Land Use Review Application

Department of City Planning **120 Broadway, 31st Floor, New York, NY 10271**

City Planning will assign and stamp reference numbers here

210031 ZMK
APPLICATION NUMBER

210032 ZRK
APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

Almonte Lincoln LLC	**Lisa M. Orrantia**
APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *	APPLICANT'S PRIMARY REPRESENTATIVE
PO Box 303	**Akerman LLP**
STREET ADDRESS	REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION
Hewlett NY 11557	**666 Fifth Avenue, 20th Floor**
CITY STATE ZIP	STREET ADDRESS
917-620-6835	**New York NY 10103**
AREA CODE TELEPHONE # FAX#	CITY STATE ZIP
	212-259-6409
	AREA CODE TELEPHONE # FAX#

* **List additional applicants below:**

lisa.orrantia@akerman.com
CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)
ADDITIONAL APPLICANT REPRESENTATIVE:

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

2. SITE DATA

(If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

See attached Site Data Sheet
STREET ADDRESS

1377 Sutter Avenue Rezoning
PROJECT NAME (IF ANY)

Sutter Avenue between Lincoln and Autumn Avenues
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

R5
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

18a
ZONING SECTIONAL MAP NO(S).

Block 4254, Lots 1, 4, 45, 44, 41 and 39 **Brooklyn** **5**
TAX BLOCK AND LOT NUMBER BOROUGH COMM. DIST.

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO ☒ YES ☐ IF YES, IDENTIFY

3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

See attached Description of Proposal

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

☐	CHANGE IN CITY MAP……MM	$
☒	ZONING MAP AMENDMENT……ZM	$ 3,250
☒	ZONING TEXT AMENDMENT…… ZR	$ 5,445
☐	ZONING SPECIAL PERMIT.....ZS	$
☐	ZONING AUTHORIZATION……ZA	$
☐	ZONING CERTIFICATION……ZC	$
☐	PUBLIC FACILITY, SEL../ACQ…….PF	$
☐	DISPOSITION OF REAL PROP……..PP	$
☐	URBAN DEVELOP-T ACTION……HA	$
☐	URBAN RENEWAL PROJECT……..*	$
☐	HOUSING PLAN & PROJECT……*	$
☐	FRANCHISE……..*	$
☐	REVOCABLE CONSENT……*	$
☐	CONCESSION……..*	$
☐	LANDFILL……..*	$
☐	OTHER (Describe)	$

☐	MODIFICATION	$
☐	FOLLOW-UP APPLICATION NO.	$
☐	RENEWAL APPLICATION NO.	$
☐	OTHER SPECIFY	$

TOTAL FEE (For all actions) $ 8,695

Make Check or Money Order payable to Department of City Planning.

If fee exemption is claimed check box below and explain

☐

Has pre-application meeting been held? ☐ NO ☒ YES

If yes **Alexandra Paty-Diaz** DCP Office/Representative **February 19, 2018** Date of meeting

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCY **Department of City Planning** CEQR NUMBER _____

TYPE OF CEQR ACTION:

☐ TYPE II Type II category: _____ Date determination was made: _____

☐ TYPE I } Has EAS been filed? Yes ☐ No ☒

☒ UNLISTED } If yes, Date EAS filed: _____

Has CEQR determination been made? Yes ☐ No ☒

If yes, what was determination? Negative Declaration ☐

CND ..... ☐

Positive Declaration ☐

} Date determination made: _____ (Attach Copy)

If Positive Declaration, has PDEIS been filed? _____

Has Notice of Completion (NOC) for DEIS been issued? _____ If yes, attach copy.

If PDEIS has not been filed, has final scope been issued? _____ If yes, date issued: _____

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No ☒ Yes ☐

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
	Board of Standards and Appeals variance for Block 4254 Lot 41	**80-75 BZ**	**July 8, 2000**

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT (Attach authorizing resolution(s), if applicable)

Lisa M. Orrantia — **NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE**

 — **SIGNATURE OF APPLICANT** **DATE 6.30.20**

Akerman LLP

APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS

(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE — **SIGNATURE OF CO-APPLICANT** — **DATE**

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS **CITY** **STATE** **ZIP** **TEL.NO.** **FAX**

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE — **SIGNATURE OF CO-APPLICANT** — **DATE**

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS **CITY** **STATE** **ZIP** **TEL.NO.** **FAX**

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

City Map Change . . . . . MM

APPLICATION NO

Proposed City Map Change
(Check appropriate boxes)

1. ESTABLISH NEW……. ☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE
2. ELIMINATE EXISTING…… ☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE
3. CHANGE EXISTING STREET…… ☐ WIDTH ☐ ALIGNMENT ☐ GRADE
4. EASEMENT
   Delineate New..... ☐ Remove Existing……. ☐ Modify Existing……. ☐
5. RELATED ACQUISITION OR DISPOSITION OF PROPERTY ..... ☐

Zoning Map Change . . . . . ZM

210031 ZMK

APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

Proposed Zoning Map Change(s)

		EXISTING	TO:	PROPOSED
CHANGE #1	FROM:	**R 5**	TO:	**R6A/C2-4**
CHANGE #2	FROM:		TO:	
CHANGE #3	FROM:		TO:	
CHANGE #4	FROM:		TO:	
CHANGE #5	FROM:		TO:	

Zoning Text Amendment . . . . . ZR

210032 ZRK

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

Affected Zoning Resolution (ZR) Sections

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
Appendix F	**Mandatory Inclusionary Housing Area**

Land Use Review Application (LR) .....Item 2. Site Data

210031 ZMK **210032 ZRK**

Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)	TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)
4254	1	1363 Sutter Avenue
4254	4	615 Autumn Avenue
4254	45	1371 Sutter Avenue
4254	44	1373 Sutter Avenue
4254	41	1377 Sutter Avenue
4254	39	1385 Sutter Avenue

1377 Sutter Avenue Rezoning
Block 4254, Lots 1, 4, 39, 41, 44 and 45, Brooklyn
August 5, 2021

1. Introduction

Almonte Lincoln LLC (the "Applicant") seeks a zoning map amendment and zoning text amendment of Block 4254, Lots 1, 4, 39, 41, 44 and 45 (the "Project Area") comprising 18,013 square feet ("sf") located along the north block front of Sutter Avenue between Autumn and Lincoln Avenues in East New York, Brooklyn, Community District 5.

The Applicant seeks approvals of the following two actions:

1) A zoning map amendment to change the Project Area from an R5 district to a R6A/C2-4 district; and

2) A zoning text amendment of Zoning Resolution Appendix F to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area in which MIH Options 1 and 2 are applicable.

The proposed actions are needed to facilitate the development of Lots 39 and 41, comprising 8,768 sf of lot area (the "Development Site"). The proposed development is a five-story building containing approximately 31,564 sf of zoning floor area and having a Floor Area Ratio ("FAR") of 3.6 (the "Proposed Development"). The Proposed Development will have approximately 7,436 sf of commercial floor area on the ground floor and approximately 24,128 sf of residential floor area. Approximately 8 of the proposed 28 dwelling units, comprising 30% of the total residential floor area, will be designated as permanently affordable to households earning incomes at an average of 80% of area median income ("AMI") in accordance with MIH Option 2. Ten parking spaces accessory to the residences will be located in the cellar and will be accessible from Lincoln Avenue.

2. Background

On July 8, 1975, the Board of Standards and Appeals granted a variance allowing a one-story beverage sales and distribution establishment on Lot 41 within a residential district (BSA Cal No. 80-75-BZ). The last extension of the term of the variance expired on July 8, 2000.

There are no recent actions affecting the Project Area.

The Project Area is located immediately south of an area affected by the East New York Rezoning (C 160035 ZMK), effective February 24, 2016. The East New York Rezoning included a rezoning of 175 blocks in Community District 5. The purpose of the East New York Rezoning was to facilitate the East New York Community Plan for new housing, including affordable housing for low-income residents, active local retail corridors, new commercial development opportunities and community facilities to serve area residents.

3. Description of the Surrounding Area

The Project Area is located in Community District 5 in the East New York neighborhood of Brooklyn, bordering on the neighborhood of Cypress Hills – City Line. The predominant land use within the area 600 feet beyond the edge of the Project Area boundary (the "Surrounding Area") is residential, consisting of attached and semi-detached multi-family walk-up buildings and one- and two-family houses. The Surrounding Area is distinguished by the northwest edge of the 3.5-acre New York City Transit Authority Pitkin Yard Maintenance Facility and Linden Plaza and Towers Apartment Complex constructed above the rail yard, which consists of five 20-story mixed commercial and residential and solely residential buildings.

Most buildings within the Surrounding Area are 2- and 3-story buildings mapped within an R5 district, with the exception of a 20-story Linden Plaza Apartment building located in an R6 district across the street from the Project Area. To the east of the Project Area is a small unimproved portion of an R6A district. Taller 7- and 8-story residential buildings lie beyond the Surrounding Area, within the Cypress Hills Housing Development situated to the southwest of

the Project Area and the Louis Heaton Pink Houses situated to the south of the Project Area, respectively.

Commercial uses, including a car wash, gas station, automobile service station, grocery store and eating and drinking establishments, operate to the northeast and to the west of the Surrounding Area, mapped in C1-2 and C2-1 commercial overlays of an R5 district.

Non-conforming commercial uses also exist outside of the commercial overlays, such as the dry cleaning establishment, automobile repair establishment, eating and drinking establishment and beauty salon operating on the Development Site. In addition, a supermarket is located in the mixed-use 20-story Linden Plaza Apartment building situated across the street from the Project Area. Moreover, a laundromat, retail stores, beauty salon, grocery, pharmacy and eating and drinking establishment are located on the ground floor of one-story and mixed-use two-story buildings along Sutter Avenue. Just beyond the northwest portion of the Surrounding Area are retail stores on the ground floor of two- and three-story mixed residential buildings located along Pitkin Avenue within a C2-4 overlay of an R5 district.

Open space within the Surrounding Area is contained within the approximately 3-acre Robert E. Venable Park to the east of the Project Area. The grassy median of Conduit Boulevard is located to the east of the Project Area. The 5-acre Cypress Hills Playground is located .4 miles southwest of the Project Area.

Public institutions generally exist beyond the boundaries of the Surrounding Area, including a 210-unit adult care center and Public School 159 on Pitkin Avenue to the north of the Project Area and the Samaritan Daytop Village transitional residences on Sutter Avenue to the east of the Project Area.

The A/C subway line runs below ground along Pitkin Avenue with stations at Euclid Avenue and Grant Avenue, within .5 miles of the Project Area. The B14 bus runs north along Lincoln Avenue and south along Drew Street to provide east-west service along Sutter Avenue, the B15, BM5, and B20 buses run east-west along Linden Boulevard, and the B44 bus provides north-south service along Euclid Avenue.

4. Description of the proposed Project Area

Location and Community District Profile

The Project Area is located along the north block front of Sutter Avenue between Lincoln and Autumn Avenues in the East New York neighborhood of Brooklyn, Community District 5. The Project Area comprises 18,013 sf of lot area, comprising Tax Lots 1, 4, 39, 41, 44 and 45 in Block 4254. Lincoln and Autumn Avenues are both one-way streets measuring 60 feet wide (Lincoln Avenue is 70 feet wide on the south side of Sutter Avenue). Sutter Avenue is a two-way street that measures 70 feet wide.

The Project Area is located within a Transit Zone, an area where special lower accessory parking requirements apply for various types of affordable housing including income-restricted housing units. These are generally areas within one-half mile of a subway station where auto ownership rates are among the lowest in the city.

Based on American Community Survey 2014-2018 Five Year Estimates for Public Use Microdata Area (PUMA), which approximates Brooklyn Community District 5, the median household income is $37,999, which is lower than the median household income for the Borough of Brooklyn ($56,015) and for New York City ($60,762). Approximately 49.7% of households in Community District 5 spend 35% or more of their income on rent, which is higher than the percentage of rent-burdened households in both the Borough of Brooklyn (45.4%) and city-wide (44.2%).

Existing Zoning District

The Project Area has been mapped within an R5 zoning district since 1965; it was previously mapped within an R4 district.

All types of residences and community facilities are allowed in R5 districts. Commercial and manufacturing uses are not permitted in R5 districts. R5 zoning districts allow low-density

housing, including detached, semi-detached, attached and multi-family residences at a maximum FAR of 1.25 and community facilities up to a maximum FAR of 2.0.

R5 districts provide a transition between lower- and higher-density neighborhoods R5 districts are typically improved with 3- to 4-story attached houses and small apartment buildings set back from the street with parking in the front yards. R5 districts have a base height limit of 30 feet and a maximum building height of 40 feet is permitted after a 15 foot setback. R5 zoning regulations require a minimum front yard depth of 10 feet, which is increased to 18 feet if front yard parking is provided. One off-street parking space is required for each dwelling unit, or where group parking facilities are provided, off-street parking spaces are required for at least 85 percent of the dwelling units.

Existing Buildings and Uses

Lot 1 (1363 Sutter Avenue) is a corner lot with frontage on Sutter and Autumn Avenues that is improved with a two-story two-family residence and two-car garage, both constructed in 1910. The shallow front yards on Lot 1 do not comply with bulk regulations applicable within an R5 district. Lot 1 consists of 2,354 sf of lot area.

Lot 4 (615 Autumn Avenue) is an interior lot used as an unlicensed parking lot. The public parking lot use does not conform to applicable use regulations. Lot 4 consists of 1,694 sf of lot area.

Lot 45 (1371 Sutter Avenue) is an interior lot that is improved with a two-story two-family residence and two-car garage, both constructed in 1950. Lot 45 consists of 2,625 sf of lot area.

Lot 44 (1371 Sutter Avenue) is an interior lot that is improved with a two-story two-family residence and two-car garage, both constructed in 1950. Lot 44 consists of 2,565 sf of lot area.

Lot 41 (1377 Sutter Avenue) is an interior lot that is improved with a one-story building constructed in 1977 that is used for a beauty salon, eating and drinking establishment and an auto repair establishment. The commercial uses do not conform to applicable use regulations. Lot 41 consists of 5,175 sf of lot area and is included within the Development Site.

Lot 39 (1385 Sutter Avenue) is a corner lot with frontage on Sutter and Lincoln Avenues that is improved with a 1.5-story masonry and steel frame building constructed in 1977 that is used as a dry cleaning establishment. The south side of the lot contains an asphalt-paved parking and storage area. The commercial use does not conform to applicable use regulations. Lot 39 consists of 3,600 sf of lot area and is included within the Development Site.

No other properties are affected by the proposed actions.

5. Description of the Proposed Development Site

The Development Site consists of 8,768 sf of lot area comprising Lots 39 and 41. The Development Site will be developed as a corner lot, having 97.42 feet of frontage on Sutter Avenue and 90 feet of frontage on Lincoln Avenue. Lincoln and Autumn Avenues are both one-way streets measuring 60 feet wide, and Sutter Avenue is a two-way street that measures 70 feet wide.

The Development Site is mapped within an R5 zoning district. The Development Site is located within a Transit Zone where special lower accessory parking requirements apply for affordable housing.

The two buildings that exist on the Development Site do not conform to use regulations applicable within an R5 district: 1) Lot 39 (1385 Sutter Avenue) is improved with a 1.5-story commercial building used as a dry cleaning establishment; and 2) Lot 41 (1377 Sutter Avenue) is improved with a one-story commercial building used for a beauty salon, eating and drinking establishment and an auto repair establishment.

6. Description of the Proposed Development

The proposed rezoning would facilitate the construction of a new five-story with cellar mixed-use building having a total floor area of 31,564 sf (3.6 FAR). The proposed uses within the building are retail and residential.

The proposed new building will contain about 7,436 sf of commercial floor area on the ground floor that would accommodate two retail establishments. Both retail entrances will be located along Sutter Avenue to strengthen the developing retail corridor. Storefront windows will be provided along Lincoln Avenue.

The building will include about 24,128 sf of residential floor area, allocated among approximately 28 apartments, located on the upper floors. The proposed bedroom mix for the 28 units is 8 studios, 12 one-bedrooms and 8 two-bedrooms. At least 30% of the residential floor area (approximately 8 apartments) will be designated as affordable to households earning incomes at an average of 80% of AMI pursuant to MIH Option 2. Each unit will have access to a terrace or balcony. In addition, an outdoor recreation area consisting of 5,221 sf located on the roof will be accessible to all residents in accordance with the Quality Housing program.

Ten accessory residential parking spaces will be located in the cellar with access from a curb cut on Lincoln Avenue. The Proposed Development is located in a Transit Zone, therefore the calculation of required accessory off-street residential parking spaces does not include income-restricted housing units. Applicable zoning regulations allow the requirement for seven accessory commercial parking spaces to be waived.

The proposed building will be approximately 55 feet in height; however, the portion of the building located within 25 feet of an adjoining R5 district will be limited to a maximum height of 45 feet. An 8-foot side yard will be provided above the commercial ground floor level.

The Proposed Development will potentially include discretionary financing from New York City Housing Preservation and Development.

7. Actions necessary to facilitate the Project

Required Actions

The Applicant seeks approval of a zoning map amendment to change the Project Area from an R5 district to a R6A/C2-4 district, and a zoning text amendment to designate the Project Area as an MIH area. The proposed zoning map amendment and zoning text amendment will facilitate the development of Lots 41 (1377 Sutter Avenue) and Lot 39 (1385 Sutter Avenue), an underutilized 8,768 sf tract of land currently improved with two non-conforming commercial buildings.

The proposed zoning text amendment would make the Project Area a Mandatory Inclusionary Housing designated area in which MIH Options 1 and 2 are applicable. Option 1 requires that a minimum of 25% of the residential floor area be designated as affordable to households earning incomes with an average not exceeding 60% of the income index. Option 2 requires that a minimum of 30% of the residential floor area be designated as affordable to households earning incomes with an average not exceeding 80% of the income index. This project proposes to utilize Option 2.

Proposed Zoning District

The proposed R6A district allows all kinds of residential and community facility uses up to a maximum 3.6 FAR in areas designated as part of the Inclusionary Housing program. The building form requires a street wall between 40 and 65 feet in height and a maximum building height of 85 feet and 8 stories for Quality Housing buildings that contain affordable floor area required by the Mandatory Inclusionary Housing program and have qualifying ground floors. Off-street parking is required for 50 percent of dwelling units, but this requirement is waived if 5 or fewer spaces are required. The calculation for required accessory parking spaces for residences in the Transit Zone excludes affordable housing units.

The proposed C2-4 district is a commercial overlay that is mapped within a residence district to allow uses that serve local retail needs. The commercial uses include convenience retail and

personal service establishments, offices, home maintenance and repair services and business services (Use Groups 1-9 and 14). Typical uses include neighborhood grocery stores, restaurants and beauty parlors. Commercial uses in mixed-use buildings located in R6A/C2-4 districts are restricted to the first floor and maximum commercial floor area is 2.0 FAR. One off-street parking space is required for every 1,000 sf of general commercial use, but a requirement for up to 40 spaces may be waived.

Standards and requirements of the Quality Housing Program apply to all buildings located within R6A/C2-4 districts. The Quality Housing program requires amenities relating to interior space, recreation areas and landscaping.

Land Use Rationale

The proposed actions are needed to allow the Proposed Development's commercial use on the ground floor, 3.6 FAR and 55-foot height. Within the current R5 district, commercial uses are not allowed as-of-right, bulk for allowed uses is restricted to 2.0 FAR, and building height is limited to 40 feet.

The proposed R6A/C2-4 district will be compatible with the R6A district mapped one block to the east of the Project Area, and with C2-4 overlay of an R5 district mapped along Pitkin Avenue to the northwest of the Project Area. The proposed R6A zoning district is a contextual zoning district, which regulates the height and bulk of new buildings, setback from the street line, and width along the street frontage to produce buildings that are consistent with existing neighborhood character. The Proposed Development would create a continuous street wall consistent with existing development in the surrounding area.

The proposed district is also compatible with the R6 district mapped across the street from the Project Area, which permits development densities comparable to the R6A district. In R6 districts, FARs of 3.6 for participation in inclusionary housing programs and 4.8 for community facility uses are permitted. Within an R6 district, a maximum base height of 65 feet and a maximum overall height of 115 feet and 11 stories is permissible, assuming participation in the inclusionary housing program. The Proposed Development's slightly increased bulk will be a suitable transition between the lower-height buildings in the adjoining R5 district and the 20-story Linden Plaza Apartment building located in the R6 district across the street from the Project Area. Moreover, the Proposed Development's frontage on the 70-foot wide Sutter Avenue and near public transit is an appropriate location for the proposed increase in allowable bulk.

The proposed rezoning and text change will facilitate the creation of new housing, including affordable housing in a community with 49.7% rent-burdened households. The proposed rezoning will allow as-of-right commercial uses to replace the existing non-conforming commercial uses in outmoded buildings. The local retail and service establishment uses will serve the occupants of new residential units in the Proposed Development as well as other residences in the neighborhood.

Existing residential buildings within the Project Area that are not part of the Development Site will be allowed as-of-right under the proposed actions. Lot 4 will become complying, given that front yards are not required in R6A districts. To the extent that other lots within the Project Area are redeveloped in the future, the proposed actions will allow ground floor local retail uses to extend along the northern block front on Sutter Avenue. Such ground floor commercial uses would be similar to those located along Sutter Avenue to the west of the Project Area that are mapped within a R5/C1-2 district. The proposed text amendment will ensure that the creation of new residential uses will include additional affordable housing units.

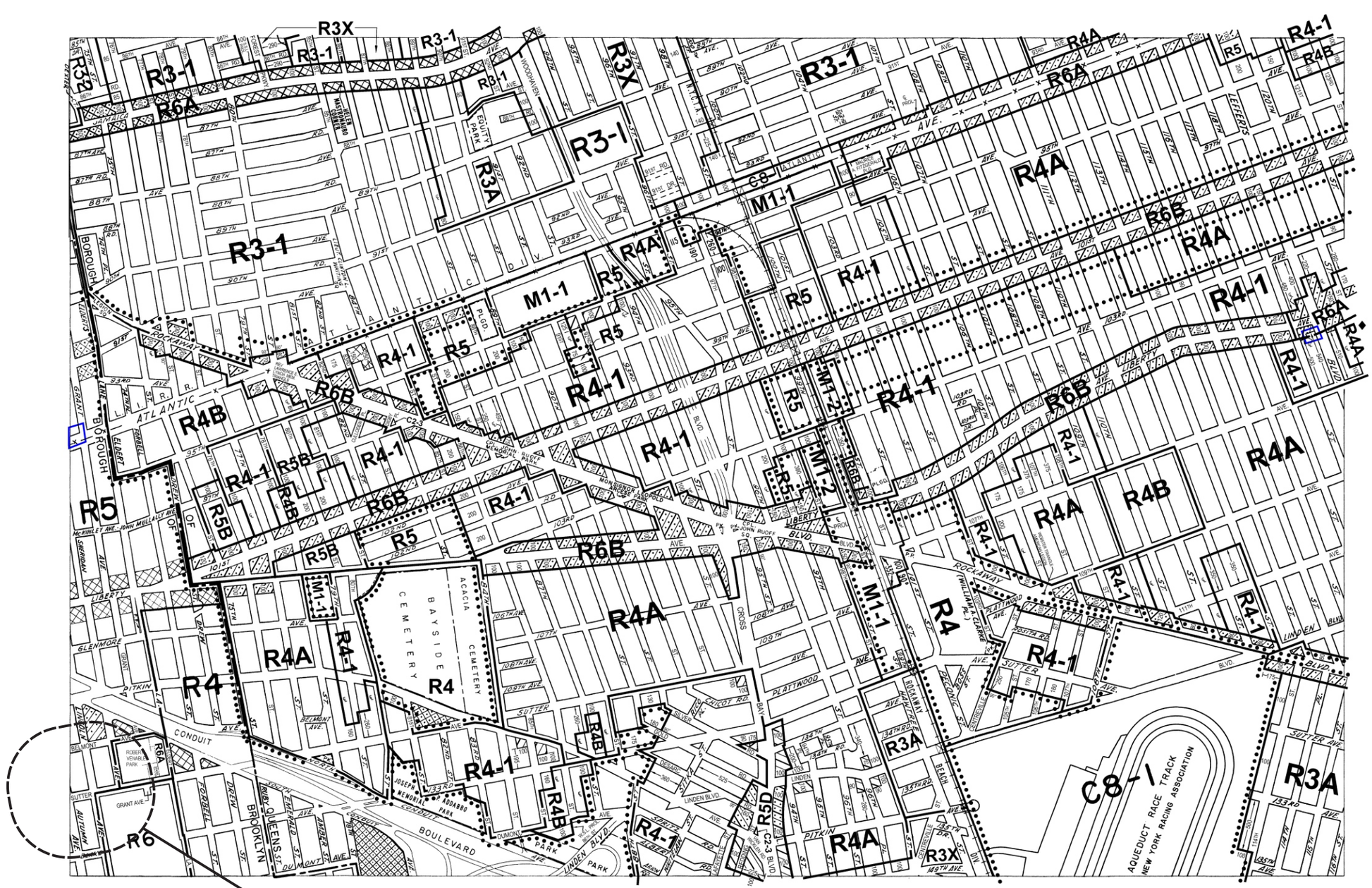
The proposed actions are consistent with the goals of the East New York Community Plan, which includes portions of Community District 5, for new housing, including affordable housing for residents earning low to moderate incomes, active local retail corridors and new commercial development opportunities. In addition, the creation of new affordable housing units will contribute towards the achievement of Mayor Bill de Blasio's Housing New York 2.0 plan to build and preserve a total of 300,000 affordable homes for New York families by 2026.

8. Conclusion

The Applicant, Almonte Lincoln LLC, seeks a zoning map amendment and zoning text amendment of Block 4254, Lots 1, 4, 39, 41, 44 and 45 comprising 18,013 sf located along the north block front of Sutter Avenue between Autumn and Lincoln Avenues in East New York, Brooklyn, Community District 5. The Applicant proposes to change the Project Area from an R5 district to a R6A/C2-4 district and to amend Zoning Resolution Appendix F to designate the Project Area as a MIH area in which MIH Options 1 and 2 are applicable.

The proposed rezoning would facilitate the construction of a five-story, mixed-use building. The proposed approximately 7,436 sf of commercial space will serve local retail and service needs. The proposed approximately 24,128 sf of residential space would be allocated among 28 dwelling units, including 8 dwelling units that will be permanently affordable to households earning incomes having an average not exceeding 80% of AMI, in accordance with MIH Option 2.

Sutter Avenue Rezoning, Brooklyn



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

12–10–2013 C 140079 ZMQ

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

◆ AS CORRECTED 01–23–18

N

MAP KEY

13d	14b	14d
17c	**18a**	18c
17d	18b	18d

© Copyrighted by the City of New York

ZONING MAP **18a**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Sutter Avenue Rezoning, Brooklyn



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R, C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

*05-24-2017 C 170142 ZMK
04-20-2016 C 160035 ZMK

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

N

MAP KEY

13b	13d	14b
17a	**17c**	18a
17b	17d	18b

© Copyrighted by the City of New York

ZONING MAP **17c**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Proposed Project Area

Sutter Avenue Rezoning, Brooklyn

FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

Effective Date : 12-06-2008 03:30:53
End Date : Current

Brooklyn Block: 4254

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

- Existing Zoning District Line
- Proposed Zoning District Line
- Development Site
- Area Proposed to be Rezoned
- R5 — Existing Zoning District
- R6A — Proposed Zoning District
- Proposed C2-4 Overlay





1. View of the Development Site facing northwest from the intersection of Lincoln Avenue and Sutter Avenue.



2. View of Sutter Avenue facing southwest from Lincoln Avenue (Development Site at right).



3. View of Lincoln Avenue facing northwest from Sutter Avenue (Development Site at left).





4. View of Lincoln Avenue facing southeast (Development Site at right).



5. View of the Development Site facing southwest from Lincoln Avenue.



6. View of the Development Site facing southwest from Lincoln Avenue.





7. View of the Development Site facing northwest from Sutter Avenue.



8. View of the Development Site facing northeast from Sutter Avenue.



9. View of the Project Area facing northwest from Sutter Avenue.





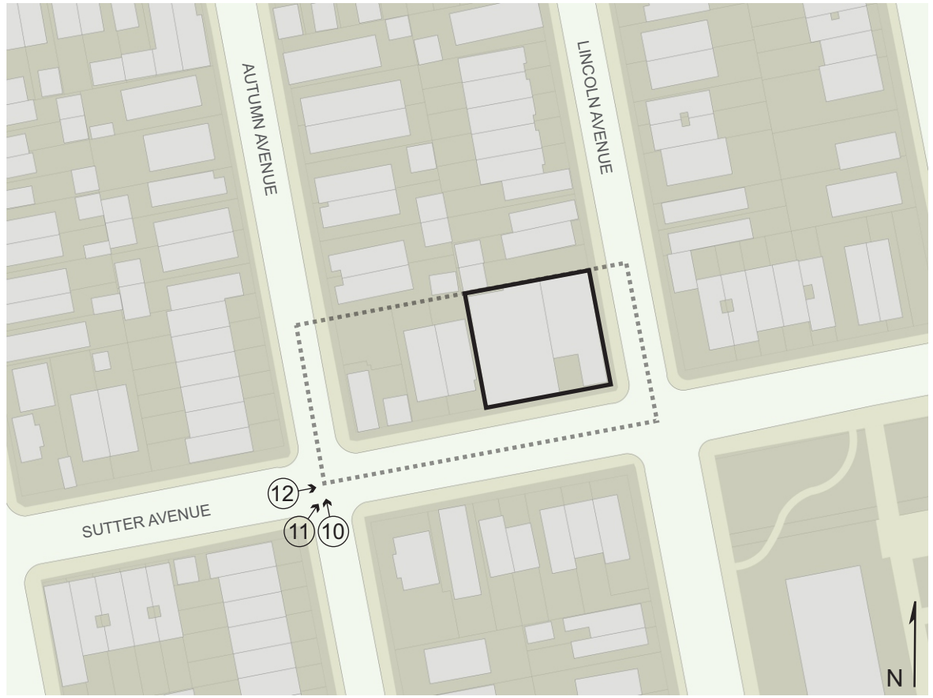
10. View of Autumn Avenue facing northwest from Sutter Avenue (Project Area at right).



11. View of the Project Area facing northeast from the intersection of Sutter Avenue and Autumn Avenue.



12. View of Sutter Avenue facing northeast from Autumn Avenue (Project Area at left).





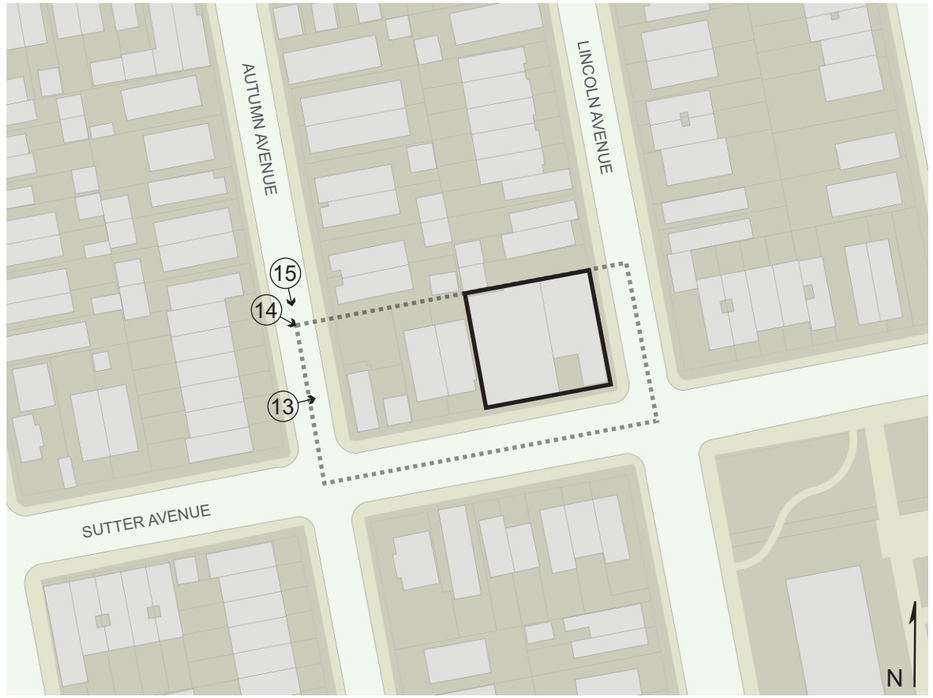
13. View of the Project Area facing northeast from Autumn Avenue.



14. View of the Project Area facing southeast from Autumn Avenue.



15. View of Autumn Avenue facing southeast (Project Area at left).





16. View of the sidewalk along the east side of Autumn Avenue facing southeast (Project Area at left).



17. View of the west side of Autumn Avenue facing northwest from the Project Area.



18. View of the intersection of Sutter Avenue and Autumn Avenue facing southwest from the Project Area.





19. View of the sidewalk along the north side of Sutter Avenue facing northeast from Autumn Avenue (Project Area at left).



20. View of the sidewalk along the north side of Sutter Avenue facing southwest from Lincoln Avenue (Development Site at right).



21. View of the intersection of Sutter Avenue and Lincoln Avenue facing southeast from the Development Site.





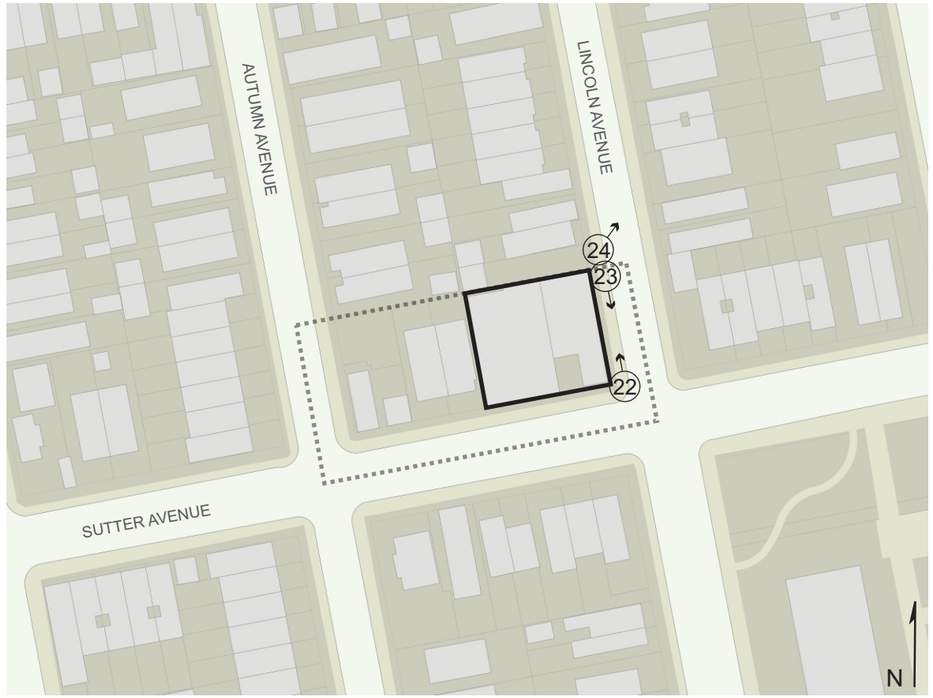
22. View of the sidewalk along the west side of Lincoln Avenue facing northwest from Sutter Avenue (Development Site at left).



23. View of the sidewalk along the west side of Lincoln Avenue facing southeast (Development Site at right).



24. View of the east side of Lincoln Avenue facing northeast from the Development Site.



Area Map

Sutter Avenue Rezoning, Brooklyn
Block 4254, Lots 1, 4, 39, 41, 44 & 45

Project Information

- 600' Radius
- Development Site
- Area Proposed to be Rezoned
- Zoning Districts
- Special Districts

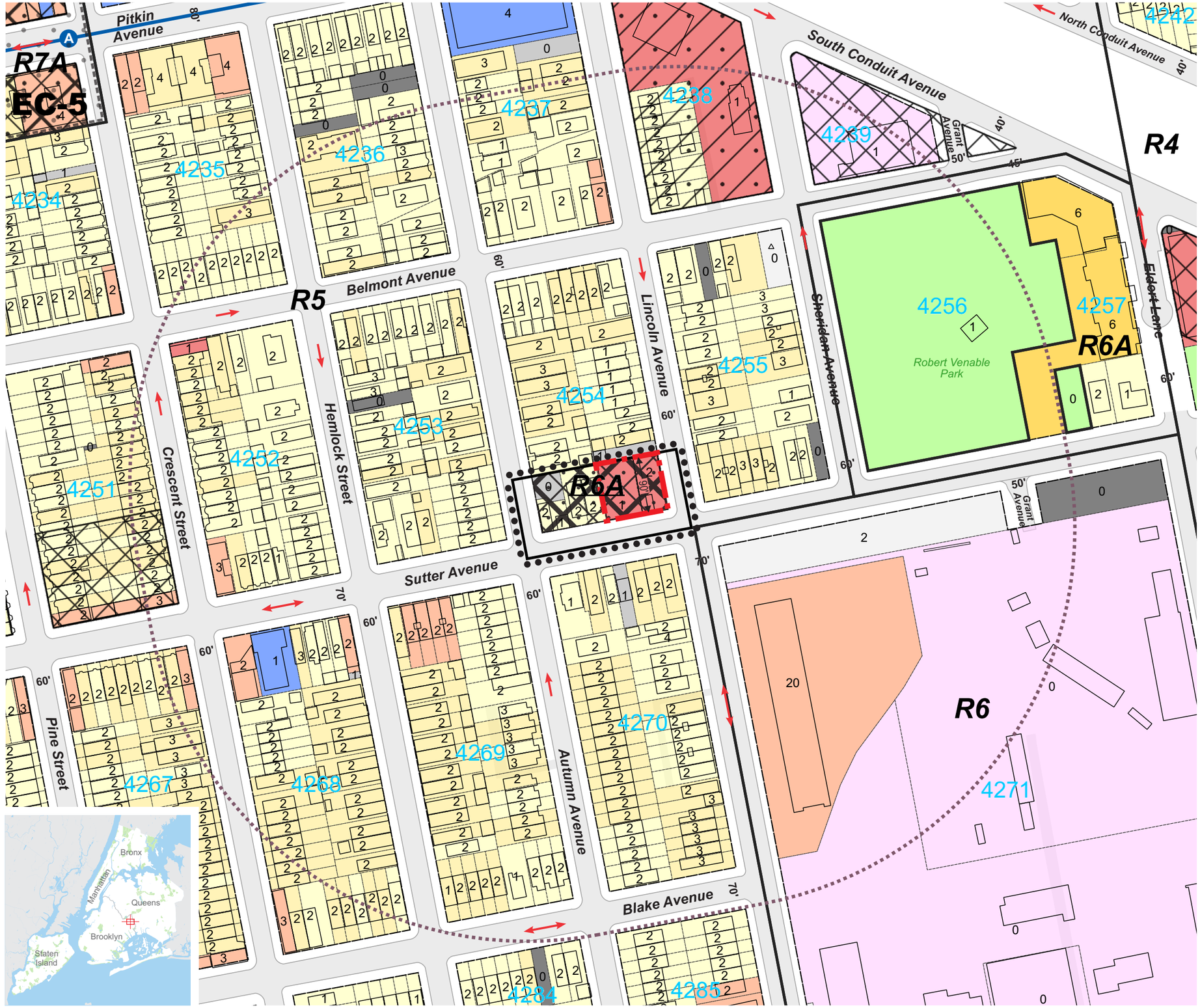
Existing Commercial Overlays

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

- Subway Entries
- 5037 Block Numbers
- Elevated Rail or Roadway
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other

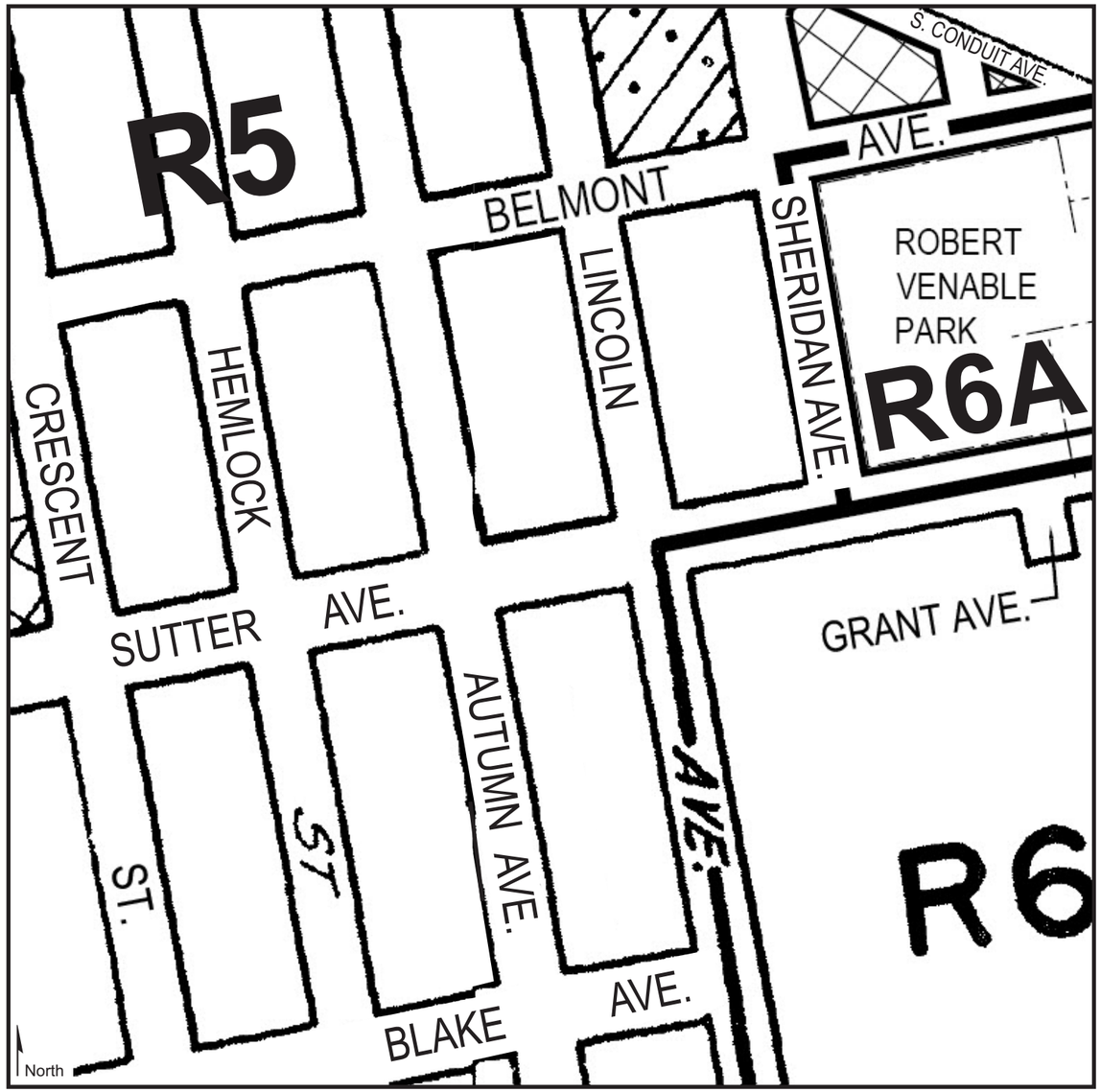


North

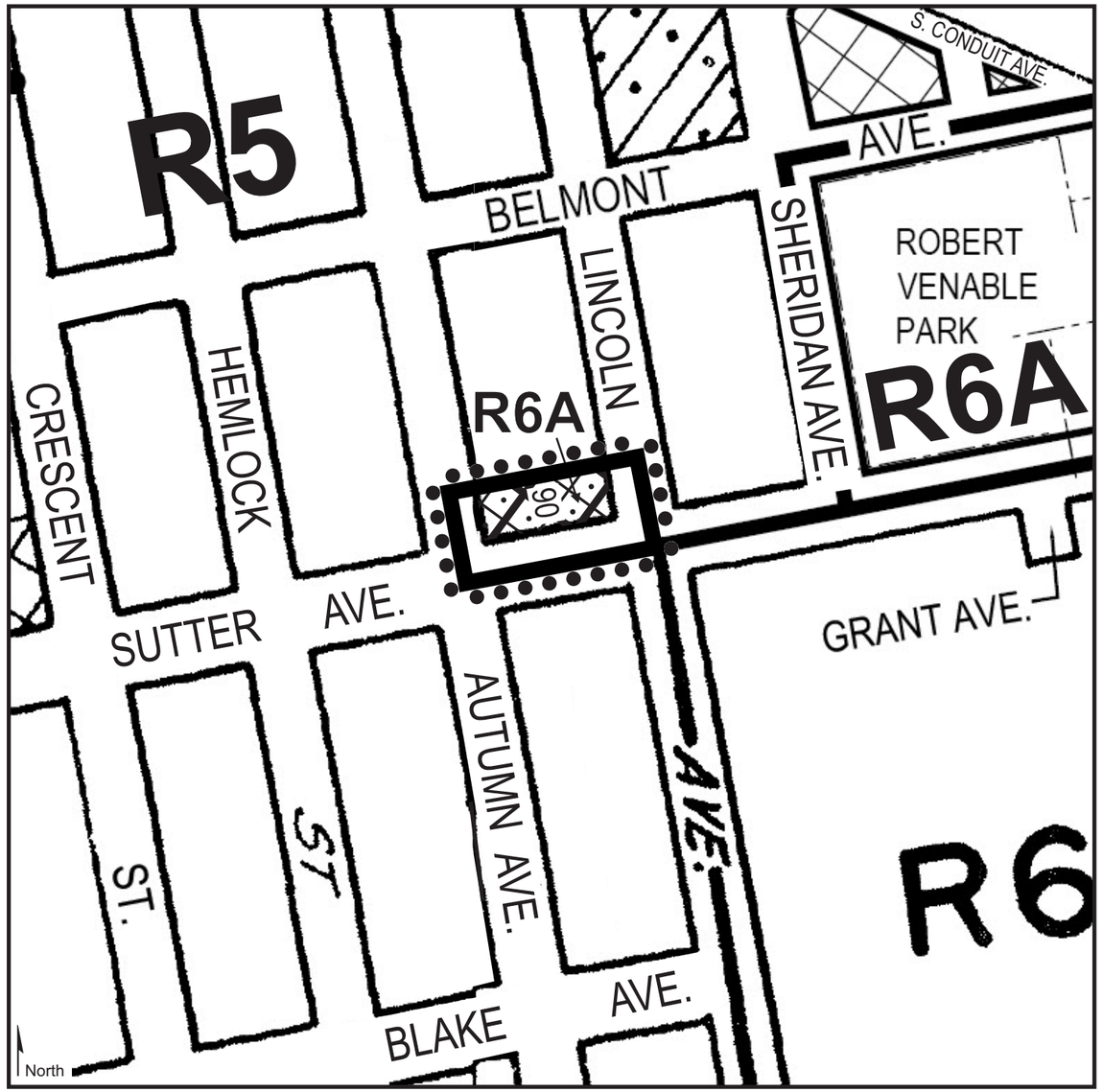
0 200 400 600 Feet

Prepared by Urban Cartographics June 2019

Zoning Change Map



Current Zoning Maps (17c & 18a)



Proposed Zoning Maps (17c & 18a) - Area being rezoned is outlined with dotted lines

Rezoning from R5 to R6A/C2-4

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Zoning Requirement	Existing R5		Proposed R6A/C2-4	
	Zoning Section	R5	Zoning Section	R6A/C2-4
Use Group	22-00	1 - 4	22-00, 32-00	1 – 9 & 14
FAR				
Residential FAR	23-142	1.25	23-154(b)*	3.60*
Community Facility FAR	24-11	2.00	24-11	2.00
Commercial	N/A	0.00	33-121	2.00
YARDS				
Front Yard	23-45	10 feet	N/A/35-51	None
Side Yard	23-462(a)	8 feet	23-462(c)/33-25/35-52	None
Rear Yard	23-47	30 feet	23-47/33-26	30 feet residential/20 feet commercial
HEIGHT AND SETBACKS				
Maximum Height of Front Wall	23-631(d)	30 feet	23-664	65 feet
Maximum Building Height	23-631(d)	40 feet	23-664	85 feet and 8 stories**
Setbacks from Narrow Streets	23-631(d)	15 feet	23-662(c)	15 feet
Setbacks from Wide Streets	23-631(d)	15 feet	23-662(c)	10 feet
Open Space	23-142	45%	N/A	None
Lot Coverage	23-142	55%	23-153	65% (100% corner lot) residential
PARKING	25-23	85% DU	25-23 (Residential) 36-21 (CF & Commercial)	50% of DU*** Depends on use; 1 per 1,000 sf of retail FA****
LOADING	N/A	None	36-62 (CF & Commercial)	Depends on use; none for 1st 8,000 sf retail FA

*For buildings in Mandatory Inclusionary Housing designated areas
**For Quality Housing buildings outside the Manhattan Core with qualifying ground floors
***Except that no accessory off-street parking spaces are required for income-restricted housing units within the Transit Zone pursuant to ZR 25-251
****Commercial parking requirements may be waived if the total number of accessory parking spaces required is less than 40 pursuant to ZR 36-232

Sutter Avenue Rezoning, Brooklyn
Community District 5, Brooklyn
6/3/19
Zoning Maps 17c & 18a

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Brooklyn

* * *

Brooklyn Community District 5

* * *

Map 3 – [date of adoption]



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

Area **3** — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 5, Brooklyn

* * *