited to the first floor of mixed use buildings. No front yard is required for mixed-use buildings in C1-2 commercial overlay districts (including R4/C1-2 districts); however, above a building height of 25 feet, a commercial development would require an initial setback of 20 feet on a narrow street and 15 feet on a wide street. Accessory parking is required for retail uses at a rate of one space per 300 square feet.

C2-2 and C2-4 commercial overlays

C2-2 and C2-4 commercial overlays are paired with residential zoning districts and are generally mapped along streets that serve local retail needs. C2-2 and C2-4 overlays allow a range of local-serving commercial retail and service uses in Use Groups 6, 7, 8, 9 and 14, such as grocery stores, banks, offices, restaurants, general stores, barber shops, laundromats and other similar retail and services businesses. When mapped within R7D Residence Districts, C2-2 and C2-4 commercial overlays allow commercial uses to a maximum of 2.0 FAR. Commercial uses are limited to the first floor in mixed-use buildings. C2-2 commercial overlays require one parking space per 300 square feet of floor area for general retail or service uses and C2-4 districts require one parking space per 1,000 square feet of floor area for general retail or service uses.

Description of the Project Area/Development Site

The Project Area/Development Site consists of the approximately 20,000 square foot located on Lot 36 on Tax Block 7367 and encompasses the entire block front between Coyle Street and Ford Streets within 100 feet of the northside of Avenue V.

The Project Area/Development Site is currently improved with an approximately 12,500 square foot (FAR of 0.625) one-story building constructed in 1950, containing eleven commercial establishments, including a liquor store, an organic snack store, a medical center, a pharmacy, two eating and drinking establishments, a medical supply store, a beauty salon, a smoke shop and a deli, with a total of approximately 45 to 50 employees. One of the establishments is currently vacant. All leases for the establishments are due to terminate within five years.

The Project Area/Development Site contains two curb cuts, one along Coyle Street and one along Ford Street, servicing 12 accessory off-street parking spaces.

The Project Area/Development Site contains 200 feet of frontage on the northside of Avenue V, 100 feet of frontage on the west side of Coyle Street and 100 feet of frontage on the east side of Ford Street.

Avenue V is an 90 foot wide, two-way east-west bound street; Coyle Stret is an 80 foot wide, two-way north-south bound street; and Ford Street is a 60 foot wide, one-way north bound street.

Description of the Proposed Development

The applicant proposes to construct a new approximately 112,000 square foot (FAR of 5.6), nine-story mixed-use building, with approximately 13,650 square feet (FAR of 0.68) of Use Group 6 commercial use and approximately 98,350 square feet (FAR of 4.92) of residential floor area. The Proposed Building will accommodate 109 dwelling units, of which approximately 27 to 33 dwelling units will be constructed pursuant to the Mandatory Inclusionary Housing Program (MIH Option 1 or 2).

The Proposed Building will contain 109 attended parking spaces in two subgrade levels, with 86 spaces on double stackers and 23 spaces at grade, including nine accessible spaces, with a driveway and a 22'1" curb cut located off of Coyle Street (in its current location, but reduced from its existing 26 foot width). The existing curb cut on Ford Street will be removed.

The Proposed Building will be 95 feet high, except that within 25 feet of the adjacent R4 Residence District on Ford Street, pursuant to ZR §232-693, the height of the Proposed Building will be 55 feet.

The Proposed Building will occupy the entirety of the Development Site, with various setbacks, balcony's and terraces, including a 22'9" setback above the first story on Ford Street and the following setbacks above the first floor:

- A 22'-9" deep, fifty foot wide setback along Ford Street at the level of the 2nd floor.
- A 25 foot setback from the adjacent R4 District at Ford Street beginning at 55 feet, or the 6th Floor and spanning the entire depth (100 feet) adjacent to the R4 District.
- A 25 foot setback from the adjacent R6A zone at Coyle Street, beginning at 65 feet, or the 7th Floor and spanning the entire depth (100 feet) adjacent to the R6A District.
- A 30 foot setback for all residential floors (2nd through 9th Floors) adjacent to the R4 and R6A Districts.

The ground floor of the Proposed Building will contain a residential lobby on Avenue V as well as a residential entrance on Coyle Street. The Proposed Building will also contain a common terrace on the second and ninth floor, as well as a rooftop common terrace.

The Proposed Building will contain eight tenant spaces, ranging from 742 square feet to 4,495 square feet with entrances, depending on the establishment on Avenue V, Coyle Street and Ford Street.

Action Necessary to Facilitate the Project

In order to construct the Proposed Building with approximately 112,000 square feet of residential and commercial floor area (FAR of 5.6), and 27 to 33 affordable units on the Development Site (MIH Option 1 or 2), an amendment to Zoning Map 29a, changing the R4 Residence District to a R7D/C2-4 District is being sought.

Zoning Map Amendment

Since 1964, the zoning district underlying the Project Area has been a R4 Residence District. Such existing district has failed to spur any new developments. The Proposed Actions are needed to encourage the redevelopment of the Development Site into a mixed-use, mid-rise, multi-family development with affordable dwelling units and ground-floor retail, consistent with the surrounding area.

R7D Residence District

The proposed R7D Residence District is a medium-density contextual residential district that produces nine-story to twelve-story residential buildings. The maximum FAR for residences within a Mandatory Inclusionary Housing area at a maximum FAR is 5.6 with a maximum lot coverage of 100 percent for

corner lots. The maximum FAR for community facility uses is 4.2 with a maximum lot coverage of 80 percent for corner lots. The maximum FAR for commercial uses within the proposed C2-4 commercial overlay is 2.0.

A building containing residences must comply with the Quality Housing height and setback regulations. Accordingly, the minimum base heights in R7D districts within Mandatory Inclusionary Housing Areas must be between 60 and 95 feet, with a maximum building height with a qualifying ground floor (excluding bulkhead and other permitted obstructions) of 115 feet, or eleven stories, whichever is less. Above the base height, a 10 foot setback on a wide street and a 15 foot setback on a narrow street must be provided.

Accessory off-street parking spaces are required for fifty percent of the number of market-rate dwelling units, and 15 percent of income-restricted housing units constructed pursuant to the Mandatory Inclusionary Housing. The Proposed Development will contain 109 accessory off-street parking spaces, which exceed the amount of 45 required parking off-street parking spaces (based on 25 percent of the units (27) being constructed pursuant to the Mandatory Inclusionary Housing. However, the Applicant and Brooklyn Community Board No. 15's Land Use Committee believes that the 109 off-street spaces are needed due to the high automobile ownership rates in the surrounding area.

C2-4 commercial overlay

C2-4 commercial overlays are paired with residential zoning districts and are generally mapped along streets that serve local retail needs. C2-4 overlays allow a range of local-serving commercial retail and service uses in Use Groups 6, 7, 8, 9 and 14, such as grocery stores, banks, offices, restaurants, general stores, barber shops, laundromats and other similar retail and services businesses. When mapped within an R7D zoning district, C2-4 overlays allow commercial uses to a maximum of 2.0 FAR. Commercial uses are limited to the first floor in mixed-use buildings. Accessory off-street parking is required at a rate of one space per 1,000 square feet of commercial floor area.

The proposed Use Group 2 residential use is appropriate under the Proposed Actions, as this area is already zoned as an R4 Residence District, which permits Use Group 1 and Use Group 2 residences. The height limits of the proposed R7D are appropriate and consistent to the heights of many buildings in the surrounding area, including the, six- and seven-story NYCHA buildings located to the south and southwest of the Project Area.

The Project Area is located with frontages on Avenue V, Coyle Street and Ford Street and is well served by public transportation, which will be able to accommodate the proposed increase in density.

Zoning Text Amendment

The Proposed Action includes an amendment to Appendix F of the Zoning Resolution to map the Project Area as a Mandatory Inclusionary Housing area. Pursuant to the proposed Mandatory Inclusionary Housing Area text amendment, the Proposed Development will be required to provide between 27 and 33 permanently affordable dwelling units (MIH Option 1 or 2). The Proposed Actions will support the City's "Housing our Neighbors" and "Where We Live" plans to create and preserve affordable housing in New York City by providing permanently affordable dwelling units.

Conclusion

The Proposed Actions are appropriate and consistent with development in the surrounding area, will not create any significant impacts on the surrounding area, will spur development in the Project Area and will support the City's priority of creating affordable housing.