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

Land Use Application

Project ID number
2023K0165

Package Submission Date
11/1/2023

Section 1. Project Summary

Project Name:	396-400 Avenue X Rezoning

Contact Person for this Application:		
Name	Phone	Email
Neil Weisbard	**2122185508**	**nweisbard@seyfarth.com**

Applicant(s)		
Organization	First Name	Last Name
PG Realty Investments LLC	**Oleg**	**Gutnik**

Site Data	
Street Address: **396 Avenue X, Brooklyn NY 11223**	City Council District(s): **47**
Community District(s): **15**	Zoning Sectional Map Number(s): **28c**
Existing Zoning District(s): **R4**	Special District(s): **Special Ocean Parkway District**

LIST ALL ACTIONS BY THEIR ACTION CODE

For applications seeking more than one type of action, each action must be listed separately.

Action code*	If Follow-up action, indicate previous approval Action code	Is applicant solely a public agency?	Application number	Data to differentiate multiple actions of same type
ZM		**No**	**230381ZMK**	
ZR		**No**	**230382ZRK**	**ZR: MIH only**

**See instructions for list of all action types and their appropriate codes.*

Does this project require a legal instrument to be recorded against the subject property? **No**

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.

Certain projects are subject to requirements to submit a Racial Equity Report on Housing and Opportunity under Local Law 78 of 2021. Does this apply to this project? **No**

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Section 2. Applicants

APPLICANTS						
Organization	**First Name**	**Last Name**	**Address**	**City**	**State**	**Zip Code**
PG Realty Investments LLC	Oleg	Gutnik	620 Eighth Avenue	New York		10018

APPLICANT REPRESENTATIVE(S)						
First Name	**Last Name**	**Organization**	**Address**	**City**	**State**	**Zip Code**
Neil	Weisbard	Seyfarth Shaw LLP	620 Eighth Avenue	New York	NY	10018

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Section 3. Environmental Review

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

1. Who is the LEAD AGENCY *(responsible for the CEQR)*? **DCP**
2. CEQR NUMBER **23DCP136K**
3. Indicate CEQR Process type: **Unlisted**

Type II Category: _____ Date of Determination: _____

Section 4. Project Area and Development Site Data & Geography

PROPOSED PROJECT AREA

*The **proposed Project Area** is the entirety of all land parcels that are affected by all actions being sought.*

Do **ALL** actions being sought apply to:

the whole City?	**No**
the entirety of one or more Borough(s)?	**No**
Borough(s):	
the entirety of one or more Community District(s)?	**No**
Community District(s)	
Land or land underwater that is not associated with a tax block or lot?	**No**

Description of the geographic boundaries (especially for non-tax lots or irregular sites) by cross streets, bounding streets, dimensions, etc.

Section 4. (continued)

Existing zoning districts/special district: **R4 Residence District within the Special Ocean Parkway District**

Select all that apply to any portion of the **proposed Project Area:**

Located within the State Designated Coastal Zone Management (CZM) Area: **Yes**

Located within a Historic District: **No**

Historic District Name:

DEVELOPMENT SITE

*The **Development Site** is the specific parcel(s) that the applicant is seeking to develop. The Project Area and Development Site can be the same parcels of land or different, depending on the actions being sought. For instance, a special district may be mapped over a portion of a neighborhood (project area), but only certain parcels within it may be proposed for immediate development by the applicant (development site).*

Does the application result in the development of 500,000+ zoning square feet of floor area? **No**

If yes, development size:

Is the **Development Site** a *(New York City or Other)* Landmark or within a Historic District? **No**

Indicate Landmark or Historic District Name:

Section 4. (continued)

Fill in the table below for all tax lots that are within the **proposed Project Area.**

User Input Borough	User Input Tax Block	User Input Tax Lot	Development Site?	Partial Lot?	Validated Borough	Validated Block	Validated Lot	BBL Validated	BBL Validated Date
Brooklyn	**7198**	**1**	**Yes**	**No**	**Brooklyn**	**07198**	**0001**	**Yes**	**9/16/2022**
Brooklyn	**7198**	**4**	**Yes**	**No**	**Brooklyn**	**07198**	**0004**	**Yes**	**9/16/2022**
Brooklyn	**7198**	**6**	**No**	**No**	**Brooklyn**	**07198**	**0006**	**Yes**	**9/16/2022**

** Leave column blank if all actions apply to all sites. See Instructions for list of action codes.*

Section 4. (continued)

The below addresses are associated with tax lots on previous table.

Address Number	Street or Place Name	Concatenated Address (Validated)	Validated Community District	Validated City Council District	Validated Zoning Map Number	Address Validated	Validated Date
394	**AVENUE X**	**394 AVENUE X**	**K15**	**47**	**28C**	**Yes**	**9/16/2022**
400	**AVENUE X**	**400 AVENUE X**	**K15**	**47**	**28C**	**Yes**	**9/16/2022**
410	**AVENUE X**	**410 AVENUE X**	**K15**	**47**	**28C**	**Yes**	**9/16/2022**

Section 5. Related Actions

1. List all **prior** site-specific actions by the **City, State or Federal Government** within the project area and describe in more detail in the attached Project Description.

Reference/ Application Number*	Description	Disposition or Status**	Calendar Number*	Date*

**If applicable*

2. List all **future** site-specific actions by the City, State, or Federal Government within the project area, and describe in more detail in the attached Project Description:

Reference/ Application Number*	Description	Status	Calendar Number*	Date*

**If applicable*

Section 6. HOUSING PLANS; URBAN RENEWAL AREAS; URBAN DEVELOPMENT ACTION AREAS PROGRAM (UDAAP)

APPLIES TO: HA; HC; HD; HG; HN; HO; HP; HU

1. Select all that apply:
DESIGNATION: **No** PROJECT: **No** DISPOSITION: **No** *If disposition is sought, fill in Section 7.*

2. Fill in the table below for all the subject sites

Borough	Block	Lot	UR Site Number	Owner	Existing Number of Buildings	Existing Stories in each Building	Existing Uses	Existing Zoning	Community/Institutional facilities			Dwelling units	
									Number Occupied	Number Vacant	Number of Workers	Number Occupied	Number Vacant

3. Fill in the table below for all the subject sites (proposed conditions)

Borough	Block	Lot	UR Site Number	Address	Owner	PROPOSED	
						Uses	Is site to be disposed? (yes/no)

Section 7. DISPOSITION RELATED TO URBAN DEVELOPMENT ACTION AREAS PROGRAM (UDAAP) OR URBAN RENEWAL

APPLIES TO: HA, HD

1. Type of disposition:

HA (Urban Development Action Area – UDAAP)

HD (Disposition of Urban Renewal Site)

2. Manner of disposition:

If Direct Disposition, indicate:

From: *(Indicate city agency)*

To:

Indicate Sponsor/ Developer/ Purchaser/ Lessee or Local Public Development Corporation)

If recipient has not been selected or disposition is not limited to a particular recipient, indicate "To be determined by agency"

3. Restrictions and conditions:

Section 8.
OFFICE SPACE LEASE, PUBLIC FACILITY SITE SELECTION OR ACQUISITION
APPLIES TO: PC, PQ, PS, PX

1. Action(s) requested:

   OFFICE SPACE LEASE _____

   ACQUISITION _____

   SITE SELECTION _____

2. Type of facility: _____

3. The Proposed facility is a(n):

   EXISTING FACILITY PROPOSED TO REMAIN _____

   How long has existing facility been at this location? _____

   EXISTING FACILITY TO REMAIN AND EXPAND/ENLARGE _____

   How long has existing facility been at this location? _____

   EXISTING FACILITY REPLACEMENT IN NEW LOCATION _____

   Where is the current facility located? _____

   NEW FACILITY _____

4. Is project listed in Citywide Statement of Needs? _____

   Indicate Fiscal Year(s) _____

   Indicate Page Number(s) _____

5. Did the Borough President propose an alternate site pursuant to charter section 204(f) or (g)? _____

   Identify Alternate Site _____

6. Capital budget line: _____

   For Fiscal Years: _____

Section 8. (continued)

Fill in the table below to describe proposed site(s).

PROPOSED SITE CHARACTERISTICS AND CONDITIONS

Borough	Block	Lot	Ownership	Uses on Site	Is the site Improved, Unimproved or Partly Improved?	Number of Dwelling Units*	Community Facility, Commercial or Industrial Uses		Describe any displacement or relocation*	If vacant for less than two years, describe previous uses*	Building(s) or site total square footage	Square footage to be acquired*	Number of floors in building*	Location on site/ in building
							Number of firms*	Number of employees*						

**If applicable*

Section 9. DISPOSITION

Applies to: PP

1. Type of disposition: _____

   From which City Agency? _____

   To Whom? _____

   Sponsor/ Developer/ Purchaser/ Lessee or Local Public Development Corporation.

   If recipient has not been selected or disposition is not limited to a particular recipient, indicate: "To be determined by agency"

2. Restrictions and conditions:

Section 10. CHANGE IN CITY MAP

Applies to: MM, MY, ME

1. *Please select all requested map changes that apply:*

Establish/Delineate New:		**Eliminate/Remove Existing:**		**Change Existing:**	
STREET		STREET		STREET (Width)	
PARK		PARK		STREET (Alignment)	
PUBLIC PLACE		PUBLIC PLACE		STREET (Grade)	
GRADE		GRADE		EASEMENT	
EASEMENT		EASEMENT			

2. Is there a related Acquisition of Property?

3. Is there a related Disposition of Property? **No**

4. Is the only proposed City Map Change the elimination of a mapped but unimproved street?

If yes, is the mapped but unimproved street being eliminated from the property of an owner-occupied, one- or two- family residence? **No**

Section 11.
ZONING SPECIAL PERMITS, AUTHORIZATIONS AND CERTIFICATIONS

Applies to: ZS, ZA, ZC, CM, LD, RS, RA, RC

Use the following action codes to indicate action types in this section:

ZS new or modified zoning special permit

ZA new or modified zoning authorization

ZC new or modified zoning certification

CM renewal of a zoning special permit or authorization

LD Action pursuant to or modification of a legal document

South Richmond District

RS new or modified zoning special permit

RA new or modified zoning authorization

RC new or modified zoning certification

.

1. Is the Applicant *(Select all that apply)*

Owner of subject property	**No**
Lessee of subject property	**No**
Other (explain in attached project description)	**No**
In a contract to lease or buy the subject property	**No**

2. Are there other owners or long-term lessees of the subject property? **No**

Section 11. (continued)

5. In the table below, list all Special Permit, Authorization or Certification actions being sought *(including renewals, modifications, or legal document actions listed above)* and applicable information for each. Be sure to indicate previously approved application number for any follow-up actions. Leave blank if not applicable.

ALL ZONING CERTIFICATIONS, AUTHORIZATIONS, SPECIAL PERMITS AND RENEWALS BEING SOUGHT

Action Code	Previously Approved Application Number(s)*	Zoning Resolution Section Action Is Pursuant To	Name of Zoning Resolution Section	Zoning Sections To Be Modified*	Number of Zoning Lots Affected**	Square Footage of Zoning Lot(s) Affected	Square Footage of the Proposed Development	Square Footage Associated with Transfer of Development Rights or Floor Area Bonus*	Proposed Number of Dwelling Units	Is the action to authorize or permit an open use?	Is the action to authorize commercial or community facility use?

* *If applicable*

***For subdivision-related actions, please indicate the resulting number of lots **after** subdivision*

6. In the chart below, list all follow-up actions (**Modification/Renewal/Legal Document actions**) being sought and applicable information for each. Be sure to indicate previously approved application number to be renewed in chart below. Leave blank if not applicable.

FOLLOW-UP ACTIONS

Action Code	Previously Approved Application Number(s)	Date of Previous Approval	Lapse Date of Previous Approval*	Is this a modification subject to Section 197-c of the City Charter? (y/n)	Is action a modification to or an action pursuant to a legal instrument*	Type of legal Instrument*	CRFN number*	Recordation Date*

**If applicable*

Section 12. Applies to: ZR

ZONING TEXT AMENDMENT

Indicate below the affected Zoning Resolution Sections by title and number:

Zoning Section Name	Zoning Section Number
INCLUSIONARY HOUSING DESIGNATED AREAS AND MANDATORY INCLUSIONARY HOUSING AREAS	**Appendix F**

Section 13. Applies to: ZM

ZONING MAP AMENDMENT

1. What is the total area of all zoning lots in the area to the be rezoned? **20,000 to 39,999 square feet**

2. Please indicate all existing and proposed zoning districts in the table below:

Zoning Section Map(s) to be modified	EXISTING Zoning Districts	PROPOSED Zoning Districts
28c	**R4**	**R7A/C2-4**

-END OF FORM-

396-400 Avenue X Rezoning
Tax Block 7198, Lots 1, 4 and 6, Borough of Brooklyn
PROJECT ID: 2023K0165

Introduction

This is an application filed by PG Realty Investments LLC (the "Applicant"), owner of 396 and 400 Avenue X, Tax Block 7198, Lots 1 and 4, Borough of Brooklyn (the "Development Site"), seeking:

1. An amendment to Zoning Map 28c, changing the existing R4 Residence District underlying the Development Site and Lot 6 located to the east and adjacent to the Development Site, to an R7A/C2-4 District (the Development Site and Lot 6 are 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 on the Project Area;

The requested actions will facilitate the construction of a proposed approximately 46,000 square foot, seven-story mixed-use building, with approximately 5,000 square feet of Use Group 6 retail/medical office floor area and approximately 41,000 square feet of residential floor area ("the Proposed Building"). The Proposed Building will accommodate 45 dwelling units, of which approximately 12 dwelling units will be constructed pursuant to the Mandatory Inclusionary Housing Program. The Proposed Building will contain 45 parking spaces.

Background

- May 14, 1964 – Establishing within an existing R4 Residence District, a C1-2 Commercial District bounded by West Street, a line 150 south of Avenue X, West 3rd Street, Stryker Street, a line midway between Southgate Court and Avenue X, West 1st Street and a line 150 feet north of Avenue X, under Application No. CP-18353.
- January 20, 1977 – Establishment of the Special Ocean Parkway District, under Application Nos. CP-23284 and CP-23285.

Description of the Surrounding Area

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

The surrounding area is predominately two- and three-story semi-detached residences, with commercial one- and two-story commercial buildings along the northside of Avenue X, with six-story and basement residential buildings fronting on Avenue X to the west, north and northeast of the Project Area, and primarily one- and two-family residences throughout the remainder of the surrounding area. Public School 216 (Arturo Toscanini) a one- and five-story school is located within

the surrounding area, west of the Project Area on the south side of Avenue X between East 1st Street and West Street. Our Lady of Grace convent and Our Lady of Grace Catholic Academy are located north of the Project Area, on the north side of Avenue W between East 2nd and East 4th Streets. The West Playground, an approximately 2.4 acre New York City public park, is located south of the Project Area on the north side of Avenue Z between West 1st Street and West Street.

The surrounding area is predominately mapped as an R4 zoning district within the Special Ocean Parkway District, with C1-2 commercial overlays mainly along the northside of Avenue X. 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, sky exposure plane regulates the maximum height of a building. Accessory parking is required at a rate of one space per dwelling unit.

C1-2 commercial overlay districts are mapped across the surrounding area's R4 district on both sides of Avenue X to a depth of 100 feet. C1-2 overlay districts are local retail and service districts that allow commercial uses (Use Groups 5 and 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.

The surrounding area is located within the Special Ocean Parkway District, established on January 20, 1977, under Application Nos. CP-23284 and CP-23285, encompasses a band of blocks east and west of the parkway between Prospect Park and Brighton Beach. The Special Ocean Parkway District was designed to (a) promote and strengthen the scenic landmark designation of Ocean Parkway by requiring landscaping along Ocean Parkway; (b) maintain the existing scale and character of the community by limiting the bulk of permitted community facilities; (c) protect the environmental quality of and improve circulation within the District by requiring enclosed parking for all uses along Ocean Parkway and by requiring off-street loading for certain community facilities throughout the District; and (d) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenue.

The Project Area and the surrounding area is well served by public transportation, with the F line Avenue X subway station located six blocks west of the Site at Shell Road and the N line 86th Street

subway stations located approximately a half a mile northwest of the Project Area; and numerous New York City bus lines, including the 1 line which runs east and west along Avenue X, and the 4 line, which runs along Avenue Z, Shell Road and 86th Street.

Description of the Project Area

The Project Area consists of the approximately 10,000 square foot Development Site located on Lots 1 and 4 on Tax Block 7198, and Lot 6, an approximately 9,999 square foot corner lot.

The Project Area is currently improved with the following, on:

- Lot 1 (approximately 6,000 square foot lot), a two-story, approximately 5,042 square foot building containing approximately 3,142 square feet of community facility floor area (physical therapist office and home health care facility) and 1,900 square feet of single-family residential floor area, constructed in 1931.
- Lot 4 (approximately 4,000 square foot lot), a one-story, approximately 4,400 square foot community facility medical center, constructed in 1931.
- Lot 6 an approximately 41,097 square foot, six-story with basement apartment building constructed in 1957.

The Project Area encompasses the entire blockfront between East 2nd and 3rd Streets within 100 feet of the southside of Avenue X.

Avenue X is an 80 foot wide, two-way east-west bound street; East 2nd Street is a 60 foot wide, one-way north-south bound street; and East 3rd Street is a 60 foot wide, one-way south-north bound street.

Description of the Proposed Development

The applicant proposes to construct a new approximately 46,000 square foot (FAR of 4.6), seven-story mixed-use building, with approximately 5,000 square feet (FAR of 0.5) of Use Group 6 retail/medical office use and approximately 41,000 square feet (FAR of 4.1) of residential floor area. The Proposed Building will accommodate 45 dwelling units, of which approximately 12 dwelling units will be constructed pursuant to the Mandatory Inclusionary Housing Program.

The Proposed Building will contain 45 attended parking spaces in a subgrade level, with 42 spaces on triple stackers and three ADA accessible spaces at grade with a driveway and a 19'6" curb cut located off of East 2nd Street.

The Proposed Building will occupy the entirety of Lots 1 and 6, with various setbacks, including a ten foot setback on Avenue X at the seventh floor and a 15 foot setback on East 2nd Street on the second floor, terraces on the residential floors and plantings and benches along East 2nd Street. The Proposed Building, on the roof, will contain a small mezzanine for two apartments on the sixth floor, a common terrace and solar panels.

The Proposed Building will be 85 feet high, but within 25 feet of the adjacent R4 Residence District, the height of the Proposed Building will be 55 feet.

Action Necessary to Facilitate the Project

The Project Area is located within a R4 Residence District, outside of either a designated Inclusionary Housing Area or Mandatory Inclusionary Housing Area, with a maximum residential floor area ratio of 0.75 and a maximum commercial floor area ratio of 1.0. In order to construct the Proposed Building with approximately 46,000 square feet of residential and retail floor area, and 12 affordable units on the Development Site, an amendment to Zoning Map 28c, changing the R4 Residence District to a R7A/C2-4 District is required.

Zoning Map Amendment

Since December 15, 1961, 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.

The proposed R7A Residence District is a medium-density contextual residential district. When paired with the proposed C2-4 commercial overlay district, Use Group 1 and 2 residences, Use Group 3 and 4 community facilities and Use Group 5 through 9 and Use Group 14 commercial uses are permitted as-of-right.

The maximum floor area ratio ("FAR") for residences within the proposed R7A, within a Mandatory Inclusionary Housing area at a maximum FAR is 4.6 with a maximum lot coverage for interior and through lots of 65 percent and for corner lots, 100 percent. The maximum FAR for community facility uses is 4.0 with a maximum lot coverage for interior and through lots of 65 percent and for corner lots, 80 percent. The maximum FAR for commercial uses within the proposed C2-4 commercial overlay is 2.0.

In R7A/C2-4 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 R7A districts must be between 40 and 75 feet, with a maximum building height (excluding bulkhead and other permitted obstructions) of 95 feet, but no more than nine 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.

In the proposed R7A/C2-4 district, accessory off-street parking would be required at a rate of one space per 1,000 square feet for commercial floor area, 50 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 45 accessory off-street parking spaces, which exceed the amount of required parking. However, under the current R4 Residence District parking regulations, accessory parking is required at a rate of one space per dwelling unit. The Applicant believes that due to the high automobile ownership rates in the Project Area, that one parking space per dwelling unit, in compliance with the existing R4 parking regulations, is appropriate.

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 R7A are appropriate and consistent to the heights of many buildings in the surrounding area, including the, six-story with basement building located on Lot 6 within the Project Area and six-story with basement buildings located on Avenue X across form the Project Area, to the west of East 2nd Street and to the east of East 3rd Street.

As the entire Project Area is located adjacent to Avenue X a two-way 80 foot wide street, and portions of the Project Area located on either East 2nd or East 3rd Streets, both one-way 60 foot wide streets, such streets will be able to accommodate the proposed increase in density.

Furthermore, the Project Area is well served by public transportation, with the F line Avenue X subway station located six blocks west of the Site at Shell Road and the N line 86th Street subway stations located approximately a half a mile northwest of the Project Area; and numerous New York City bus lines, including the 1 line which runs east and west along Avenue X, and the 4 line, which runs along Avenue Z, Shell Road and 86th Street.

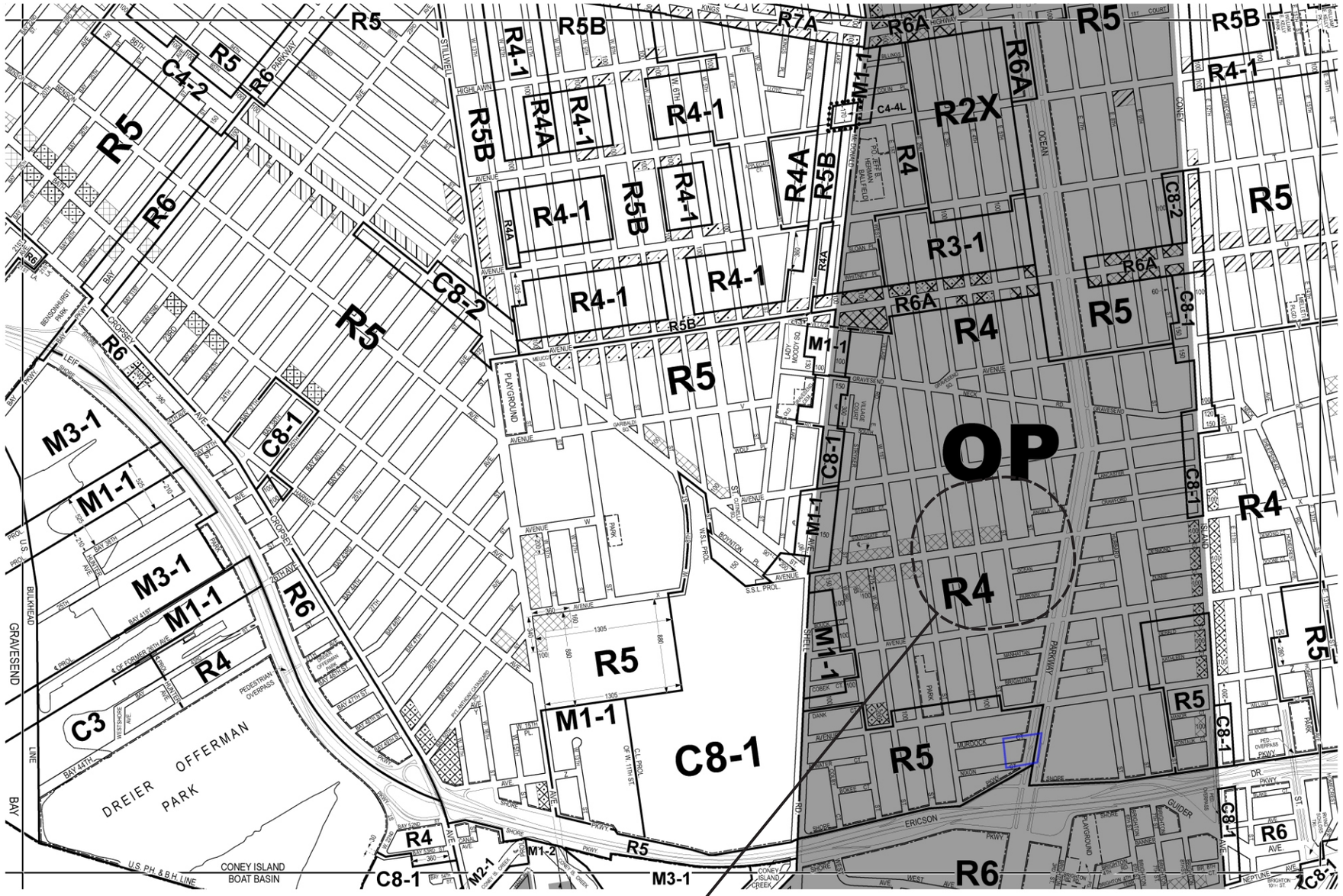
Zoning Text Amendment

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 include approximately 12 permanently affordable dwelling units. 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, which since the 1930's has been stagnant, and will support the City's priority of creating affordable housing.

396-400 Avenue X, 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:
10-12-2022 C 210174 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

22b	22d	23b
28a	**28c**	29a
28b	28d	29b

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ZONING MAP **28C**

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.

396-400 Avenue X, Brooklyn

Area Map

Block: 7198, Lots: 1, 4 & 6

Project Information

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

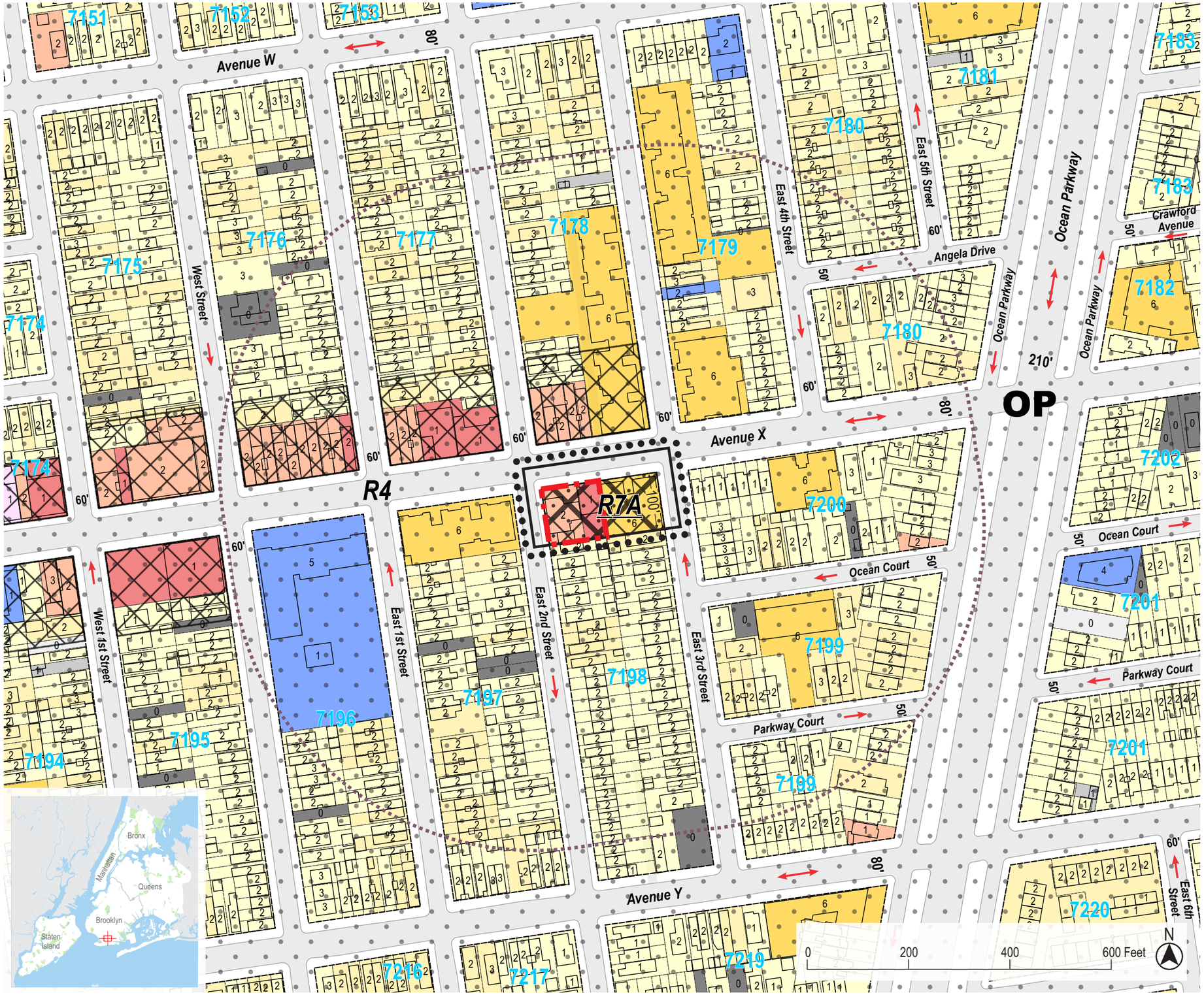
Existing Commercial Overlays & Zoning Districts

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

- 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



March 2023

Urban Cartographics

396-400 Avenue X, Brooklyn

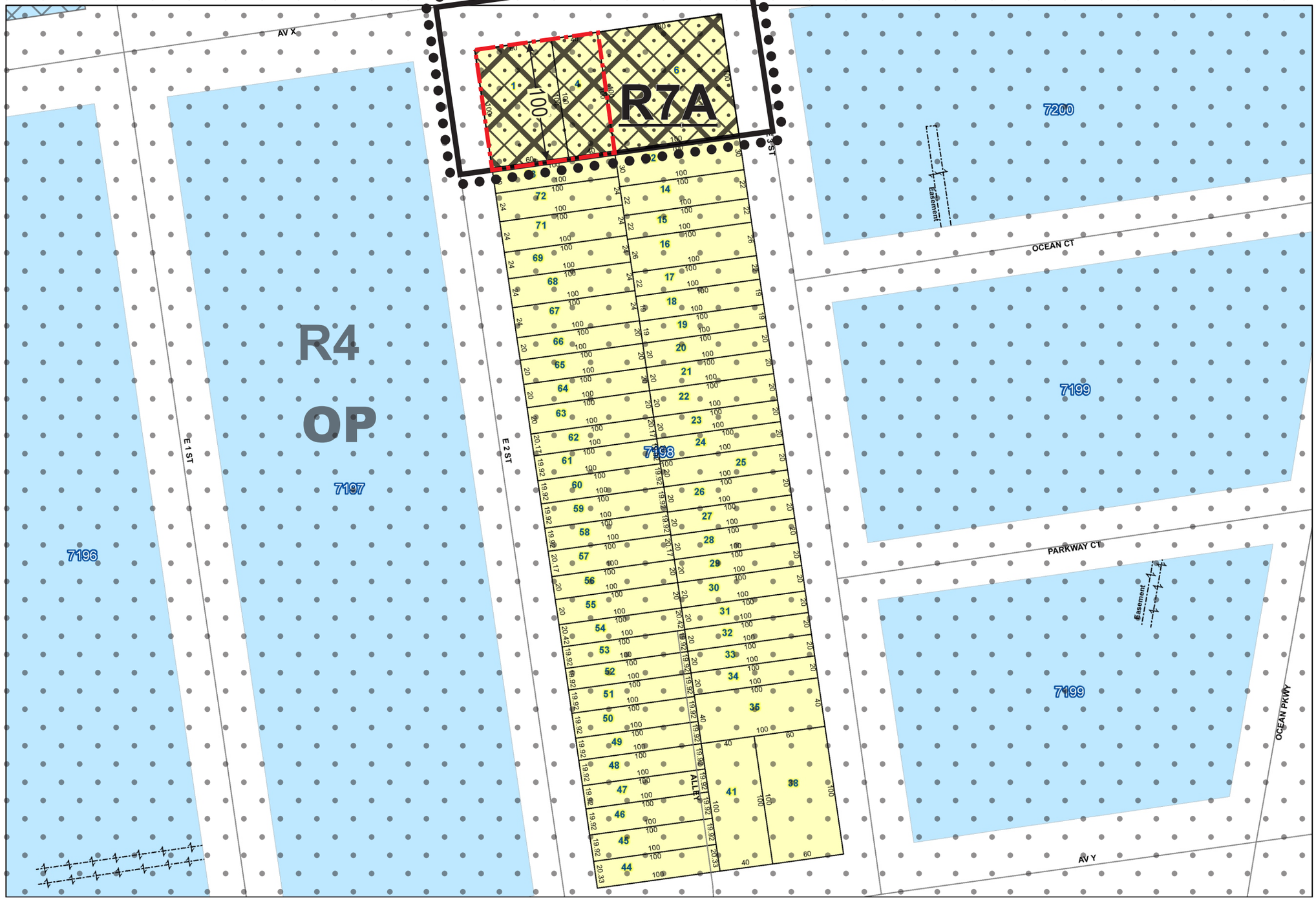
FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

N
W E
S

NYC Digital Tax Map

Effective Date : 12-07-2008 16:31:46
End Date : Current

Brooklyn Block: 7198



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site
- Area Proposed to be Rezoned
- Proposed Zoning District Line
- Existing Special Purpose District
- R4 — Existing Zoning District
- Existing C1-2 Overlay
- R7A — Proposed Zoning District
- Proposed C2-4 Overlay



1. View of East 2nd Street facing north (Development Site at right).



2. View of the Development Site facing northeast from East 2nd Street.



3. View of the Development Site facing east from East 2nd Street.





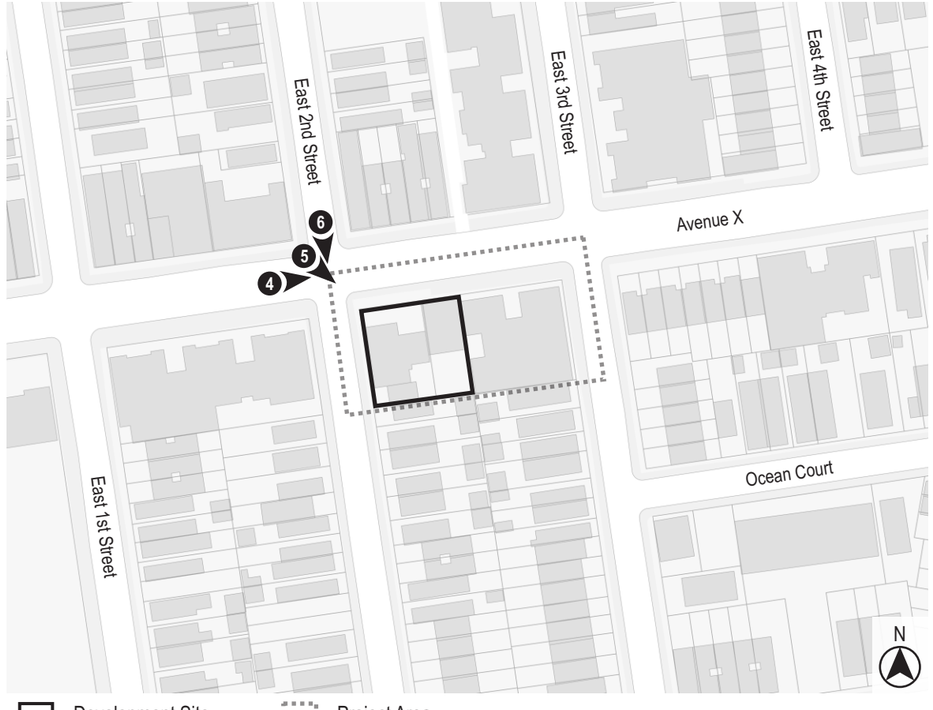
4. View of Avenue X facing east from East 2nd Street (Development Site at right).



5. View of the Development Site facing southeast from the intersection of Avenue X and East 2nd Street.



6. View of East 2nd Street facing south from Avenue X (Development Site at left).





7. View of the Development Site facing south from Avenue X.



8. View of the Development Site facing south from Avenue X.

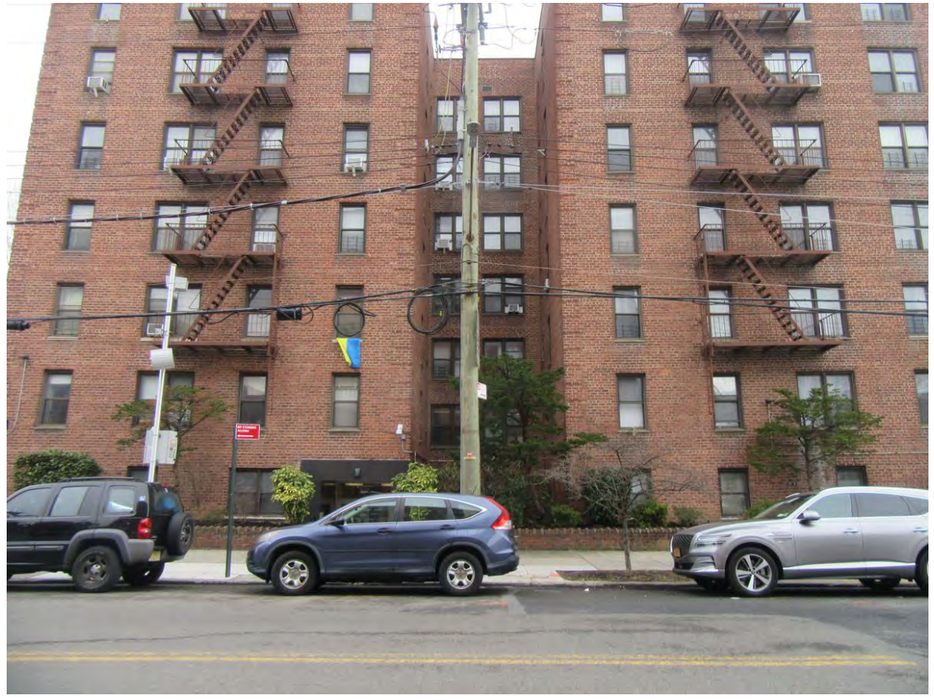


9. View of the Project Area facing southeast from Avenue X.





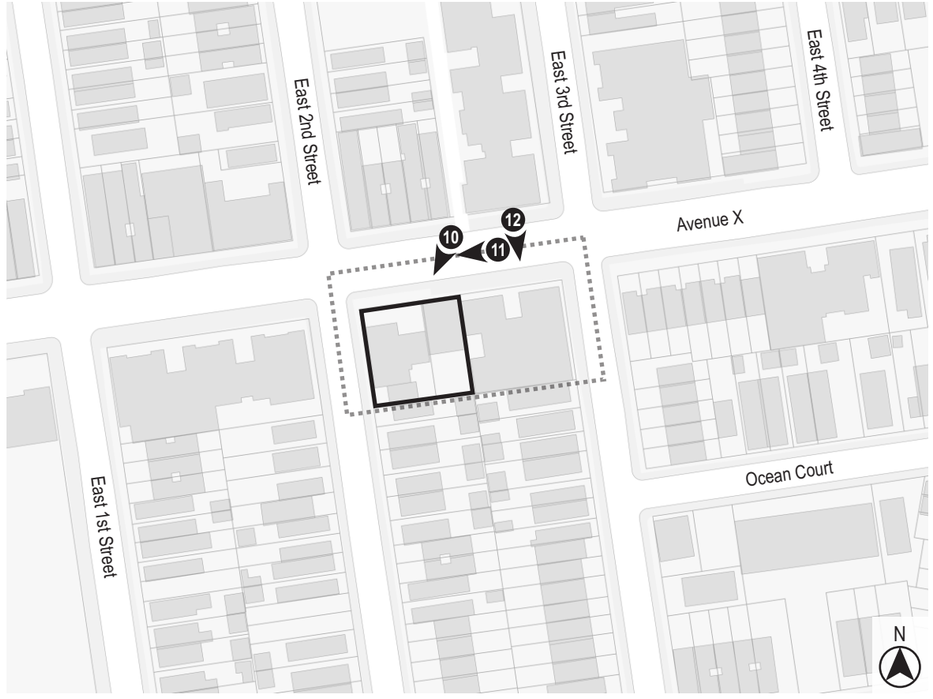
10. View of the Development Site facing southwest from Avenue X.



12. View of the Project Area facing south from Avenue X.



11. View of Avenue X facing west (Development Site at left).





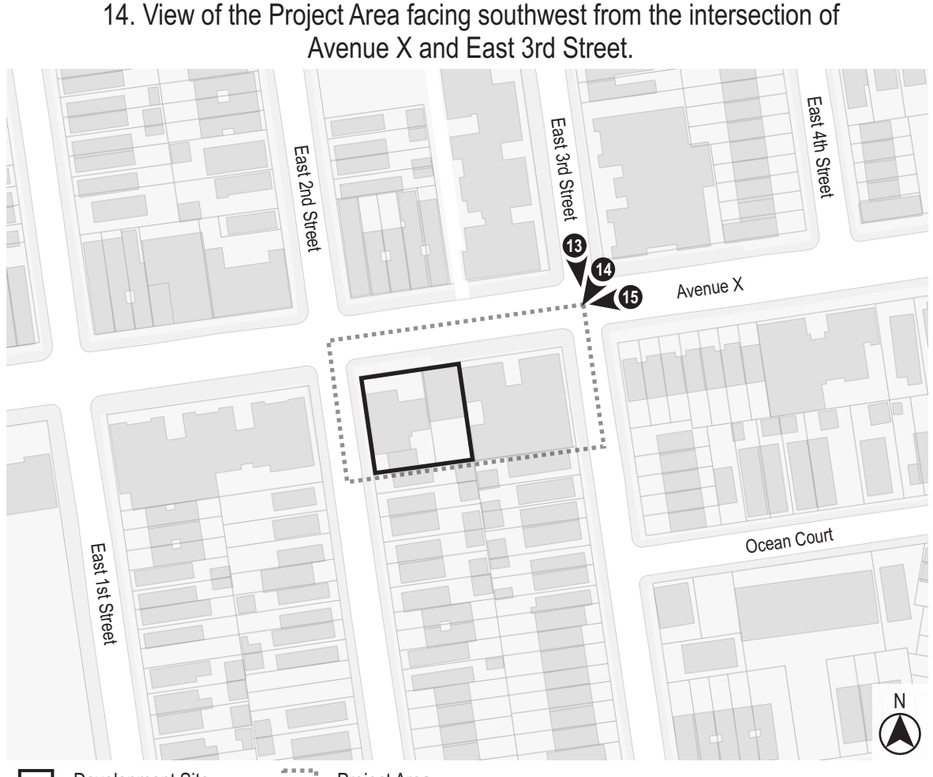
13. View of East 3rd Street facing south from Avenue X (Project Area at right).



15. View of Avenue X facing west from East 3rd Street (Project Area at left).



14. View of the Project Area facing southwest from the intersection of Avenue X and East 3rd Street.





16. View of the Project Area facing west from East 3rd Street.



17. View of the Project Area facing northwest from East 3rd Street.



18. View of East 3rd Street facing north (Project Area at left).





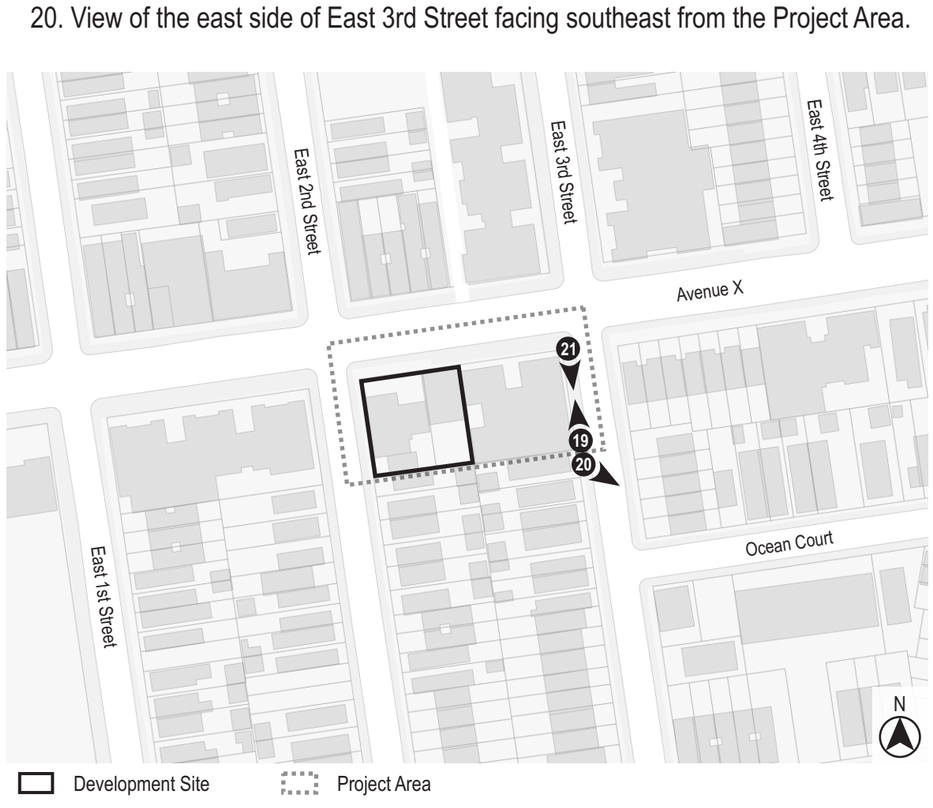
19. View of the sidewalk along the west side of East 3rd Street facing north (Development Site at left).



21. View of the sidewalk along the west side of East 3rd Street facing south from Avenue X (Project Area at right).



20. View of the east side of East 3rd Street facing southeast from the Project Area.





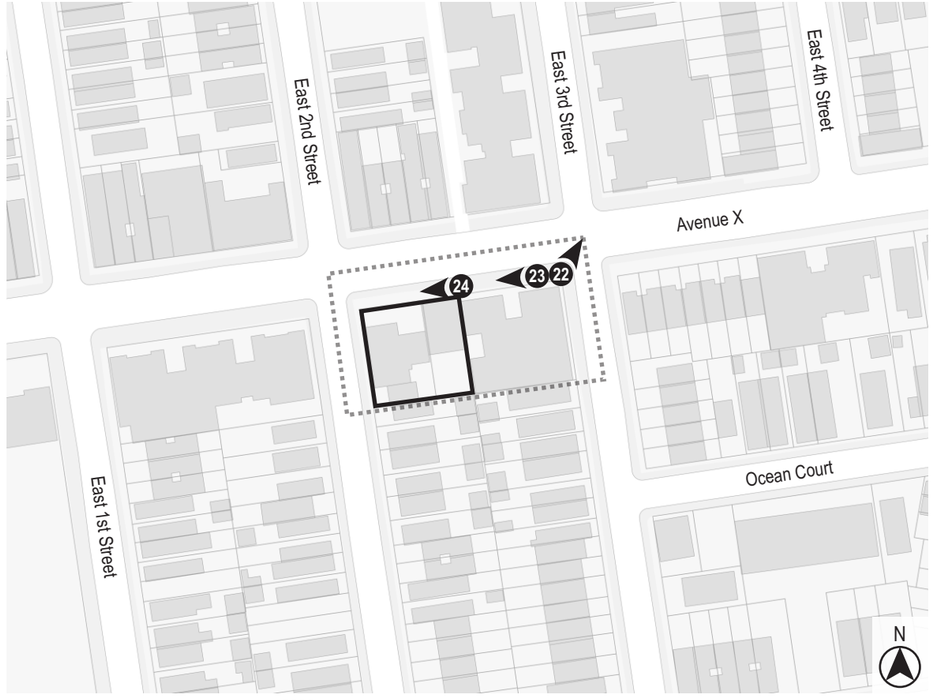
22. View of the intersection of Avenue X and East 3rd Street facing northeast from the Project Area.



23. View of the sidewalk along the south side of Avenue X facing west from East 3rd Street (Project Area at left).



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





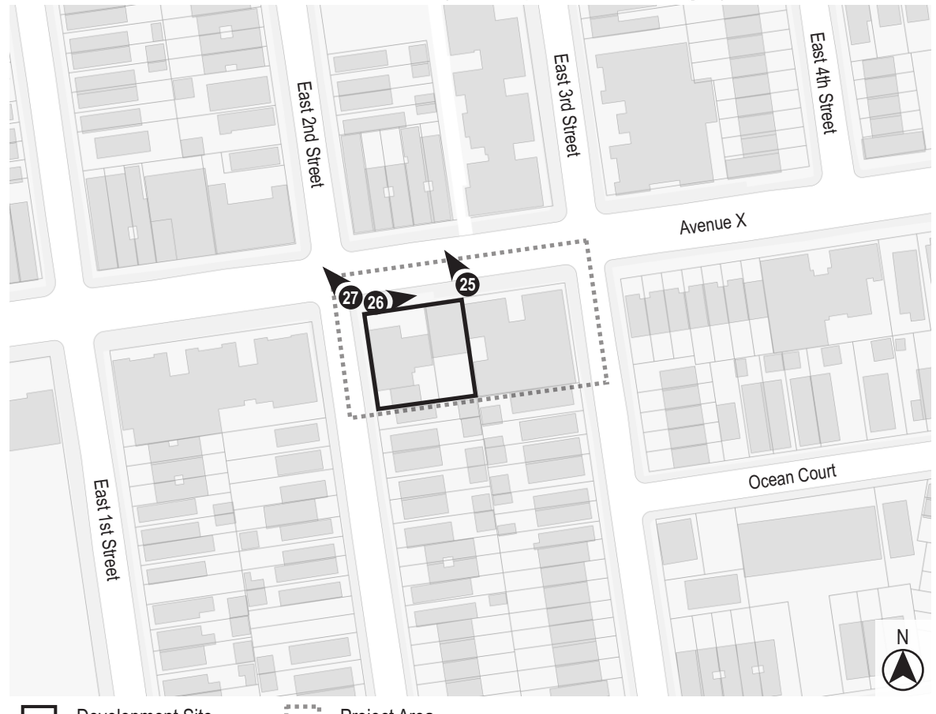
25. View of the north side of Avenue X facing northwest from the Project Area.



26. View of the sidewalk along the south side of Avenue X facing east from East 2nd Street (Development Site at right).



27. View of the intersection of Avenue X and East 2nd Street facing northwest from the Development Site.





28. View of the sidewalk along the east side of East 2nd Street facing south from Avenue X (Development Site at left).

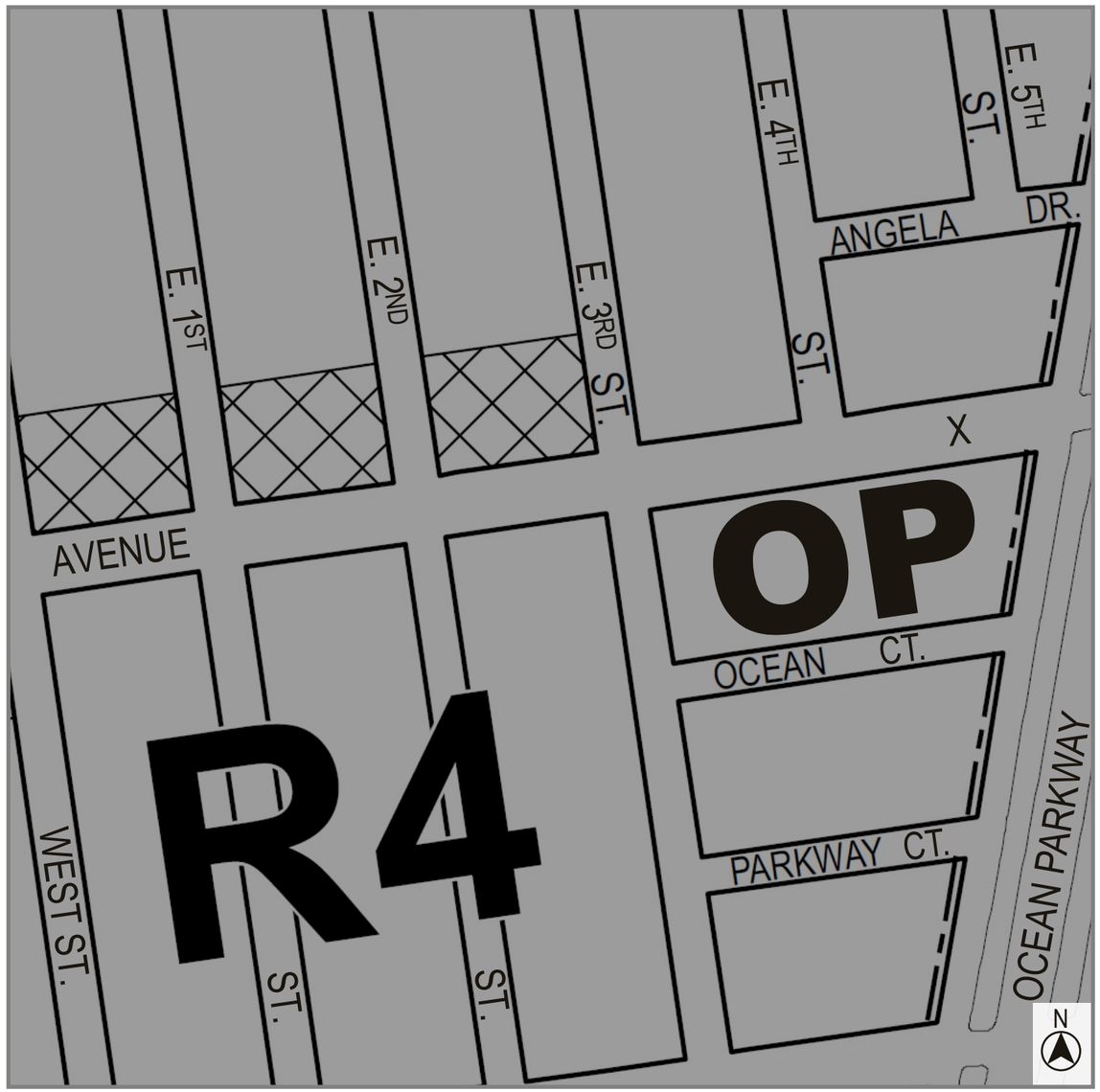
29. View of the sidewalk along the east side of East 2nd Street facing north (Development Site at right).



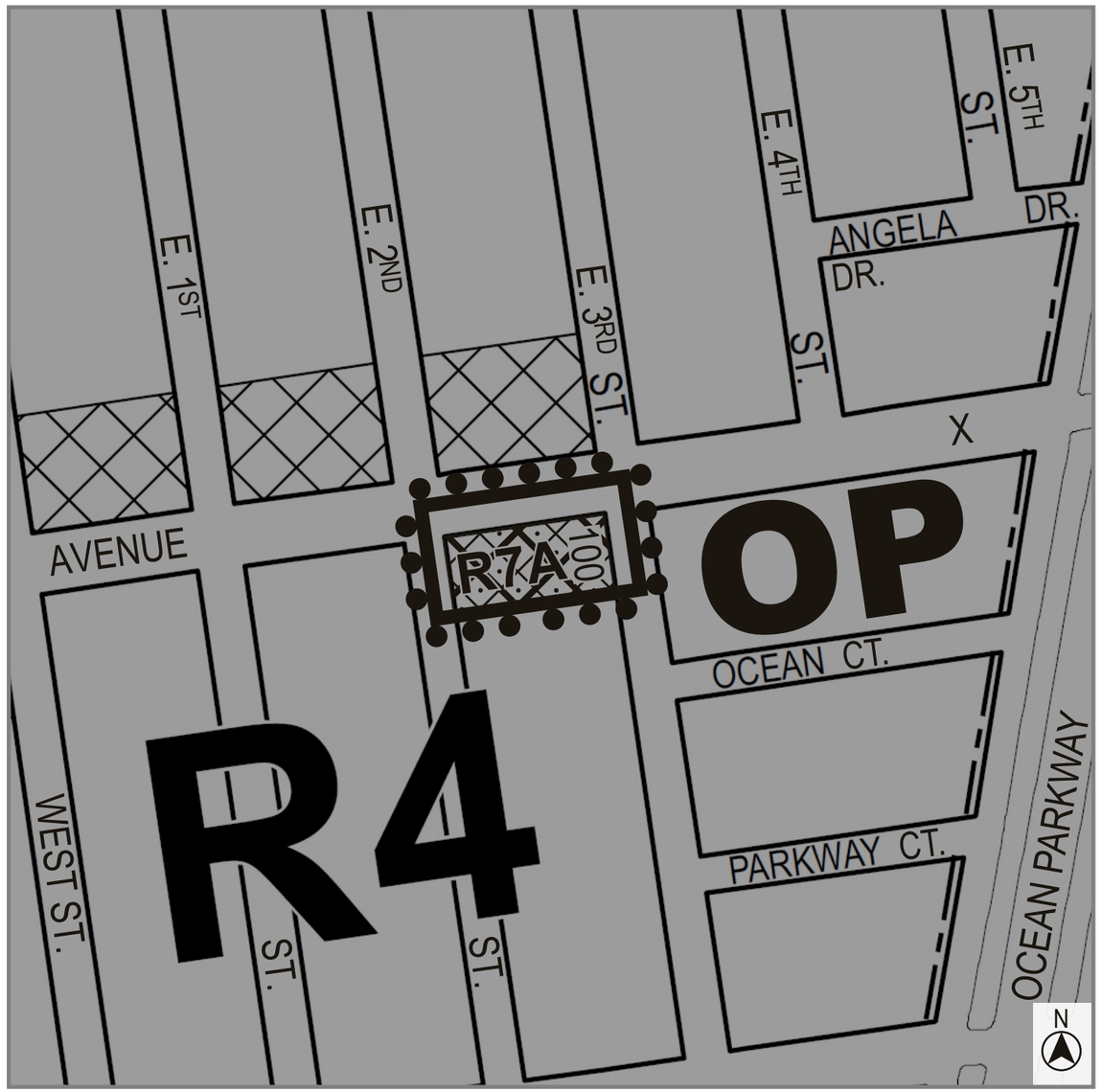
30. View of the west side of East 2nd Street facing southwest from the Development Site.



Zoning Change Map



Current Zoning Map (28c)



Proposed Zoning Map (28c) - Area being rezoned is outlined with dotted lines

Rezoning from R4 (OP) to R7A/C2-4 (OP)

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.

396-400 Avenue X, Brooklyn

Zoning Comparison Table

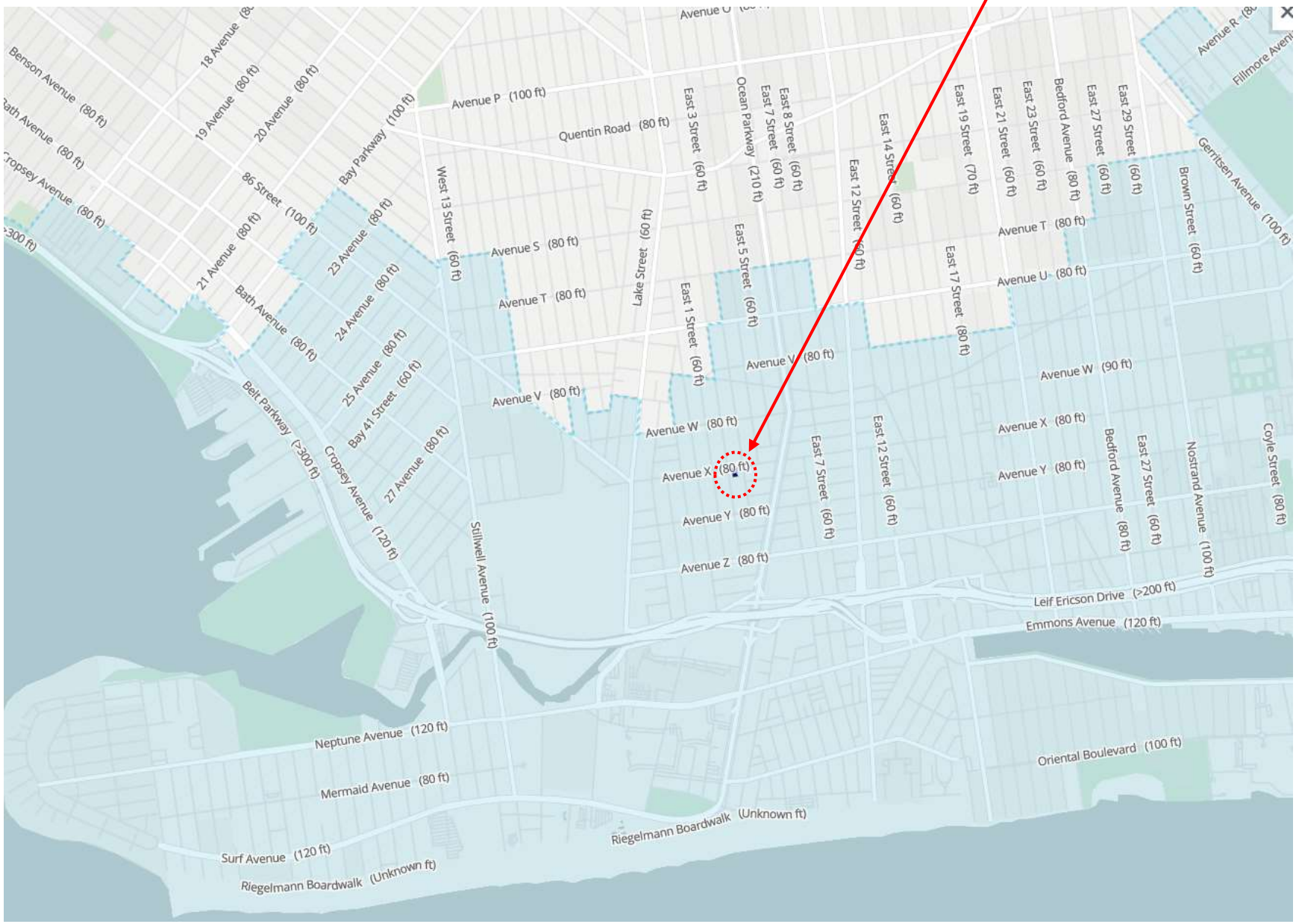
3/23/2023

	R4 Proposed Zoning		R7A/C2-4 Proposed Zoning (MIH)	
	ZR Section #	R4	ZR Section #	R7A/C2-4
USE GROUPS				
Permitted Use Groups	22-10	1, 2, 3, 4	22-10 / 32-10	1-9, 14
MAXIMUM FAR				
Residential	23-142	0.75	23-154**	4.6
Affordable Independent Residences for Seniors	23-144	1.29	23-155	5.01
Community Facility	24-11	2.0	24-11	4.0
Commercial	n/a	n/a	33-121	2.0
Commercial and Community Facility	n/a	n/a	33-121	4.0
Manufacturing	n/a	n/a	n/a	n/a
YARDS				
Minimum Front Yard	23-45	10' / 18 feet'*	n/a	n/a
Minimum Side Yard	23-461	13' (Total), 5' (Min.), 8' (Semi-detached)	23-462 / 33-25	None or 8 feet
Minimum Rear Yard	23-47	30'	23-47 / 33-26	30', 20' (Commercial)
HEIGHT AND SETBACKS				
Minimum Base Height	n/a	n/a	23-662	40'
Maximum Base Height	23-631(b)	25'	23-664** / 33-431	75', 60' or 4 stories (Commercial)
Maximum Building Height	23-631(b)	35'	23-664**	95'/9-Stories (w/QGF)
Maximum Height of Front Wall	23-631(b)	25'	23-664** / 33-431	75', 60' or 4 stories (Commercial)
Sky Exposure Plane	n/a	n/a	33-431	2.7:1 (narrow), 5.6:1 (wide)
Setbacks from Narrow Streets	n/a	n/a	23-662(c) / 33-431	15', 20' (Commercial)
Setbacks from Wide Streets	n/a	n/a	23-662(c) / 33-431	10', 15' (Commercial)
OPEN SPACE				
Minimum Open Space Ratio/Maximum Lot Coverage	23-142	55%	n/a	n/a
LOT COVERAGE				
Interior/Through Lot	23-142	45%	23-153	65%
Corner Lot	23-142	45%	23-153	100%
DENSITY				
Maximum Number of Dwelling Units	23-22	870 sf/DU	23-22	680 sf/DU
Affordable Independent Residences for Seniors	23-23	325 sf/DU	23-23	325 sf/DU
PARKING				
Residential	25-23	100%	25-23	50%
Commercial	n/a	n/a	36-21	By Use
Income-Restricted Housing Units	12-10/25-251	50%	12-10/25-251	15%
Affordable Independent Residences for Seniors	12-10/25-252	10%	12-10/25-252	10%
Government Assisted Dwelling Units	12-10/25-253	80%	12-10/25-253	25%
LOADING				
Commercial	n/a	n/a	36-62	By Use
Bicycle Parking (Residential)	25-811	1 per 2 dwelling units (UG-2)	25-80	1 per 2 dwelling units (UG-2)
Bicycle Parking (AIRS)	25-811	1 per 10,000 sf	25-80	1 per 10,000 sf
Bicycle Parking (Commercial/Manufacturing)	n/a	n/a	36-711	By Use

*If the depth of a front yard exceeds 10 feet, the depth of the front yard shall be at least 18 feet.

**When providing affordable housing pursuant to the Inclusionary Housing Program as set forth in ZR Section 23-90

NYC Coastal Zone Boundary map



PG Realty Investments LLC
7442 Fisher Island Drive
Miami Beach, FL 33109

The New York City Department of City Planning
Central Intake
120 Broadway, 31st Floor
New York, NY 10271

To whom it may concern:

PG Realty Investments, owner of Tax Block 7198, Lot 1 (the "Development Site"), in the Borough of Brooklyn, hereby authorizes Seyfarth Shaw LLP, to file an application with the New York City Department of City Planning and the New York City Planning Commission, requesting:

1. An amendment to Zoning Map 28c, changing the existing R4 Residence District underlying the Development Site and Lot 6 located to the east and adjacent to the Development Site, to an R7A/C2-4 District (the "Project Area"); and
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 on the Project Area;

Respectfully submitted,

PG Realty Investments LLC

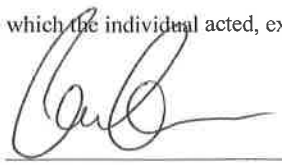
Name: Oleg Gutnik
Title: Managing Member

Kenneth Kun
Notary Public, State of New York
Reg. No. 01KU6437531
Qualified in Kings County
Commission Expires 08/01/2026

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOKLYN)

On the 20th day of June, in the year 2023, before me, the undersigned, personally appeared Oleg Gutnik personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of

which the individual acted, executed the instrument.



Notary Public

2

Kenneth Kun
Notary Public, State of New York
Reg. No. 01KU6437531
Qualified in Kings County
Commission Expires 08/01/2026

396-400 Avenue X
Community District 15, Brooklyn

3/9/23
Zoning Map 28c

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

* * *

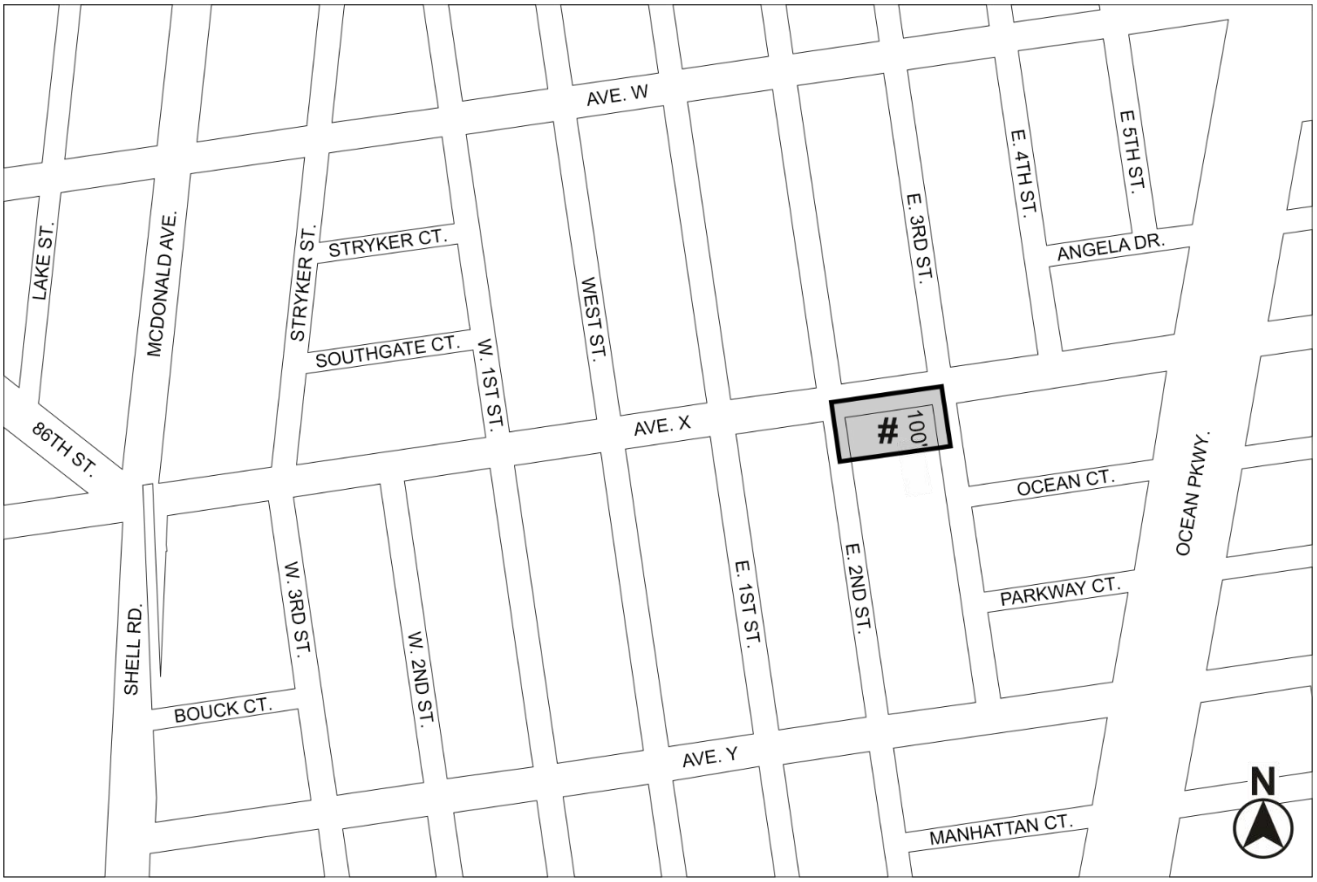
BROOKLYN

* * *

Brooklyn Community District 15

* * *

Map 6 – [date of adoption]



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

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

Portion of Community District 15, Brooklyn

* * *