824 Metropolitan Avenue Owner LLC
41 Maujer Street #1F
Brooklyn, NY 10026

October 17, 2019

Hon. Marisa Lago, Director
NYC Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: Project ID P2018K0031
City Planning Commission Zoning Map and Text Amendments
824 & 832 Metropolitan Avenue, Brooklyn (the "Development Site")

Dear Director Lago:

824 Metropolitan Avenue Owner LLC is the owner of the above-referenced Development Site identified on the New York City Tax Map as Brooklyn, Block 2916, Lots 14 and 16. 824 Metropolitan Avenue Owner LLC is the applicant for zoning map and zoning text amendments that would facilitate the development of an eight-story building with ground floor retail and 36 residential units at the Development Site.

824 Metropolitan Avenue Owner LLC hereby authorizes Akerman LLP to file the application for zoning map and zoning text amendments on its behalf.

824 Metropolitan Avenue Owner LLC

By: _____
Name: Michael Kubesky
Title: Managing Member

Sworn to before me this
18th day of Oct, 2019

_____
NOTARY PUBLIC

MASTURZI NIC
Notary Public - State of New York
No. 01MA6143
Qualified in Queens County
My Commission Expires April 3, 2020

50511563;1

Land Use Review Application

Department of City Planning **22 Reade Street, New York, NY 10007-1216**

City Planning will assign and stamp reference numbers here

200314ZMK
APPLICATION NUMBER

APPLICATION NUMBER

200315ZRK
APPLICATION NUMBER

APPLICATION NUMBER

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

824 Metropolitan Avenue Owner LLC
APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *

41 Maujer Street #1F
STREET ADDRESS

Brooklyn **NY** **10026**
CITY STATE ZIP

646 **330-5357**
AREA CODE TELEPHONE # FAX#

Lisa M. Orrantia, Esq.
APPLICANT'S PRIMARY REPRESENTATIVE

Akerman, LLP
REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

666 Fifth Avenue, 20th Floor
STREET ADDRESS

New York **New York** **10103**
CITY STATE ZIP

212 **259-6409** **(212) 905-6440**
AREA CODE TELEPHONE # FAX#

* **List additional applicants below:**

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.")

808, 824, 832 & 834 Metropolitan Avenue
STREET ADDRESS

824 Metropolitan Avenue Rezoning
PROJECT NAME (IF ANY)

Corner of Bushwick Avenue and Metropolitan Avenue
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C8-2 and R6B/C2-4
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

13b
ZONING SECTIONAL MAP NO(S).

Block 2916 Lots 14, 16, p/o 8 and p/o 17 **Brooklyn** **1**
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

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……..PD	$
☐	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 **C E Q R** SPECIFY	$ **1,350**

TOTAL FEE (For all actions) $ **10,045**

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 **Sayed Ahmed** DCP Office/Representative **3/5/18** 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 ..... ☐ } Date determination made: _____ (Attach Copy)

Positive Declaration ☐

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
C 090334 ZMK	**Greenpoint Williamsburg Contextual - Completed**	**13**	**7/1/09**

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

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. Esq. _____ 4/10/20

NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE **SIGNATURE OF APPLICANT** **DATE**

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.

NYC Mayor's Office of Contract Services

Doing Business Data Form
Land Use Actions

To be completed by the City agency prior to distribution Agency_____ Application #_____

Check One ☐ General (GEN) ☐ Lease Acquisition (LES)

A Doing Business Data Form must be completed by any land use applicant subject to the provisions of Local Law 34 of 2007 (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink. For all submissions, please be sure to fill out the certification box on the last page, and include the completed Data Form as part of the land use application package. **Submission of a complete and accurate form is required at the time of application filing and, where applicable, is required for the certification or referral forpublic review of any land use application subject to the provisions of Local Law 34 of 2007 (see 62 RCNY § 2-02(a)(1)).**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York, as will the organizations that own 10% or more of the enitity. No other information reported on this form will be disclosed to the public.

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@mocs.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

*If you are completing this form by hand, **please print clearly.***

Applicant Information

Applicant EIN/TIN 82-4235072 Applicant Name 824 METROPOLITAN AVENUE OWNER LLC

Filing Status

***NEW:** Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.*

(Select One)

☐ Applicant has never completed a Doing Business Data Form. Fill out the entire form.

☐ Change from previous Data Form dated _____. *Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the applicant.*

☐ No Change from previous Data Form dated _____. *Skip to the bottom of the last page.*

Applicant is a Non-Profit ☐ Yes ■ No

Applicant Type ☐ Corporation (any type) ☐ Joint Venture ■ LLC ☐ Partnership (any type) ☐ Sole Proprietor ☐ Other (specify) _____

Address 41 MAUJER ST

City BROOKLYN State NY Zip 11206

Phone 646-330-5357 E-mail MIKE@K-SKY.NYC

Provide your e-mail address in order to receive notices regarding this form by e-mail.

Principal Officers

Please fill in the required identification information for each officer listed below. If the applicant has no such officer or its equivalent, please check "This position does not exist." If the applicant is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer ■ This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name _____ MI ___ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by applicant) _____

Home Address _____

☐ This person replaced former CEO _____ on date _____

Chief Financial Officer (CFO) or equivalent officer ■ This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name _____ MI ___ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by applicant) _____

Home Address _____

☐ This person replaced former CFO _____ on date _____

Chief Operating Officer (COO) or equivalent officer ■ This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name _____ MI ___ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by applicant) _____

Home Address _____

☐ This person replaced former COO _____ on date _____

Principal Owners

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, **own or control 10% or more of the applicant.** If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the **Senior Managers** section. If the applicant is owned by other companies that control 10% or more of the entity, those companies must be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the applicant is filing a Change Form, list any individuals or organizations that are no longer owners at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

☐ The entity is not-for-profit ☐ The entity is an individual ☐ No individual or organization owns 10% or more of the entity

Other (explain) _____

Individual Owners (who own or control 10% or more of the applicant)

First Name MICHAEL MI ___ Last KUBERSKY Birth Date (mm/dd/yy) 05/27/1973

Office Title MANAGING MEMBER Employer (if not employed by applicant) KUBERSKY MANAGEMENT, LLC

Home Address 445 E 19TH ST, BROOKLYN, NY 11226

First Name SARA MI ___ Last KUBERSKY Birth Date (mm/dd/yy) 05/02/1974

Office Title MEMBER Employer (if not employed by applicant) MOO SHOES LLC

Home Address 219 E 11TH ST, NEW YORK, NY 10003

Organization Owners (that own or control 10% or more of the applicant)

Organization Name _____

Organization Name _____

Organization Name _____

Remove the following previously-reported Principal Owners

Name _____ Removal Date _____

Name _____ Removal Date _____

Name _____ Removal Date _____

Senior Managers

Please fill in the required identification information for all senior managers who oversee land use applications. Senior managers include anyone who, either by title or duties, has substantial discretion and high-leveloversight regarding the administration of such land use applications, not limited to the land use application forwhich this form is being filed. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the applicant is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers

First Name MICHAEL MI ___ Last KUBERSKY Birth Date (mm/dd/yy) 05/27/1973

Office Title MANAGING MEMBER Employer (if not employed by applicant) KUBERSKY MANAGEMENT, LLC

Home Address 445 E 19TH ST, BROOKLYN, NY 11226

First Name ISAAC MI ___ Last KUBERSKY Birth Date (mm/dd/yy) 12/19/1947

Office Title MANAGER Employer (if not employed by applicant) KUBERSKY MANAGEMENT, LLC

Home Address 44 GRAMERCY PARK N, NEW YORK, NY 10010

First Name _____ MI ___ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by applicant) _____

Home Address _____

Remove the following previously-reported Senior Managers

Name _____ removal date _____

Name _____ removal date _____

Certification

I certify that the information submitted on these two pages and 1 additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the applicant being subject to appropriate sanctions.

Name MICHAEL KUBERSKY Title MANAGING MEMBER

Applicant Name 824 METROPOLITAN AVENUE OWNER, LLC Work Phone # 646-330-5357

Signature _____ Date 10/18/2019

Please return this form to the City agency that supplied it to you, not to the Doing Business Accountability Project. **Form A/LU**

Additional Owner:

Erica Kubersky, DOB 7/12/1979
Office title: member
home address: 575 5th St. Brooklyn, NY 11215

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

200314ZMK
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:	**C 8 - 2**	TO:	**R 7 A / C 2 - 4**
CHANGE #2	FROM:	**C 8 - 2**	TO:	**R 6 B / C 2 - 4**
CHANGE #3	FROM:	**R 6 B**	TO:	**R 7 A**
CHANGE #4	FROM:		TO:	
CHANGE #5	FROM:		TO:	

Zoning Text Amendment . . . . . ZR

200315ZRK
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	**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

824 Metropolitan Avenue Rezoning
Block 2916, Lots 14, 16, part of 8 and part of 17, Brooklyn
March 10, 2020

1. Introduction

824 Metropolitan Avenue Owner, LLC (the "Applicant"), seeks a zoning map amendment and zoning text amendment of approximately 18,835 square feet ("sf") comprising Block 2916, Lots 14, 16, p/o 8 and p/o 17 (the "Project Area") located along the south block front of Metropolitan Avenue at the corner of Bushwick Avenue in the Greenpoint-Williamsburg neighborhood of Brooklyn, Community District 1.

The Applicant seeks approvals of the following two actions:

1) A zoning map amendment to change:

- Part of Lot 8, part of Lot 14, and part of Lot 16 from C8-2 to R7A/C2-4;
- Part of Lot 14 and part of Lot 16 from R6B to R7A; and
- Part of Lot 17 from C8-2 to R6B/C2-4.

The existing commercial overlays in the existing R6B district will be preserved under the proposed rezoning action. As a result of the proposed rezoning, Lot 8 will be split between R7A/C2-4 and R7A districts, Lots 14 and 16 will be mapped within an R7A/C2-4 district, and Lot 17 will be mapped within an R6B/C2-4 district.

2) A zoning text amendment of Zoning Resolution Appendix F to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area.

The proposed actions are needed to facilitate the development of 7,500 sf of lot area comprising Lots 14 and 16 (the "Development Site") with an eight-story building containing a total of 34,500 square feet ("sf") comprised of 7,000 sf of commercial uses and 27,500 sf of residential uses (36 dwelling units). Approximately 11 dwelling units, comprising 30% of the total residential floor area, will be designated as permanently affordable to households with incomes having an average not exceeding 80% of area median income ("AMI") in accordance with MIH Option 2.

2. Background

The zoning district designation of the portion of the Project Area located within a C8-2 district has not been changed since 1962.

The zoning district designation of the portion of the Project Area located within a R6B/C2-4 was rezoned on July 29, 2009 from a R6/C2-3 that existed since 1961, under the Greenpoint-Williamsburg contextual rezoning that rezoned all or portions of 175 blocks with the goals of preserving neighborhood scale and facilitating affordable housing development (C 090334 ZMK). The rezoning also changed the area to the south of the Project Area from an R6 to R7A district. A text amendment related to that rezoning action applied the Inclusionary Housing program to the R7A district (N 090333 ZRK).

3. Description of the Surrounding Area

The predominant land use within the Surrounding Area is residential and is mapped within R6, R6A, R6B, R7A districts. Residential buildings range in height from two- to four-story wood-frame attached houses throughout the Surrounding Area, and include several taller buildings such as the five- to seven-story apartment buildings on Maspeth Avenue north of the Project Area, two seven-story apartment buildings at Bushwick Avenue and Powers Street south of the Project Area, a new 8-story mixed use building (with 80 dwelling units) at the corner of Metropolitan Avenue and Humboldt Street to the west of the Project Area, and eleven eight-story Cooper Park Houses on Maspeth and Morgan Avenues to the northeast of the Project Area. Graham and Metropolitan Avenues include mixed residential and commercial buildings within C2-4 overlays of R6B and R7A districts. Two small C8-2 districts containing one-story auto repair uses are mapped within the Surrounding Area. A C4-4A district is mapped along Grand

Street, the regional commercial center located to the southwest of the Project Area, which is generally improved with three- and four-story mixed residential and commercial buildings.

Only two automotive uses, auto repair shop and a gas station, exist within the C8-2 district designation in the Surrounding Area. A gas station on the southwest corner of Metropolitan and Bushwick Avenue located within a C8-2 district is no longer operating. The Zoning and Land Use Map (ZoLA) indicates a 1-story industrial building located across the street from Project Area, which is also within a C8-2 district; however, it is doing business as commercial eating and drinking establishment. In addition, a former 3-story factory is being converted to 4-story residential building with 32 dwelling units to the east of the Project Area on Metropolitan Avenue, within an R6B/C2-4 district.

Metropolitan Avenue is a two-way 66' wide street, and Bushwick Avenue is a two-way 80' wide street. Orient Grove, a triangular .149 acre park located at the intersection of Orient Avenue and Metropolitan Avenue is located across the street from the Project Area. The northwest corner of the Project Area adjoins a broad intersection where Metropolitan Avenue, Bushwick Avenue/Woodpoint Road, Humboldt Street and Maspeth Avenue meet around Memorial Gore, a 380 sf triangular park. Cooper Park is a 6.4 acre public park is located one block to the northeast of the Project Area.

Public facilities and institutions include St. Francis of Paola Church and Francis of Paola Early Learning Center located to the northwest of the Project Area and St Nicholas Church and St. Nicholas Elementary School located to the southwest of the Project Area. The Grand Street Campus High School/Progress High School for Professional Careers and athletic facilities are located within a quarter mile south of the Project Area. Public School 132 is located within a half mile west of the Project Area. It is anticipated that the 3.4 acre former Greenpoint Hospital campus located to the northeast of the Project Area, which currently includes space for 200 homeless New Yorkers at the Barbara Kleinman Residence, will be developed with over 500 units of affordable housing.

The Surrounding Area is served by the L train at the Graham Avenue and Grand Street stations, as well as by the B24 bus route along Metropolitan Avenue and Bushwick Avenue/Woodpoint Road and the B43 bus route along Graham Avenue.

4. Description of the proposed Project Area

The Project Area is located along the south block front of Metropolitan Avenue at the corner of Bushwick Avenue in the Greenpoint-Williamsburg neighborhood of Brooklyn, Community District 1. The Project Area comprises 19,007 sf. A C8-2 district extends 150 feet from Bushwick Avenue and a C2-4 overlay begins at a distance of 150 feet from Bushwick Avenue and extends along the south side of Metropolitan Avenue for the remainder of the block front and the south side of the adjoining block front to the east. Accordingly, a portion of the Project Area is mapped within a C8-2 district and the remainder is mapped within a R6B/C2-4 district. 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 of the city beyond the Manhattan Core within one-half mile of a subway station where auto ownership rates are among the lowest in the city.

The Project Area is adjacent to the broad intersection where Metropolitan Avenue, Bushwick Avenue/Woodpoint Road, Humboldt Street and Maspeth Avenue meet around Memorial Gore, a 380 sf triangular park. The Project Area is opposite Orient Grove, a triangular .149 acre park located at the intersection of Orient Avenue and Metropolitan Avenue.

The C8-2 district that comprises the western portion of the Project Area has been mapped since 1962. C8-2 districts do not allow residential uses. C8-2 districts allow automotive uses, heavy commercial services and some community facility uses. C8-2 districts are mapped mainly along major traffic arteries for a concentration of auto uses. Typical uses within a C8-2 district are auto showrooms, repair shops, warehouses, gas stations and car washes. Commercial uses are allowed a maximum floor area ratio (FAR) of 2.0 and community facility uses are allowed a maximum 4.8 FAR. A minimum rear yard of 20 feet is required for non-corner lots, and along certain side

lot lines. No front or side yards are required. Portions of buildings may not exceed a sky expose plane starting at a height of 60 feet or four stories, whichever is less, within an initial setback distance of 20 feet on a narrow street and 15 feet on a wide street.

The R6B/C2-4 district that comprises the remaining portion of the Project Area was mapped in 2009 when it was rezoned from an R6/C2-3 that existed since 1961. Single family detached residences, general residences and community facility uses are permitted as-of-right in R6B zoning districts. Buildings containing residences must comply with Quality Housing regulations. Both residential and community facility buildings are allowed a maximum FAR of 2.0. Buildings in an R6B district are allowed a minimum base height of 30 feet and a maximum base height of 40 feet with a 10 foot deep setback on a wide street, and a maximum building height of 50 feet. In an R6B district, residential maximum lot coverage is 60% (100% for corner lots), and 30-foot deep rear yards are required for non-corner lots. No front or side yards are required. Accessory off-street parking spaces must be provided for 50% of the residences. Local retail uses are permitted within the C2-4 overlay districts. Commercial FAR for a C2-4 overlay mapped within a R6B district is 2.0. In mixed use buildings, commercial uses may be located only below the first or second floors and must be located below the residential use.

Lot 8 (808 Metropolitan Avenue) is an improved corner lot with 140 feet of frontage on Metropolitan Avenue and 135 feet of frontage on Bushwick Avenue that comprises 12,625 sf of lot area. Lot 8 is split between C8-2 and R7A districts. An approximately 11,305 sf portion of Lot 8 is mapped within the C8-2 district. The remaining 1,320 sf lies within an R7A district mapped along Bushwick Avenue to the south of the Project Area. Lot 8 is used as a gas station that is expected to continue operating. Vehicle access to the gas station is available by two curb cuts on Bushwick Avenue and three curb cuts on Metropolitan Avenue, each measuring approximately 30 feet wide. The 11,305 sf portion of Lot 8 that is mapped within a C8-2 district is part of the Project Area.

Lot 14 (824 Metropolitan Avenue) is an unimproved lot with 50 feet of frontage on Metropolitan Avenue and 5,000 sf of lot area. Lot 14 is split between C8-2 and R6B/C2-4 districts. The majority of Lot 14 is located within a C8-2 district. The lot's northeast corner is mapped within a R6B/C2-4 district. Lot 14 is leased by a lighting company for open commercial vehicle storage that is accessed by a curb cut on Metropolitan Avenue measuring approximately 14 feet wide. Lot 14 is a part of the Development Site.

Lot 16 (832 Metropolitan Avenue) is an improved lot with 25 feet of frontage on Metropolitan Avenue and 2,500 sf of lot area. Lot 16 is split between C8-2 and R6B/C2-4 districts. A three-story three-family building constructed in 1910 is located within the R6B/C2-4 portion of the lot. The building has an estimated 2,316 sf of floor area. Tenants currently occupy the building under month-to-month or year-long leases. There are no accessory off-street parking spaces or curb cuts on Lot 16. Lot 16 is a part of the Development Site.

Lot 17 (834 Metropolitan Avenue) is an improved lot with 25 feet of frontage on Metropolitan Avenue and 2,500 sf of lot area. Lot 17 is a lot that is split between C8-2 and R6B/C2-4 districts. A three-story two-family building constructed in 1910 is located within the R6B/C2-4 portion of the lot. There are no accessory off-street parking spaces or curb cuts on Lot 17. The majority of Lot 17 is mapped within a R6B/C2-4 district and only a small portion at the rear southwest corner of the lot is mapped within a C8-2 district. The unimproved approximately 30 sf portion of Lot 17 that is mapped within a C8-2 district is a part of the Project Area.

No other properties are affected by the proposed actions.

5. Description of the Proposed Development Site

The Development Site, comprised of Lot 14 and 16 (824 and 832 Metropolitan Avenue) has 75 feet of frontage on Metropolitan Avenue and 7,500 sf of lot area. The Development Site is currently split between C8-2 and R6B/C2-4 districts and is located within a Transit Zone.

The majority of Lot 14 is mapped within the C8-2 district. Lot 14 is unimproved and used for open commercial vehicle storage by a lighting company.

Lot 16 is split between C8-2 and R6B/C2-4 districts and is improved with a 2,316 sf three-story three-family building constructed in 1910 within the R6B/C2-4 portion of the lot. Tenants currently occupy the building under month-to-month or year-long leases.

6. Description of the Proposed Development

The Applicant proposes to construct a new building for commercial and residential uses on Lots 14 and 16 (the "Proposed Development") within the proposed R7A/C2-4 zoning district. The Development Site will be developed as a single zoning lot having 75 feet of frontage on Metropolitan Avenue and measuring 7,500 sf in lot area.

The Proposed Development will be a new building consisting of eight stories and a cellar that will contain 34,500 sf of floor area for a total FAR of 4.6. The Proposed Development's building height is 85 feet (8 stories). Lot coverage is 65%. A 35-foot rear yard will be provided above the first story. The portion of the building located within 25 feet of the adjoining R6B district will be limited to a maximum height of 65 feet. Outdoor recreation areas consist of 2,505 sf located above the roof of the first floor and 2,243 sf located above the roof of the sixth floor, of which approximately 908 sf of recreation space is required pursuant to the Quality Housing program.

The Proposed Development will include approximately 7,000 sf of commercial floor area, plus additional accessory commercial storage space in the cellar.

The Proposed Development will include approximately 27,500 sf of residential floor area, including 36 dwelling units. At least 30% of the residential floor area, comprising approximately 11 dwelling units, will be designated as affordable to households earning incomes at an average not exceeding 80% of income index per MIH Option 2.

The Proposed Development will potentially include discretionary financing from the New York City Housing Preservation and Development. The estimated completion year is 2022.

7. Actions necessary to facilitate the Project

The Applicant seeks approval of two actions: 1) A zoning map amendment to change the Project Area from C8-2 to R7A/C2-4, R6B to R7A, and C8-2 to R6B/C2-4; and 2) A zoning text amendment to designate the Project Area as an MIH area. The application for zoning map amendment includes a small portion at the rear of Lot 17 for the purpose of uniformity; a straight line extension of the district boundary perpendicular from Metropolitan Avenue would include the entirety of Lot 17 within an R6B/C2-4 district.

The proposed R7A district is a contextual, medium-density apartment house district designation that typically produces seven- to nine-story apartment buildings and mandates the use of the Quality Housing Program. The Quality Housing Program encourages development consistent with the character of an established neighborhood by employing bulk regulations that set height limits and allow high lot coverage buildings set at or near the street line. The Quality Housing program also requires amenities relating to interior space, recreation areas and landscaping.

R7A/C2-4 districts allow a commercial FAR of 2.0, community facility FAR of 4.0, and a residential FAR of 4.0, which can be increased to 4.6 FAR for inclusionary housing buildings. Base heights are required to be between 40 and 75 feet, and after a 10- or 15-foot setback from the street, the maximum building height is 95 feet (and a maximum of 9 stories) for inclusionary housing buildings. Special height regulations limit buildings located within 25 feet of an R6B district to a height of 65 feet. Within the Transit Zone, no accessory off-street parking spaces are required for income-restricted housing units. One parking space is required for 50 percent of all other residential units, except that requirements are reduced to 30 percent of residential units for lots of 10,000 sf or less and a requirement for less than 15 spaces may be waived. Requirements vary by use for commercial space. One accessory commercial parking space is required per 1,000 sf of food stores with 2,000 sf or more of floor area and for general retail or service uses, except that a requirement for less than 40 spaces may be waived.

The proposed actions are needed to allow the use and bulk of the Proposed Development, specifically, the proposed building's residential use, 4.6 FAR and 85-foot height. Currently, the Development Site is split between C8-2 and R6B/C2-4 districts. The proposed R7A/C2-4 district allows the same range of residential, community facility and commercial uses allowed in the existing R6B/C2-4 district, but residential uses are not permitted in C8-2 districts. Although residential uses are allowed in R6B districts, they are limited to a maximum FAR of 2.0 and building height is limited to 50 feet.

Although an automotive repair shop and gas station exist within the Surrounding Area, other nearby activity generally reflects uses compatible with the proposed R7A/C2-4 district. As mentioned above, the closure of a gas station on the southwest corner of Bushwick Avenue and Metropolitan Avenue (within a C8-2 district), the construction of a new 8-story story mixed use building with 80 dwelling units at the corner of Metropolitan Avenue and Humboldt Street (within an R7A/C2-4 district) and the residential conversion of a former 3-story factory to 4-story building with 32 dwelling units to the east of the Project Area on Metropolitan Avenue (within an R6B/C2-4 district) indicate a trend towards less intensive uses.

The proposed R7A/C2-4 district suits the Project Area's proximity to the portion of Bushwick Avenue that lies southwest of the project area. Along this section, Bushwick Avenue's 80-foot wide two-way street is improved with 3- to 4-story residential buildings and several non-conforming mixed use buildings mapped within an R7A district. The proposed R7AB/C2-4 district would maintain continuity with the nearby portion of Metropolitan Avenue that is situated to the west of Bushwick Avenue and also mapped within a R7A/C2-4 district.

The spacious intersection of Bushwick Avenue, Metropolitan Avenue and Maspeth Avenue adjoining the Project Area provides adequate light and air to accommodate the increased FAR and height, as well as the proposed residential use, that are allowed in R7A districts. The scale of enlargements and new construction allowed in the proposed R7B/C2-4 district is compatible with the taller buildings in the Surrounding Area, including the new 8-story story mixed use building at the corner of Metropolitan Avenue and Humboldt Street, the five- to seven-story apartment buildings on Maspeth Avenue, the eleven eight-story Cooper Park Houses on Maspeth and Morgan Avenues, and two seven-story apartment buildings at Bushwick Avenue and Powers Street. Public transportation available within the Surrounding Area also supports residential use and added density. The C4-4A district mapped along Grand Street to the southwest of the Project Area is a nearby regional commercial center that is available to serve residential shopping needs.

The proposed R7A/C2-4 district would ease the transition between the C8-2 district mapped to the immediate west and north of the Project Area and the residential R6B district to the east of the Project Area. R6B districts, which are located to the north and east of the Project Area, are intended for traditional 4- and 5-story attached row houses. The Zoning Resolution moderates the difference in building height by limiting new development in the Project Area to a maximum building height of 65 feet within 25 feet of the R6B district boundary. The greater bulk allowed in the proposed R7A/C2-4 district is also appropriate for land adjoining the gas station immediately west of the Development Site.

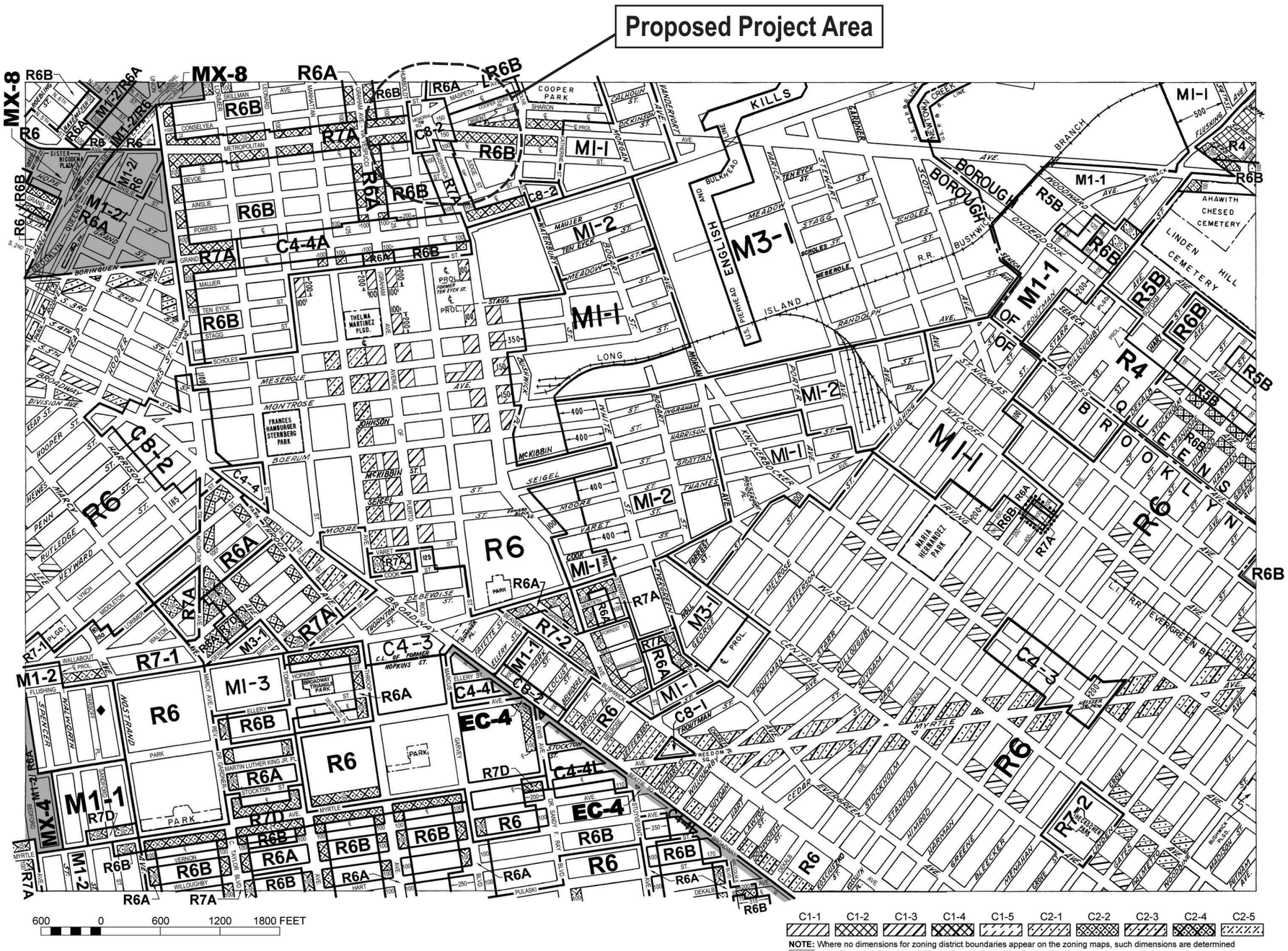
The proposed zoning text amendment would make the Project Area a Mandatory Inclusionary Housing designated area in which MIH Options 1 and 2 would be applicable. Option 1 requires that a minimum of 25% of the residential floor area be designated as affordable to households earning incomes with an average 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. The proposed actions will facilitate the development of a project that will provide several units of affordable housing, consistent with Mayor Bill de Blasio's comprehensive housing plan.

8. Conclusion

The Applicant, 824 Metropolitan Avenue Owner, LLC, seeks a zoning map amendment and zoning text amendment of approximately 18,835 sf located along the south block front of Metropolitan Avenue at the corner of Bushwick Avenue in the Greenpoint-Williamsburg neighborhood of Brooklyn, Community District 1. The Applicant seeks to change the Project

Area from C8-2 to R7A/C2-4, R6B to R7A, and C8-2 to R6B/C2-4. As a result, Lot 8 will be split between R7A/C2-4 and R7A districts, Lots 14 and 16 will be zoned R7A/C2-4 and Lot 17 will be zoned R6B/C2-4. In addition, the Applicant seeks to designate the Project Area as a Mandatory Inclusionary Housing area.

The proposed actions are needed to facilitate the development of 7,500 sf of lot area comprising Lots 14 and 16 with an eight-story building containing a total of 34,500 sf comprised of 7,000 sf of commercial uses and 27,500 sf of residential uses (36 dwelling units). Approximately 11 dwelling units, comprising 30% of the total residential floor area, will be designated as permanently affordable to households with incomes having an average not exceeding 80% of area median income in accordance with Mandatory Inclusionary Housing Option 2.



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 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:

09–12–2018 C 180148 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.

CITY MAP CHANGES:

◆ AS CORRECTED 02–19–2019

N

MAP KEY

12c	13a	13c
12d	**13b**	13d
16c	17a	17c

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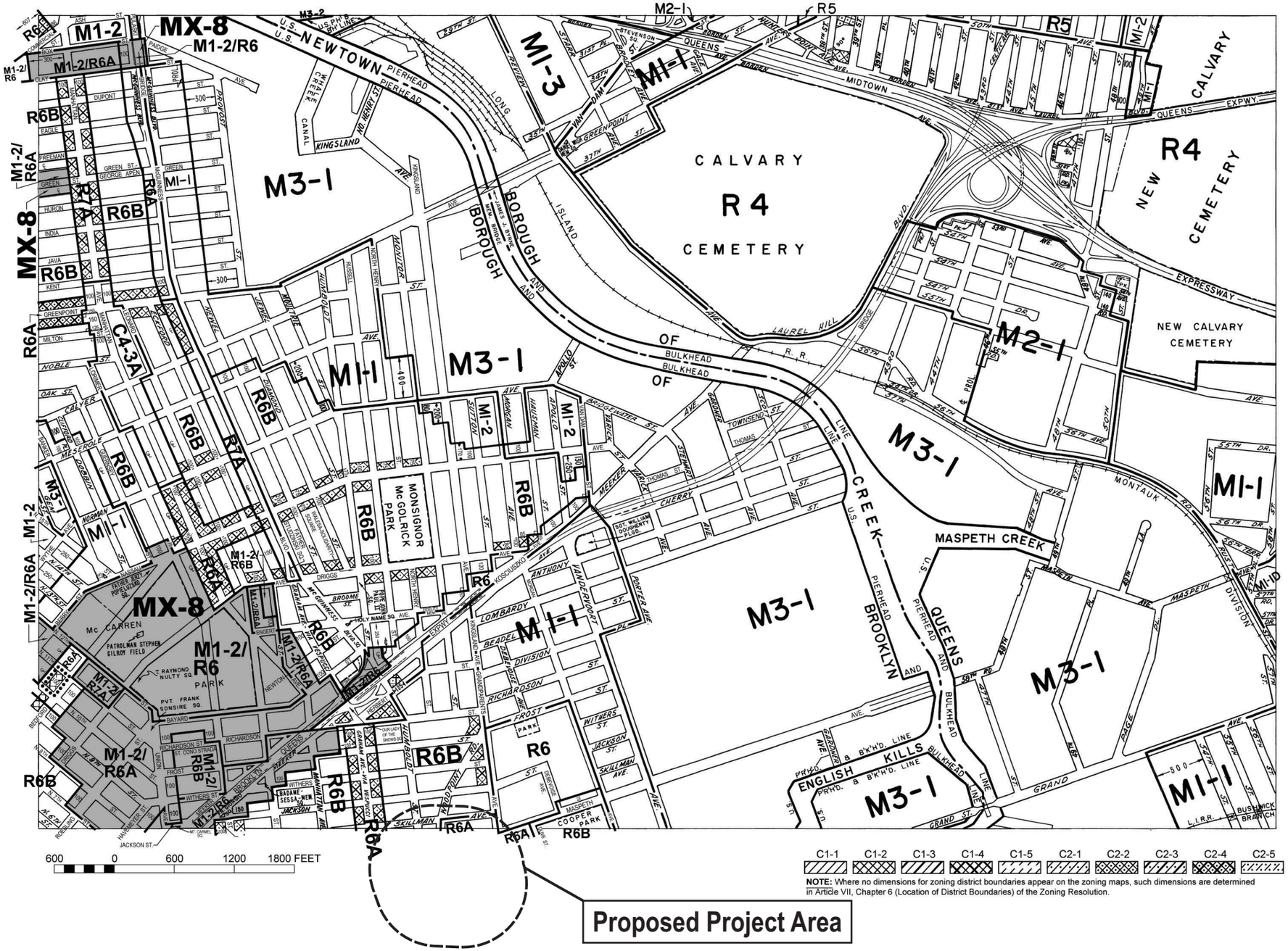
ZONING MAP **13b**

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.



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:

01–31–2018 C 170024 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.

MAP KEY

N

8d	9b	9d
12c	**13a**	13c
12d	13b	13d

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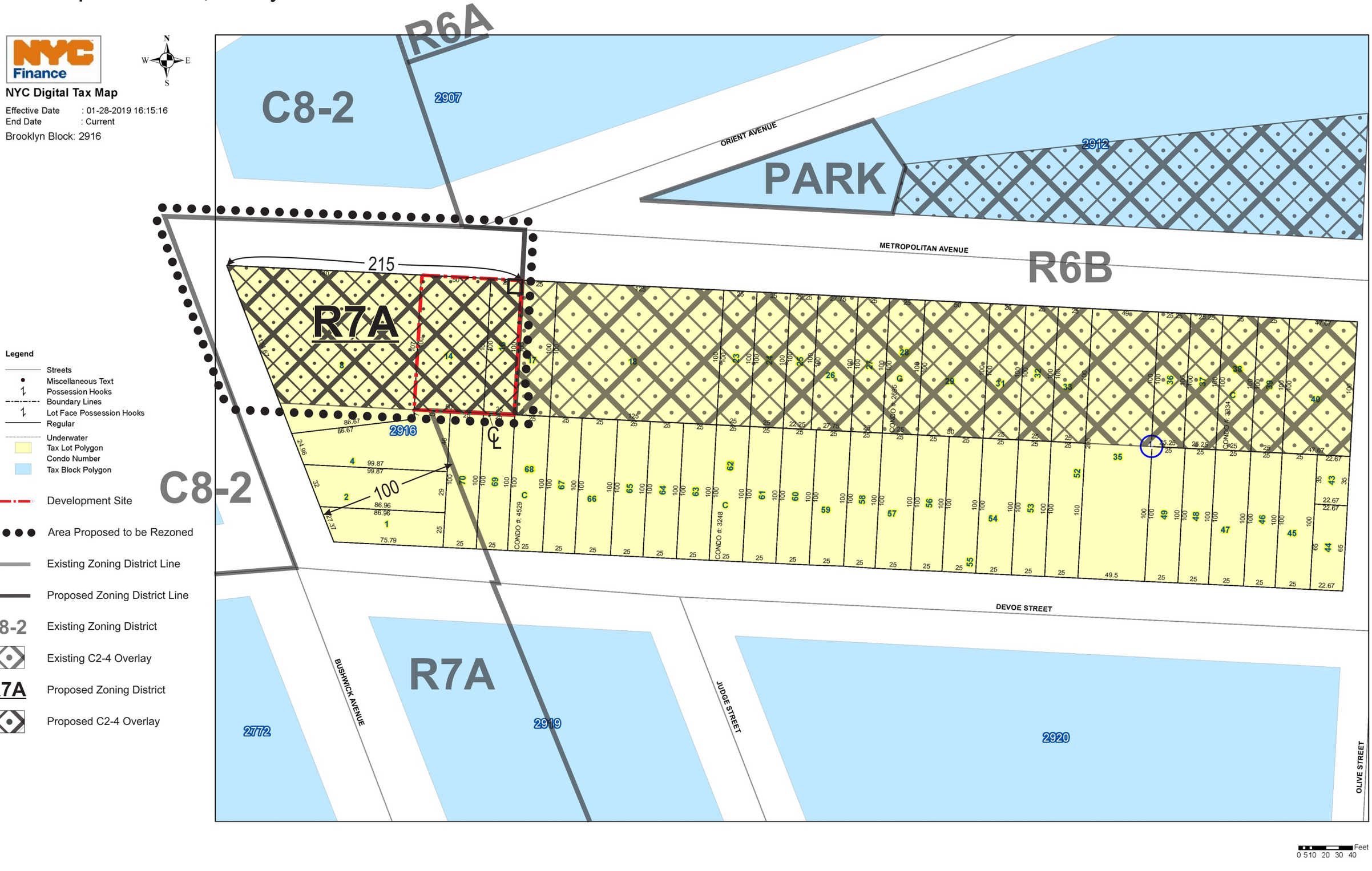
ZONING MAP **13a**

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.

824 Metropolitan Avenue, Brooklyn



824 Metropolitan Avenue, Brooklyn

Area Map

Block: 2916, Lots: 14, 16, p/o 8 & p/o 17

Project Information

- 600' Radius
- Development Site
- Area Proposed to be Rezoned

Existing Commercial Overlays & Zoning Districts

C1-1	C2-1	Zoning Districts
C1-2	C2-2	Special Districts
C1-3	C2-3	
C1-4	C2-4	
C1-5	C2-5	

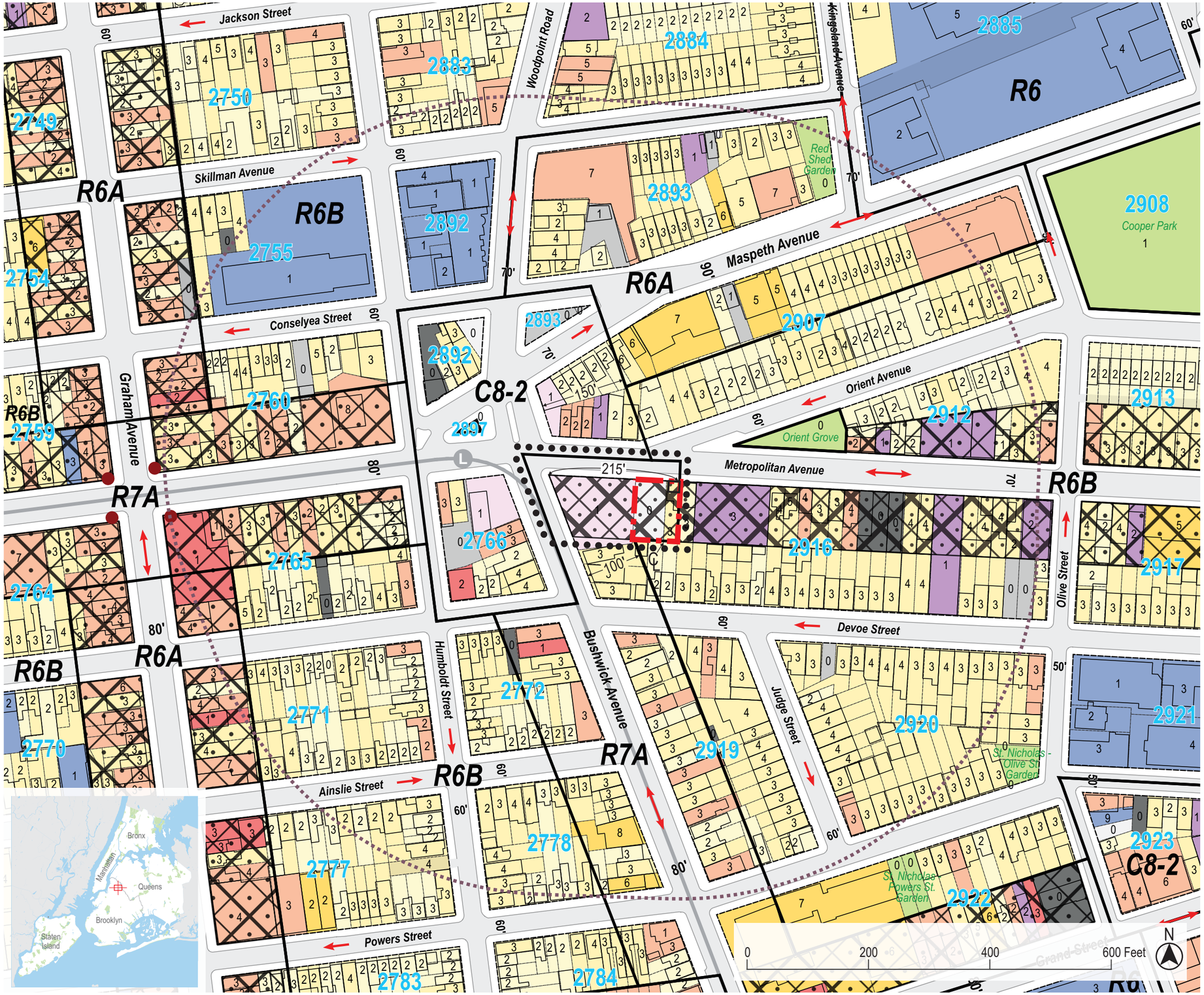
- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

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

October 2019

Urban Cartographics





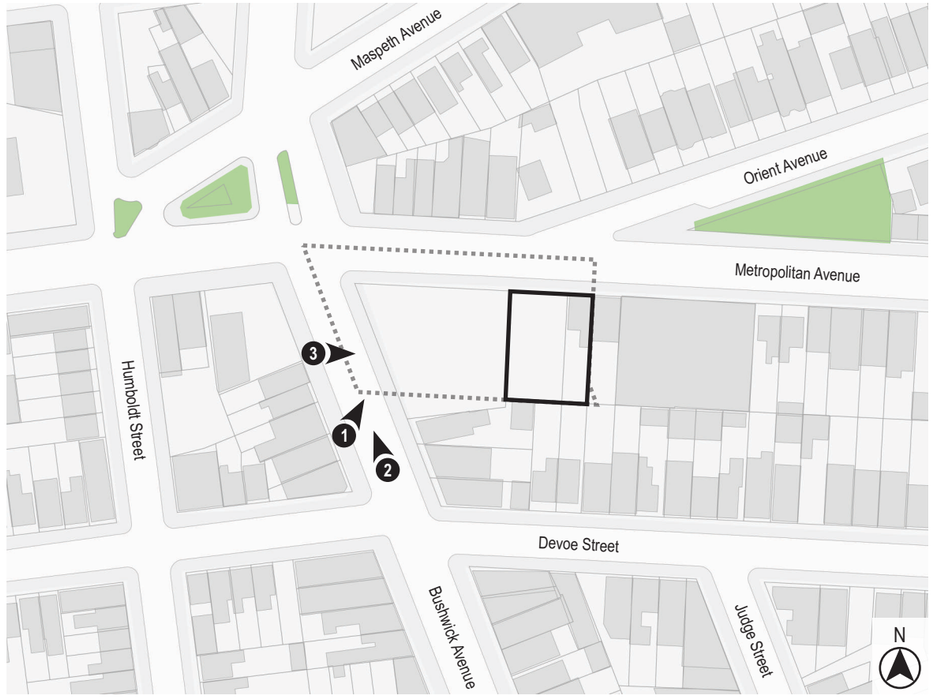
1. View of the Project Area facing northeast from Bushwick Avenue.



2. View of Bushwick Avenue facing northwest (Project Area at right).



3. View of the Project Area facing east from Bushwick Avenue.





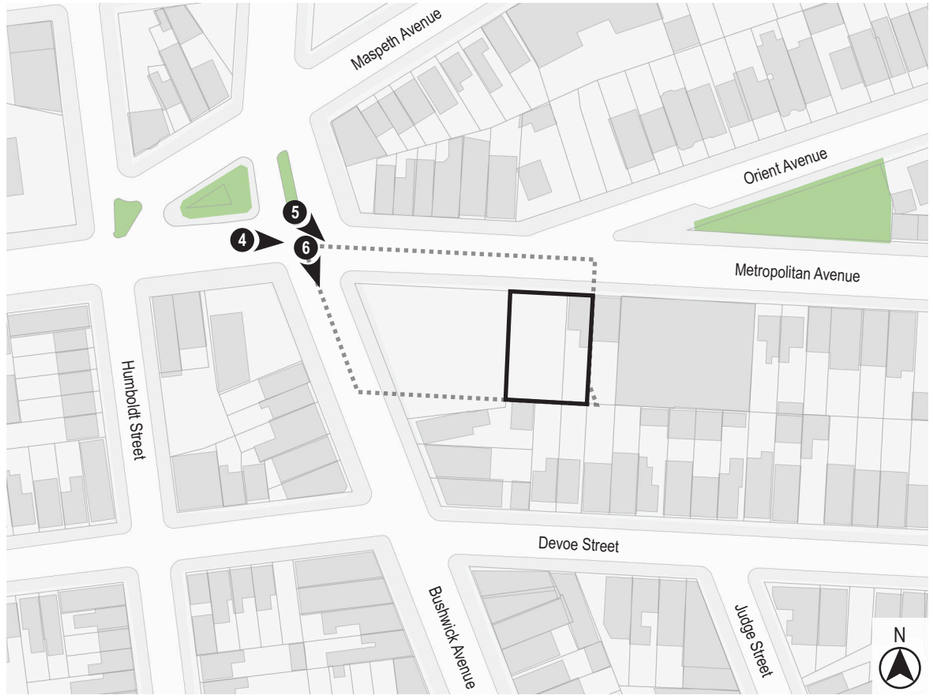
4. View of Metropolitan Avenue facing east from Bushwick Avenue (Project Area at right).



5. View of the Project Area facing southeast from the intersection of Bushwick Avenue and Metropolitan Avenue.



6. View of Bushwick Avenue facing southeast from Metropolitan Avenue (Project Area at left).



Urban Cartographics



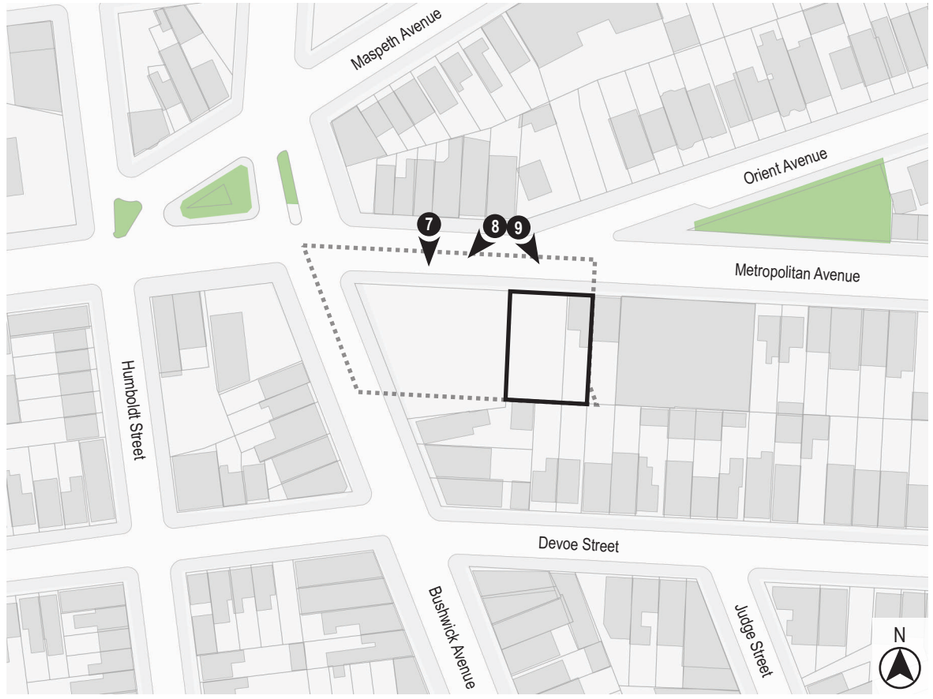
7. View of the Project Area facing south from Metropolitan Avenue.



8. View of the Project Area facing southwest from Metropolitan Avenue.



9. View of the Development Site facing southeast from Metropolitan Avenue.





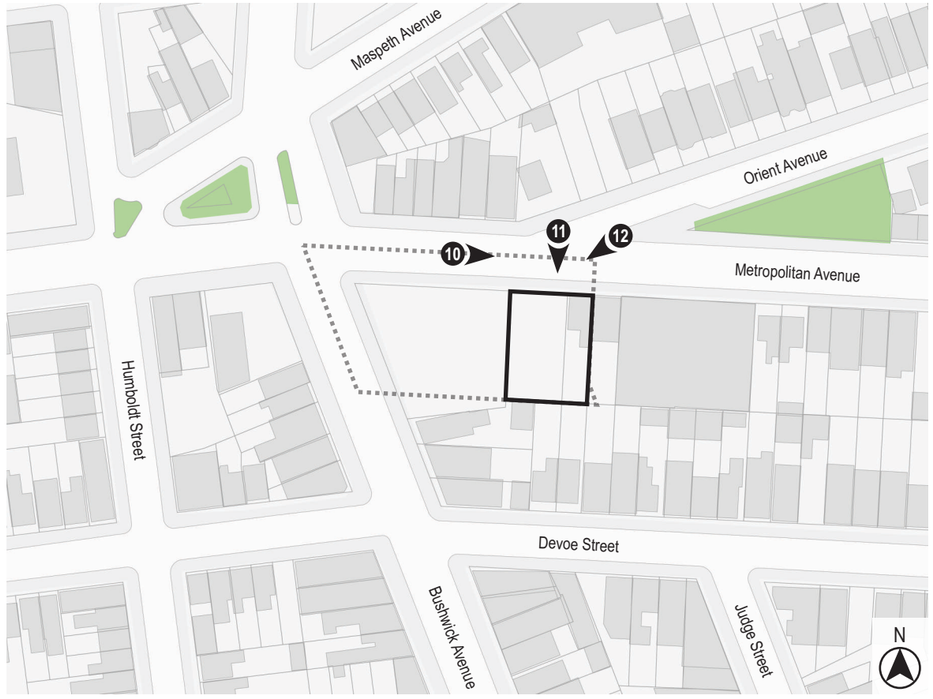
10. View of Metropolitan Avenue facing east (Development Site at right).



11. View of the Development Site facing south from the intersection of Metropolitan Avenue and Orient Avenue.



12. View of the Development Site facing southwest from Metropolitan Avenue.





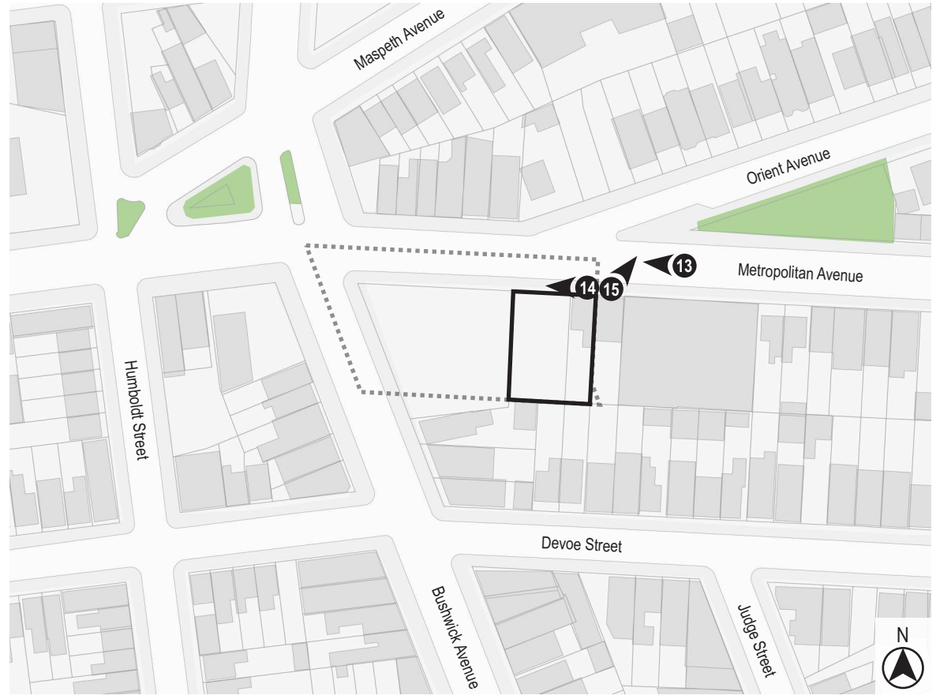
13. View of Metropolitan Avenue facing west (Development Site at left).



14. View of the sidewalk along the south side of Metropolitan Avenue facing west (Development Site at left).



15. View of the north side of Metropolitan Avenue facing northeast from the Development Site.





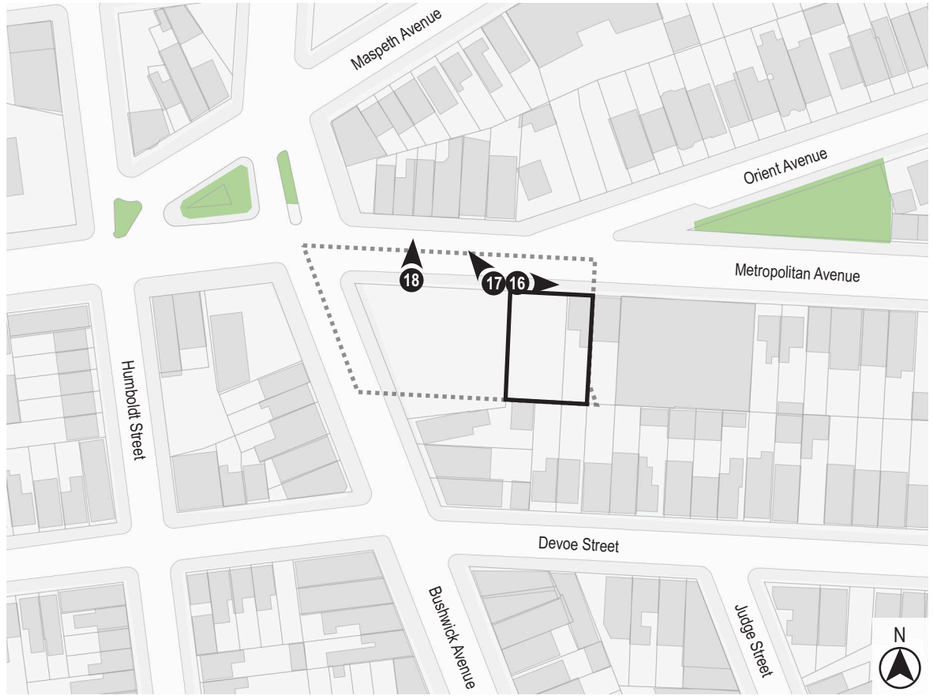
16. View of the sidewalk along the south side of Metropolitan Avenue facing east (Development Site at right).



17. View of the north side of Metropolitan Avenue facing northwest from the Development Site.



18. View of the north side of Metropolitan Avenue facing north from the Project Area.





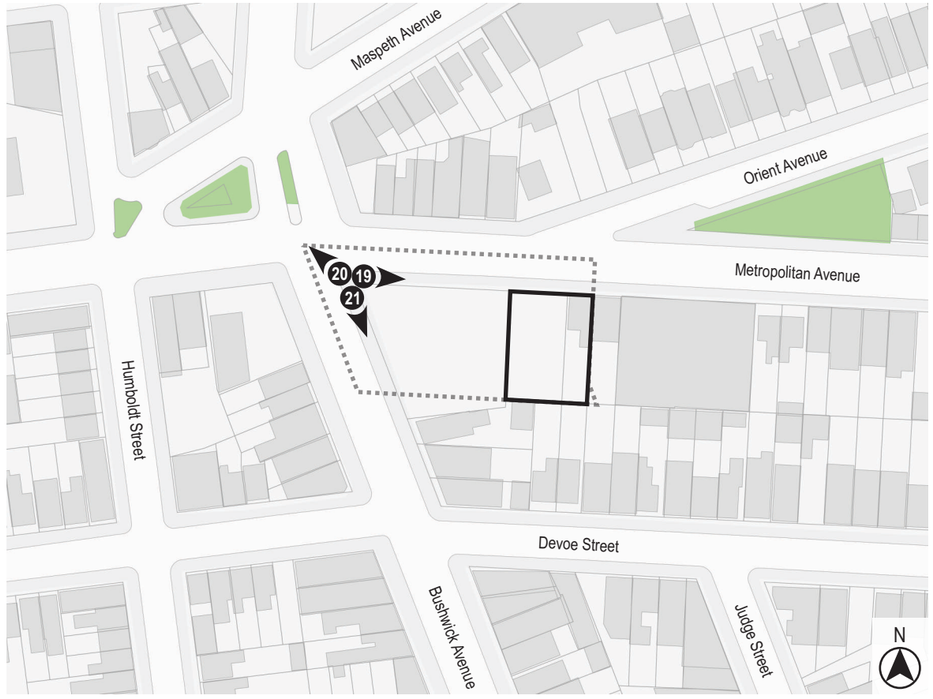
19. View of the sidewalk along the south side of Metropolitan Avenue facing east from Bushwick Avenue (Project Area at right).



20. View of the intersection of Metropolitan Avenue and Bushwick Avenue facing northwest from the Project Area.



21. View of the sidewalk along the east side of Bushwick Avenue facing southeast from Metropolitan Avenue (Project Area at left).





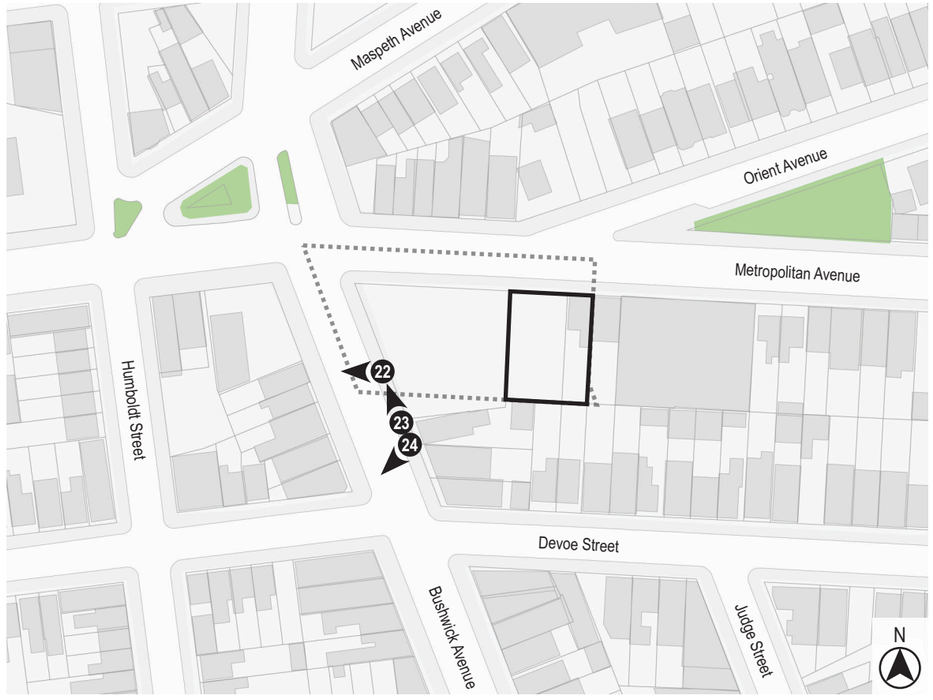
22. View of the west side of Bushwick Avenue facing west from the Project Area.



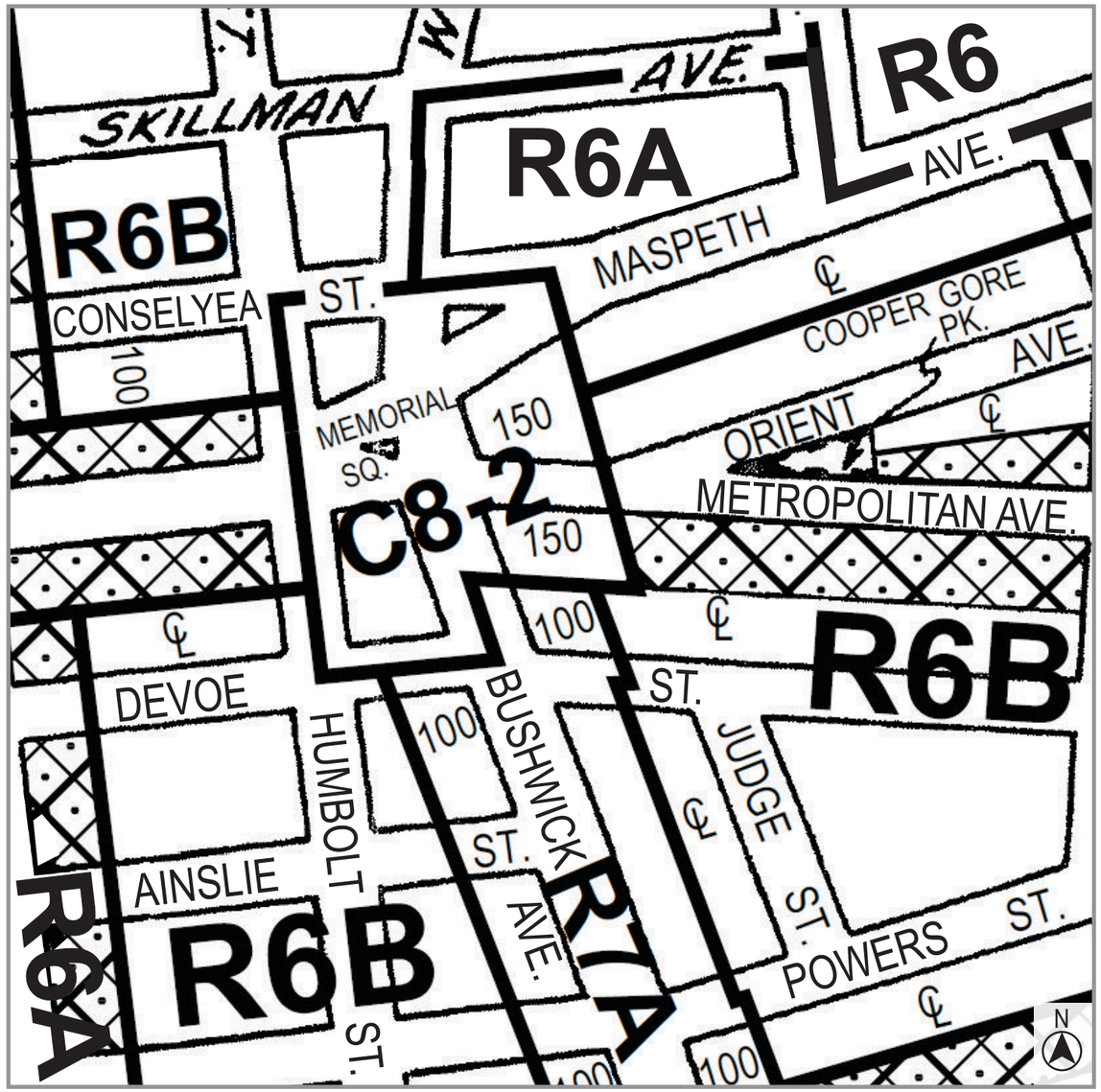
23. View of the sidewalk along the east side of Bushwick Avenue facing northwest (Project Area at right).



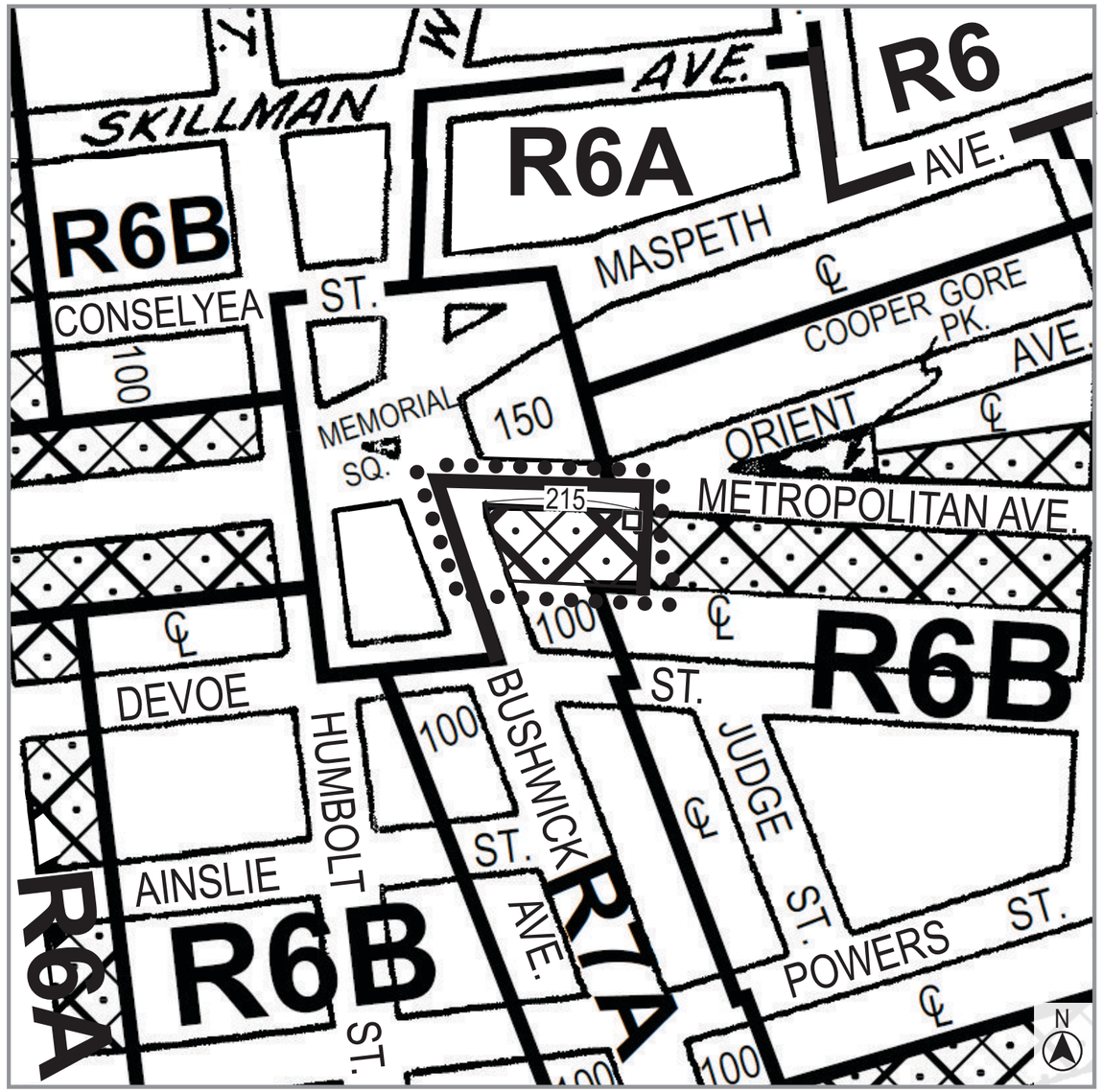
24. View of the west side of Bushwick Avenue facing southwest from the Project Area.



Zoning Change Map



Current Zoning Map (13a & 13b)



Proposed Zoning Map (13a & 13b) - Area being rezoned is outlined with dotted lines

Rezoning from C8-2 to R7A/C2-4
Rezoning from C8-2 to R6B/C2-4
Rezoning from R6B to R7A

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.

824 Metropolitan Avenue
Community District 1, Brooklyn

10/15/19
Zoning Map 13b

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 1

* * *

Map 2 – [date of adoption]



Inclusionary Housing designated area

Excluded Area

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

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

Portion of Community District 1, Brooklyn

* * *

Zoning Requirement	Permitted/Required					
	Existing C8-2		Existing/Proposed R6B w/C2-4		Proposed R7A/C2-4	
	Zoning Section	C8-2	Zoning Section	R6B/C2-4	Zoning Section	R7A/C2-4
Use Group	32-00	4-14, 16	22-10, 32-10	1-9, 14	22-10, 32-10	1-9, 14
FAR						
Residential FAR	Not permitted	0.00	23-154(b)	2.20	23-154(b)	4.60
Community Facility FAR	33-123	4.80	24-11, 33-121	2.00	24-11	4.00
Commercial/Manufacturing FAR	33-122	2.00	33-121	2.00	Not permitted	0.00
YARDS						
Front Yard	N/A	N/A	N/A	None	N/A	None
Side Yard	33-25	None	23-462(c), 33-25	None or 8 feet	23-462(c), 24-35	None or 8 feet
Rear Yard	33-26	20 feet	23-47, 24-36	30 feet	23-47, 24-36	30 feet
HEIGHT AND SETBACKS						
Maximum Height of Front Wall	33-432	60 feet or 4 stories	23-662(a)	40 feet	23-664(b)	75 feet
Maximum Building Height	N/A	N/A	23-662(a)	50 feet	23-664(b)	95 feet/9 stories
Sky Exposure Plane	33-432	Narrow Street: 2.7 to 1 Wide Street: 5.6 to 1	N/A	None	N/A	None
Setbacks from Narrow Streets	33-432	20 feet	23-662(c)	15 feet	23-662(c)	15 feet
Setbacks from Wide Streets	33-432	15 feet	23-662(c)	10 feet	23-662(c)	10 feet
Lot Coverage	N/A	None	23-153	60%	23-153	65%
DENSITY REGULATIONS	N/A	None	23-22	680 sf/DU	23-22	680 sf/DU
PARKING	36-20	Depends on use	25-23 (Residential) 25-30 (CF & Commercial)	50% of DU*** Depends on use	25-23	50%*
LOADING	36-60	Depends on use	36-62 (CF & Commercial)	Depends on use	25-72	Depends on use

*Within the Transit Zone, no accessory off-street parking spaces are required for income-restricted housing units