

## CITY PLANNING COMMISSION

February 24, 2016 / Calendar No. 3

C 160035 ZMK

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 17d:

1. eliminating from within an existing R5 District a C1-2 District bounded by Conduit Boulevard, Glenmore Avenue, and Pine Street and its northerly prolongation;
2. eliminating from within an existing R5 District a C1-3 District bounded by:
  - a. Arlington Avenue, Essex Street, a line 150 feet southeasterly of Fulton Street, and Linwood Street;
  - b. a line 150 feet northerly of Liberty Avenue, Milford Street, Liberty Avenue, and Atkins Avenue;
  - c. a line 150 feet northerly of Pitkin Avenue, Vermont Street, a line 100 feet northerly of Pitkin Avenue, and New Jersey Avenue;
  - d. a line 150 feet northerly of Pitkin Avenue, Hendrix Street, a line 150 feet southerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclen Avenue, a line 100 feet northerly of Pitkin Avenue, and Van Siclen Avenue;
  - e. a line 150 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, Berriman Street, a line 150 feet northerly of Pitkin Avenue, Logan Street, a line 150 feet southerly of Pitkin Avenue, and Linwood Street; and
  - f. a line 150 feet northerly of Pitkin Avenue, Doscher Street, a line 150 feet southerly of Pitkin Avenue, and Crystal Street;
3. eliminating from within an existing R6 District a C1-3 District bounded by:
  - a. a line 100 feet northerly of Pitkin Avenue, Vermont Street, Pitkin Avenue, and New Jersey Avenue; and
  - b. a line 100 feet northerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclen Avenue, a line 150 feet southerly of Pitkin Avenue, Miller Avenue, Pitkin Avenue, and Van Siclen Avenue;
4. eliminating from within an existing R5 District a C2-2 District bounded by:

- a. a line 100 feet northerly of Atlantic Avenue, Van Siclen Avenue, Atlantic Avenue, and Bradford Street; and
  - b. a line midway between Wells Street and Liberty Avenue and its easterly prolongation, Conduit Boulevard, Pine Street and its northerly prolongation, a line 150 feet northerly of Pitkin Avenue, Crescent Street, Pitkin Avenue, Euclid Avenue, a line 150 feet southerly of Pitkin Avenue, Doscher Street, a line 140 feet northerly of Pitkin Avenue, a line midway between Euclid Avenue and Doscher Street, Liberty Avenue, and a line 100 feet southwesterly of Conduit Boulevard;
5. eliminating from within an existing R4 District a C2-3 District bounded by:
- a. a line 150 feet northwesterly of Fulton Street, Elton Street, a line 100 feet northwesterly of Fulton Street, and Wyona Street; and
  - b. a line 150 feet northerly of Arlington Avenue, a line 150 feet northwesterly of Fulton Street, a line midway between Euclid Avenue- Father John Krieg Place and Chestnut Street;
6. eliminating from within an existing R5 District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Fulton Street, Linwood Street, a line 150 feet southeasterly of Fulton Street, and Wyona Street;
  - b. Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, a line midway between Euclid Avenue- Father John Krieg Place and Chestnut Street, a line 150 feet northwesterly of Fulton Street, Euclid Avenue- Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, Logan Street, a line 150 feet southeasterly of Fulton Street, and Essex Street;
  - c. Liberty Avenue, Ashford Street, a line 100 feet northerly of Liberty Avenue, Cleveland Street, a line 150 feet northerly of Liberty Avenue, a westerly boundary line of a playground (Sperandio Bros. Playground), Liberty Avenue, Linwood Street, a line 150 feet northerly of Liberty Avenue, Shepherd Avenue, a line 150 feet southerly of Liberty Avenue, and Warwick Street;
  - d. Liberty Avenue, Milford Street, a line 150 feet northerly of Liberty Avenue, Crystal Street, a line 150 feet southerly of Liberty Avenue, and Montauk Avenue;
  - e. Glenmore Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue-Industrial Park, and a line midway between Pennsylvania Avenue- Granville Payne Avenue and Sheffield Avenue;

- f. a line 150 feet northerly of Pitkin Avenue, Wyona Street, a line 100 feet northerly of Pitkin Avenue, and Vermont Street;
  - g. a line 150 feet northerly of Pitkin Avenue, Linwood Street, a line 150 feet southerly of Pitkin Avenue, and Schenck Avenue; and
  - h. a line 150 feet northerly of Pitkin Avenue, Crystal Street, a line 150 feet southerly of Pitkin Avenue, and Logan Street;
7. eliminating from within an existing R6 District a C2-3 District bounded by a line 100 feet northerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, Miller Avenue, a line 150 feet southerly of Pitkin Avenue, the easterly boundary line of a park and its northerly prolongation, Pitkin Avenue, and Vermont Street;
8. changing from a C8-1 District to an R5 District property bounded by:
- a. the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), Pine Street, a line 100 feet northwesterly of Atlantic Avenue, Autumn Avenue, Atlantic Avenue, and the southeasterly prolongation of a line 100 feet westerly of Pine Street;
  - b. a line 125 feet northerly of Glen Street, a line 100 feet southeasterly of Atlantic Avenue, and Crescent Street; and
  - c. Atlantic Avenue, Lincoln Avenue, a line 100 feet southeasterly of Atlantic Avenue and Autumn Avenue;
9. changing from a C8-2 District to an R5 District property bounded by:
- a. Atlantic Avenue, an easterly boundary line of a playground (Sperandio Bros. Playground) and its northerly prolongation, a line 100 feet southeasterly of Atlantic Avenue, and Cleveland Street;
  - b. a line 210 feet northwesterly of Atlantic Avenue, a line 100 feet westerly of Pine Street, and a line perpendicular to the easterly street line of Euclid Avenue distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Euclid Avenue and the northwesterly street line of Atlantic Avenue; and
  - c. a line 100 feet northwesterly of Atlantic Avenue, Pine Street, the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), and a line 100 feet westerly of Pine Street;
10. changing from an R5 District to an R5B District property bounded by

- a. a line 100 feet southeasterly of Fulton Street, Logan Street, a line 300 feet northwesterly of Atlantic Avenue, Norwood Avenue, a line perpendicular to the westerly street line of Norwood Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet easterly of Hale Avenue, a line 100 feet northwesterly of Atlantic Avenue, Shepherd Avenue, a line 200 feet northwesterly of Atlantic Avenue, Essex Street, a line perpendicular to the westerly street line of Essex Street distant 110 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Essex Street and the northwesterly street line of Atlantic Avenue, Linwood Street, a line 100 feet northwesterly of Atlantic Avenue, Elton Street, a line 150 feet northwesterly of Atlantic Avenue, Jerome Street, a line 100 feet northwesterly of Atlantic Avenue, Hendrix Street, a line 275 feet southerly of Fulton Street, Van Siclen Avenue, a line 100 feet northerly of Atlantic Avenue, Vermont Street, a line 150 feet northerly of Atlantic Avenue, and New Jersey Avenue;
- b. a line 100 feet southerly of Liberty Avenue, Wyona Street, a line 200 feet southerly of Liberty Street, a line midway between Wyona Street and Bradford Street, a line 150 feet southerly of Liberty Avenue, Bradford Street, a line 100 feet southerly of Liberty Avenue, a line midway between Shepherd Avenue and Essex Street, a line 100 feet northerly of Pitkin Avenue, Van Siclen Avenue, a line 200 feet northerly of Pitkin Avenue, Bradford Street, a line 100 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 200 feet northerly of Pitkin Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue- Granville Payne Avenue;
- c. a line 238 feet southeasterly of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line 335 feet southeasterly of Atlantic Avenue, Milford Street, a line 100 feet southeasterly of Atlantic Avenue, Logan Street, a line 300 feet southeasterly of Atlantic Avenue, Fountain Avenue, a line 100 feet northerly of Liberty Avenue, and Montauk Avenue;
- d. Wells Street, and its southeasterly centerline prolongation, a line 100 feet northerly of Liberty Avenue, and Crystal Street;
- e. a line 100 feet southerly of Glenmore Avenue, Atkins Avenue, Glenmore Avenue, Montauk Avenue, a line 100 feet southerly of Liberty Avenue, Euclid Avenue, a line 100 feet northerly of Pitkin Avenue, and Berriman Street; and
- f. Glenmore Avenue, a line 120 feet easterly of Euclid Avenue, a line 100 feet northerly of Glenmore Avenue, Pine Street, Glenmore Avenue, Crescent Street, a line 100 feet northerly of Pitkin Avenue, and a line midway between Euclid Avenue and Pine Street;

11. changing from a C8-1 District to an R5B District property bounded by a line 70 feet

northerly of Glen Street, a line 100 feet westerly of Crescent Street, a line perpendicular to the westerly street line of Crescent Street distant 175 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Crescent Street and the southeasterly street line of Atlantic Avenue, Crescent Street, Glen Street, and Euclid Avenue;

12. changing from a C8-2 District to an R5B District property bounded by a line 150 feet northerly of Atlantic Avenue, Vermont Street, a line 100 feet northerly of Atlantic Avenue, and a line midway between Vermont Street and New Jersey Avenue;

13 changing from an M1-1 District to an R5B District property bounded by:

- a. a line 150 feet northwesterly of Atlantic Avenue, Elton Street, a line 100 feet northwesterly of Atlantic Avenue, and Jerome Street;
- b. a line 200 feet northwesterly of Atlantic Avenue, Shepherd Avenue, a line 100 feet northwesterly of Atlantic Avenue, and Essex Street;
- c. a line 300 feet northwesterly of Atlantic Avenue, Logan Street, a line perpendicular to the westerly street line of Logan Street distant 265 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Logan Street and the northwesterly street line of Atlantic Avenue, a line midway between Logan Street and Norwood Avenue, a line perpendicular to the easterly street line of Norwood Avenue distant 250 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, and Norwood Avenue;
- d. a line 100 feet southeasterly of Fulton Street, a line 100 feet easterly of Logan Street, Dinsmore Place, and Logan Street;
- e. a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, Milford Street, a line 335 feet southeasterly of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line 238 feet southeasterly of Atlantic Avenue, and Montauk Avenue;
- f. a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic

Avenue, Fountain Avenue, a line 300 feet southeasterly of Atlantic Avenue, and Logan Street; and

- g. Liberty Avenue, Atkins Avenue, a line 180 feet southerly of Liberty Avenue, Montauk Avenue, Glenmore Avenue, and Berriman Street;
14. changing from an M1-2 District to an R5B District property bounded by a line 80 feet southerly of Herkimer Street, a line midway between Jardine Place and Havens Place, a line 80 feet northerly of Atlantic Avenue, a line midway between Jardine Place and Sackman Street, Atlantic Avenue, Sackman Street, a line midway between Herkimer Street and Atlantic Avenue, and a line midway between Sackman Street and Sherlock Place;
15. changing from an R5 District to an R6A District property bounded by:
- a. a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, and Bradford Street; and
  - b. a line 100 feet northerly of Liberty Avenue, Cleveland Street Liberty Avenue, Linwood Street, a line 100 feet northerly of Liberty Avenue, Conduit Boulevard, Euclid Avenue, a line 100 feet southerly of Liberty Avenue, Montauk Avenue, Liberty Avenue, Shepherd Avenue, Glenmore Avenue, Atkins Avenue, a line 100 feet southerly of Glenmore Avenue, Berriman Street, a line 100 feet northerly of Pitkin Avenue, a line midway between Shepherd Avenue and Essex Street, a line 100 feet southerly of Liberty Avenue, and Barbey Street;
16. changing from an M1-1 District to an R6A District property bounded by:
- a. Somers Street, a line 280 feet easterly of Sackman Street, a line midway between Somers Street and Truxton Street, a line 225 feet easterly of Sackman Street, and Sackman Street;
  - b. Liberty Avenue, Berriman Street, Glenmore Avenue, and Shepherd Avenue;
  - c. Liberty Avenue, Montauk Avenue, a line 180 feet southerly of Liberty Avenue, and Atkins Avenue; and
  - d. a line 100 feet southeasterly of Fulton Street, a line 100 feet easterly of Richmond Street, a line 125 feet northerly of Dinsmore Place, Richmond Street, and Dinsmore Place;
17. changing from an R5 District to an R6B District property bounded by:

- a. a line 100 feet southeasterly of Atlantic Avenue, Ashford Street, a line 100 feet northerly of Liberty Avenue, and Barbey Street; and
  - b. a line 100 feet southeasterly of Atlantic Avenue, Essex Street, a line 300 feet southeasterly of Atlantic Avenue, Berriman Street, a line 100 feet southeasterly of Atlantic Avenue, Montauk Avenue, a line 100 feet northerly of Liberty Avenue, and Linwood Street;
18. changing from a C8-2 District to an R6B District property bounded by:
- a. a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, Vermont Street, a line 100 feet northerly of Liberty Avenue, and New Jersey Avenue; and
  - b. a line 100 feet southerly of Atlantic Avenue, Schenck Avenue, a line 100 feet northerly of Liberty Avenue, and Wyona Street;
19. changing from an M1-1 District to an R6B District property bounded by:
- a. a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Jerome Street and the southeasterly street line of Atlantic Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Barbey Street;
  - b. a line 100 feet southeasterly of Atlantic Avenue, Cleveland Street, a line 100 feet northerly of Liberty Avenue, and Ashford Street; and
  - c. a line 100 feet southeasterly of Atlantic Avenue, Shepherd Avenue, a line perpendicular to the easterly street line of Shepherd Avenue distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Shepherd Avenue and the southeasterly street line of Atlantic Avenue, a line midway between Shepherd Avenue and Berriman Street, a line perpendicular to the westerly street line of Berriman Street distant 165 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Berriman Street and the southeasterly street line of Atlantic Avenue, Berriman Street, a line 300 feet southeasterly of Atlantic Avenue, and Essex Street;
20. changing from an M1-2 District to an R6B District property bounded by a line midway between Fulton Street and Herkimer Street, a line 300 feet easterly of Sackman Street, Herkimer Street, Havens Place, a line 150 feet southerly of Herkimer Street, a line midway between Havens Place and Jardine Place, a line 80 feet southerly of Herkimer Street, a line

midway between Sackman Street and Sherlock Place, Herkimer Street, and the northerly centerline prolongation of Sherlock Place;

21. changing from an R5 District to an R7A District property bounded by:
  - a. Liberty Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet southerly of Glenmore Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue-Industrial Park, and a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue;
  - b. a line 100 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, a line midway between Berriman Street and Shepherd Avenue, a line 100 feet southerly of Pitkin Avenue, Schenck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, and a line midway between Hendrix Street and Van Siclén Avenue;
  - c. a line 100 feet northerly of Pitkin Avenue, Doscher Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, and Berriman Street;
  - d. Conduit Boulevard, Crescent Street, Glenmore Avenue, Pine Street, a line 100 feet northerly of Glenmore Avenue, a line 120 feet easterly of Euclid Avenue, Glenmore Avenue, a line midway between Pine Street and Euclid Avenue, a line 100 feet northerly of Pitkin Avenue, and Euclid Avenue;
  - e. a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, and Pine Street;
  - f. a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet westerly of Autumn Avenue, and a line 125 feet northerly of Glen Street; and
  - g. a line 100 feet southeasterly of Atlantic Avenue, Autumn Avenue, and a line perpendicular to the westerly street line of Autumn Avenue distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Autumn Avenue and the southeasterly street line of Atlantic Avenue;
22. changing from an R6 District to an R7A District property bounded by a line 100 feet northerly of Pitkin Avenue, Bradford Street, a line 200 feet northerly of Pitkin Avenue, Van Siclén Avenue, a line 100 feet northerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclén Avenue, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, and New Jersey Avenue;
23. changing from a C8-1 District to an R7A District property bounded by:



- a. the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), the southerly prolongation of a line 100 feet westerly of Pine Street, Atlantic Avenue, Autumn Avenue, a line 100 feet southeasterly of Atlantic Avenue, a line 125 feet northerly of Glen Street, Crescent Street, a line perpendicular to the westerly street line of Crescent Street distant 175 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Crescent Street and the southeasterly street line of Atlantic Avenue, a line 100 feet westerly of Crescent Street, a line 70 feet northerly of Glen Street, and Euclid Avenue; and
  - b. a line 100 feet northwesterly of Atlantic Avenue, Lincoln Avenue, Atlantic Avenue, and Autumn Avenue;
24. changing from a C8-2 District to an R7A District property bounded by:
- a. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Liberty Avenue, a line 50 feet westerly of New Jersey Avenue, Liberty Avenue, and a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue;
  - b. a line 100 feet southerly of Glenmore Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 250 feet northerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue;
  - c. a line 100 feet southerly of Pitkin Avenue, a line midway between former New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, Belmont Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and
  - d. a line perpendicular to the easterly street line of Euclid Avenue distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Euclid Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet westerly of Pine Street, the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), and Euclid Avenue;
25. changing from an M1-1 District to an R7A District property bounded by:
- a. a line 100 feet northerly of Bergen Street, a line 100 feet northwesterly of East New York Avenue, Dean Street, East New York Avenue, and Mother Gaston Boulevard; and

- b. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Pitkin Avenue-Industrial Park, and Sheffield Avenue;
- 26. changing from an M1-2 District to an R7A District property bounded by Pacific Street, East New York Avenue, Dean Street, and Sackman Street;
- 27. changing from an M1-4 District to an R7A District property bounded by East New York Avenue, Christopher Avenue, Liberty Avenue, and Mother Gaston Boulevard;
- 28. changing from an M1-1 District to an R7D District property bounded by Somers Street, Sackman Street, Fulton Street, and Mother Gaston Boulevard;
- 29. changing from an R5 District to an R8A District property bounded by:
  - a. a line 100 feet northerly of Atlantic Avenue, Van Siclen Avenue, a line 275 feet southerly of Fulton Street, Hendrix Street, Atlantic Avenue, and Bradford Street;
  - b. a line perpendicular to the westerly street line of Essex Street distant 110 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Essex Street and the northwesterly street line of Atlantic Avenue, a line 100 feet northwesterly of Atlantic Avenue, and Linwood Street; and
  - c. Atlantic Avenue, Montauk Avenue, a line 100 feet southerly of Atlantic Avenue, and Berriman Street;
- 30. changing from a C8-2 District to an R8A District property bounded by:
  - a. Atlantic Avenue, Hendrix Street, a line 100 feet northwesterly of Atlantic Avenue, Jerome Street, Atlantic Avenue, Cleveland Street, a line 100 feet southeasterly of Atlantic Avenue, Jerome Street. a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Jerome Street and the southeasterly street line of Atlantic Avenue, Barbey Street, Atlantic Avenue, Schenck Avenue, a line 100 feet southerly of Atlantic Avenue, and Bradford Street;
  - b a line 100 feet northwesterly of Atlantic Avenue, Essex Street, Atlantic Avenue, Essex Street, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, and Elton Street; and
  - c. a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet easterly of Hale Street, Atlantic Avenue, and Shepherd Avenue;

31. changing from an M1-1 District to an R8A District property bounded by:
- a. a line 100 feet northwesterly of Atlantic Avenue, Elton Street, Atlantic Avenue, and Jerome Street; and
  - b. Atlantic Avenue, Essex Street, a line 100 feet northwesterly of Atlantic Avenue, Shepherd Avenue, Atlantic Avenue, Berriman Street, a line perpendicular to the westerly street line of Berriman Street distant 165 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Berriman Street and the southeasterly street line of Atlantic Avenue, a line midway between Berriman Street and Shepherd Avenue, a line perpendicular to the easterly street line of Shepherd Avenue distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Shepherd Avenue and the southeasterly street line of Atlantic Avenue, Shepherd Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Essex Street;
32. changing from an R5 District to a C4-4D District property bounded by:
- a. a line 200 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 100 feet northerly of Pitkin Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue;
  - b. a line perpendicular to the westerly street line of Norwood Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, Norwood Avenue, a line 100 feet northwesterly of Atlantic Avenue, and a line 100 feet easterly of Hale Avenue; and
  - c. a line 100 feet northerly of Pitkin Avenue, Pine Street, a line 100 feet southerly of Pitkin Avenue, and Doscher Street;
33. changing from a C8-2 District to a C4-4D District property bounded by:
- a. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the easterly street line of Pennsylvania Avenue-Granville Payne Avenue distant 155 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 150 feet northerly of

Atlantic Avenue, a line midway between Vermont Street and New Jersey Avenue, a line 100 feet northerly of Atlantic Avenue, Bradford Street, a line 100 feet southerly of Atlantic Avenue, Wyona Street, Atlantic Avenue, Vermont Street, a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Atlantic Avenue, and Sheffield Avenue;

- b. a line 250 feet northerly of Pitkin Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet norther of Pitkin Avenue, New Jersey Avenue, Pitkin Avenue, the centerline of former New Jersey Avenue, a line 100 feet southerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and
  - c. a line 100 feet northwesterly of Atlantic Avenue, Norwood Avenue, Atlantic Avenue, and a line 100 feet easterly of Hale Avenue;
34. changing from an M1-1 District to a C4-4D District property bounded by:
- a. Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, and Sheffield Avenue; and
  - b. Atlantic Avenue, Norwood Avenue, a line perpendicular to the easterly street line of Norwood Avenue distant 250 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, a line midway between Logan Street and Norwood Avenue, a line perpendicular to the westerly street line of Logan Street distant 265 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Logan Street and the northwesterly street line of Atlantic Avenue, Logan Street, Atlantic Avenue, Fountain Avenue, a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic Avenue, Logan Street, a line 100 feet southeasterly of Atlantic Avenue, Milford

Street, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, and Montauk Avenue;

35. changing from an R5 District to a C4-4L District property bounded by a line 100 feet northerly of Fulton Street, Bradford Street, a line 100 feet southerly of Fulton Street, and Wyona Street;
36. changing from a C8-2 District to a C4-4L District property bounded by Jamaica Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Fulton Street, Wyona Street, New Jersey Avenue, a line 150 feet northerly of Atlantic Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the easterly street line of Pennsylvania Avenue-Granville Payne Avenue distant 155 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, and Sheffield Avenue;
37. changing from an M1-1 District to a C4-4L District property bounded by Eastern Parkway Extension, Broadway, Van Sinderen Avenue, Fulton Street, Sackman Street, Truxton Street, a line 225 feet easterly of Sackman Street, a line midway between Somers Street and Truxton Street, a line 280 feet easterly of Sackman Street, and Somers Street;
38. changing from an M1-2 District to a C4-5D District property bounded by Fulton Street, Van Sinderen Avenue, East New York Avenue, Pacific Avenue, Sackman Street, Atlantic Avenue, a line midway between Jardine Place and Sackman Street, a line 80 feet northerly of Atlantic Avenue, a line midway between Havens Place and Jardine Place, a line 150 feet southerly of Herkimer Street, Havens Place, Herkimer Street, and a line 300 feet easterly of Sackman Street;
39. changing from an R5 District to an M1-4/R6A District property bounded by:
  - a. Liberty Avenue, New Jersey Avenue, a line 100 feet southerly of Liberty Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue; and

- b. a line 100 feet southerly of Liberty Avenue, Bradford Street, a line 150 feet southerly of Liberty Avenue, a line midway between Bradford Street and Wyona Street, and Wyona Street;
- 40. changing from a C8-2 District to an M1-4/R6A District property bounded by:
  - a. a line 100 feet northerly of Liberty Avenue, Vermont Street, Liberty Avenue, and a line 50 feet westerly of New Jersey Avenue; and
  - b. a line 100 feet southerly of Atlantic Avenue, Wyona Street, a line 100 feet northerly of Liberty Avenue, and Vermont Street;
- 41. changing from an M1-1 District to an M1-4/R6A District property bounded by Liberty Avenue, Vermont Street, a line 100 feet northerly of Liberty Avenue, Schinck Avenue, a line 230 feet northerly of Liberty Avenue, Barbey Street, a line 100 feet southerly of Liberty Street, and New Jersey Avenue;
- 42. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southeasterly of Fulton Street, Chestnut Street, Dinsmore Place, Richmond Street, a line 125 feet northerly of Dinsmore Place, and a line 100 feet easterly of Richmond Street;
- 43. changing from an M1-2 District to an M1-4/R7D District property bounded by Fulton Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
- 44. changing from a C8-2 District to an M1-4/R8A District property bounded by Atlantic Avenue, Wyona Street, a line 100 feet southerly of Atlantic Avenue, and Vermont Street;
- 45. changing from an M1-1 District to an M1-4/R8A District property bounded by:
  - a. Atlantic Avenue, Barbey Street, a line 230 feet northerly of Liberty Avenue, and Schenck Avenue; and
  - b. Dinsmore Place, Chestnut Street, Fulton Street, Euclid Avenue, the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), the northerly centerline prolongation of Fountain Avenue, Atlantic Avenue, and Logan Street;
- 46. establishing within a proposed R5 District a C2-4 District bounded by:
  - a. Atlantic Avenue, an easterly boundary line of a playground (Sperandio Bros. Playground) and its northerly prolongation, a line 100 feet southeasterly of Atlantic Avenue, and Cleveland Street;

- b. a line 50 feet northwesterly of Atlantic Avenue, Autumn Avenue, Atlantic Avenue, and a line 100 feet southwesterly of Pine Street; and
  - c. Atlantic Avenue, Lincoln Street, a line 50 feet southeasterly of Atlantic Avenue and Autumn Avenue;
47. establishing within a proposed R5B District a C2-4 District bounded by:
- a. Glenmore Avenue, Pine Street, a line 100 feet southerly of Glenmore Avenue, and a line midway between Pine Street and Euclid Avenue; and
  - b. Liberty Avenue, Atkins Avenue, a line 100 feet southerly of Liberty Avenue, and Berriman Street;
48. establishing within a proposed R6A District a C2-4 District bounded by:
- a. a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, and Bradford Street; and
  - b. a line 100 feet northerly of Liberty Avenue, Jerome Street, Liberty Avenue, Warwick Street, a line 100 feet northerly of Liberty Avenue, Cleveland Street, Liberty Avenue, Linwood Street, a line 100 feet northerly of Liberty Avenue, Conduit Boulevard, Euclid Avenue, a line 100 feet southerly of Liberty Avenue, Atkins Avenue, Liberty Avenue, Berriman Street, a line 100 feet southerly of Liberty Avenue, and Barbey Street;
49. establishing within a proposed R7A District a C2-4 District bounded by:
- a. a line 100 feet northerly of Bergen Street, a line 100 feet northwesterly of East New York Avenue, Dean Street Sackman Street, a line 100 feet northerly of Dean Street, a line 100 feet northwesterly of East New York Avenue, Pacific Street, East New York Avenue, Christopher Avenue, a line 100 feet southeasterly of East New York Avenue, Mother Gaston Boulevard, East New York Avenue, Bergen Street, and Mother Gaston Boulevard;
  - b. a line 100 feet northerly of Liberty Avenue, Christopher Avenue, Liberty Avenue, and Mother Gaston Boulevard;
  - c. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue,

Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Liberty Avenue, a line 100 feet easterly of Pennsylvania Avenue-Granville Payne Avenue, a line 250 feet northerly of Pitkin Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue, and a line 100 feet westerly of Pennsylvania Avenue-Granville Payne Avenue;

- d. a line 100 feet southerly of Pitkin Avenue, a line midway between former New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, Belmont Avenue, and Pennsylvania Avenue-Granville Payne Avenue;
  - e. a line 100 feet northerly of Pitkin Avenue, Bradford Street, Pitkin Avenue, Van Siclen Avenue, a line 100 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, a line midway between Shepherd Avenue and Berriman Street, a line 100 feet southerly of Pitkin Avenue, Scheck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, and New Jersey Avenue;
  - f. a line 100 feet northerly of Pitkin Avenue, Doscher Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, and Berriman Street;
  - g. Conduit Boulevard, Pine Street, a line 100 feet of Glenmore Avenue, and Euclid Avenue;
  - h. Glenmore Avenue, a line midway between Euclid Avenue and Pine Street, a line 100 feet northerly of Pitkin Avenue, and Euclid Avenue;
  - i. a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, and Pine Street;
  - j. a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet southwestly of Pine Street, Atlantic Avenue, Autumn Avenue, a line perpendicular to the westerly street line of Autumn Avenue distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Autumn Avenue and the southeasterly street line of Atlantic Avenue, a line 100 feet westerly of Autumn Avenue, a line 125 feet northerly of Glen Street, Crescent Street, a line 100 feet southeasterly of Atlantic Avenue, a line 70 feet northerly of Glen Street, and Euclid Avenue; and
  - k. a line 100 feet northwesterly of Atlantic Avenue, Lincoln Street, Atlantic Avenue, and Autumn Avenue;
50. establishing within a proposed R7D District a C2-4 District Somers Street, a line 100 feet easterly of Mother Gaston Boulevard, Eastern Parkway Extension, Fulton Street, and Mother Gaston Boulevard;



51. establishing within a proposed R8A District a C2-4 District bounded by a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet easterly of Hale Avenue, Atlantic Avenue, Montauk Avenue, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, Cleveland Street, a line 100 feet southeasterly of Atlantic Avenue, Jerome Street, a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly Street line of Jerome Street and the southeasterly street line of Atlantic Avenue, Barbey Street, Atlantic Avenue, Schenck Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Bradford Street;
52. establishing a Special Mixed Use District (MX-16) bounded by:
  - a. Fulton Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
  - b. Atlantic Avenue, Wyona Street, a line 100 feet northerly of Liberty Avenue, Schenck Avenue, Atlantic Avenue, Barbey Street, a line 100 feet southerly of Liberty Avenue, Bradford Street, a line 150 feet southerly of Liberty Avenue, a line midway between Bradford Street and Wyona Street, a line 200 feet southerly of Liberty Avenue, Wyona Street, a line 100 feet southerly of Liberty Avenue, a line 100 feet easterly of Pennsylvania Avenue- Granville Payne Avenue, Liberty Avenue, a line 50 feet westerly of New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, and Vermont Street; and
  - c. Dinsmore Place, Richmond Street, a line 125 feet northerly of Dinsmore Place, a line 100 feet easterly of Richmond Street, a line 100 feet southeasterly of Fulton Street, Chestnut Street, Fulton Street, Euclid Avenue, Atlantic Avenue, and Logan Street;
53. establishing a Special Enhanced Commercial District (EC-5) bounded by:
  - a. Fulton Street, Van Sinderen Avenue, Herkimer Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
  - b. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, a line 100 feet southerly of Fulton Street, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 150 feet northerly of Atlantic Avenue, a line midway between Vermont Street and New

Jersey Avenue, a line 100 feet northerly of Atlantic Avenue, a line 100 feet northwesterly of Atlantic Avenue, Euclid Avenue, Atlantic Avenue, Fountain Avenue, a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic Avenue, Logan Street, a line 100 feet southeasterly of Atlantic Avenue, Milford Street, a line 100 feet southeasterly of Atlantic Avenue, Milford Street, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, Montauk Avenue, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, Cleveland Street, a line 100 feet southeasterly of Atlantic Avenue, Vermont Street, a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, and Sheffield Avenue; and

- c. a line 250 feet northerly of Pitkin Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 200 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 100 feet northerly of Pitkin Avenue, Bradford Street, Pitkin Avenue, a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, a line midway between Berriman Street and Shepherd Avenue, a line 100 feet southerly of Pitkin Avenue, Schenck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, the centerline of former New Jersey Avenue, a line 100 feet southerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and
54. establishing a Special Enhanced Commercial District (EC-6) bounded by a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Euclid Avenue, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Fulton Street, and Sheffield Avenue;

Borough of Brooklyn, Community Districts 5 and 16, as shown on a diagram (for illustrative purposes only) dated September 21, 2015 and subject to the conditions of CEQR Declaration E-366.

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The application for an amendment of the Zoning Map for the East New York Community Plan was filed by the Department of City Planning (DCP) on September 18, 2015, for portions of 190 blocks in two distinct areas. The larger of the two areas comprises approximately 175 blocks within Community District 5, East New York and Cypress Hills, and is generally bounded by Sheffield Avenue to the west, Lincoln Avenue to the east, Fulton Street to the north and Pitkin Avenue to the south. A 15-block area within Community District 16, Ocean Hill, is generally bounded by Eastern Parkway Extension to the west, Van Sinderen Avenue to the east, Broadway to the north and East New York Avenue to the south. In conjunction with the related actions, the proposed Zoning Map amendments would change R5, R6, C8-1, C8-2, M1-1 and M1-2 districts to R5B, R6B, R6A, R7A, R7D, R8A, C4-4D, C4-5D, M1-4/R6A, M1-4/R7D and M1-4/R8A districts, eliminate and establish new commercial overlays, establish a Special Mixed Use District, and establish Special Enhanced Commercial Districts.

## **RELATED ACTIONS**

In addition to the amendment of the Zoning Map which is the subject of this report (C 160035 ZMK), implementation of the proposal also requires action by the City Planning Commission on the following actions which are being considered concurrently with this application:

- |                     |   |
|---------------------|---|
| <b>N 160036 ZRK</b> | Amendment to the Zoning Resolution to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable |
| <b>C 160037 HUK</b> | Amendment to the Dinsmore Chestnut Urban Renewal Plan   |
| <b>C 160042 HDK</b> | Disposition of property within the Dinsmore Chestnut Urban Renewal Area   |
| <b>N 160050 ZRK</b> | Amendment to the Zoning Resolution to establish Special Mixed Use District 16, establish Enhanced Commercial Districts, and establish a   |

## Mandatory Inclusionary Housing area

Together, all of these actions (the “Proposed Actions”) would help facilitate the East New York Community Plan, a coordinated neighborhood plan for new housing with requirements for the inclusion of housing affordable to low-income residents, active local retail corridors, new commercial development opportunities and community facilities to serve area residents.

### **BACKGROUND**

The East New York Community Plan is the first neighborhood to be addressed as part of *Housing New York*, the City’s plan to preserve and create over 200,000 units of housing to serve a range of New Yorkers, from the very poorest to the middle class households that make up New York City’s workforce. As part of *Housing New York*, the Department of City Planning (DCP), in close coordination with HPD and other capital and service agencies, including the Departments of Transportation (DOT), Parks and Recreation (DPR), Small Business Services (SBS) and the Economic Development Corporation (EDC), have launched community development initiatives in neighborhoods throughout New York City to plan for improvements needed to support residential and commercial growth, preserve housing, and enhance quality of life for existing residents in these areas. As such, this represents a new, more coordinated approach to neighborhood planning.

East New York and Cypress Hills was the first such identified neighborhood based on extensive prior community engagement work by DCP during the course of Sustainable Communities East New York (SCENY), a federal Department of Housing and Urban Development (HUD) Sustainable Communities grant initiative, as well as a result of a NYS Department of State Brownfield Opportunities Area (BOA) grant in partnership with the Cypress Hills Local Development Corporation (CHLDC).

Building on the planning framework developed by SCENY, the East New York Community Plan is based on extensive and exhaustive community outreach and participation from the summer of 2014 to the present. Led by DCP with other City agencies, the Plan was developed to achieve the community’s stated goals for housing affordable to local residents, economic development, community facilities and infrastructure improvements through new zoning and other land use

actions, expanded programs and services as well as capital public investments to meet the needs of both current and future residents.

Current zoning in the neighborhood is virtually unchanged for more than 50 years and does not permit the implementation of the goals of the East New York Community Plan. New residential development in key areas and along major corridors is not permitted and in areas where residential use is permitted, the existing zoning restricts new development to such low densities that it curtails the production of substantial amounts of housing, particularly affordable housing, and diminishes the potential of the major corridors to again become vibrant pedestrian destinations with retail activity and community facilities. Today, manufacturing zoning districts and general service commercial districts that had been mapped in 1961 when there were remaining industrial users, foster mostly auto-oriented retail uses and self-storage facilities that are incongruous with a growing residential community.

In order to allow full implementation of the East New York Community Plan, the Proposed Actions would support the following land use objectives:

- Create opportunities for new residential development with requirements for significant amounts of permanently affordable housing and to preserve existing affordability to ensure that the neighborhood continues to serve diverse housing needs
- Encourage mixed-use development on key corridors
- Enhance and revitalize major thoroughfares through new economic development
- Protect the neighborhood character of the existing residential core and ensure predictable future development in context with existing homes in the area.

The East New York Community Plan would facilitate the vision articulated by local community members of a vibrant, inclusive neighborhood with a wide variety of housing options, local and regional commercial uses, job opportunities, attractive streets, and high-quality schools, parks and other community resources. Opportunities for new housing, including affordable housing, along key corridors, particularly Atlantic Avenue, would provide more housing choices for current and future residents. A growing residential population would restore population lost during the neighborhood's decline in decades past, and also expand the customer base for existing and new businesses such as

grocery stores, pharmacies, and other services to flourish while providing new business and job opportunities for residents. Investments in schools, parks, streets and other community infrastructure would ensure a livable, healthy neighborhood for all.

The East New York Community Plan includes commitments to neighborhood-based programs as well as strategic infrastructure and community investments. These strategies, such as targeted investments in new affordable housing, programs to support small business development, the construction of a new school, streetscape improvements along Atlantic Avenue, and investments in local parks, while separate from the proposed land use actions, are essential for achieving this comprehensive vision of a thriving and sustainable neighborhood.

### **Study Area History**

East New York was largely farmland until 1835, when Colonel John R. Pitkin purchased a large portion of the farmland, laid out a township called East New York and established a shoe factory at the intersection of Williams and Pitkin Avenues. A year later, the Long Island Rail Road opened its first section running an elevated line along Atlantic Avenue between the Brooklyn waterfront and Jamaica, Queens. Cypress Hills and East New York grew further with the extension of elevated transit lines in the 1880's and 1890's that connected neighborhoods of Queens with Downtown Brooklyn and Manhattan. The area continued to grow in the first half of the 20th century, attracting a large European immigrant population.

In the 1960's and 1970's, the population of Cypress Hills and East New York declined significantly, accompanied by private disinvestment and abandonment of property. Between 1960 and 1980 the population of the East New York study area decreased by a third, from approximately 66,000 to 40,000 residents, and the number of housing units dropped by nearly half.

Beginning in the 1980's, City investment and grass-roots initiatives helped East New York and Cypress Hills stem their decline and begin a recovery that continues to this day. The City initiated the Nehemiah Housing Program in partnership with East Brooklyn Congregations to redevelop the large swaths of City-owned vacant land that were left from the abandonment of private homes earlier in the 1970's and 1980's. The program developed small, two-story, single-family row houses and

provided an affordable homeownership opportunity to moderate-income families. This and other similar programs helped reverse the tide of private disinvestment in the community and rebuild the neighborhood's fabric, leaving few vacant lots remaining today.

In the 1990's small-scale, private-sector market-rate construction of one- and two-family homes returned to East New York. While the pace of construction was slowed by the recession of 2008, and a concurrent rise in mortgage foreclosures in the area, construction of new private housing has resumed with an improving economy and increased demand due to a rising city population and the movement into East New York of residents from other, costlier neighborhoods. As a result of the City's housing programs, together with the private market home construction, the population of the East New York project area has now rebounded from its low-point in 1980 of approximately 40,000 residents to 48,000 today, but still remains below its 1960 peak of 66,000 residents.

### **Sustainable Communities East New York**

The East New York Community Plan builds on the work of the Sustainable Communities East New York (SCENY) study, a federally-funded collaborative planning effort led by DCP, together with community residents, stakeholders, elected officials and local organizations from 2011-2013. The SCENY planning initiative was funded under a regional planning grant awarded by the U.S. Department of Housing and Urban Development (HUD) to the New York-Connecticut Sustainable Communities Consortium, a collection of governmental and planning organizations in partnership to support the development of livable communities and growth centers around the region's most extensive commuter rail network. This study examined opportunities for transit-oriented development capitalizing on East New York's robust transportation assets including a regional rail station, numerous city transit stations, particularly Broadway Junction, and several bus lines.

Community Boards 5 and 16, which each cover portions of the study area, residents, stakeholders, elected officials and community organization were engaged extensively throughout the study. The project team involved all stakeholders, including each of the Community Boards and their Land Use committees regularly and solicited input on their ideas and vision. As part of the outreach effort, the project was also guided by a Community Advisory Committee (CAC), consisting of residents and representatives from local community-based organizations. Through this extensive outreach and

public engagement, residents and other stakeholders identified key challenges and opportunities in East New York, as well as their vision for the future of the area. The Sustainable Communities East New York report, published in the spring of 2014, recommended allowing moderate-density mixed-use development with affordable housing along key corridors, preserving the low-density character of residential side streets, cultivating a regional destination with larger-scale uses around Broadway Junction, promoting job and business growth in the Industrial Business Zone, and implementing streetscape improvements to make the area safer for pedestrians.

### **East New York Community Plan**

In May, 2014, Mayor Bill de Blasio released *Housing New York*, the City's plan to build and preserve 200,000 of affordable housing throughout New York City in coordination with strategic infrastructure investments to foster a more equitable and livable New York City. The *Housing New York* plan calls for neighborhood studies to be undertaken in communities across the five boroughs that offer opportunities for new affordable housing through an extensive community engagement process. These plans will support affordable housing development not only through changes to zoning, but through coordinated investments and programs to support economic development and provide enhanced neighborhood amenities and assure that public resources have the capacity to address the needs of the anticipated increase in population.

This represents a more comprehensive approach to neighborhood planning that involves many city agencies and the Office of Management and Budget (OMB). The intent is to assure that as neighborhoods are rezoned to permit increased housing capacity, the appropriate capital public investments are committed to and funded. To support this new approach, the City has established an unprecedented Neighborhood Development Fund in its Capital Budget to ensure that resources are committed to infrastructure investments in neighborhoods where housing capacity is increased. This holistic approach to neighborhood development will allow the City to plan for residential growth and provide needed services such as schools, parks, and transportation improvements to foster livable, thriving communities.

East New York was selected as the first neighborhood for such a planning process based on the previous community planning work in the area, including the goals and opportunities identified by



community members as part of the Sustainable Communities East New York study. These goals – to develop housing, including significant amounts of affordable housing, new commercial services, jobs and open space in an area with excellent transit access – provided the blueprint for the next phase of community engagement and planning.

Following the Mayor’s announcement, DCP commenced a ten-month community planning process in September 2014. In close partnership with other City agencies, including the Department of Housing Preservation and Development (HPD), Department of Small Business Services (SBS), Economic Development Corporation (EDC), Department of Transportation (DOT), School Construction Authority (SCA), and Department of Parks and Recreation (DPR), DCP held a series of workshops and public events to identify current and future needs of the neighborhood building on the vision outlined in the SCENY report. Hundreds of East New York, Cypress Hills and Ocean Hill residents attended and shared their insights and feedback at events over the course of this planning process. HPD, SBS, EDC and DOT held additional issue-specific workshops to further refine goals and identify strategies for affordable housing, economic development and streetscape improvements. Through this process, the following goals and objectives were identified:

- Create new affordable housing, including housing accessible to families at income levels currently living in the community;
- Protect low-income tenants living in the neighborhood today;
- Foster job opportunities and more diverse commercial and retail options;
- Support business growth along key corridors and in the IBZ;
- Promote safer and more active streets with improved streetscapes, especially on Atlantic Avenue;
- Improve local parks and playgrounds to allow more recreational opportunities; and
- Encourage new community facilities offering recreation and youth programs.

Based on these community identified objectives, DCP, in collaboration with other City agencies, developed a plan to facilitate these goals through new zoning and other land use actions, expanded programs and services and capital investments, known as the East New York Community Plan. The Plan includes strategies in four categories: Housing, Economic Development, Transportation & Community Resources, and Land Use. These strategies are described below.

## HOUSING

- Preserve existing affordable housing: HPD will focus and expand a series of financing and tax incentive programs in East New York to maintain affordability and proactively target buildings with expiring regulatory agreements or tax benefits and work with owners to extend affordability. The City's new Green Housing Preservation Program will allow building owners to rehabilitate and preserve affordability in 5- to 50- unit buildings by financing energy efficiency and water conservation improvements, creating financial savings that can be passed on to tenants. HPD will streamline and expand small home loan repair programs for low to moderate income homeowners of 1- to 4- unit buildings, which make up a significant portion of the building stock in East New York. HPD will also ensure housing quality by targeting code enforcement with additional inspectors.
- Protect tenants from displacement: The City has committed \$36 million to provide free legal representation in housing courts to tenants facing harassment in neighborhood rezoning areas. East New York tenants facing harassment, building neglect, or eviction proceedings who meet income requirements are eligible. The City's Tenant Support Unit has canvassed the neighborhood to ensure that residents are aware of these services, and HPD has conducted extensive outreach to tenants through a mobile van and Tenant Resource Fairs to make resources available to local residents. The City and State have worked together to create a new Tenant Harassment Prevention Task Force to investigate and bring enforcement actions – including criminal charges – against landlords who harass tenants in East New York and other neighborhoods.
- Create new affordable housing: HPD will prioritize the development of over 1,200 units of affordable housing within the next two years, including at the vacant City-owned Dinsmore-Chestnut site on Atlantic Avenue. The effort will include both large-scale rental and infill homeownership development. Any private sites receiving subsidy will be required to be 100% affordable to low- and moderate-income households. Nearly all units in HPD-subsidized developments in East New York must be affordable to households between 30-60% of AMI, or earning anywhere from \$15,232 for a single-person household to \$51,780 for a family of four. On public sites, HPD will require developers to provide even deeper

affordability levels. Mandatory Inclusionary Housing (MIH) will require that a minimum percentage of new housing in the East New York rezoning area is permanently affordable.

## ECONOMIC DEVELOPMENT

- Connect residents to career opportunities: SBS will locate a new Workforce1 Satellite Center in East New York/Brownsville to better connect residents to job training and placement services. The City's newly expanded HireNYC program requires that any city contract over \$1 million and any project receiving \$2 million or more in HPD subsidy post open positions with the Workforce1 system, making local career opportunities available to residents.
- Foster opportunities in the East New York Industrial Business Zone: NYC EDC is committed to strengthening the capacity of the East New York Industrial Business Zone (IBZ) and is conducting a study to identify opportunities to make the IBZ a better connected and more thriving center for jobs. EDC has recently completed the installation of four new gateway signs to this area, and is working to make improvements to a City-owned building so that it can better accommodate current and future industrial business tenants.
- Help residents grow and start businesses: SBS will launch an East New York-focused training course that will equip East New York business owners and entrepreneurs with the skills to strategically grow their businesses. SBS will provide education, assistance, and tools to help businesses with leases, and make the retail market more transparent.
- Strengthen commercial corridors and promote diverse retail uses: SBS is working with local partners in East New York to conduct a commercial district needs assessment. The findings of this study will inform a broad menu of commercial revitalization services and resources which could include: merchant organizing, retail business attraction and retention strategies, streetscape and public space planning, district marketing and local capacity building opportunities.
- Promote local economic opportunity through affordable housing development: When HPD subsidizes new development in East New York, it will work to ensure that small businesses and community facilities are integrated into the lower floors of the building. The City will work to build capacity, improve access to capital, and increase opportunities for Minority- and Women- Owned Business Enterprises (M/WBEs) to participate in the development

process and connect local residents to career training and job opportunities in affordable housing development.

## TRANSPORTATION & COMMUNITY RESOURCES

- Make Atlantic Avenue a Great Street: DOT will redevelop this central spine of the neighborhood with safer crosswalks, a raised, planted median, and new sidewalks complete with public benches, bike racks and more than 100 new street trees. This project will advance Vision Zero for pedestrian safety while also helping to set the stage for new development along the Atlantic Avenue corridor.
- Enhance connectivity and access to transit: DOT will complete the redesign and redevelopment of the street network in front of the Broadway Junction subway complex, making the area safer while also adding new pedestrian amenities. New bike lanes have already been added to Pitkin Avenue, extending the existing bike network in Brownsville into East New York.
- Improve existing parks: A one-acre underused asphalt area at City Line Park will be transformed into a new green space. DPR will begin community outreach to gather input from residents about the design of this new open space this spring. DPR will also repair and revitalize the basketball courts in Sperandeo Brothers playground and install new, modern play equipment in Lower Highland Park.
- Build a new school: SCA will build a new school in District 19, with 1,000 new school seats to alleviate school overcrowding and provide for a growing population. The site for this new school is envisioned to be a portion of the Dinsmore-Chestnut Urban Renewal Site within the rezoning area; a site selection for the school will be forthcoming.
- Install new green infrastructure throughout the neighborhood: The Department of Environmental Protection will install new curbside bioswales to absorb and manage storm water in East New York, improving water quality in Jamaica Bay while beautifying streets.
- Expand access to health care: The City will expand the network of health clinics in East New York to provide services to thousands more patients per year.
- Support local arts and culture: The Department of Cultural Affairs will run a capacity-building initiative for arts and cultural groups. A neighborhood fellow will be hired to work

with local organizations to expand opportunities for community members to engage in local cultural activity as leaders, audience members, artists, students, and volunteers.

## LAND USE

- Promote mixed-use development along key corridors and near transit: New residential and commercial zoning districts along Atlantic Avenue, Fulton Street, Pitkin Avenue, and around Broadway Junction would allow moderate-density mixed-use development. Affordable housing would be required in all new residential development. Retail or community facility uses would be required at the ground-floor along key corridors to create active streetscapes and strengthen the retail environment.
- Preserve the residential character of side streets: Side streets are characterized by two- to three-story rowhouses, single-family homes, and small apartment buildings. This existing character would be preserved with contextual residential zoning districts that require new buildings to be in context with existing buildings. Long-standing residential areas west of Broadway Junction which currently do not conform to the existing manufacturing zoning designation would be brought into conformance under proposed contextual residential districts.
- Allow more diverse uses in industrial areas: Industrial as well as residential and commercial uses would be allowed in areas that are currently home to a mix of uses including Liberty Avenue as well as parts of Ocean Hill and Atlantic Avenue.

## EXISTING CONTEXT AND ZONING

The study area covers approximately 0.75 square miles in eastern Brooklyn that include portions of the East New York, Cypress Hills, Ocean Hill and Brownsville neighborhoods of Community Districts 5 and 16. Separating East New York and Ocean Hill, and not subject to the Proposed Actions described herein, is an industrially zoned area that includes Broadway-Junction and the East Brooklyn IBZ.

As noted above, the Proposed Actions would affect two noncontiguous areas. The first is an approximately 175 block area covering portions of East New York and Cypress Hills, generally bounded by Fulton Street to the north, Pitkin Avenue to the south, Sheffield Avenue to the west, and

Conduit Boulevard and Lincoln Avenue to the east. This area is defined by a series of east-west corridors, with Atlantic Avenue dividing the area into northern and southern sections; major corridors and areas of the neighborhood are described below. The second area is an approximately 15 block portion of the Ocean Hill neighborhood, generally bounded by Broadway to the north, East New York Avenue to the south, Eastern Parkway Extension to the west, and Van Sinderen Avenue to the east.

### ***East New York - Fulton Street***

Fulton Street has retained most of its historic character as an active local retail corridor and is an important shopping and dining destination for the surrounding Cypress Hills community. The J/Z subway line runs above grade along this corridor, with stations at Van Sicten Avenue, Cleveland Street, Norwood Avenue, and Crescent Street. This corridor is mainly lined with historic two- to four-story attached mixed-use buildings with ground floor retail and housing above. Three blocks immediately east of Pennsylvania Avenue contain gas stations, car sales lots and auto-repair shops. Residential uses at the ground floor can also be found intermittently along this section of the corridor.

### ***East New York - Atlantic Avenue***

At 120 feet wide, Atlantic Avenue is the largest corridor running through the area and one of the main thoroughfares in Brooklyn. The Long Island Railroad runs below Atlantic Avenue in East New York and has a stop at Van Sinderen Avenue in between the East New York and Ocean Hill Plan areas. Common land uses along the avenue include one-story semi-industrial uses including a large bakery, auto-related uses, such as gas stations, car washes and auto repair shops, self-storage facilities, local retail shops and fast food restaurants interspersed with limited residential uses. Most loft-style buildings that were originally built for industrial purposes have been converted to warehousing, self-storage facilities or are vacant. Atlantic Avenue also features a few large vacant and/or underutilized sites. New development along the corridor has primarily consisted of fast food drive-thru establishments and self-storage centers.

### ***East New York - Liberty Avenue***

Liberty Avenue is a corridor that runs east-west just south of Atlantic Avenue. The corridor today

consists of auto repair shops, scrap metal yards and other light-industrial uses, such as warehouses and supply stores, mixed with two- to four-story residential homes, small local retail shops, schools and houses of worship.

### ***East New York - Pitkin Avenue***

Pitkin Avenue is generally characterized by two- to four-story residential buildings or mixed-use buildings with neighborhood retail at the ground floor and residential units above. The A/C subway line runs below ground along Pitkin Avenue with stations at Van Siclen Avenue, Shepherd Avenue, and at Euclid Avenue, an express stop and the terminus of the C train. While Pitkin Avenue was once a thriving continuous commercial strip, today many of the ground floors of buildings are used for residential or community facility use. Residential uses occupy the ground floors of over 40 percent of buildings as many former retail spaces have been converted to residential units. New construction is mostly residential and often sets back from the street line to allow for off-street parking or faces side-streets with blank building sides facing onto Pitkin Avenue. Commercial uses include one of the area's few full-service supermarkets, as well as delis, laundromats, salons and other small retail establishments. Fiorentino Plaza is a medium-density NYCHA development on the northern side of Pitkin Avenue. The CHLDC recently received approval for a zoning map change to increase the allowed density at Pitkin Avenue and Berriman Street adjacent to the Shepherd Avenue subway station to build an eight-story apartment building with ground-floor retail.

### ***East New York - Residential Core***

The residential blocks between the main commercial corridors of Fulton Street, Atlantic Avenue and Pitkin Avenue are characterized by two- to three-story row houses and small three- to four-story apartment buildings built in the early 1900's. Recent development includes low-scale rowhouses or semi-detached homes with deep setbacks and front-yard parking. This new construction conforms to the low-density zoning regulations which require off-street parking and front yards, producing developments that do not match the form and character of existing buildings. The Cypress Hills residential core lies to the north of Atlantic Avenue and is characterized by slightly lower-scale rowhouses and detached homes than are typically found south of Atlantic Avenue in East New York. Glenmore Avenue, just north of and running parallel to Pitkin Avenue, is characterized by low-scale homes interspersed with pockets of auto-related uses and open industrial uses, as well as a number of

community gardens on vacant city-owned lots, once occupied by residential buildings.

### ***Ocean Hill***

The western portion of the study area, in the Ocean Hill neighborhood, contains a mix of longstanding residential buildings, light-industrial activities including warehouses/storage and distribution facilities, and institutional uses. The residential uses consist of a mix of one- and two-family homes, as well as three- to four-story apartment buildings. The existing low-scale warehouse buildings are typically occupied with low-intensity light industrial and auto-oriented uses, including storage and warehousing, and auto-repair shops. Recent construction consists of two recently completed and one proposed hotel and conversions of former loft buildings to homeless family shelters.

### ***Existing Zoning***

The majority of the current zoning has remained unchanged since 1961 when the current Zoning Resolution was originally established. Two zoning map amendments were recently adopted; the Pitkin-Berriman Rezoning (C 130161 ZMK), adopted in 2013, changed an R5/C1-3 zoning district to an R7A/C2-4 district on a block bounded by Pitkin Avenue, Shepherd Avenue, and Berriman Street. The Logan Street Rezoning (C 040389 ZMK), adopted in 2005, changed an M1-1 zoning district to an R5 district on the northern half of a block bounded by Milford Street, Atlantic Avenue, and Logan Street. Both rezonings shared the goal of encouraging the creation of more housing units in the neighborhood.

### ***M1-1 & M1-2***

M1-1 zoning districts, which have a floor area ratio (FAR) of 1.0 for manufacturing and commercial uses, are mapped in fragments throughout the study areas. An M1-2 district is located in a portion of the Ocean Hill area and permits manufacturing and commercial uses at a maximum FAR of 2.0. M1-1 and M1-2 districts also permit community facility uses at a maximum FAR of 2.4 and 4.80, respectively. M1 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 30 feet in M1-1 districts, and 60 feet in M1-2 districts. M1-1 and M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1 districts generally allow one- or two-story warehouses for light-industrial uses,



including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution (ZR). No new residential uses are permitted.

Existing land uses within the M1-1 and M1-2 districts include warehouses/storage for light industrial uses, auto-related businesses such as car dealerships and auto-repair shops, fast-food restaurants, gas stations, self-storage facilities, hotels, and vacant or underutilized land.

### ***C8-1 & C8-2***

There is one C8-1 district mapped in the most eastern part of the study area on Atlantic Avenue and three blocks immediately east of Pennsylvania Avenue are currently zoned C8-2. C8-1 and C8-2 districts permit commercial uses at a maximum FAR of 1.0 and 2.0, respectively. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. C8 districts have a base height limit, above which a structure must fit with a sloping sky exposure plane; this base height is 30 feet in C8-1 districts, and 60 feet in C8-2 districts, and typically produces low-rise, one-story structures. C8-1 and C8-2 districts also permit community facility uses at a maximum FAR of 2.4 and 4.80, respectively. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels and amusements, such as theatres are also permitted. No new residential uses are permitted.

Existing land uses within the C8-1 and C8-2 districts include gas stations, car sales lots, auto-repair shops, small local retail shops mixed with residential uses above the ground floor and residential homes that front on the side streets.

### ***R5***

Approximately 137 full or partial blocks north and south of Atlantic Avenue, between Fulton Street and Atlantic Avenue and Between Atlantic Avenue and Pitkin Avenue, are currently zoned R5. R5 districts allow low-density housing, including detached, semi-detached, attached and multi-family residences, at a maximum FAR of 1.25 (or 1.65 in predominantly built-up areas utilizing the R5-

infill provisions) and community facilities up to a maximum FAR of 2.0. R5 districts typically produce three- to four-story attached houses and small apartment buildings set back from the street with parking in their front yards. R5 districts have a base height limit of 30 feet and a maximum building height of 40 feet is permitted after a 15 foot setback. R5 zoning requires a minimum front yard depth of 10 feet, which is increased to 18 feet if front yard parking is provided. Off-street parking in a grouped facility is required for 85% of the dwelling units.

Most of the Fulton Street and Liberty and Pitkin Avenue corridors are within the R5 zoning district. While many of the existing residential buildings were historically built at a height of four stories or less, their built densities are greater than currently permitted, due to their higher lot coverage. The existing land uses in these areas include detached, semi-detached, attached single and two family homes, and multi-family residences interspersed with light manufacturing uses, warehouses/storage facilities, auto repair facilities, community facilities, and vacant land and community gardens.

## ***R6***

There is one R6 district in the southwest of the study area located along a block frontage facing Pitkin Avenue. R6 districts allow all housing types at a maximum FAR of up to 2.43 is allowed for residential uses and up to 4.8 FAR is allowed for buildings containing community facility uses. R6 is a “height factor” district where residential and community facility uses are permitted with no fixed height limits and building envelopes are regulated by an open space ratio and a sky exposure plane after a maximum base height of 60 feet. Residential development under the optional Quality Housing Program has a maximum FAR of 2.2 on narrow streets (defined as less than 75 feet wide) with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets (defined as 75 feet wide or greater) with a height limit of 70 feet. Off-street parking is required for 70 percent of the dwelling units. This requirement is lowered to 50 percent of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used.

A R6 residential district encompasses approximately five blocks of Pitkin Avenue east of Pennsylvania Avenue and includes the New York City Housing Authority (NYCHA) Fiorentino Plaza development, a one-story supermarket, a school, and one- and two-family homes.

### ***R7A***

There is one R7A district in the study area located on the front block facing Pitkin Avenue between Shepherd Avenue and Berriman Street. This zoning district was adopted in 2013 at the request of the CHLDC from an R6 zoning district to facilitate an eight-story affordable housing building with ground-floor retail. R7A districts typically produce high lot coverage, seven- to eight-story apartment buildings pursuant to the Quality Housing program, and blend with existing buildings in many established neighborhoods. In R7A districts, the maximum residential FAR is 4.0, and the maximum community facility FAR is 4.0. Above a maximum base height of 65 feet, the building must set back 10 feet along narrow streets or 15 feet along wide streets before rising to the maximum permitted height of 80 feet.

### ***Commercial Overlays***

Commercial overlays, commercial zoning districts mapped over residential zoning districts to allow local commercial retail uses, are mapped along Fulton Street and Pitkin Avenue, as well as on scattered blockfronts on Atlantic and Liberty Avenues.

### ***C1-2 & C1-3***

A C1-2 commercial district is located over one block in the southeastern area of the study, between Pine Street and Glenmore Avenue. C1-3 commercial districts are mapped on 24 block frontages, and typically to a depth of 150 feet, along Fulton Street, and Liberty and Pitkin Avenues. C1 commercial districts are typically mapped in residential neighborhoods along streets that serve local retail needs. They are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. The maximum commercial FAR is 1.0 when mapped in R5 districts or below, and 2.0 when mapped in R6 or higher. This typically produces a commercial ground floor in an otherwise residential mixed-use building. C1-2 districts have higher off-street parking requirements than C1-3 districts.

### ***C2-3 & C2-2***

C2-2 commercial districts are mapped on nine block frontages including Atlantic Avenue from Bradford Street to Van Siclen Avenue; and along Pine Street between Liberty and Pitkin Avenues.

C2-3 commercial districts are mapped on 79 block frontages along Pitkin Ave between Vermont Avenue and Crystal Street; on Liberty Avenue between Warwick Street and Crystal Street; and along Fulton Street from Wyona Street to Pine Street. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to the ground floor and must always be located below the first floor containing dwelling units.

In C1-2 and C2-2 districts, most retail uses require one accessory parking space per 300 square feet of commercial floor space. In C1-3 and C2-3 districts, most retail uses require one accessory parking space per 400 square feet of commercial floor space.

#### ***C2-4***

A C2-4 commercial district is mapped on one block frontage along Pitkin Avenue and was mapped as part of the 2013 Pitkin-Berriman Rezoning. C2-4 commercial districts allow for local retail uses and commercial development up to 2.0 FAR. C2-4 districts allow Use Groups 1-9 and 14, which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. For general commercial uses, one off-street parking space is required for every 1,000 square feet of such use, and up to 40 spaces may be waived.

### **PROPOSED ACTIONS**

#### **Zoning Map Amendment (C 160035 ZMK)**

The proposed rezoning would replace all or portions of existing M1-1, M1-2, C8-1, C8-2, R5, and R6 districts with M1-4/R6A, M1-4/R7A, M1-4/R8A, M1-4/R7D, R5, R5B, R6B, R6A, R7A, R7D, R8A, C4-4D, C4-4L and C4-5D districts. The proposed rezoning would also replace or eliminate portions of existing C1-2, C1-3, C2-2, and C2-3 overlays mapped within the existing R5 and R4 districts with C2-4 overlays and establish new C2-4 overlays.

#### ***Proposed R5***

*(Existing C8-1 district)*

Three R5 districts are proposed for six partial blocks along Atlantic Avenue between Pine Street and Lincoln Avenue currently zoned C8-1 and between Cleveland and Linwood Streets currently zoned

C8-2. Most of these lots are home to residential uses today, which do not conform to the existing zoning. The proposed R5 zoning district will bring existing residential uses into conformance. R5 district permits all housing types at a maximum FAR of 1.25. A minimum lot width of 40 feet is required for detached houses and a minimum lot width of 18 feet is required for other housing types. A minimum lot area of 3,800 square feet is required for detached houses, and a minimum lot area of 1,700 square feet is required for other housing types. The perimeter wall of all housing types may rise to 30 feet before sloping or being set back to a maximum building height of 40 feet. Front yards must be exactly 10 feet deep or a minimum of 18 feet. One parking space is required for each dwelling unit, or 85% if grouped.

### ***Proposed R5B***

*(Existing R5, C8-2, M1-1, and M1-2 districts)*

R5B is proposed in the core residential blocks between Fulton Street and Atlantic Avenue, between Atlantic Avenue and Liberty Avenue, between Liberty Avenue and Pitkin Avenue, and between Herkimer Street and Atlantic Avenue between Sherlock Place and Havens Place as follows:

- Between Fulton Street and Atlantic Avenue: 22 partial blocks between New Jersey Avenue and Milford Street. These blocks are currently zoned C8-2, R5/C2-3, and M1-1.
- Between Atlantic Avenue and Liberty Avenue: 3 partial blocks between Montauk Avenue and Fountain Avenue; 2 partial blocks between Crystal and Chestnut Streets; and 1 partial block between Euclid and Crescent Streets. These blocks are currently zoned M1-1 and R5.
- Between Liberty Avenue and Pitkin Avenue: 34 full or partial blocks between Pennsylvania Avenue and Shepherd Avenue that are currently zoned R5; 18 partial blocks between Berriman Street and Euclid Avenue that are currently zoned M1-1 and R5; and 3 partial blocks between Euclid Avenue and Crescent Street that are currently zoned R5.
- Between Sherlock Place and Havens Place: 3 partial blocks between Herkimer Street and Atlantic Avenue that are currently zoned M1-2

These proposed districts will increase conformance of existing residential uses. R5B permits detached and semi-detached residential buildings, but is primarily a three-story rowhouse district. The maximum FAR is 1.35 with a maximum street wall height of 30 feet, above which the building is set back to a maximum height of 33 feet. The front yard must be at least five feet deep and it must

be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. On-site parking spaces must be provided for 66 percent of the dwelling units although parking can be waived when only one space is required. Front yard parking is prohibited.

### ***Proposed R6B***

*(Existing M1-2, M1-1, C8-2 and R5)*

R6B is proposed in two areas as follows:

- Along Herkimer Street between Sherlock Place and Havens Place currently zoned M1-2.
- Between Atlantic Avenue and Liberty Avenue between New Jersey Avenue and Vermont Street (1 partial block currently zoned C8-2), between Wyona Street and Schenck Avenue (5 partial blocks currently zoned C8-2), and between Barbey Street and Montauk Avenue (10 partial blocks currently zoned R5, C8-2 and M1-1).

These proposed districts will increase conformance of existing residential uses. R6B is a typical row house district that includes height limits and street wall lineup provisions to ensure that new buildings are consistent with the scale of the existing built context. R6B permits residential and community facility uses to a maximum FAR of 2.0. Building base heights must be between 30 and 40 feet, with a 50 foot maximum building height after the building set back to a depth of 10 feet on a wide street and 15 feet on a narrow. New development in the proposed R6B district would be required to line up with adjacent structures to maintain the continuous street wall character. New multifamily residences must provide one off-street parking space for 50% of dwelling units, which may be waived if 5 or fewer spaces would be required.

### ***Proposed R6A***

*(Existing R5, C8-2, and M1-1 districts)*

R6A is proposed on approximately 76 full or partial blocks in three areas:

- Between Bradford Street and Euclid Avenue along Fulton Street that are currently zoned R5/C2-3.

- Along Liberty Avenue between Barbey and North Conduit Avenue currently zoned R5 and M1-1.
- Between Liberty Avenue and Pitkin Avenue between Essex and Atkins Streets currently zoned R5 and M1-1.
- And along Sackman Street between Somers and Truxton Streets currently zoned M1-1.

R6A districts allow residential and community facility uses up to 3.0 FAR (3.6 FAR in areas designated as part of the Inclusionary Housing program per Zoning Resolution Section 23-90). The building form requires a street wall between 40 and 60 feet, a setback above the maximum base height of 60 feet, and a maximum building height of 70 feet. Off-street parking is required for 50 percent of the dwelling units, but this requirement is waived if 5 or fewer spaces are required.

***Proposed R7A***

*(Existing R5, C8-1, C8-2, and M1-1)*

R7A is proposed on approximately 73 full/partial blocks in four areas:

- Between Sheffield Avenue and midblock between Pennsylvania and New Jersey Avenues between Belmont Avenue and Atlantic Avenue that is currently zoned M1-1, C8-2 and R5.
- Along Pitkin Avenue between New Jersey Avenue to the west, and Doscher Street to the east; and between Pine Street and Crescent Street along Pitkin Avenue, that is currently zoned R5.
- Between Liberty Avenue and Pitkin Avenue along Euclid Avenue that is currently zoned R5.
- Along Atlantic Avenue between Euclid Avenue and Lincoln Avenue currently zoned C8-1 and C8-2.

R7A is a contextual district that allows for new medium-density residential development and community facilities. R7A districts allow for residential development up to 4.0 FAR (4.6 FAR in areas designated as part of the Inclusionary Housing program) and community facility uses up to 4.0 FAR. The building form requires a street wall of 40 to 65 feet, a setback above the maximum base height, and a maximum building height of 80 feet. New residences would be required to provide one off-street parking space for 50% of the dwelling units, with reduced requirements for affordable housing.

***Proposed R7D***

*(Existing M1-1)*

R7D is proposed on two blocks on along Eastern Parkway Extension between Mother Gaston Boulevard and Sackman Street that is currently zoned M1-1.

R7D allows medium-density apartment buildings at a maximum FAR of 4.2 for community facility uses and 5.60 for residential uses in areas designated as part of the Inclusionary Housing program. New structures in R7D districts are required to line up with adjacent structures to maintain the streetwall. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. In addition, where commercial overlays are mapped, active ground floor uses are required, and the related zoning text amendment would also require transparency on the ground floor (see below).

***Proposed R8A***

*(Existing C8-2 and M1-1)*

R8A is proposed on 29 partial blocks for portions along Atlantic Avenue between Bradford Street and Montauk Avenue. These blocks are currently zoned C8-2 and M1-1.

R8A districts permit residential and community facility uses at a maximum FAR of 6.02 (7.20 in areas designated as part of the Inclusionary Housing program) and 6.50, respectively. The building form requires a base height between 60 and 85 feet and a maximum building height of 120 feet. The off-street parking requirement is one space per 1000 square feet of commercial use and health care facilities and one off-street parking space for 40% of the dwelling units.

***Proposed C4-4L***

*(Existing C8-2 and M1-1)*

C4-4L is proposed on 12 full or partial blocks along a section of Fulton Street between Sheffield Avenue and Bradford Street and in Ocean Hill along Broadway between Eastern Parkway and Van Sinderen Avenue. These blocks are currently zoned C8-2 and M1-1.



The proposed C4-4L is an existing zoning district created specifically for commercial corridors with elevated trains, similar to Fulton Street. The designation represents a contextual, regional commercial district that permits residential development at an R7A equivalent, as well as commercial and community facility. The proposed C4-4L district would allow for a wider range of uses and provide more building design along the elevated J/Z transit line.

C4-4L zoning districts allow residential development up to 4.0 FAR (4.6 FAR in areas designated as part of the Inclusionary Housing program) and commercial and community facility uses up to 4.0 FAR. The proposed C4-4L district would allow two distinct building types depending on the location in relation to elevated train tracks:

- For lots not fronting on the elevated train, the proposed C4-4L district applies the height and setback regulations of a C4-4A district, requiring a street wall between 40 and 65 feet high and allowing a maximum building height of 80 feet.
- For lots fronting on the elevated train and within 125 feet of the streetline adjacent to the elevated train, buildings would be required to set back five feet from the streetline adjacent to the elevated train at the ground floor, and allowed to rise to a maximum height of 100 feet or ten stories, with a minimum base height of 30 feet and a maximum base height of 65 feet. Above the base height, buildings would be required to set back at least 15 feet. Certain corner lots and through lots, depending on size and configuration, would also be subject to more generous lot coverage maximums, and some through lots would be permitted to waive the required rear yard equivalent.

### ***Proposed C4-5D***

*(Existing M1-2)*

A C4-5D district is proposed for all or parts of five blocks generally bounded by Fulton Street, Van Sinderen Avenue, Sackman Street and Pacific Street. These blocks are currently zoned M1-2.

C4-5D permits residential, commercial, and community facility buildings at a maximum FAR of 4.2 (5.6 FAR in areas designated as part of the Inclusionary Housing program). The building form requires a base height between 60 and 85 feet and a maximum building height of 100 feet. Active ground floor uses are required, and fifty percent of the building frontage on the ground floor between

a height of 2 and 12 feet above curb level is required to be glazed with transparent materials that will enhance the pedestrian experience. The off-street parking requirement is one space per 1000 square feet of commercial use and one off-street parking space for 50% of the dwelling units.

### ***Proposed C4-4D***

*(Existing R5, C8-2 and M1-1)*

C4-4D is proposed on 21 partial blocks along two sections of Atlantic Avenue, between Sheffield Avenue and Bradford Street; and between Montauk Avenue and Fountain Avenue; and two sections of either end of Pitkin Avenue in the study area, between Pennsylvania and New Jersey Avenues and between Doscher Street and Pine Street. These blocks are currently zoned R5, M1-1 and C8-2.

C4-4D is an R8A equivalent that permits residential development up to 6.02 FAR (7.20 FAR in areas designated as part of the Inclusionary Housing program), commercial uses up to 3.4 FAR, and community facilities up to 6.5 FAR. The building form requires a base height between 60 and 85 feet and a maximum building height of 120 feet. The off-street parking requirement is one space per 1000 square feet of commercial use and health care facilities and one off-street parking space for 40% of the dwelling units.

### ***Proposed M1-4/R6A***

*(Existing R5, C8-2 and M1-1)*

An M1-4/R6A mixed use district is proposed for 18 partial blocks along Liberty Avenue between New Jersey Avenue and Barbey Street. These blocks are currently zoned R5, C8-2, and M1-1. This area is currently home to a wide variety of uses including residential, community facility, commercial, and industrial. Over half of lots in this area currently contain residential uses, which do not conform to the existing predominant M1-1 zoning district. The proposed mixed use zoning would bring these existing uses into conformance and provide a framework for residential uses to coexist with industrial and other uses.

M1-4/R6A districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 3.0 (3.6 with Inclusionary Housing) for residential, 3.0 for community facility, and 2.0 for commercial or

manufacturing uses. For residential uses the building form requires a street wall of 40 to 60 feet, a setback above the street wall, 10 feet facing wide streets and 15 feet facing narrow streets, and a maximum building height of 70 feet. For industrial and commercial uses, the allowable FAR would remain at 2.0 resulting typically in two-story buildings.

***Proposed M1-4/R7A***

*(Existing M1-1)*

An M1-4/R7A mixed use district is proposed for a partial block between Chestnut Street and Richmond Street just south of Fulton Street that is currently zoned M1-1.

M1-4/R7A districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 4.0 (4.6 with Inclusionary Housing) for residential, 4.0 for community facility, and 2.0 for commercial or manufacturing uses. For residential uses the building form requires a street wall of 40 to 65 feet, a setback above the street wall, 10 feet facing wide streets and 15 feet facing narrow streets, and a maximum building height of 80 feet. For industrial and commercial uses, the allowable FAR would remain at 2.0 resulting typically in two-story buildings.

***Proposed M1-4/R7D***

*(Existing M1-2)*

An M1-4/R7D mixed use district is proposed for two partial blocks along Fulton Street between Eastern Parkway Extension and Havens Place that is currently zoned M1-2.

M1-4/R7D districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 4.2 (5.6 with Inclusionary Housing) for residential, 4.2 for community facility, and 2.0 for commercial or manufacturing uses. For residential uses, above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. For industrial and commercial uses, the allowable FAR would remain at 2.0 resulting typically in two-story buildings.

### ***Proposed M1-4/R8A***

*(Existing M1-1)*

The proposed M1-4/R8A mixed use district is proposed for two full or partial blocks between Logan Avenue and Euclid Avenue along Atlantic Avenue and a two partial blocks along Atlantic Avenue between Barbey and Schenck Streets and between Vermont and Wyona Streets. These blocks are currently zoned M1-1.

The proposed M1-4/R8A district would allow residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 6.02 (7.20 with Inclusionary Housing) for residential, 6.50 for community facility, and 2.0 for commercial or manufacturing uses. The proposed M1-4/R8A district requires new buildings to have a street wall height of 60 to 85 feet and a maximum building height of 120 feet. For industrial and commercial uses, the allowable FAR would remain at 2.0 resulting typically in two-story buildings.

### ***Proposed Commercial Overlays***

Existing C1 and C2 commercial districts are mapped intermittently throughout the study area. C1 districts permit commercial Use Groups 5 and 6 while C2 districts permit Use Groups 5 through 9 and 14.

C2-4 commercial districts are proposed to be mapped over portions of the proposed R5, R6A, R7A, R7D and R8A districts as detailed below. The proposed rezoning would also replace or eliminate portions of existing C1-2, C1-3, C2-2, and C2-3 districts with C2-4 districts and establish new C2-4 districts. The affected area is as follows:

- Proposed R5: Six partial blocks along Atlantic Avenue between Pine Street and Lincoln Avenue currently zoned C8-1 and between Cleveland and Linwood Streets currently zoned C8-2.
- Proposed R6A: 40 full/partial blocks on Fulton Avenue between Bradford Avenue and Euclid Avenue that are currently zoned R5/C2-3; and 28 full/partial blocks on Liberty Avenue between Barbey Street and Conduit Avenue that are currently zoned R5 and M1-1.
- Proposed R7A: Four partial blocks on Atlantic Avenue between Euclid Avenue and Lincoln

Avenue that are current zoned C8-1 and C8-2; 4 partial blocks along Liberty Avenue between Berriman and Montauk Streets currently zoned R5 and M1-1; 7 partial blocks on Pennsylvania between Liberty Avenue and Belmont Avenue that are currently zoned R5 and C8-2; 49 partial blocks along Pitkin Avenue between New Jersey Avenue and Crescent Street currently zoned R5 and R6; 3 full/partial blocks along East New York Avenue between Pacific Street and Bergen Street and Liberty Avenue.

- Proposed R7D: One partial block between Eastern Parkway and Mother Gaston Boulevard that is currently zoned M1-1.
- Proposed R8A: 29 full/partial blocks on Atlantic Avenue between Bradford and Montauk that are current zoned R5/C2-3, C8-2, M1-1, and R5; and 2 full/partial blocks on Pitkin Avenue between Pennsylvania and New Jersey Avenue that are currently zoned R5 and C8-2.

C2-4 commercial districts allow for local retail uses and commercial development up to 2.0 FAR. In these areas, the C2-4 commercial districts would support the development of mixed residential/commercial uses. This proposal would map commercial districts to a depth of 100 feet to reflect the typical depth of existing lots along these corridors and to prevent commercial uses from encroaching on residential side streets. Existing commercial districts mapped at a depth of 150 feet would be removed on Fulton Street, Pitkin Avenue, and Liberty Avenue.

### **Proposed Zoning Text Amendments (N 160036ZRK and N 160050ZRK)**

The Proposed Actions include amendments to the text of the Zoning Resolution to establish and apply a new Mandatory Inclusionary Housing program (see below) to portions of the proposed rezoning area where zoning changes are promoting new housing. Additionally, the Proposed Actions include amendments to Zoning Resolution including the establishment of Enhanced Commercial Districts and a Special Mixed Use District within the rezoning area.

### ***Mandatory Inclusionary Housing Program (N 160036ZRK and N 160050ZRK)***

The Department of City Planning proposes a Zoning Text amendment to establish a Mandatory Inclusionary Housing program that would require a share of new housing in East New York to be permanently affordable (N 160036ZRK). This text amendment mirrors the proposed citywide text

amendment, which was voted and approved by the Commission with modifications on February 3, 2016.

A second zoning text amendment would apply the Mandatory Inclusionary Housing program to portions of the proposed rezoning area, including where zoning changes are promoting new housing (N 160050ZRK). The mandatory Inclusionary Housing program would apply within the following districts: M1-4/R6A, M1-4/R7A, M1-4/R7D M1-4/R8A, R6A, R7A, R7D, R8A, C4-4D, C4-4L and C4-5D districts within the rezoning area. This program would require that a share of new housing be provided as affordable to low- or moderate-income households. These units would be permanently protected as affordable.

***Enhanced Commercial Districts (N 160050ZRK)***

The Department of City Planning proposes a Zoning Text amendment to establish Enhanced Commercial Districts in the rezoning area along Atlantic Avenue, Pitkin Avenue, Fulton Street and Pennsylvania Avenue. The Enhanced Commercial District would foster a safe and engaging pedestrian experience along these corridors by establishing regulations requiring non-residential ground floor use, transparency on the ground floor, limiting curb cuts, and requiring building setbacks to create wider sidewalks on Fulton Street.

***Special Mixed Use District (N 160050ZRK)***

The Special Mixed Use District (MX) is a special zoning district that is mapped in several locations throughout the city. It combines a light industrial (M1) district with a residential district, and permits a mix of selected light industrial, commercial, residential, and community facility uses under the applicable regulations. The MX district permits mixed-use buildings, and includes an expanded definition of “home occupations,” permitting a broader variety of live-work accommodations than is allowed in standard zoning districts. The proposed MX district is intended to retain existing light industrial businesses while encouraging the redevelopment of vacant and/or underutilized land and lofts with residential uses. The proposed MX district locations and regulations are described in more detail above under “Proposed Zoning Map Amendments” where an M1-4 district is proposed with a residential district.

### **Proposed Amendment to Dinsmore-Chestnut Urban Renewal Plan (C 160037HUK)**

HPD established the Dinsmore-Chestnut Urban Renewal Area (URA) in 2001, comprised of an urban renewal plan site, Site A (Block 4142, Lot 32), generally bounded by Dinsmore Place on the north, Chestnut Street on the east, Atlantic Avenue on the south, and Logan Street on the west. HPD proposes an amendment to the Dinsmore-Chestnut Urban Renewal Plan (URP) to change the land use designation on Site A to reflect the proposed zoning changes. Site A is currently designated for manufacturing use. Under the proposed action, the land use designation would be changed to allow residential, community facility, commercial and light manufacturing uses, and other uses permitted under the proposed zoning. In addition, the proposed amendment would update the URP's general provisions and language to conform to current standards.

### **Disposition Approval (C 160042HDK)**

HPD is also seeking approval for the disposition of City-owned property associated with Site A (Block 4142, Lot 32) of the Dinsmore-Chestnut URA and designation of Site A as an urban development action area project (UDAAP). The requested approval would permit the construction of a mixed-use development that could include housing, community facility, commercial, light manufacturing and other uses allowed under the proposed zoning, and in accordance with the uses permitted in the amended Dinsmore-Chestnut Urban Renewal Plan.

### **ENVIRONMENTAL REVIEW**

This application (C 160035 ZMK), in conjunction with the related applications (N 160036 ZRK, C 160037 HUK, C160042 HDK, and N160050 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 15DCP102K. The lead agency is the City Planning Commission.

It was determined that the proposed actions may have a significant effect on the environment, and that an environmental impact statement would be required. A Positive Declaration was issued on February 3, 2015, and distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on February

3, 2015. A public scoping meeting was held on March 5, 2015, and the Final Scope of Work was issued on September 18, 2015.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on September 18, 2015. Pursuant to the SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on January 6, 2016, in conjunction with the public hearing on this ULURP item (C 160035 ZMK) and the related items (N 160036 ZRK, C 160037 HUK, C160042 HDK, and N160050 ZRK).

A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing was completed, and a Notice of Completion of the FEIS was issued on February 12, 2016.

Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-366) on selected projected and potential development sites as specified in Exhibit A attached hereto.

The Proposed Action as analyzed in the FEIS identified significant adverse impacts with respect to community facilities (public schools and child care services), open space, shadows, historic and cultural resources (architectural), transportation (traffic, transit, and pedestrians), air quality, noise, and construction activities related to historic and cultural resources, and noise. The identified significant adverse impacts and proposed mitigation measures under the Proposed Actions are summarized in Exhibit B attached hereto.

On February 24, 2016, subsequent to the issuance of the FEIS, a Technical Memorandum (Technical Memorandum 001) was completed which addressed the potential impacts of certain CPC modifications to the applications, which are discussed later in this report. The Technical Memorandum concludes that these modifications would not have any new or different significant adverse impacts than those identified in the FEIS for the Proposed Actions.

## **UNIFORM LAND USE REVIEW**

This application (C 160035 ZMK) and the applications for the related ULURP items (C 160037 HUK, C160042 HDK), were certified as complete by the Department of City Planning on



September 21, 2015, and were duly referred to Community Boards 5 and 16 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the application for the non-ULURP actions (N 160036 ZRK, N160050 ZRK) which were referred for review and comment.

### **Community Board Public Hearing**

Community Board 5 held a public hearing on this application on October 28, 2015 and on November 18, 2015, by a vote of 17 to 0 with 5 abstaining, adopted a resolution recommending disapproval of this application with the following conditions:

1. The community does not want a storage facility on the corner of Pitkin and Pennsylvania Avenue also known as block 3721, lot 1.
2. The community would like to reclaim the old Traffic Court building known as 127 Pennsylvania Avenue, corner of Liberty Avenue also known as block 3687, lot 1. The Community Board office is located in the building and the community would like to see this building restored to a recreation facility for community use. Approximately three million dollar is needed to repair the building. This would increase productivity and morale for community board members and staff to effectively address the economic development needs of the community. Additionally, community residents would benefit from this investment.
3. The community would like for the city to acquire the Long Island Railroad sub-station building located at Atlantic Avenue (service road) and Snediker Avenue. This building is located on block 3680. This building will be used as a cultural center for the residents of East New York and Brownsville.
4. We would like a CUNY campus in the rezone area. This would allow for long-term economic sustainability for all of East New York and neighboring communities.
5. We would like an Innovation Lab – a job placement and training center run in conjunction with New York City College of Technology and local business organizations that would train young people to do basic computer coding; and help locals start small cooperative businesses; and help find jobs for adults.
6. We would like approximately \$20 million dollars or more investment from NYC Economic Development Corporation (EDC) in East New York for Business Incubators in the IBZ, and Innovation Labs throughout Community Board #5 (Note: 2014 EDC invested \$316,396 in East New York). This much needed investment would address the high unemployment in CB #5.
7. We need a 30-year tax credit for long-term East New York homeowners and businesses to ease the property tax burden due to rezone changes.
8. The City should finance the creation of lower cost rental space for local small businesses.

9. We need multi-year, robust support for strengthening local business focusing training and business planning, including topics such as purchasing properties, meeting increased and differing demands for services and preparing your business for changes, etc.
10. We want to make sure that the merchants in the community request is in placed which is: assistance in the preservation/repair of mixed use properties and down-payment assistance made available to support local businesses in buying mixed-use buildings.
11. We need a City commitment to save East New York manufacturing and provide relocation fund for industrial businesses that need to relocate.
12. We need a City commitment to create good living wage jobs for East New York residents in construction and manufacturing and other growth sectors.

Community Board 16 held a public hearing on this application on October 19, 2015 and on November 23, 2015, by a vote of 23 to 1 with 4 abstaining, adopted a resolution recommending disapproval of this application, with the following conditions:

1. Brooklyn Community Board #16 is concerned that the rezoning text does not address ability for current businesses and community organizations to maintain affordability and withstand the changing housing market due to new market-rate construction. The Community Board seeks to develop a plan for retail and community organizations, including discounted rentals, technical assistance, and tax breaks for owners of mixed-use buildings who maintain long-time businesses and community organizations.
2. Brooklyn Community Board #16 is concerned that residential developments as a result of new mixed-use zoning will threaten existing manufacturing businesses. These existing businesses are a vital part of the community and should be protected from rising rental costs and threat of being converted to residential development. The Community Board seeks to allow the mixed manufacturing and R7D zoning, but with measures that will protect existing manufacturing, especially at the ground level.
3. Brooklyn Community Board #16 is concerned that the opportunity to develop market rate housing will threaten existing low-income residents out of their homes. The Community Board seeks to implement an Anti-Harassment program (based on the Special Clinton District in Hell's Kitchen) that would require a permit/ram HPD prior to altering, demolishing, or changing any sound development.
4. Brooklyn Community Board #16 is concerned that the building technology and process of new development construction will exclude many community members while benefitting people from outside the community. The Community Board seeks to establish a working relationship between the City and local contractors and workers to employ local workers for the rezoning. The plan should link mandatory local hiring requirements to government subsidy programs, including housing and

economic development subsidies.

5. Brooklyn Community Board #16 is concerned that the focus of transportation safety issues is focused only Atlantic Avenue. While Atlantic Avenue is in need of safety improvements, a recent (Nov. 3, 2015) fatality of a woman crossing the street at Fulton Street and Sackman Street demonstrates that other streets of Ocean Hill must be considered under the rezoning. The Community Board seeks that DCP work with NYC DOT to evaluate Atlantic Avenue and other streets of Ocean Hill/or safety improvements.
6. Brooklyn Community Board #16 is concerned that the increase in population due to new residential developments will place a burden on the existing community facilities and resources. Currently, the only available open space resource is Callahan-Kelly Playground located at Fulton Street and Eastern Parkway. The Community Board seeks to incorporate more consideration for community facilities, such as youth and senior centers, into the rezoning area. In particular, the park should be well-maintained as usage is likely to increase.
7. Brooklyn Community Board #16 is concerned that many smaller, low-density side streets are proposed to be rezoned in higher densities. This goes against contextual planning and will lead to higher densities where it is not appropriate. R7D, in particular, is very out of context on Eastern Parkway, where buildings are low-rise. Higher densities would be more appropriate on a large thoroughfare such as Atlantic Avenue. The Community Board seeks to change the zoning text from areas designated as R7D zoning to R6A zoning. This change allows for new development while keeping in context with the neighborhood.

### **Borough President Recommendation**

This application (C 160035 ZMK), in conjunction with the related applications (N 160036 ZRK, C 160037 HUK, C160042 HDK, and N160050 ZRK), was considered by the Borough President, who issued a recommendation on December 30, 2015 disapproving the application with the following conditions:

1. That there be permanent affordability commitments for 100 percent of the housing units within the Dinsmore-Chestnut and NIHOP sites and the former Chloe Foods site, memorialized in the property records, through mechanisms such as a LDA, Regulatory Agreement, funding agreement or other equivalent measures, prior to granting its approval to the requested modification to the Dinsmore-Chestnut Urban Renewal Plan, property dispositions and the proposed rezoning affecting these properties.
2. That prior to the City Council's subcommittee on Zoning and Franchises hearing regarding the ENY Plan, it is imperative for the City Council to obtain such commitments in writing from HPD regarding:
  - a. The status of its expansion of a series of financing and tax incentive programs, and include in its menu of tax incentives and workouts such

products that would be eligible for residential real estate tax credits including tax exemptions and/or forgiveness on City collections subject to lien sales, such as water and sewer charges, real estate taxes, etc., for landlords willing to index rental unit lease renewals to RGB increases;

- b. Lists and outreach regarding government assisted housing, the affordability requirements of which are expiring;
- c. Code violation data collections;
- d. The convening of the advocates and practitioners for best practice to enhance efforts to protect tenants from displacement – including possibly establishment of additional anti-harassment areas;
- e. Resources to enable such legal clinics to occur with regularity;
- f. Ongoing funding to local CBDO for anti-eviction work, eviction prevention services, and housing quality enhancements;
- g. Resources need to be directed to HPD’s Tenant Harassment Prevention Task Force;
- h. Free legal representation in housing court, and,
- i. Resources to provide educational and outreach resources to CBDOs and faith-based organizations to help with housing lottery readiness and lottery awareness regarding the 278 units as part of Livonia Commons first phase, 288 units as part of the second phase; the NYCHA Van Dyke Houses campus development of approximately 100 units underway by CAMBA and approximately 1,000 units according to the proposed General Project Plan regarding the State’s Brooklyn Development Center campus at 888 Fountain Avenue, as well as subsequent MIH developments

In addition, HPD should commit to the City Council that it would provide quarterly updates of such status reports that would be required to be submitted to Community Boards 5 and 16 and affected local elected officials.

- 3. That for Arlington Village, prior to the City Council hearing, the redeveloper provides proof of a binding mechanism to the Council as a means of ensuring that the residents would be seamlessly accommodated in the redevelopment at comparable rents. Otherwise, the City Council shall exclude the combination upzonings of R8A along Atlantic Avenue, R6A along Liberty Avenue and R6B along the mid-blocks from the rezoning, leaving these blocks as an R5 zoning district designation.
- 4. That prior to the City Council hearing, the Administration commits for the DCP to undertake a rezoning study, in consultation with CBs 5 and 16 and its Local elected officials, of the proposed R5B and R6B districts as well as surrounding R4 and R5 districts. This is a means to better match the allowable zoning with both the predominant building type and built floor area with proposed boundaries presented within six months of the date of ENY Plan adoption and a rezoning application Certified within 18 months.

5. That prior to the public hearing of the City Council, HPD shall provide a written commitment to codify that the 50 percent preference for community residents would be inclusive of former CD 5 and 16 residents displaced since the Certification date of the ENY Plan.
6. That in order to establish AMI equivalent affordable housing eligibility as a qualifier for those rent-burdened households that would be able to pay the same or have a reduction in their rent through the leasing of MIH lottery units, the City Planning Commission or City Council shall require the amending of the following sections of the Zoning Resolution:
  - a. ZR 23-154 (d)(3) (i)(ii) and (iii) of the Inclusionary Housing provisions;
  - b. ZR 23-91 General definitions – income bands, income index,, low income household, low income limit, middle income floor area, middle income household, moderate income floor area, moderate income household, moderate income limit, qualifying household, to be modified to clarify that that the AMI income index and income bands, have an equivalent for allowing those rent-burdened households that would be able to pay the same or have a reduction in their rent to lease such mandatory unit also be deemed a qualifying household for eligibility;
  - c. ZR 23-912 Definitions applying to rental affordable housing – maximum monthly rent to reflect the equivalency of income bands as a measure to accommodate rent-burdened households; and,
  - d. ZR 23-961 (a)(1) and (c)(2) Additional requirements for rental affordable housing – Tenant selections and Income, to reflect the rent-burdened low, moderate and middle income households as qualifying households, and that the administering income shall verify the household’s rent history in lieu of income for rent-burdened households affordability requirements
7. That in order to establish a requirement setting at least 15 percent of the MIH units at rents affordable to households earning not more than 40 percent of Area Medium Income, and its rent-burdened equivalent of ENY Plan MIH lottery units, the City Planning Commission or City Council shall require Section 23-154 (d)(3)(i)(ii) of the Zoning Resolution to note such obligation.
8. That in order to provide affordability to more households at a lower AMI, the City Planning Commission or City Council shall modify the proposed R8A along Atlantic Avenue, between Bradford Street and Montauk Avenue, to R7A and prior to the public hearing of the City Council, DCP shall provide a written commitment to establish a zoning text amendment to permit a voluntary affordable housing bonus permitting R8A bulk and FAR, provided that of the additional 2.6 FAR, 30 percent is affordable to not less than 50 percent AMI average rent.
9. That in order to make applicable the Voluntary Inclusionary Housing program’s preservation option to MIH so that more tools are available to keep residents permanently in their apartments according to rent-regulated protection, the City Planning Commission or City Council shall require the amending of the following sections of the Zoning Resolution:

- a. ZR 23-91 General definitions – Preservation affordable;
  - b. ZR 23-94 (a) Methods of Providing Affordable Housing, to allow preservation affordable housing to be applicable to satisfy the requirements in Mandatory Inclusionary Housing areas;
  - c. ZR 23-961 (d)(3)(1) Additional Requirements for rental affordable housing – affordable housing plans and MIH applications to include preservation affordable housing
10. That for buildings in excess of 25 units seeking modifications of MIH program requirements through the Board of Standards and Appeals, the City Planning Commission or City Council shall require the amending of the following sections of the Zoning Resolution:
- a. That there be a demonstration that the City is not prepared to provide enhanced subsidies;
  - b. That qualifying households be further defined to include a rent-burdened AMI equivalent;
  - c. That BSA be precluded from converting the 60 percent AMI average income rental basis-restricted housing to not exceed 90 percent AMI, with maximum eligibility remaining at no more than 130 percent AMI and its rent-burdened equivalent;
  - d. That market rate floor area, and its commercial equivalent, be limited to 75 percent of the as-of-right permitted Floor Area Ratio (FAR);
  - e. That as a condition of precluding any provision of MIH mandatory affordable housing, the BSA would be mandated to reduce the allowable height in recognition of the reduction of provided floor area based on providing market rate only floor area, per Brooklyn Borough Board Zoning for Quality and Affordability Height Recommendation per proposed Zoning Resolution section 23-662b;
  - f. That a reasonable return shall consider what was a reasonable return of the property prior to the effective date of the public scoping notice for the preparation of the EIS, adjusted by the Consumer Price Index.
11. That to modify the payment in lieu of option from 11 units to four units, the City Planning Commission or City Council shall require the amending of Section 23-154 (d)(4)(i) of the Zoning Resolution.
12. That a minimum threshold of family-sized units be not less than 50 percent of the affordable housing units containing two or more bedrooms and 75 percent of the affordable housing units containing one or more bedrooms, for non-independent residences for seniors and non-supportive housing, as a means to accommodate family-sized apartments, that:
- a. The City Planning Commission or City Council shall require the amending of Section ZR 23-96 Requirements for Generating Sites or MIH Sites (c)(1) of the Zoning Resolution; and,

- b. HPD shall provide a written commitment prior to the public hearing of the City Council to codify this minimum threshold for the bedroom distribution that:
    - i. The Dinsmore-Chestnut Urban Renewal site disposition shall meet at least that standard of bedroom distribution through memorializing this in the LDA or regulatory agreement between a designated developer and HPD; and,
    - ii. The former Chloe Foods site to be developed by Phipps Houses shall meet at least that standard of bedroom distribution, memorialized in its funding agreement with HPD
13. That to achieve additional opportunities to provide affordable housing for those at risk for displacement, already displaced, and of very-low income, prior to the City Council hearing, the City should provide a written framework, to the City Council, of its intent to undergo such steps as follows:
- a. Transfer jurisdiction of existing Grant Avenue Field municipal lot to HPD with the understanding that affordable housing development would incorporate the public parking as part of site redevelopment;
  - b. Transfer jurisdiction to HPD to allow for it to issue an RFP for the lot's unused residential floor area, the section of the open area along Amboy Street of the site considered for the Brownsville Juvenile Justice Center;
  - c. For HPD to collaborate with NYCHA to explore the appropriate extent of opportunities to use the remaining development rights within the neighborhood's NYCHA campus, and only proceed with sites after consultation with the community, CBs 5 and 16, and local elected officials;
  - d. Provide financial capacity and technical support from appropriate government agencies to advance the development of neighborhood faith-based sites with available development rights; and,
  - e. To take steps necessary to develop a mixed use school/affordable housing building at the PS 178 annex, as part of a larger zoning lot that provides the opportunity to maximize the available unused residential floor area with consideration for such development vision, including building bulk, income diversity and the necessary number of classrooms, which should be in consultation with CB 16, the District 23 Community Education Council, the District 23 Superintendent, the Principle of PS 178, and local elected officials
14. That the City Planning Commission or City Council modifies the proposed zoning map and text amendments as follows:
- a. That the proposed R7D zoning district within CD 16 to be changed to R6A; and
  - b. That the proposed maximum height of building Maximum Height of Building with qualifying ground floor means the second floor would be at least 13 feet above the sidewalk; 95 feet in MIH R7A and 115 feet in R7D, with heights reduced to 90 feet and 110 feet when the second floor is placed less than 13

feet above the sidewalk. In both instances, the number of stories should be restricted to nine and 11 for these districts

15. That in order to better guarantee that redevelopment of supermarket sites would include a FRESH Food Store, DCP shall provide a written commitment prior to the City Council hearing of its intent to modify the zoning text of both the floor area ratio and FRESH section warranted as a corrective action to amend Zoning Resolution Section 35-23 (a). The amendment would state that on the effective date of this rezoning, existing supermarkets located on sites with maximum development standards of R6A and R7A, or its commercial equivalents, shall require development be pursuant to ZR 63-00, Special Regulations Applying to FRESH Food Stores. The replacement supermarket would be required to contain no less than the existing food market zoning floor area on the effective date of the rezoning, and as further modified by recommendations for Section 35-24 Table A. Otherwise, any subsequent redevelopment shall be developed as follows:
  - a. Where designated as R6A MIH, pursuant to R5B; and
  - b. Where designated as R7A MIH, pursuant to R6A
16. That in order to restrict the size of as-of-right retail establishments to not more than 80,000 sf in C4-4L, C4-4D and C4-5D zoning districts, established pursuant to the ENY Plan, DCP shall provide a written commitment prior to the City Council hearing of its intent to modify the zoning text as warranted as a corrective action to amend Zoning Resolution Section 32-10 Uses Permitted As of Right.
17. That in order to minimize noise, vibration, and light and air impacts of developing adjacent to elevated train structures, DCP shall provide a written commitment prior to the City Council hearing of its intent to modify the zoning text for revising the street wall provisions along elevated trains along Broadway and Fulton. This is pursuant to Zoning Resolution Section 35-24 (c) (4) Special Street Wall Location and Height and Setback Regulations in Certain Districts, regarding setback locations as it pertains to the C4-4L zoning district and R6A district along Fulton Street, as follows:
  - a. That the minimum required street wall be one story;
  - b. That setback above 30 feet shall not be required where such window fenestrations are not the primary window opening for habitable spaces such as living rooms and bedrooms;
  - c. That setback of 20 feet from the street line above 30 feet shall not be discretionary for sections of window walls where fenestrations are the primary windows for habitable space; and
  - d. Residential developments set back starting at or below 30 feet shall obtain two additional floors allowable through rezoning
18. That in order to explore the possibility of precluding commercial displacement by establishing incentives and/or credits, and low-cost financing products for landlords who seek to maintain longtime small businesses, DSBS shall provide a written commitment prior to the City Council hearing of its intent to give consideration to business real estate tax exemptions and/or forgiveness on City collections subject to



lien sales such as water and sewer charges, for landlords willing to index lease renewals to specified limit percentages.

19. That in order to ensure the DSBS's technical expertise and legal assistance is provided in a timely and ongoing manner, and is aimed to improving the fiscal operation to preclude commercial displacement of businesses due to higher rents, DSBS shall provide a written commitment prior to City Council hearing of its intent on delivering programs, which will help residents grow businesses:
  - a. Launching an East New York-focused FastTrac Growth Venture Course;
  - b. Providing education, assistance, and tools to help businesses with leases;
  - c. Initiating efforts to make the retail market more transparent;
  - d. Targeting support provided through WNYC to help women operate, and grow a business; and,
  - e. Targeting its "Small Business First" program to help businesses in the neighborhood navigate government regulations
20. That in order to minimize the risk of business displacement due to excessive available development rights - attributed to the proposed rezoning along certain stretches of Fulton Street - in consultation with DCP, CPC or City Council shall modify the proposed zoning text map to any combination of a more neutral and/or more modest upzoning along Fulton Street, as warranted, as follows:
  - a. In lieu of R6A, to R5B and/or R6B, to the east of Bradford Street, and,
  - b. In lieu of the C4-4L west of Bradford Street to R5B, R6B or R6A.
21. That in order to strengthen retail corridors, prior to the public hearing of the City Council, DSBS shall provide a written commitment of its intent to work with local partners in East New York to conduct a commercial district needs assessment and develop a menu of commercial revitalization services. These could include: merchant organizing, retail business attraction and retention strategies, streetscape and public space planning, and supplemental sanitation.
22. That in order to promote locally-based business start-ups through affordable local business space, prior to the public hearing of the City Council, written commitments shall be provided as follows:
  - a. By EDC of its intent to pursue improvements to city-owned buildings, coordinate incentives from the IDA, and a status of its study of the IBZ; and,
  - b. By HPD as part of the Dinsmore-Chestnut Urban Renewal site disposition through a LDA, the former Chloe Food site, and other commercially zoned private sites seeking significant government funding, through funding agreements.
23. That in order to promote the Liberty Avenue section of the proposed MX district as a corridor for artisans and artisanal establishments, DCP shall provide a written commitment prior to the City Council hearing of its intent to modify the zoning text as warranted, as a corrective action to amend Zoning Resolution Sections 123-20,

Special Use Regulations and 123-30 Supplementary Use Regulations, to undertake a collaborative process with CB 5, Council Member Espinal and other local elected officials as well as local CBDOs and local arts, artisans, and artisanal entities.

24. That in order to preserve existing industrial conforming uses, appropriately restrict non-industrial uses, and promote appropriate urban agriculture use- inclusive of hydroponic and aquaponics technologies- in the East New York IBZ's M1-4 and M3-2 zoning districts, DCP shall provide a written commitment prior to the City Council hearing of its intent to modify the zoning text as warranted, as a corrective action to amend Zoning Resolution Sections 22-14 Use Group 4B. Open Uses, 42-10 Uses Permitted As-Of-Right, ZR 43-122 Maximum floor area ratio for community facilities and ZR 75-01 (b) Greenhouse Certification, to undertake a collaborative process with CBs 5 and 16, local elected officials, CBDO and advocates such as the Association for Neighborhood Housing Developers, East New York Farms and other urban farming entities.
25. That in order to provide technical and financial resources to relocate appropriate ENY Plan area industrial businesses to the IBZ, prior to the public hearing of the City Council, EDC and DSBS should provide written commitments of each other's intent.
26. That in order to require developers, on public property and/or with substantial public financing, to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBE and LBE establishments, as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation), as well as to coordinate the monitoring of such participation and reporting of such performance, HPD shall compel the Administrative Code and Local Law standards regarding MWBE and LBE participation as follows:
  - a. Through a Land Disposition Agreement for Dinsmore-Chestnut site;
  - b. Regulatory Agreement with Phipps Houses pertaining to its redeveloping the former Chloe Foods site; and,
  - c. Regulatory Agreements between the various developers seeking substantial government financing and HPD

Prior to the public hearing of the City Council, HPD shall provide written commitments of its intent to increase opportunities for MWBEs to participate in the development process; connect local residents to career training, and to provide for quarterly updates to CBs 5 and 16, and local elected officials, to demonstrate its monitoring and performance.

27. That in order to ensure ongoing employment opportunities in newly constructed buildings on the Dinsmore-Chestnut Urban Renewal site and for sites where HPD would be providing substantial financing, such as the former Chloe Foods site, prior to the public hearing of the City Council, HPD shall provide written commitments of its intent to ensure that small businesses and community facilities are integrated into the lower floors of such buildings pursuant to zoning.

28. That in order to ensure the development of the Workforce 1 Career Center and commitment of ongoing funding to area CBDOs for job training and East New York Farms for agricultural activities, prior to the public hearing of the City Council, DSBS should provide a written commitment of its intent to facilitate, including the possibility of acquiring and retrofitting, the LIRR sub-station and of job-training funding.
29. That in order to consider the possibility of establishing an institute of higher learning, possibly in collaboration with an Innovation Lab, prior to the public hearing of the City Council, CUNY shall provide a written commitment of its intent to investigate.
30. That in order to be consistent with the intent to facilitate an office hub at Broadway Junction, the City Planning Commission or City Council shall eliminate the proposed C4-5D zoning district north of Atlantic Avenue and east of Havens Place, retaining the M1-2 district.
31. That in order to facilitate an office hub at Broadway Junction, in consultation with CBs 5 and 16 and local elected officials, as a follow-up action, prior to the public hearing of the City Council, the City shall provide a written commitment of its intent to have DCP, in conjunction with EDC, develop a series of land use actions including rezoning the existing M1-1 and M1-2 blocks, street map changes, commercial use restrictions, and acquisition actions, as needed.
32. That in order to facilitate the expansion of the number of public school seats, prior to the City Council hearing:
  - a. SCA shall provide a written commitment of its intent and timeline to initiate the site selection process and for there to be a Capital Budget commitment for the 1,000 seat school;
  - b. Furthermore, SCA and DOE shall provide a written commitment of its intent to evaluate the seven schools in proximity to the ENY Plan and determine the appropriateness of constructing enlargements and their projected capacity, should enlargements be feasible, including elimination of the 630 school seats in the East New York Family Academy, Public Schools 7, 159, 202, 214 and 290, and 159 and IS 302 TCUs;
  - c. DCP shall provide a written commitment of intent to undertake a study of these sites for the appropriateness of developing a zoning text amendment to establish a community facility floor area applicable only to public schools, and undertaken in consultation with CBs 5 and 16 and their local elected officials; and,
  - d. DOE and SCA shall provide a written commitment of intent to compile contact information with all the property owners of the sites ultimately deemed appropriate for additional community facility floor area. Also, to provide quarterly update to CBs 5 and 16 and local elected officials on the status of these properties being developed, as well as intent to include in DOE's Capital Plan
33. That in order to facilitate the long-term status of the Cypress Hills Fulton Street Neighborhood Senior Citizen's Center, prior to the public hearing of the City

Council, DFTA and DCAS shall provide a written commitment regarding status to extend the lease.

34. That in order to ensure that there is adequate availability of child care slots, prior to the public hearing of the City Council, ACS shall provide a written commitment to monitor child care needs annually and report its findings to CBs 5 and 16 and their local elected officials, including whether funding should be provided as part of a joint community center/public school/day care center at the Dinsmore-Chestnut site.
35. That in order to facilitate the development of a community center, prior to the public hearing of the City Council, the Administration shall provide a written commitment:
  - a. Regarding the status of its Capital Budget commitment for within the Dinsmore-Chestnut Urban Renewal site; and,
  - b. To investigate acquisition of the LIRR former sub-station building.
36. That in order to facilitate the parkland improvement and to increase the supply of open space in the neighborhood, prior to the public hearing of the City Council, DPR shall provide a written commitment as follows:
  - a. Status of DPR's intent to lead a community design process and re-envision a large asphalt ball field in City Line Park;
  - b. Status of intent to repair and revitalization of the basketball and handball courts in Sperandeo Brothers playground;
  - c. Status of intent to install new, modern play equipment in Lower Highland Park;
  - d. Consideration of funding:
    - i. Remaining upgrades at Lyon's Playground and Callahan-Kelly Playground, including installing bathrooms; and,
    - ii. Synthetic turf field installation for Grace Playground
  - e. Status of engaging;
    - i. With DOE for the expansion of the Schoolyards to Playgrounds program to PS 72 and PS 345; and,
    - ii. With DOT, for the establishment of a pedestrian plaza at Fulton Street and Norwood Avenue, and a public space at Pitkin Avenue and Euclid Avenue
  - f. To undertake the integration of more adult fitness equipment throughout the neighborhood;
  - g. Embark on a graffiti removal initiative at Highland Park; and,
  - h. Investigate the possibility of obtaining jurisdiction of one or more Conduit malls for conversion to active park use

The Administration shall make a Capital Budget commitment of at least an additional \$20 million for park improvements.

37. In order to facilitate street improvements, street safety, and advance bike use, prior to the public hearing of the City Council, DOT shall provide a written commitment as follows:
  - a. Regarding its status of funding, designing and implementing the reconstruction of Atlantic Avenue;
  - b. Intent to assess conditions for connecting the IBZ to the adjacent neighborhoods,
  - c. To undertake an evaluation of Atlantic Avenue for safety improvements, which should extend westward through CDs 2, 3, 8 and 16;
  - d. To complete the redesign and redevelopment of the street network in front of the Broadway Junction subway complex;
  - e. Describe the role it might play to improve access to the East New York LIRR station such as wayfinding, signage and crossing the Atlantic Avenue service road; and,
  - f. Intent to expand bicycle infrastructure.
38. That in order to facilitate using the building's roof for any combination of solar, blue, green, and/or white roof improvements, and to advance DEP green-water/storm-water strategies, prior to the City Council hearing, HPD should commit in writing to encourage developers to incorporate such measures.
39. That in order to address street flooding, prior to the City Council hearing, DEP should commit in writing to investigate known locations for flooding in the IBZ area, by undertaking assessments of sewers and catch basins where flooding is frequent, and fund as warranted the rebuilding of sewers and catch-basins per above referenced assessment study and incorporate bioswales.
40. That in order to address implementation, the Administration shall commit to the establishment of a post-approval follow-up body consisting of the appropriate agencies, CBs 5 and 16, local elected officials, CBDOs and representative community organizations, as recognized by the affected City Council members of regular meetings occurring no less than quarterly, monitoring the tracking of all commitments, timing of deliverables, budget funding, and operational logistics, etc.
41. That in order to allow people to connect directly with the appropriate government agencies, adequate resources shall be provided for City Agencies to open remote sites for legal technical assistance, and intake services, mirrored after the current Neighborhood Preservation HelpDesk initiative.
42. The Borough President believes that prior to the City Council hearing, the Administration should commit, in writing, to establishing an interagency body with regularly occurring meetings with local elected officials, CB 5 and 16 and community representatives, and to promote remote agency accessibility.

And further:

1. That the City Council and the Mayor adopt Intro 214 or any other measure that would guarantee the right to counsel for low-income New Yorkers who face losing their homes in legal proceedings

2. That in order to explore the possibility of precluding commercial displacement by establishing incentives and/or credits and low-cost financing products for landlords who seek to maintain longtime small businesses, the Independent Budget Office analyze business real estate tax exemptions and/or forgiveness on City collections, subject to lien sales, such as water and sewer charges, for landlords willing to index lease renewals to specified limit percentages
3. That NYCT should undertake the following initiatives: restore service on the B12 bus route; add more buses to increase north-south service for routes that cross Atlantic Avenue; analysis for opportunities to expand Bus Rapid Transit; implement free Metrocard transfers between the Livonia Avenue L train station and Junius Street 3 train station; identify opportunities to re-open any inactive entrances/exits and whether there are opportunities to upgrade capacity through the installation of High Entrance/Exit Turnstile (HEET) fare control elements, including the reopening of presently closed Broadway Junction station access on Broadway and L train access on the south side of Atlantic Avenue; increasing frequency for both the J/Z and A/C train service, and implement Freedom Ticket, with service available at LIRR's East New York station along the Atlantic Branch
4. That the Administration shall commit to the City Council to have the Department of City Planning certify, between one and three years, applications to amend the zoning map and text in order for the City Planning Commission and City Council to adopt the recommendations of the Brooklyn Borough President, which are technically beyond the scope of review for these applications.

### **City Planning Commission Public Hearing**

On December 16, 2015 (Calendar No. 3), the City Planning Commission scheduled January 6, 2016 for a public hearing on this application (C 160035 ZMK). The hearing was duly held on January 6, 2016 (Calendar No. 18), in conjunction with the public hearing on the related applications (N 160036 ZRK, C 160037 HUK, C 160042 HDK, and N 160050 ZRK).

There were 32 speakers who spoke in favor and 34 opposed to the application. The speakers in favor included a representative of Representative Nydia Velazquez, Commissioners and staff of City agencies, affordable housing developers including Phipps Houses and Ridgewood Bushwick Senior Citizens Council, representatives of the Brooklyn Chamber of Commerce, AARP, Hotel Trades Council, and SEIU 32BJ, and East New York community members.

A staff member from the office of Representative Nydia Velazquez commended the City for

proposing a Mandatory Inclusionary Housing program as part of this rezoning, having witnessed rezonings in Greenpoint-Williamsburg and other parts of their district where such a program was not in place to create much-needed affordable housing. She also stated that the Congresswoman believes the plan should include strong anti-displacement provisions for both residents and local businesses.

The Commissioner and staff of HPD described the housing plan that has been developed for East New York, as well as ongoing initiatives to preserve existing affordable housing, protect tenants, and ensure housing quality. The Commissioner of HPD noted that without these actions, residents in East New York are increasingly vulnerable to displacement, as zoning currently limits the amount of affordable housing that can be created as demand is increasing. New developments financed by HPD would be required to consist entirely of affordable housing units. HPD's knowledge of the housing market in East New York today indicates that any multi-family construction in the area to be rezoned would require subsidy from the City, and therefore in the near term all housing developed under the proposed zoning would use HPD subsidies and be affordable. The Commissioner also noted that recent changes to the Housing Connect system by which households apply and qualify for affordable housing have made it more accessible.

Staff from HPD testified about the agency's extensive efforts to preserve affordability of existing housing. HPD targets outreach to owners of properties with expiring regulatory agreements to preserve these units as affordable and keep rents stable for tenants. They also seek to bring new units into regulatory agreements through existing and new preservation programs such as the Green Housing Preservation Program, which targets smaller multi-family properties and provides no- and low-interest loans for energy efficiency and water conservation improvements to reduce operating costs. The City is launching a Community-Based Retrofit Accelerator to target this program to property owners in East New York. HPD has conducted extensive outreach to tenants to ensure that they are aware of resources through initiatives such as a mobile van stationed in East New York and Tenant Resource Fairs.

The Commissioner of the Human Resources Administration testified that agency seeks to protect tenants from harassment and unnecessary eviction by providing free legal representation to low-income tenants at risk of displacement. The agency also provides emergency rental assistance to

households on the verge of losing their homes. These services directly help the families who receive them and also stabilize neighborhoods and reduce shelter costs for the City.

The Commissioner and staff of SBS testified that their agency has conducted extensive outreach through workshops and meetings with key stakeholders to understand the needs of local businesses and job-seekers in East New York. They are working with local organizations including Cypress Hills Local Development Corporation, Local Development Corporation of East New York and Highland Park Community Development Corporation to conduct a Commercial Districts Needs Assessment of Atlantic Avenue, Fulton Street, Liberty Avenue, and Pitkin Avenue. The results of this assessment will allow SBS and local partners to identify strategic interventions to help neighborhood businesses adapt to change. SBS is supporting small businesses through programs such as an East New York-based FastTrac Venture course to help businesses access capital and identify growth opportunities, and commercial lease workshops. He announced that SBS will locate a Workforce1 Career Center in East New York to allow residents to access to job training and placement services locally. The recently expanded HireNYC program will leverage City purchases and investments to create job opportunities by requiring businesses receiving City contracts to post open positions with the Workforce1 system and consider qualified candidates.

The President of the NYC Economic Development Corporation testified that they are committed to helping strengthen the East New York Industrial Business Zone. They recently revamped the four East Brooklyn IBZ gateway signs with new design and lighting, and will be investing in a City-owned industrial building to make it a better functioning industrial facility for existing and future tenants. As part of a planning study underway, they conducted a survey of local businesses to help develop strategies to make the IBZ even stronger. The study will provide recommendations to ensure that the IBZ is better connected to local residents and the local workforce.

The Commissioner of the Department of Parks and Recreation testified that as part of the Community Plan, DPR will be making improvements to City Line Park and opening up school playgrounds to the public through the Schoolyards to Playground program.

The Brooklyn Borough Commissioner of DOT described the Atlantic Avenue reconstruction project,



a Great Streets initiative which will bring safety improvements to a 1.2 mile stretch of Atlantic Avenue in East New York. DOT is also finishing streetscape improvements around the Broadway Junction transit station and recently installed bike lanes on Pitkin Avenue in response to community requests.

Representatives from the MTA and New York City Transit stated that the East New York area enjoys excellent transit access, and that the proposed rezoning would leverage this asset by allowing higher density mixed-use development near transit. They also highlighted the anticipated need for improvements to the Broadway Junction station complex, which is expected to see an increased number of customers transferring within the station following the rezoning.

A representative of the Department of Environmental Protection described the recent expansion of the Home Water Assistance Program, which provides a \$116 credit annually to homeowners who qualify for the federal Home Energy and Assistance Program. The program will be expanded to include low-income senior and disabled homeowners to receive property tax exemptions from the Department of Finance. This will apply to 1,580 property owners in East New York.

A representative of the Fire Department stated that the department is prepared to provide adequate resources to handle increased needs associated with growth in the neighborhood. Additionally, new construction would consist of compartmentalized units that would meet the new fire code and provide increased protection in the case of a fire.

A representative of the Department of Cultural Affairs described the Building Community Capacity program their department is launching in East New York, which will strengthen the organizational capacity of community based cultural groups and expand audiences for local arts. The program also seeks to activate under-utilized spaces with exhibitions, performances, and other cultural activity.

The Commission heard testimony from a number of affordable housing developers, many of whom have completed projects in East New York, including Dunn Development, Hudson Companies and Ridgewood Bushwick Senior Citizens Council, in support of the efforts to create new affordable housing in East New York. These speakers mentioned the strong need for affordable housing across

a range of incomes. They also said that current construction was not financially feasible without subsidy from HPD. Representatives of Phipps Houses, a non-profit affordable housing developer which recently purchased a four-acre site in East New York, stated that they intend to develop the site with at least 1,000 units of housing affordable to households at 60 percent of AMI and below, as well as retail. The proposed rezoning would allow housing to be built on the site, which is not currently permitted.

A representative of the Brooklyn Chamber of Commerce spoke in favor of the Proposed Actions and the Community Plan, stating that they would help revitalize East New York with new commercial space, support for small businesses and local jobs. A local resident and business owner stated that he hopes to enjoy more diverse retail options in the neighborhood on corridors such as Pitkin Avenue as a result of this Plan. He believes that added residential density will support new businesses and retail uses. He also would like to see new construction create economic opportunity through local hiring, contracting, and sourcing. The speaker recommended that the City institute a more comprehensive M/WBE program with a simplified application for certification, and that priority be given to such firms in rezoning areas.

A representative of the AARP endorsed the proposed plan, stating that it would support not only the creation of affordable housing for seniors and other groups, but would also foster a more livable, age-friendly community with improved sidewalks, roads and jobs.

Representatives of the Hotel Trades Council and SEIU 32BJ spoke in favor of the Community Plan. These speakers stated that the Plan would create much-needed affordable housing for working families. The representative from 32BJ urged the City to ensure that the plan creates good quality jobs including service jobs at new apartments that pay workers a prevailing wage.

Representatives of faith-based organizations spoke in favor of the plan, saying that this plan would remove blight and substandard living conditions and provide affordable housing for low-income families to live with dignity. One such speaker stated that rather than gentrify neighborhoods and allow residents to be priced out, the plan should create jobs and economic opportunity for residents.

The speakers in opposition to the applications included Deputy Borough President Diana Reyna, a representative of Comptroller Scott Stringer, members of the Coalition for Community Advancement (the “Coalition”) – Cypress Hills Local Development Corporation (CHLDC), the Local Development Corporation of East New York, Highland Park CDC, United Community Centers and Arts East New York – as well as the Pratt Center, Urban Justice Center, Association for Neighborhood and Housing Development (ANHD), New York Communities for Change, Community Action for Safe Apartments (CASA), South Brooklyn Legal Services, and Local 79.

Deputy Borough President Diana Reyna expressed concern that the Plan could induce displacement of current residents, and called on the City to dedicate resources to combat displacement and develop housing on City-owned sites as well as sites owned by faith-based organizations at deeper affordability levels. She also expressed the Borough President’s position that the plan should require local hiring, support the development of businesses including grocery stores, and strengthen industrial businesses and jobs in the IBZ.

A representative of Comptroller Scott Stringer testified that their office believes that the rezoning would put many low-income renter households in the area at risk of displacement. They called on the City to provide more deeply affordable housing as part of the plan. They also proposed that the City rezone the area on a site by site basis rather than comprehensively.

The speakers in opposition testified as to the importance of providing affordable housing and protecting tenants in East New York. Many speakers expressed concern that they or others in the community would be displaced as a result of increased housing costs following the rezoning. A representative of the Urban Justice Center Community Development Project and other speakers called upon the City to protect tenants from harassment and consequent displacement by instituting an Anti-Harassment district which would require a Certification of No Harassment before a building could be altered or demolished. Speakers, including representatives of CASA, New York Communities for Change, CHLDC, ANHD, and South Brooklyn Legal Services also urged the City to commit to creating a greater number of affordable housing units for low-income households closer to the average median income of local residents, both through subsidy programs and as a requirement of the Mandatory Inclusionary Housing Program.

Representatives of Urban Justice Center, CHLDC and others also urged the City to adopt protections for low-income homeowners and their tenants (in what are typically unregulated units) through a Good Neighbor tax credit or other measures. Representatives of CHLDC and other speakers described a pattern of speculative purchases, scams and predatory home sales disrupting the housing market in East New York and recommended that the City institute a flip tax and take other steps to protect homeowners.

Local community members asked that the City exclude Arlington Village, a large site currently occupied with low-rise apartment buildings, from the rezoning area, and ensure that housing on this site remains affordable.

Speakers representing the Coalition mentioned the need for increased services as the residential population grows and urged the City to invest in more schools as well as increased police, fire and emergency services. A representative of the Pratt Center recommended that the City create a Special District to require that certain sites provide community facilities when they are developed and collect a payment in lieu of taxes to fund such facilities.

Speakers, including members of Local 79, called on the City to require local hiring and contracting as part of new development, to create union jobs, and to attract retail operators who pay a living wage. A representative of Highland Park CDC and other speakers also urged that the plan support small business with set-asides of new commercial space at lower rates for local businesses, and a tax credit for building owners who rent commercial spaces to local businesses. A representative of the Local Development Corporation of East New York expressed concern that the proposed MX zoning districts would displace industrial businesses and called for the retention of existing manufacturing zoning districts.

A representative of Arts East New York called on the City to include measures to create affordable space for artists. A representative of Preserving East New York testified to the importance of including protections for historic resources in the Plan, such as the building at 127 Pennsylvania Avenue and a former Police Precinct House at 484 Liberty Avenue.

Representatives of the Coalition and other speakers called on the City to create an oversight body to monitor implementation of the Plan and ensure accountability for City commitments.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application for an amendment of the Zoning Map (C 160035 ZMK), as modified herein, in conjunction with the related applications for an amendment to the Zoning Resolution (N 160050 ZRK), as modified herein, an amendment to the Dinsmore Chestnut Urban Renewal Plan (C 160037 HUK) and disposition pursuant to this urban renewal plan (C 160042 HDK), are appropriate. The Commission notes that although it has opted not to consider the application for an amendment to the Zoning Resolution to create a Mandatory Inclusionary Housing program (N 1600036 ZRK) at this time, as the citywide text amendment (N 160051 ZRY) was voted on and approved by the City Planning Commission on February 3, 2016, the Commission anticipates that MIH, which is an essential element of the East New York plan, will be made applicable either through the approval of the citywide MIH text amendment by the City Council, or, alternatively, that the Commission will consider a subsequent approval of the pending application for an amendment to the Zoning Resolution to create an MIH program (N 1600036 ZRK).

The Commission believes that the East New York Community Plan is a template for community engagement and coordinated neighborhood planning. It establishes not only zoning changes to preserve, protect and develop affordable housing, but also includes commitments for needed services and infrastructure investments for the residents of East New York. The East New York Community Plan is a ground-up plan developed through extensive community input and in collaboration with multiple City agencies. It provides practical strategies, investments and tools to address the community's needs and priorities for affordable housing, economic development, community resources and infrastructure.

The Commission notes that the basis for the goals of the East New York Community Plan is DCP's

long-standing work with community residents, stakeholders and elected officials as part of *Sustainable Communities East New York*, as well as other previous planning efforts, which showed that East New York is a strong, diverse community rich in culture and history, with solid community organizations that have strengthened the neighborhood's housing and businesses over the past decades, with traditional shopping corridors and transit that provide excellent access to other centers around the city and the region, and with elected officials committed to the area's continued success. East New York is also a neighborhood of challenges and opportunities. Its outdated, restrictive zoning has resulted in swaths of underutilized land along its major corridors, severely curtailed the construction of sorely-needed affordable housing or restricted it to market-rate housing only; a growing population – both from within and from outside the community – has increased the need for protection against resident displacement, preservation of existing affordable housing and the creation of more housing, especially affordable housing; schools are increasingly crowded and open space is in need of improvements; and above city-average local unemployment point to the need to strengthen economic development.

The Commission applauds the City's directive to conduct unprecedented, exhaustive community outreach and participation in the development of the neighborhood plans as part of *Housing New York*. In East New York, the community outreach and planning effort began over four years ago with *Sustainable Communities East New York*, during the course of which, in over 40 public meetings large and small, community residents, stakeholders and elected officials helped develop a vision and planning framework for the future growth of the neighborhood. Subsequent to the commencement of the City's *Housing New York* plan in 2014, DCP coordinated a series of listening, visioning and plan development meetings with community residents and stakeholders and City agencies to update and add to the previous planning framework developed as part of SCENY. A first draft plan, the results of this work, was presented in January, 2015, and further refined in subsequent meetings with community residents.

To address New York City's crisis in housing affordability *Housing New York*, the City's plan to preserve and build over 200,000 units of affordable housing, directs City agencies to work with communities all across New York City to identify areas where changes to land use and zoning, coupled with corresponding improvements to infrastructure and services, can promote substantial

opportunities for new housing that complement and enhance neighborhoods.

The proposed zoning changes in East New York would allow new residential development and higher density development along traditional retail and transit corridors with a requirement that a portion of new housing be permanently affordable for the life of the building, and would be supported by significant targeted subsidies by HPD to ensure that new housing built would go far beyond the requirements of MIH for affordability to meet the incomes of local residents. HPD, the Human Resources Administration and other City agencies are also ensuring that existing low-cost housing is preserved and tenants protected. The Plan would add economic development opportunities to East New York by requiring non-residential uses at the ground floor of major corridors, to create quality space for existing and new businesses and community facilities. Furthermore, local business owners and entrepreneurs would receive training to help start or expand a business and meet local retail needs of a growing neighborhood through programs offered by SBS. SBS will be siting a new Workforce1 Career Center in the area to better connect residents with job opportunities and career training. EDC is completing a study of the East New York Industrial Business Zone to improve its economic performance and ability to provide job opportunities in close proximity to residents of East New York and Ocean Hill.

The Commission recognizes that this Plan provides for new community resources needed to ensure a livable, safe and attractive neighborhood. The City has committed to fund and to build a new school to meet existing and future need for school seats and included that project in its current capital program. A major reconstruction of Atlantic Avenue will improve safety and install pedestrian amenities to support the transformation of this corridor into an active pedestrian-friendly street with more housing and local retail services to better connect Cypress Hills to the north with the East New York Core to the south. Improvements to Highland and City Line parks will provide new, improved recreational opportunities near schools and housing. Together, these actions and investments committed and proposed as part of the East New York Community Plan will facilitate a more equitable, livable neighborhood.

The Commission acknowledges the Coalition for Community Advancement: Progress for East New York/Cypress Hills's concern for its community in its testimony at the Public Hearing and in the

preparation of its thoughtful alternative Community Plan. This alternative Community Plan shares many of the goals of the City's East New York Community Plan in its call for more affordable housing, anti-harassment and anti-displacement efforts to protect tenants, support for homeowners, economic and workforce development, and investments in transportation and community facilities. The Commission commends the Coalition and its members for their efforts to strengthen East New York and Cypress Hills as neighborhoods of opportunity and is pleased to note that many of their recommendations and concerns have been incorporated into the East New York Community Plan.

Frequent engagement between City agencies including DCP, HPD, SBS and EDC with the Coalition and their constituent organizations were instrumental in shaping and refining the proposed East New York Community Plan. Input and recommendations from the Coalition determined the goals and strategies of the East New York Housing Plan developed by HPD, including expanded protections and incentives for owners of 1-4 family homes, outreach to tenants, and a commitment to target HPD subsidies to achieve extremely low affordability levels for new housing. SBS worked closely with Coalition member organizations to hold listening sessions with local business owners and community members to better understand needs for local economic development and responded to what was heard by committing to locate a Workforce1 Career Center to the area, provide business courses tailored to the neighborhood, and to continue working with Coalition member organizations to conduct a Commercial District Needs Assessment on key corridors to support retail growth. However, the Coalition's alternative Community Plan also includes proposals that are not being adopted and which are discussed in more detail, along with recommendations received by Community Boards 5 and 16, and the Borough President, in the consideration by topic area below.

## HOUSING

The Commission recognizes the intense concerns that exist surrounding housing affordability in East New York. Like residents of neighborhoods throughout New York City, residents of East New York face rising demand for housing, and are worried about the potential effects of new housing creation on their ability to remain in their neighborhoods. These housing pressures are real, and without action are likely to intensify. As demand for housing grows in the area, the absence of new housing will tend to drive housing prices upward, putting existing residents at greater risk for displacement.



It is precisely these concerns that have led to the creation of the East New York Community Plan, which includes not only zoning and land use actions, but a detailed strategy to help existing residents remain in their homes, and to preserve and increase the supply of affordable housing.

The Commission is cognizant that in East New York about two-thirds of renter households are rent-burdened, spending more than 30% of their income on housing costs and that the median household income is \$35,120, compared to \$46,695 for Brooklyn as a whole. Housing production in East New York has been limited by low-density zoning and zoning that does not permit new residential uses in much of the neighborhood. As the population of this community has grown – 11% between 2000-2010, compared with 2% for all of Brooklyn over the same time period – the development of housing, particularly affordable housing, has not been able to keep pace with the increased demand and has resulted in rising rents and real estate values. Therefore, creating the capacity to build new affordable housing is crucial to meet the need for more housing and relieve pressure on the housing market. At the same time, there is a need for protections for existing tenants and measures to preserve existing low-cost housing. HPD has developed a housing plan tailored to the unique needs of East New York which includes strategies for creating more housing, protecting tenants and preserving affordable housing.

The Commission has heard the concerns raised by the Community Boards, the Borough President and speakers at its Public Hearing regarding residential displacement currently taking place and the fear that this will accelerate as a result of these actions. The Commission is aware that residential displacement pressure already exists in East New York and that, as a result of the high percentage of small homes with renter-occupied units not subject to rent restrictions, low-income renters in East New York are especially vulnerable to displacement, irrespective of the Proposed Actions. Across Brooklyn, rents have increased rapidly, particularly in areas well-served by transit. These trends are being seen in East New York, where a pattern of steadily increasing housing costs was documented in the FEIS. In East New York, the proposed actions would serve to help alleviate this trend by developing new affordable housing with protected rent levels reserved for low and moderate income tenants, and by deploying other City resources to protect tenants and preserve existing affordable housing.

The Commission acknowledges the recommendation of the Coalition for Community Advancement, Community Board 16 and heard at the Public Hearing that an anti-harassment district be established in East New York to require a certificate of no-harassment before a building is demolished or renovated as a means to discourage illegal harassment and displacement of tenants. Such a zoning provision, however, by imposing a time-consuming and burdensome set of requirements in an area where new buildings are anticipated to be 100-percent affordable in the near term, would do more to hamper the creation of new affordable housing than to protect tenants against harassment. In addition, the proposed MIH program, which would require that any new development or enlargement in rezoned areas must also incorporate permanently affordable housing, would deter speculative displacement pressures.

The Commission agrees that deterring harassment and displacement of tenants is an urgent issue and is pleased that the City has developed a multi-pronged approach to preventing and fighting tenant harassment and displacement. A centerpiece of this approach, described by the Commissioner of the Human Resources Administration at the Public Hearing, is a \$36 million legal fund recently established to provide free legal representation to tenants experiencing harassment or eviction. A Tenant Support Unit has been created to conduct extensive door-to-door outreach to tenants in areas undergoing rezonings to ensure that residents are aware of their rights, and make referrals to legal service providers as appropriate. HPD is also conducting proactive outreach to tenants through measures such as a mobile van and tenant resource fairs. As well, code enforcement efforts have deployed a significant number of housing code inspectors the area to ensure housing quality. An Anti-Harassment Task Force has been established as a partnership between the City and State with the authority to take legal action against landlords who violate the law. HPD is partnering with the State's Tenant Protection Unit (TPU) to undertake heightened compliance efforts in East New York to ensure rent stabilized tenants are not being charged unlawful rents. TPU is currently conducting audits of rent stabilized apartment registrations in East New York. These anti-displacement efforts have been designed to equip tenants with the resources to fight harassment when it occurs, rather than remedy the situation in the future. Together, the MIH program, HPD's commitment to subsidize deep affordability in any private housing development seeking subsidy, coupled with the City's anti-displacement strategies, policies and laws would not only obviate the need for an anti-harassment zoning district but widely exceed its provisions.

The Commission is pleased that HPD is working to maintain and expand the supply of protected affordable housing through numerous preservation strategies. The Commission heard testimony from representatives of HPD stating that the agency is conducting proactive outreach to buildings with expiring regulatory agreements to ensure that they renew these agreements which keep rents stable for tenants. To bring additional units into rent-regulation, HPD is rolling out a new Green Housing Preservation program which will provide no- and low-interest loans to finance energy efficiency and water conservation improvements and moderate rehabilitation to ensure physical and financial health and to preserve safe affordable housing for low- and moderate-income households. A Community-Based Accelerator will conduct outreach to 5-50 unit buildings in East New York to raise awareness of this program and get buildings into the pipeline.

Recognizing that many homes in East New York are owner-occupied one- to four-family homes, the Commission acknowledges the recommendation of Community Board 5, and at the Public Hearing, including by members of the Coalition for Community Advancement, that measures be taken to protect homeowners such as establishing a tax credit for long-time homeowners who rent to low-income tenants, to provide tax relief for homeowners and protection for their tenants as units in such homes are typically not rent-regulated. The Commission notes that property tax rates are set by the state, thus lowering property taxes for long-term homeowners is not within the purview of the City. However, the Commission agrees that ensuring the financial stability of homeowners is an important way to provide indirect protection to their tenants and notes that the City is addressing other ways to lower costs for homeowners, including an expansion the Home Water Assistance Program, which makes water and sewer bills more affordable by providing a \$116 credit annually to an additional 1,580 low-income senior and disabled homeowners in East New York who receive Department of Finance property tax exemptions. Additionally, HPD has expanded and streamlined its small home repair programs, which provide low-interest loans for repairs of owner-occupied homes and is increasing awareness of these programs through Landlord Resource Fairs and partnerships with elected officials and community-based organizations. Furthermore, HPD will work with community-based organizations to pilot an anti-scam, anti-foreclosure outreach and education program for homeowners in the rezoning area to ensure that no homeowner sells without wanting to do so. These programs promote stability for homeowners as well as their tenants.

The Commission heard overwhelming testimony that more affordable housing is sorely needed in East New York. The Commission received testimony to this effect from local residents as well as Catholic Charities, AARP, New York Communities for Change, and other groups. The Proposed Actions include the creation of a Mandatory Inclusionary Housing area, within which new developments would be required to provide 25 percent of new housing at income levels averaging 60 percent of AMI. However, the Commission notes that HPD's commitments to subsidize housing for low-income households will go far beyond these zoning requirements to meet the community's needs and priorities for deep and broad affordability.

HPD has committed that during the term of the Housing New York plan (through 2024), any project in East New York that receives City subsidy will be 100% affordable at a range of incomes, from less than \$23,350 (30% of AMI) up to \$69,930 (90% of AMI) for a three-person household. Projects on private sites will be required to serve the following incomes in specific proportions, as follows:

- 10% of units will serve families earning up to 30% of AMI
- 15% of units will serve families earning up to 40% of AMI
- 15% of units will serve families earning up to 50% of AMI
- 40-60% of units will serve families earning up to 60% of AMI
- Up to 20% of units may be set aside for families earning up to 90% of AMI

The percentage of units at these income bands may vary from project to project to provide flexibility for deeper affordability. HPD will also consider proposals that set aside 30% of all units for formerly homeless households. The Commission believes that these income ranges will allow new affordable housing to serve diverse household types tailored to the needs of the community.

The Commission commends that HPD has committed to finance 1,200 units of much-needed affordable housing in the first two years after approval of the East New York Community Plan at very low income levels. This 1,200 unit commitment includes development on the site owned by Phipps Houses and the City-owned urban renewal site at Dinsmore-Chestnut where HPD would develop housing affordable to low- and very low-income households, and smaller City-owned sites being developed under infill programs for affordable rental and homeownership units. The Commission notes that the Pitkin-Berriman project, approved by the Commission in 2013 and being

developed by the CHLDC, will also create affordable housing to meet the needs of local residents at the income levels listed above. However, with the City-owned Dinsmore-Chestnut site, HPD has been able to commit to even more units at the lowest income bands to be able to deliver even deeper affordability levels in the initial 1,200 units to be constructed.

Besides the site at Dinsmore Chestnut, which is the subject of the proposed Urban Renewal Plan amendment and disposition, the City does not own other large sites within the rezoning area. Therefore, the development of affordable housing to meet the Plan's objectives will depend on partnerships with private property owners and developers. The Commission heard testimony from developers of affordable housing stating that the current housing market in East New York does not support market-rate development and that subsidies from HPD and other entities are needed to finance any new development. Any development supported by HPD financing must be 100% affordable. Therefore, HPD expects that subsidy programs combined with Mandatory Inclusionary Housing requirements will ensure that that almost all new development in the earlier years, and at least half of all units built as a result of the proposed rezoning, would be affordable.

The Commission heard testimony from representatives of Phipps Houses, the non-profit organization which owns the site located at 3301 Atlantic Avenue, a 190,000 square foot, full city block formerly occupied by the Chloe food facility, stating that they plan to redevelop the site with approximately 1,000 units of affordable housing. These units would be affordable to low- and extremely low-income households per HPD's ELLA financing program, which promotes the creation of units affordable to households at and below 60% of AMI as described above. As a non-profit whose mission is to develop and manage affordable housing, Phipps intends for this housing to be permanently affordable. They also stated their intent to include ground floor retail and community facility services, particularly along the Fulton Street and Atlantic Avenue frontages. The existing zoning on this site, M1-1, would not permit new residential development; the proposed M1-4/R8A zoning district would permit the redevelopment of the site with affordable housing.

The Commission acknowledges the recommendation from the Brooklyn Borough President that the City explore additional City-owned sites that could be used for affordable housing development around the rezoning area. HPD will continue to coordinate with other agencies, including DOT,

DOE and NYCHA, to evaluate properties in their portfolios that may be appropriate for housing development. DCP and HPD are currently working with two faith-based organizations on affordable housing developments in proximity to the East New York rezoning area.

The Commission recognizes the Borough President's recommendation that the affordability of units be permanently protected via disposition or funding agreements, and notes that all units created through the proposed Mandatory Inclusionary Housing program are required to be permanently affordable. Phipps Houses has stated that they intend to keep the all the units they develop permanently affordable. HPD's regulatory agreements typically span 30 to 50 years depending on the project. However, the agency structures its loans in a manner that incentivizes owners to extend the term of affordability by refinancing with HPD or face costly balloon payments at the end of the regulatory period. On publicly owned sites, there is additional opportunity to incentivize the provision of affordable housing with even longer periods of affordability.

## ECONOMIC DEVELOPMENT

The Commission heard testimony calling for strong measures to create jobs, assist small businesses, support industrial businesses and strengthen the Industrial Business Zone. The Commission believes that in addition to developing new housing, enhancing the economic vitality of East New York is an essential component of this Plan. The benefits of neighborhood growth should be widespread and should promote access to good jobs and economic opportunities for residents. The Commission is pleased that this Community Plan includes strategies to ensure job creation, provide services for small businesses, and support industrial business growth.

The Commission recognizes the recommendation from Community Board 5 that the City establish a job placement and training center. The Commission notes that SBS will locate a Workforce1 Career Center in the East New York / Brownsville area. Representatives from the Department of Small Business Services testified that this center would work to establish partnerships with local employers and tailor services to the needs of the community.

The Commission acknowledges recommendations from Community Boards 5 and 16, as well as testimony heard, that this plan should create local jobs. The Commission is pleased that HireNYC

has been expanded to require that any project receiving \$2 million or more in subsidy from HPD, as well as any City contract for goods and services valued at \$1 million or more, post open positions with the City's Workforce1 system and consider qualified candidates referred through this system. Additionally, HireNYC is required for any projects receiving benefits from the Industrial Development Agency or BuildNYC that are expected to produce 5 or more jobs in the first year of business operation and 10 or more permanent jobs over the first 3 years of business operation. This expands the number of job opportunities available to residents through the Workforce1 system.

The Commission heard testimony that residents would like to enjoy more diverse retail options and services in East New York, that local businesses should be incorporated into new developments, and that training should be provided to help residents start or grow their business. The Commission supports the Department of Small Business Services' commitment to work in partnership with local CBOs to conduct a Commercial District Needs Assessment. The Commission heard testimony from representatives from SBS stating that this needs assessment will help identify retail needs and potential commercial revitalization projects. SBS will run a FastTrac Growth Venture course this spring to provide local entrepreneurs with the skills to grow or launch their business, as well as offer commercial lease clinics. Additionally, the Commission believes that the proposed Enhanced Commercial Districts on major corridors, which require non-residential ground floor uses in any new development, would create a large supply of retail space thus reducing pressure on commercial rents and creating an environment that fosters mixed-use developments incorporating local businesses at the ground floor.

The Commission acknowledges the recommendation from Community Board 5 that investments be made in the East New York Industrial Business Zone to support industrial business and job growth in this district. The Commission notes that the NYC Economic Development Corporation has conducted a study to identify opportunities to strengthen this IBZ. EDC has stated that they will prioritize investments in a city-owned industrial building located in the IBZ. This renovation will allow the building to better accommodate the needs of existing and future industrial business tenants. Additionally, they are looking to invest in critical infrastructure to attract new businesses and support existing ones, including making reliable, high-speed broadband internet available throughout the IBZ and improving connectivity to transit and the surrounding neighborhoods.

With respect to the Borough President's recommendation that HPD increase opportunities for Minority- and Women-owned Business Enterprises (M/WBEs) to participate in the development process, the Commission notes that HPD is committed to promoting the participation of M/WBEs in the development and management of affordable housing subsidized under City-sponsored programs. Through the Building Opportunity Initiative, HPD seeks to build capacity, improve access to capital, and enhance the ability of M/WBE developers to compete more effectively for HPD support by providing targeted new construction and preservation opportunities.

In response to the Borough President's recommendation that sites currently occupied by a grocery store redevelop with a FRESH store or else be limited to a low FAR when redeveloping, the Commission notes that zoning cannot require specific uses and that such a measure would be overly restrictive to property owners. Sites in the rezoning area qualify for FRESH incentives for the development of full-service grocery stores.

## COMMUNITY RESOURCES

The Commission heard testimony regarding the need for more schools, open space, and emergency services as the neighborhood grows. The Commission agrees that schools, open space, access to transit, safe streets, and community services are essential components of an inclusive neighborhood and believes that this coordinated Community Plan includes commitments to ensure that all residents have places to learn, play, gather, and enjoy their neighborhood. Many of these investments are secured through the Neighborhood Development Fund, a dedicated fund established by the City to provide dedicated resources for investments in community infrastructure in neighborhoods where significant amounts of housing are expected to be developed. These investments will guarantee that as the population grows, needed services are provided and overall livability is enhanced.

The Commission is pleased to know that funding for the new 1,000 seat PS/IS school proposed to be built on the Dinsmore Chestnut site has been included in the Department of Education's (DOE) Amendment to their FY2015-2019 Five-Year Capital Plan, with the opening slated for the beginning of the 2020 school year. This school will provide the increased capacity needed to accommodate anticipated growth in Sub-district 1 of Community School District 19. In response to the Borough



President's recommendation that permanent school seats be created to facilitate the elimination of existing Transportable Classroom Units (TCUs) at local schools, the Commission notes that the DOE's Five-Year Capital Plan allocates funding for the removal of all Transportable Classroom Units citywide and further, that a capital project is underway for the removal of the TCUs at IS 302, which will increase the amount of usable open space at the jointly-operated Sperandeo Brothers Playground.

The Commission heard testimony from the Commissioner of the Department of Parks and Recreation that the City has committed to improve local parks including City Line Park, Highland Park, and Sperandeo Brothers Playground. As well, new open space will be created by opening public school playgrounds to the public during non-school hours through the Schoolyard to Playground program. Handball and basketball courts at Sperandeo Brothers Playground in need of repair will soon be resurfaced. The Highland Park playground will be renovated with new play equipment, seating and landscaping. At City Line Park, a one-acre portion of the park with deteriorating asphalt surfacing that is underutilized today will be renovated as a new green play area, with resources provided through the Neighborhood Development Fund. A community workshop will be held to identify priorities for the City Line Park redesign this spring. These parks investments will enhance usability and provide new recreational opportunities. Additionally, playgrounds at PS 345 Patrolman Robert Bolden and PS 677 East New York Elementary School of Excellence will be opened to the public during non-school hours, increasing the amount of publicly accessible open space, and closing a significant "walk gap" with respect to access to open space for residents in portions of the neighborhood.

The Commission acknowledges the recommendations from Community Board 16 that Callahan Kelly Playground be well maintained as usage increases and the recommendation from the Borough President that adult fitness equipment be incorporated into the renovation of neighborhood parks. DPR has stated that the full scope of the City Line Park improvement project will be determined after a community meeting to identify priorities this spring, at which time such suggestions from the community could be incorporated into the project design. The Commission received testimony regarding the importance of community gardens and recognizes that East New York is home to many vibrant community gardens. Many of these gardens are located on Glenmore Avenue and other

side streets where low-density contextual residential zoning districts have been proposed, and further, most garden sites are owned by the Parks Department and thus protected from development.

The Commission heard testimony from the Brooklyn Borough Commissioner of the Department of Transportation that the City has committed to an ambitious project to transform the stretch of Atlantic Avenue that passes through East New York into a safer, more pedestrian-friendly street as part of the Vision Zero Great Streets initiative. Atlantic Avenue is a busy corridor that is difficult and dangerous to cross, and thus often acts as a barrier between neighborhoods to the north and south. A high number of crashes with injuries and fatalities have occurred here, making this a high priority for safety improvements. This project will construct a raised, planted median in the center of the street, which will extend into most crosswalks to provide a pedestrian refuge when crossing this 120 foot wide street. The project will also create new left turn lanes and change parking regulations to improve the flow of traffic. Sidewalks will be reconstructed and curbs will be extended at many intersections to shorten the crossing distance for pedestrians. The project will also include the planting of street trees and installation of benches, bike racks and wayfinding features. The Commission is pleased that this significant project is supported by the Neighborhood Development Fund. This crucial investment would support the anticipated land use changes on Atlantic Avenue and allow the street to better support an increased residential population and higher level of commercial activity. These improvements will make the corridor more inviting for pedestrians and local businesses, and better connect the surrounding neighborhoods.

Additionally, an improvement project at the Broadway Junction transit station is soon to be complete which will create dedicated lanes for buses and for passenger drop-off/pick-up, build a new median, and add a newsstand, bus shelter and landscaping. These improvements will significantly improve the experience of riders and improve safety at this busy transit hub in the Ocean Hill neighborhood.

The Commission heard testimony from a representative of New York City Transit reporting that improvements are needed at the Broadway Junction station, largely used as a transfer point, in order to improve circulation and make the station accessible as ridership grows as a result of residential and commercial growth in the neighborhood. NYCT is exploring opening new entrances, and adding stairs and ADA elevators to the station. The Commission notes that the City has requested, as part of

its contribution to the MTA Capital Plan, that funds be dedicated towards a renovation of this station. Additionally, the Commission is pleased that NYCT will undertake a capital project at the Livonia and Junius stations on the “L” and “3” lines respectively, located approximately five blocks to the south of the rezoning area, to allow an in-network transfer and make both stations fully ADA accessible.

The Commission acknowledges the recommendations from Community Board 16 that DOT explore safety improvements on Atlantic Avenue and other streets in Ocean Hill. The Commission acknowledges the recommendation from the Borough President that DOT expand the bike lane network in East New York and notes that the bike lanes on Van Siclen Avenue will be extended into Spring Creek this year.

The Commission acknowledges the recommendations from Community Board 5 that the City repurpose the building at 127 Pennsylvania Avenue as a recreational center, acquire the Long Island Railroad substation on Snediker Avenue to redevelop as a cultural center, and establish a CUNY campus in the rezoning area. While these requests are outside the scope of these actions, the Commission recognizes the need for new community centers in the neighborhood and is aware that the City is considering ways to incorporate community facilities into the reuse and redevelopment of City-owned properties, including 127 Pennsylvania Avenue and the City-owned site at Dinsmore Chestnut.

In response to the Borough President’s recommendation that the Department of Environmental Protection (DEP) investigate street flooding in the IBZ and fund the construction of sewers, catch-basins, and bioswales, the Commission notes that DEP has constructed 27 bioswales in the IBZ and has 116 more under construction. As part of the Community Plan, DEP will be constructing additional bioswales throughout the residential neighborhoods of East New York to filter stormwater and beautify the streets.

The Commission acknowledges concerns raised by community members including the Coalition for Community Advancement that critical services such as police, fire, and health care be expanded to provide adequate coverage as the neighborhood grows. The Commission notes that as part of the

Community Plan, HHC will be expanding the capacity of local clinics and seeks to build a new clinic in East New York in order to make health care services accessible to more residents. The Commission heard testimony from a representative of the FDNY stating that the agency is prepared to increase service as needed to meet the needs of an increased population. The speaker also noted that new development would be required to meet the current building and fire codes, which provide higher levels of protection in the case of a fire, thus increasing overall community safety. The Commission acknowledges correspondence from the NYPD included in the FEIS affirming their intention to monitor local needs and increase staffing and resources as needed, as well as their ongoing commitment to reduce crime and improve quality of life in East New York. Finally, the Commission notes that the NYPD has recently begun neighborhood-based policing in the 75<sup>th</sup> Precinct, which serves East New York. NYPD's Neighborhood Policing Plan, being rolled out by precinct, seeks to restore the patrol officer to the role of problem solver and community guardian. Under this model, officers will be assigned to geographic areas of the neighborhood, allowing cops to better know the community and community members to better know the cops. Officers will have the latitude to answer calls, solve problems, work with the neighborhood, and stay engaged with local residents and issues.

The Commission heard testimony recommending that a special district be established to require that community facilities be developed along with new housing. The Commission agrees that community resources such as day cares, schools and other facilities are essential parts of a healthy, thriving neighborhood. The Community Plan identifies specific investments in community resources including a new school, improvements to local parks, and a major streetscape improvement project on Atlantic Avenue. Many of these investments have been funded by the Neighborhood Development Fund, providing a guarantee that resources are available for implementation. The Commission also notes that the proposed Enhanced Commercial Districts will require non-residential ground floor uses as part of any new development along major corridors including Fulton Street, Atlantic Avenue, and Pitkin Avenue, thus facilitating adequate availability of space for day cares and other uses.

The Commission heard testimony regarding the need to support arts and cultural activities in the neighborhood, and for affordable studio space for artists. The Commission is pleased to learn that the

Department of Cultural Affairs will launch their new Building Cultural Capacity program in East New York, which will connect arts and cultural program providers and provide them with the skills and training to make these activities accessible to a broader audience.

The Commission also heard testimony from local group Preservation East New York (PENY) on the need to preserve potential landmarks in and around the rezoning area. The Commission recognizes the importance of preserving the character of the residential areas of East New York and Cypress Hills and supports the proposed low-density contextual districts that will ensure this character is retained. The Commission is pleased that the Landmarks Preservation Commission has received a Request for Elevation (RFE) for potential historic resources in the rezoning area from PENY and is in the process of reviewing the RFE.

#### **Amendment to the Zoning Map (C 160035 ZMK)**

The Commission believes this amendment to the zoning map is appropriate. Much of the zoning in the neighborhood has not changed since 1961 and does not support current community goals. The proposed zoning changes would promote mixed-use medium density development with affordable housing along key corridors and adjacent to transit where new residential development is not permitted or restricted to low densities today, thus expanding the capacity for new housing development. This increase in allowable residential density along corridors would be balanced with the mapping of contextual districts along side streets and mid-blocks to ensure that new infill development matches the existing low-density context and enhances neighborhood character. Mixed-use districts would be mapped in certain areas where industrial uses are found today, creating a framework for these uses to continue and expand along with residential, commercial, and community facility uses.

#### *Medium-density residential districts*

Medium-density residential districts would be mapped along key corridors with commercial overlays to allow mixed-use development with affordable housing as well as local retail and community facility uses. An R8A/C2-4 district would generally be mapped on Atlantic Avenue; R7A/C2-4 districts would generally be mapped on Pitkin and Pennsylvania Avenues, and R6A/C2-4 districts would generally be mapped on Fulton Street and Liberty Avenue. In all of these residential districts,

the Mandatory Inclusionary Housing program would apply, requiring that a portion of new housing be permanently affordable.

Atlantic Avenue is a 120-foot wide corridor, which today is lined with largely auto-oriented commercial uses. The current M1-1, C8-1 and C8-2 zoning districts do not allow new residential uses. The proposed mixed-use zoning would allow new development along this corridor to provide significant amounts of affordable housing as well as local retail services. Pitkin Avenue is a transit corridor with the A/C subway line running below grade, and is an appropriate location for medium-density residential development with ground floor retail. The recent Pitkin Berriman rezoning mapped an R7A/C2-4 district on one blockfront on Pitkin Avenue to facilitate an affordable housing development. The Proposed Actions would map these zoning districts along much of the corridor to allow new mixed-use development. This corridor was once a vibrant retail district, as it is still in neighboring Brownsville. New residential uses will bring demand for a greater variety of retail uses and increase activity on this corridor. Fulton Street is a thriving mixed-use shopping strip with the J/Z subway line running above grade. Allowing medium-density mixed-use development will strengthen this corridor with new housing and businesses. Liberty Avenue today is a fragmented corridor with a wide variety of uses, mapped intermittently with commercial overlays. Allowing medium-density residential development and a more cohesive commercial overlay will promote a vibrant neighborhood corridor.

The Commission recognizes Community Board 16's and the Borough President's request that proposed R7D districts along Eastern Parkway Extension be changed to R6A to match the existing context and notes that Eastern Parkway Extension is a 110-foot wide street, and that these blocks are in close proximity to Broadway Junction, a major transit hub, making this an appropriate location for new medium-density housing and commercial development. The Commission also acknowledges the Borough President's recommendation to restrict building heights in R7A districts to nine stories and R7D districts to eleven stories and notes that the proposed heights in R7A and R7D districts of ten stories and twelve stories, respectively, would allow for well-designed ground floor space for commercial and community facility uses without sacrificing the quality and quantity of residential units. The additional height would also allow buildings to be better articulated with features like an outer court which is practically infeasible under the existing rules or a lower overall height scenario.

### *Commercial districts*

Commercial districts (C4-4L, C4-5D and C4-4D) which allow higher density and a greater variety of commercial uses than commercial overlays, as well as residential and community facility uses, have been proposed in key neighborhood nodes, including the intersection of Atlantic and Pennsylvania Avenues, Pennsylvania and Pitkin Avenues, Pennsylvania Avenue and Fulton Street, Pitkin and Euclid Avenues, Atlantic and Fountain Avenues, and around Broadway Junction. These districts replace C8-1 and C8-2 auto-oriented districts, R5 districts and M1-1 districts. The Commission believes that these districts, which would allow uses such as larger scale commercial destinations serving a broader customer base, are appropriate for these highly trafficked areas near transit.

The Commission notes that Community Board 5 requested that a new self-storage facility be prohibited from being developed at the corner of Pitkin and Pennsylvania Avenues and notes that the proposed zoning district for this site, C4-5D, would not permit such a use. The Commission also acknowledges the Borough President's recommendation that commercial uses in these districts be limited to 80,000 square feet or less to preclude the development of "big-box" retail and notes that this restriction would be in opposition to the purpose of these districts. The Commission further notes that no sites in the proposed C4 districts could easily accommodate a retail development of 80,000 square feet or more. The Commission also acknowledges the Borough President's recommendation that in order to support the long-term goal of locating large-scale office uses at Broadway Junction, the existing M1-2 be retained in a portion of the area proposed as C4-5D. The Commission notes that the C4-5D district would allow 4.2 FAR of office, commercial or community facility uses, as well as 5.6 FAR for residential uses. The Commission believes that this zoning district, which would promote a wide variety of uses adjacent to a major transit hub, is appropriate in this location.

### *Contextual residential districts*

Contextual R5B and R6B residential districts would be mapped in much of the rezoning area where R5 districts are found today, covering mid-blocks and side streets between corridors. R5B districts allow up to 1.35 residential FAR and R6B districts allow up to 2.0 residential FAR (2.2. with Inclusionary Housing). Both have height limits and require a contextual building envelope, ensuring

that new infill development complements the predominant neighborhood character.

The Commission acknowledges the Borough President's concerns regarding development pressure in these contextual residential districts, and his recommendation that City Planning further study the proposed R5B and R6B districts and existing R4 and R5 districts. The proposed R5B and R6B districts increase FAR and height compliance of existing buildings and would require new development to better match the current neighborhood context. The proposed zoning change would create very few soft sites beyond what would be considered soft under the existing zoning. The planning framework for the residential core in the proposed rezoning is to preserve the existing character while allowing homeowners to undertake modest enlargements. The proposed R5B reflects the character of the neighborhood and would allow new development or enlargements to match the existing context. Where appropriate, the rezoning proposal includes changing areas of existing R5 zoning to an R6B district. The proposed R6B districts are located north of Liberty Avenue, which is more mixed use in character and consists of underutilized lots that could be redeveloped with lower-density residential buildings, and parts of Ocean Hill where this density is more closely matched by existing rowhouses. The R6B districts, which are located between Atlantic Avenue and Liberty Avenue, balance the goal of providing opportunities for new development on underutilized properties while seeking to protect the low-rise, townhome and multi-family walkup character. A downzoning of the residential core would prohibit homeowners from making minor alterations and additions to their houses.

#### *Mixed Use districts*

Mixed use districts allowing light industrial and other uses would be mapped in select areas where such a mix of uses are found today. On Liberty Avenue, an M1-4/R6A district would reflect the existing mixed-use character of the corridor, which includes industrial, residential, commercial and community facility uses, and would allow each of these uses to continue and expand. On Fulton Street in Ocean Hill, an M1-4/R7D district would protect existing industrial businesses while allowing more diverse uses adjacent to a major transit hub. On Atlantic Avenue, a proposed M1-4/R8A district conforms to existing industrial businesses and other key sites, including the former Chloe Foods site now owned by Phipps Houses as well as the City-owned site at Dinsmore Chestnut. The proposed MX districts would change the manufacturing districts from existing M1-1 and M1-2



districts to M1-4 districts, thus increasing the permitted FAR for industrial uses from 1.0 to 2.0 and eliminating associated off-street parking requirements.

The Commission heard testimony that the loss of manufacturing zoning districts would imperil the viability of local industrial businesses and jobs, and notes that there have been few new industrial uses in these M districts in recent years. New development in these districts has been limited and typically consisted of fast food and self-storage. Many existing M districts, particularly in Ocean Hill, include a high number of preexisting residential uses which do not conform to the current zoning. The proposed MX districts would support industrial uses in areas where a viable concentration is found today, while providing a framework to reduce conflicts between these uses and residential uses found nearby. The Commission acknowledges the Borough President's recommendation that zoning be modified to strengthen industrial uses in the IBZ by prohibiting certain non-industrial uses and notes that no zoning changes are proposed for the IBZ as part of the Proposed Actions.

The Commission heard testimony regarding the inclusion of Arlington Village in the rezoning area. Arlington Village is today zoned as R5, a low-density residential district that permits up to 1.25 residential FAR. The 310,000 square foot, privately-owned site is currently occupied by 210 apartments in two-story buildings. Under the current zoning, about 180 additional housing units could be developed as of right, with no requirement for affordable housing. The proposed zoning would map the site with medium-density contextual residential districts (R8A/C2-4 at a depth of 100 feet on Atlantic Avenue, R6A/C2-4 at a depth of 100 feet on Liberty Avenue, with the remainder of the blocks R6B). This change in zoning would apply the Mandatory Inclusionary Housing program to this site, requiring that any new residential development or enlargement include at least 25% affordable housing. As the housing units are rent-stabilized, any redevelopment of this site would require that the owner present a plan to the New York State Homes and Community Renewal for relocation of tenants. The Commission believes that these proposed zoning districts, which would allow additional housing to be built and establish a requirement that permanently affordable housing be included, are appropriate.

The Commission acknowledges the Coalition for Community Advancement's land use proposal, part

of their alternative Community Plan, which would retain existing M1 and C8 districts rather than rezone to districts that allow new residential uses, and exclude Arlington Village from the rezoning area. The FEIS for these applications considers this Alternative and found that such a zoning proposal would significantly reduce the amount of housing that could be produced as a result of the actions. This land use proposal would not achieve the objectives of creating substantial amounts of affordable housing, promoting pedestrian-friendly streets with active uses, and introducing new community resources.

The Commission received correspondence from Con Edison regarding their property at 2940 Atlantic Avenue (Block 3968, Lots 3 and 5), within the rezoning area. This property is currently within a C8-2 district. This site serves as a Workout Center serving greater Brooklyn and parts of Queens. This center is critical to Con Edison's ability to respond to system emergencies and perform maintenance and repair work on the infrastructure system. The proposed zoning for this site is R8A/C2-4 which would allow residential, commercial and community facility uses. Public utility uses would be severely restricted under the proposed zoning. The site would also be included in the proposed Mandatory Inclusionary Housing Area and a proposed Enhanced Commercial District. While the current operations would be permitted to continue as a pre-existing nonconforming use, the proposed zoning would limit the ability of the operations to expand if needed. Con Edison does not have plans to expand operations on this site at this time, however, they believe that flexibility to expand uses at this site would support Con Edison's ability to ensure adequate utility services to meet future growth in the region. Therefore, to continue to allow utility uses as-of-right on this site, the Commission is modifying the application for an amendment to the Zoning Map (C 160035 ZMK) to retain the existing C8-2 zoning district over the property currently occupied by Con Edison (Block 3968, Lots 3 and 5) and exclude this site from the Enhanced Commercial District and the Mandatory Inclusionary Housing Area. The Commission notes that Con Edison has stated that they will take steps to improve the appearance of their site by removing barbed wire and improving fencing and landscaping.

The Commission received correspondence from a business owner with plans to develop an ice distribution facility on property at Glenmore and Shepherd Avenues (Block 3989, Lots 34 and 36). These sites fall within a M1-1 district today and are used for vehicle storage. The R6A zoning

district proposed for this site does not allow industrial uses as of right, therefore, the existing use would be able to continue, however new industrial development would not be permitted. The Commission is modifying the application for an amendment to the Zoning Map (C 160035 ZMK) to establish a M1-1/R6A district on the northern blockfront of Glenmore Avenue between Shepherd Avenue and Berriman Street at a depth of 85 feet to allow a mix of industrial, residential and commercial uses, on these properties. This modification includes this area in the proposed Special Mixed Use District 16.

### **Amendment to the Zoning Resolution (N 160050 ZRK)**

The Commission believes that this amendment to the Zoning Resolution, as modified herein, is appropriate. The amendment would designate a Mandatory Inclusionary Housing Area to require permanent affordable housing as part of new development, establish Special Enhanced Commercial Districts to support street level activity along key corridors, and establish a Special Mixed-Use District to allow industrial and other uses in key areas.

#### *Mandatory Inclusionary Housing*

The Commission underscores that Mandatory Inclusionary Housing is a critical component of the East New York Community Plan. The proposed amendment to the Zoning Resolution (N 160050 ZRK) would establish an MIH area in East New York – the first in the city – making applicable the MIH program established in the citywide zoning text amendment recently approved by the Commission.

This zoning text amendment would create an MIH area which would apply to all proposed medium-density districts (R6B equivalent and higher). This would apply to the zoning districts proposed on Atlantic Avenue, Pitkin Avenue, Pennsylvania Avenue, Fulton Street, Liberty Avenue, around Broadway Junction, and residential districts on select mid-blocks, with a modification to exclude the ConEdison site as previously described. Option 1 is proposed in East New York, which would require that a minimum of 25% of the residential floor area be designated as affordable to households at an average of 60% of AMI. The Commission believes that while the affordable housing created in East New York through this plan will go far beyond this requirement both in quantity and affordability, the MIH program is a crucial tool in ensuring a long-term, stable reservoir

of affordable housing in the neighborhood.

The Commission acknowledges the Borough President's recommendations that a Voluntary Inclusionary Housing program be established in the R8A districts proposed on Atlantic Avenue which would require developments to provide 30% of floor area as affordable housing in order to use the full 7.2 residential FAR; otherwise, the residential area would be limited to R7A density (4.6 FAR). The Commission notes that the zoning districts proposed are based on a land use rationale, and believes that the densities proposed for Atlantic Avenue are appropriate for a wide corridor in close proximity to transit. The MIH program is designed to be responsive to neighborhood needs with a set of income mix options that the Commission and City Council can work together to apply within each rezoned area. The Commission believes that Option 1 is an appropriate choice for East New York where deep affordability levels are desired to serve the needs of local households.

#### *Special Enhanced Commercial Districts*

This amendment to the Zoning Resolution (N 160050 ZRK) would also create Enhanced Commercial Districts to support active commercial corridors, and improve pedestrian experience while ensuring plentiful space for new and expanded businesses and community facilities. These districts would be mapped on Atlantic Avenue, Pitkin Avenue, and Fulton Street (with a modification to exclude the ConEdison site as previously described) and would require non-residential ground floor uses, require minimum levels of transparency at the ground floor, and limit curb cuts to enliven these corridors. On Fulton Street, this district would also require sidewalk widening to reduce the impact of the elevated train by allowing more light and air to reach the street. The Commission heard testimony regarding the need to support local business development and job creation, as well as provide adequate community services such as day care, as the neighborhood's population grows. The Commission believes the Enhanced Commercial Districts are a valuable tool to achieve these objectives, by creating space for businesses and community facilities at the ground-floor of new buildings, and supporting active streets that are inviting to pedestrians.

In response to concerns raised by the Borough President related to potential business displacement on Fulton Street due to the increased development rights under the proposed zoning, the Commission notes that the proposed Enhanced Commercial District will create substantial new space for

businesses and community facilities by requiring non-residential uses at the ground floor of new developments. Increased availability of ground-floor space could reduce pressure on commercial rents. The Commission believes that the proposed R6A/C2-4 and C4-4L districts would allow appropriate densities for residential and commercial uses on this transit corridor. Additionally, the Commission acknowledges the Borough President's concern regarding the noise, vibration, light, and air impact of the elevated train on new development on this corridor and notes that the Enhanced Commercial District on Fulton Street will require new buildings to set back 5 feet from the street line, creating wider sidewalks and ensuring greater distance between new building and the elevated train structure, thus lessening the impact of the train. Furthermore, (E) designations on projected and potential development sites will require window attenuation to avoid noise impacts from the train.

#### *Special Mixed Use District*

This amendment to the Zoning Resolution (N 160050 ZRK) would create Special Mixed Use District 16 in the areas that are proposed to be rezoned to M1-4 or M1-1 combined with a residential district, to allow industrial as well as residential, commercial, and community facility uses in these designated areas. This district includes an eight-block stretch of Liberty Avenue where a cluster of industrial businesses as well as residential uses are found today, parts of Atlantic Avenue, parts of Fulton Street in Ocean Hill, and as modified by the Commission, one blockfront on Glenmore Avenue.

The Commission acknowledges the recommendation from Community Board 16 that protections for manufacturing uses at the ground level be included in the proposal, and notes that this designation would allow existing industrial businesses to continue and expand, as well as allowing new industrial uses to locate here. The Commission also recognizes the Borough President's recommendation to modify the zoning text pertaining to Special Mixed Use Districts in order to promote Liberty Avenue as a corridor for artisans and artisanal establishments. The Commission notes that the Special Mixed Use District regulations currently allow a great degree of flexibility as to the size, type and location of industrial uses in such districts. The proposed Special Mixed Use District on Liberty Avenue would change the manufacturing district from M1-1 to M1-4, thus increasing the permitted FAR for industrial uses from 1.0 to 2.0 and eliminating associated off-street parking requirements.

**Amendment to the Dinsmore Chestnut Urban Renewal Plan (C 160037 HUK) and Disposition pursuant to the Urban Renewal Plan (C160042 HDK)**

The Commission believes that the proposed amendment to the Dinsmore Chestnut Urban Renewal Plan is appropriate. The amendment would revise the Plan to allow uses pursuant to the proposed M1-4/R8A zoning district, which would permit residential, commercial, community facility and light industrial uses. The Commission also believes that the disposition of this site is appropriate. This 80,000 square foot, vacant site is the only significant City-owned site in the rezoning area, and therefore the redevelopment of this site has the potential to further many of the objectives of the Community Plan. The Commission is pleased that the City has committed to build a new 1,000 seat PS/IS school on a portion of this site to meet existing and future need as the neighborhood grows. The Commission supports the plan to create an at-grade playground that would be open to the public during non-school hours, a collaborative effort between DPR and DOE to address the need for additional open space in the neighborhood. The Commission also supports the commitment made by HPD to finance affordable housing on this site that reaches deeper affordability levels than can be achieved on privately-owned sites. Half of all units on this site will serve households earning between 30-50% of AMI. HPD has also stated that they will seek to promote ground floor retail and/or community facilities in the redevelopment of this site.

The Commission heard testimony regarding the need for adequate school seats, more open space, new retail and community facilities, and housing affordable to very low-income households, and appreciates the collaborative effort amongst agencies to leverage this City-owned site to support each of these objectives.

**RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on February 12, 2016, with respect to this application (CEQR No. 15DCP102K), and the Technical Memorandum (Technical Memorandum 001), dated February 24, 2016, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No's. 17c and 17d:

1. eliminating from within an existing R5 District a C1-2 District bounded by Conduit Boulevard, Glenmore Avenue, and Pine Street and it's northerly prolongation;
2. eliminating from within an existing R5 District a C1-3 District bounded by:
  - a. Arlington Avenue, Essex Street, a line 150 feet southeasterly of Fulton Street, and Linwood Street;
  - b. a line 150 feet northerly of Liberty Avenue, Milford Street, Liberty Avenue, and Atkins Avenue;
  - c. a line 150 feet northerly of Pitkin Avenue, Vermont Street, a line 100 feet northerly of Pitkin Avenue, and New Jersey Avenue;
  - d. a line 150 feet northerly of Pitkin Avenue, Hendrix Street, a line 150 feet southerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclen Avenue, a line 100 feet northerly of Pitkin Avenue, and Van Siclen Avenue;

- e. a line 150 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, Berriman Street, a line 150 feet northerly of Pitkin Avenue, Logan Street, a line 150 feet southerly of Pitkin Avenue, and Linwood Street; and
  - f. a line 150 feet northerly of Pitkin Avenue, Doscher Street, a line 150 feet southerly of Pitkin Avenue, and Crystal Street;
3. eliminating from within an existing R6 District a C1-3 District bounded by:
- a. a line 100 feet northerly of Pitkin Avenue, Vermont Street, Pitkin Avenue, and New Jersey Avenue; and
  - b. a line 100 feet northerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclen Avenue, a line 150 feet southerly of Pitkin Avenue, Miller Avenue, Pitkin Avenue, and Van Siclen Avenue;
4. eliminating from within an existing R5 District a C2-2 District bounded by:
- a. a line 100 feet northerly of Atlantic Avenue, Van Siclen Avenue, Atlantic Avenue, and Bradford Street; and
  - b. a line midway between Wells Street and Liberty Avenue and its easterly prolongation, Conduit Boulevard, Pine Street and its northerly prolongation, a line 150 feet northerly of Pitkin Avenue, Crescent Street, Pitkin Avenue, Euclid Avenue, a line 150 feet southerly of Pitkin Avenue, Doscher Street, a line 140 feet northerly of Pitkin Avenue, a line midway between Euclid Avenue and Doscher Street, Liberty Avenue, and a line 100 feet southwesterly of Conduit Boulevard;
5. eliminating from within an existing R4 District a C2-3 District bounded by:
- a. a line 150 feet northwesterly of Fulton Street, Elton Street, a line 100 feet northwesterly of Fulton Street, and Wyona Street; and
  - b. a line 150 feet northerly of Arlington Avenue, a line 150 feet northwesterly of Fulton Street, a line midway between Euclid Avenue- Father John Krieg Place and Chestnut Street;
6. eliminating from within an existing R5 District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Fulton Street, Linwood Street, a line 150 feet southeasterly of Fulton Street, and Wyona Street;
  - b. Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, a line midway between Euclid Avenue- Father John Krieg Place and Chestnut Street, a line 150 feet northwesterly of Fulton



Street, Euclid Avenue- Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, Logan Street, a line 150 feet southeasterly of Fulton Street, and Essex Street;

- c. Liberty Avenue, Ashford Street, a line 100 feet northerly of Liberty Avenue, Cleveland Street, a line 150 feet northerly of Liberty Avenue, a westerly boundary line of a playground (Sperandio Bros. Playground), Liberty Avenue, Linwood Street, a line 150 feet northerly of Liberty Avenue, Shepherd Avenue, a line 150 feet southerly of Liberty Avenue, and Warwick Street;
  - d. Liberty Avenue, Milford Street, a line 150 feet northerly of Liberty Avenue, Crystal Street, a line 150 feet southerly of Liberty Avenue, and Montauk Avenue;
  - e. Glenmore Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue-Industrial Park, and a line midway between Pennsylvania Avenue- Granville Payne Avenue and Sheffield Avenue;
  - f. a line 150 feet northerly of Pitkin Avenue, Wyona Street, a line 100 feet northerly of Pitkin Avenue, and Vermont Street;
  - g. a line 150 feet northerly of Pitkin Avenue, Linwood Street, a line 150 feet southerly of Pitkin Avenue, and Schenck Avenue; and
  - h. a line 150 feet northerly of Pitkin Avenue, Crystal Street, a line 150 feet southerly of Pitkin Avenue, and Logan Street;
7. eliminating from within an existing R6 District a C2-3 District bounded by a line 100 feet northerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, Miller Avenue, a line 150 feet southerly of Pitkin Avenue, the easterly boundary line of a park and it's northerly prolongation, Pitkin Avenue, and Vermont Street;
8. changing from a C8-1 District to an R5 District property bounded by:
- a. the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), Pine Street, a line 100 feet northwesterly of Atlantic Avenue, Autumn Avenue, Atlantic Avenue, and the southeasterly prolongation of a line 100 feet westerly of Pine Street;
  - b. a line 125 feet northerly of Glen Street, a line 100 feet southeasterly of Atlantic Avenue, and Crescent Street; and
  - c. Atlantic Avenue, Lincoln Avenue, a line 100 feet southeasterly of Atlantic Avenue and Autumn Avenue;
9. changing from a C8-2 District to an R5 District property bounded by:

- a. Atlantic Avenue, an easterly boundary line of a playground (Sperandio Bros. Playground) and its northerly prolongation, a line 100 feet southeasterly of Atlantic Avenue, and Cleveland Street;
  - b. a line 210 feet northwesterly of Atlantic Avenue, a line 100 feet westerly of Pine Street, and a line perpendicular to the easterly street line of Euclid Avenue distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Euclid Avenue and the northwesterly street line of Atlantic Avenue; and
  - c. a line 100 feet northwesterly of Atlantic Avenue, Pine Street, the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), and a line 100 feet westerly of Pine Street;
10. changing from an R5 District to an R5B District property bounded by
- a. a line 100 feet southeasterly of Fulton Street, Logan Street, a line 300 feet northwesterly of Atlantic Avenue, Norwood Avenue, a line perpendicular to the westerly street line of Norwood Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet easterly of Hale Avenue, a line 100 feet northwesterly of Atlantic Avenue, Shepherd Avenue, a line 200 feet northwesterly of Atlantic Avenue, Essex Street, a line perpendicular to the westerly street line of Essex Street distant 110 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Essex Street and the northwesterly street line of Atlantic Avenue, Linwood Street, a line 100 feet northwesterly of Atlantic Avenue, Elton Street, a line 150 feet northwesterly of Atlantic Avenue, Jerome Street, a line 100 feet northwesterly of Atlantic Avenue, Hendrix Street, a line 275 feet southerly of Fulton Street, Van Siclen Avenue, a line 100 feet northerly of Atlantic Avenue, Vermont Street, a line 150 feet northerly of Atlantic Avenue, and New Jersey Avenue;
  - b. a line 100 feet southerly of Liberty Avenue, Wyona Street, a line 200 feet southerly of Liberty Street, a line midway between Wyona Street and Bradford Street, a line 150 feet southerly of Liberty Avenue, Bradford Street, a line 100 feet southerly of Liberty Avenue, a line midway between Shepherd Avenue and Essex Street, a line 100 feet northerly of Pitkin Avenue, Van Siclen Avenue, a line 200 feet northerly of Pitkin Avenue, Bradford Street, a line 100 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 200 feet northerly of Pitkin Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue- Granville Payne Avenue;
  - c. a line 238 feet southeasterly of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line 335 feet southeasterly of Atlantic Avenue, Milford Street, a line 100 feet southeasterly of Atlantic Avenue, Logan Street, a line

300 feet southeasterly of Atlantic Avenue, Fountain Avenue, a line 100 feet northerly of Liberty Avenue, and Montauk Avenue;

- d. Wells Street, and its southeasterly centerline prolongation, a line 100 feet northerly of Liberty Avenue, and Crystal Street;
  - e. a line 100 feet southerly of Glenmore Avenue, Atkins Avenue, Glenmore Avenue, Montauk Avenue, a line 100 feet southerly of Liberty Avenue, Euclid Avenue, a line 100 feet northerly of Pitkin Avenue, and Berriman Street; and
  - f. Glenmore Avenue, a line 120 feet easterly of Euclid Avenue, a line 100 feet northerly of Glenmore Avenue, Pine Street, Glenmore Avenue, Crescent Street, a line 100 feet northerly of Pitkin Avenue, and a line midway between Euclid Avenue and Pine Street;
11. changing from a C8-1 District to an R5B District property bounded by a line 70 feet northerly of Glen Street, a line 100 feet westerly of Crescent Street, a line perpendicular to the westerly street line of Crescent Street distant 175 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Crescent Street and the southeasterly street line of Atlantic Avenue, Crescent Street, Glen Street, and Euclid Avenue;
12. changing from a C8-2 District to an R5B District property bounded by a line 150 feet northerly of Atlantic Avenue, Vermont Street, a line 100 feet northerly of Atlantic Avenue, and a line midway between Vermont Street and New Jersey Avenue;
13. changing from an M1-1 District to an R5B District property bounded by:
- a. a line 150 feet northwesterly of Atlantic Avenue, Elton Street, a line 100 feet northwesterly of Atlantic Avenue, and Jerome Street;
  - b. a line 200 feet northwesterly of Atlantic Avenue, Shepherd Avenue, a line 100 feet northwesterly of Atlantic Avenue, and Essex Street;
  - c. a line 300 feet northwesterly of Atlantic Avenue, Logan Street, a line perpendicular to the westerly street line of Logan Street distant 265 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Logan Street and the northwesterly street line of Atlantic Avenue, a line midway between Logan Street and Norwood Avenue, a line perpendicular to the easterly street line of Norwood Avenue distant 250 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, and Norwood Avenue;
  - d. a line 100 feet southeasterly of Fulton Street, a line 100 feet easterly of Logan Street, Dinsmore Place, and Logan Street;

- e. a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, Milford Street, a line 335 feet southeasterly of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line 238 feet southeasterly of Atlantic Avenue, and Montauk Avenue;
  - f. a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic Avenue, Fountain Avenue, a line 300 feet southeasterly of Atlantic Avenue, and Logan Street; and
  - g. Liberty Avenue, Atkins Avenue, a line 180 feet southerly of Liberty Avenue, Montauk Avenue, Glenmore Avenue, and Berriman Street;
14. changing from an M1-2 District to an R5B District property bounded by a line 80 feet southerly of Herkimer Street, a line midway between Jardine Place and Havens Place, a line 80 feet northerly of Atlantic Avenue, a line midway between Jardine Place and Sackman Street, Atlantic Avenue, Sackman Street, a line midway between Herkimer Street and Atlantic Avenue, and a line midway between Sackman Street and Sherlock Place;
15. changing from an R5 District to an R6A District property bounded by:
- a. a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, and Bradford Street; and
  - b. a line 100 feet northerly of Liberty Avenue, Cleveland Street Liberty Avenue, Linwood Street, a line 100 feet northerly of Liberty Avenue, Conduit Boulevard, Euclid Avenue, a line 100 feet southerly of Liberty Avenue, Montauk Avenue, Liberty Avenue, Shepherd Avenue, Glenmore Avenue, Atkins Avenue, a line 100 feet southerly of Glenmore Avenue, Berriman Street, a line 100 feet northerly of Pitkin Avenue, a line midway between Shepherd Avenue and Essex Street, a line 100 feet southerly of Liberty Avenue, and Barbey Street;
16. changing from an M1-1 District to an R6A District property bounded by:

- a. Somers Street, a line 280 feet easterly of Sackman Street, a line midway between Somers Street and Truxton Street, a line 225 feet easterly of Sackman Street, and Sackman Street;
  - b. Liberty Avenue, Berriman Street, a line 85 feet northerly of Glenmore Avenue, and Shepherd Avenue;
  - c. Liberty Avenue, Montauk Avenue, a line 180 feet southerly of Liberty Avenue, and Atkins Avenue; and
  - d. a line 100 feet southeasterly of Fulton Street, a line 100 feet easterly of Richmond Street, a line 125 feet northerly of Dinsmore Place, Richmond Street, and Dinsmore Place;
17. changing from an R5 District to an R6B District property bounded by:
- a. a line 100 feet southeasterly of Atlantic Avenue, Ashford Street, a line 100 feet northerly of Liberty Avenue, and Barbey Street; and
  - b. a line 100 feet southeasterly of Atlantic Avenue, Essex Street, a line 300 feet southeasterly of Atlantic Avenue, Berriman Street, a line 100 feet southeasterly of Atlantic Avenue, Montauk Avenue, a line 100 feet northerly of Liberty Avenue, and Linwood Street;
18. changing from a C8-2 District to an R6B District property bounded by:
- a. a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, Vermont Street, a line 100 feet northerly of Liberty Avenue, and New Jersey Avenue;
  - b. a line 150 feet northerly of Liberty Avenue, a line midway between Ashford Street and Cleveland Street, a line 100 feet northerly of Liberty Avenue, and Ashford Street; and
  - c. a line 100 feet southerly of Atlantic Avenue, Schenck Avenue, a line 100 feet northerly of Liberty Avenue, and Wyona Street;
19. changing from an M1-1 District to an R6B District property bounded by:
- a. a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Jerome Street and the southeasterly street line of Atlantic Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Barbey Street; and

- b. a line 100 feet southeasterly of Atlantic Avenue, Shepherd Avenue, a line perpendicular to the easterly street line of Shepherd Avenue distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Shepherd Avenue and the southeasterly street line of Atlantic Avenue, a line midway between Shepherd Avenue and Berriman Street, a line perpendicular to the westerly street line of Berriman Street distant 165 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Berriman Street and the southeasterly street line of Atlantic Avenue, Berriman Street, a line 300 feet southeasterly of Atlantic Avenue, and Essex Street;
  
- 20. changing from an M1-2 District to an R6B District property bounded by a line midway between Fulton Street and Herkimer Street, a line 300 feet easterly of Sackman Street, Herkimer Street, Havens Place, a line 150 feet southerly of Herkimer Street, a line midway between Havens Place and Jardine Place, a line 80 feet southerly of Herkimer Street, a line midway between Sackman Street and Sherlock Place, Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
  
- 21. changing from an R5 District to an R7A District property bounded by:
  - a. Liberty Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet southerly of Glenmore Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue-Industrial Park, and a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue;
  
  - b. a line 100 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, a line midway between Berriman Street and Shepherd Avenue, a line 100 feet southerly of Pitkin Avenue, Schenck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, and a line midway between Hendrix Street and Van Sielen Avenue;
  
  - c. a line 100 feet northerly of Pitkin Avenue, Doscher Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, and Berriman Street;
  
  - d. Conduit Boulevard, Crescent Street, Glenmore Avenue, Pine Street, a line 100 feet northerly of Glenmore Avenue, a line 120 feet easterly of Euclid Avenue, Glenmore Avenue, a line midway between Pine Street and Euclid Avenue, a line 100 feet northerly of Pitkin Avenue, and Euclid Avenue;
  
  - e. a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, and Pine Street;
  
  - f. a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet westerly of Autumn Avenue, and a line 125 feet northerly of Glen Street; and

- g. a line 100 feet southeasterly of Atlantic Avenue, Autumn Avenue, and a line perpendicular to the westerly street line of Autumn Avenue distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Autumn Avenue and the southeasterly street line of Atlantic Avenue;
22. changing from an R6 District to an R7A District property bounded by a line 100 feet northerly of Pitkin Avenue, Bradford Street, a line 200 feet northerly of Pitkin Avenue, Van Siclen Avenue, a line 100 feet northerly of Pitkin Avenue, a line midway between Hendrix Street and Van Siclen Avenue, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, and New Jersey Avenue;
23. changing from a C8-1 District to an R7A District property bounded by:
- a. the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), the southerly prolongation of a line 100 feet westerly of Pine Street, Atlantic Avenue, Autumn Avenue, a line 100 feet southeasterly of Atlantic Avenue, a line 125 feet northerly of Glen Street, Crescent Street, a line perpendicular to the westerly street line of Crescent Street distant 175 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Crescent Street and the southeasterly street line of Atlantic Avenue, a line 100 feet westerly of Crescent Street, a line 70 feet northerly of Glen Street, and Euclid Avenue; and
  - b. a line 100 feet northwesterly of Atlantic Avenue, Lincoln Avenue, Atlantic Avenue, and Autumn Avenue;
24. changing from a C8-2 District to an R7A District property bounded by:
- a. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Liberty Avenue, a line 50 feet westerly of New Jersey Avenue, Liberty Avenue, and a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue;
  - b. a line 100 feet southerly of Glenmore Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 250 feet northerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue;
  - c. a line 100 feet southerly of Pitkin Avenue, a line midway between former New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, Belmont Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and

- d. a line perpendicular to the easterly street line of Euclid Avenue distant 210 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Euclid Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet westerly of Pine Street, the northwesterly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), and Euclid Avenue;
25. changing from an M1-1 District to an R7A District property bounded by:
- a. a line 100 feet northerly of Bergen Street, a line 100 feet northwesterly of East New York Avenue, Dean Street, East New York Avenue, and Mother Gaston Boulevard; and
  - b. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Pitkin Avenue-Industrial Park, and Sheffield Avenue;
26. changing from an M1-2 District to an R7A District property bounded by Pacific Street, East New York Avenue, Dean Street, and Sackman Street;
27. changing from an M1-4 District to an R7A District property bounded by East New York Avenue, Christopher Avenue, Liberty Avenue, and Mother Gaston Boulevard;
28. changing from an M1-1 District to an R7D District property bounded by Somers Street, Sackman Street, Fulton Street, and Mother Gaston Boulevard;
29. changing from an R5 District to an R8A District property bounded by:
- a. a line 100 feet northerly of Atlantic Avenue, Van Siclén Avenue, a line 275 feet southerly of Fulton Street, Hendrix Street, Atlantic Avenue, and Bradford Street;
  - b. a line perpendicular to the westerly street line of Essex Street distant 110 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Essex Street and the northwesterly street line of Atlantic Avenue, a line 100 feet northwesterly of Atlantic Avenue, and Linwood Street; and
  - c. Atlantic Avenue, Montauk Avenue, a line 100 feet southerly of Atlantic Avenue, and Berriman Street;
30. changing from a C8-2 District to an R8A District property bounded by:
- a. Atlantic Avenue, Hendrix Street, a line 100 feet northwesterly of Atlantic Avenue, Jerome Street, Atlantic Avenue, Ashford Street, a line 100 feet southeasterly of



Atlantic Avenue, Jerome Street. a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Jerome Street and the southeasterly street line of Atlantic Avenue, Barbey Street, Atlantic Avenue, Schenck Avenue, a line 100 feet southerly of Atlantic Avenue, and Bradford Street;

b. a line 100 feet northwesterly of Atlantic Avenue, Essex Street, Atlantic Avenue, Essex Street, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, and Elton Street; and

c. a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet easterly of Hale Street, Atlantic Avenue, and Shepherd Avenue;

31. changing from an M1-1 District to an R8A District property bounded by:

a. a line 100 feet northwesterly of Atlantic Avenue, Elton Street, Atlantic Avenue, and Jerome Street; and

b. Atlantic Avenue, Essex Street, a line 100 feet northwesterly of Atlantic Avenue, Shepherd Avenue, Atlantic Avenue, Berriman Street, a line perpendicular to the westerly street line of Berriman Street distant 165 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Berriman Street and the southeasterly street line of Atlantic Avenue, a line midway between Berriman Street and Shepherd Avenue, a line perpendicular to the easterly street line of Shepherd Avenue distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Shepherd Avenue and the southeasterly street line of Atlantic Avenue, Shepherd Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Essex Street;

32. changing from an R5 District to a C4-4D District property bounded by:

a. a line 200 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 100 feet northerly of Pitkin Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue;

b. a line perpendicular to the westerly street line of Norwood Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, Norwood Avenue, a line 100 feet northwesterly of Atlantic Avenue, and a line 100 feet easterly of Hale Avenue; and

c. a line 100 feet northerly of Pitkin Avenue, Pine Street, a line 100 feet southerly of Pitkin Avenue, and Doscher Street;

33. changing from a C8-2 District to a C4-4D District property bounded by:

- a. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the easterly street line of Pennsylvania Avenue-Granville Payne Avenue distant 155 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 150 feet northerly of Atlantic Avenue, a line midway between Vermont Street and New Jersey Avenue, a line 100 feet northerly of Atlantic Avenue, Bradford Street, a line 100 feet southerly of Atlantic Avenue, Wyona Street, Atlantic Avenue, Vermont Street, a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Atlantic Avenue, and Sheffield Avenue;
  - b. a line 250 feet northerly of Pitkin Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Pitkin Avenue, New Jersey Avenue, Pitkin Avenue, the centerline of former New Jersey Avenue, a line 100 feet southerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and
  - c. a line 100 feet northwesterly of Atlantic Avenue, Norwood Avenue, Atlantic Avenue, and a line 100 feet easterly of Hale Avenue;
34. changing from an M1-1 District to a C4-4D District property bounded by:
- a. Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, and Sheffield Avenue; and
  - b. Atlantic Avenue, Norwood Avenue, a line perpendicular to the easterly street line of Norwood Avenue distant 250 feet northerly (as measured along the street line) from

the point of intersection of the easterly street line of Norwood Avenue and the northwesterly street line of Atlantic Avenue, a line midway between Logan Street and Norwood Avenue, a line perpendicular to the westerly street line of Logan Street distant 265 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Logan Street and the northwesterly street line of Atlantic Avenue, Logan Street, Atlantic Avenue, Fountain Avenue, a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic Avenue, Logan Street, a line 100 feet southeasterly of Atlantic Avenue, Milford Street, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, and Montauk Avenue;

35. changing from an R5 District to a C4-4L District property bounded by a line 100 feet northerly of Fulton Street, Bradford Street, a line 100 feet southerly of Fulton Street, and Wyona Street;
36. changing from a C8-2 District to a C4-4L District property bounded by Jamaica Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Fulton Street, Wyona Street, New Jersey Avenue, a line 150 feet northerly of Atlantic Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the easterly street line of Pennsylvania Avenue-Granville Payne Avenue distant 155 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, and Sheffield Avenue;
37. changing from an M1-1 District to a C4-4L District property bounded by Eastern Parkway Extension, Broadway, Van Sinderen Avenue, Fulton Street, Sackman Street, Truxton Street, a line 225 feet easterly of Sackman Street, a line midway between Somers Street and Truxton Street, a line 280 feet easterly of Sackman Street, and Somers Street;
38. changing from an M1-2 District to a C4-5D District property bounded by Fulton Street, Van Sinderen Avenue, East New York Avenue, Pacific Avenue, Sackman Street, Atlantic Avenue, a line midway between Jardine Place and Sackman Street, a line 80 feet northerly of Atlantic Avenue, a line midway between Havens Place and Jardine Place, a line 150 feet southerly of Herkimer Street, Havens Place, Herkimer Street, and a line 300 feet easterly of

Sackman Street;

39. changing from an M1-1 District to an M1-1/R6A District property bounded by a line 85 feet northerly of Glenmore Avenue, Berriman Street, Glenmore Avenue, and Shepherd Avenue;
40. changing from an R5 District to an M1-4/R6A District property bounded by:
  - a. Liberty Avenue, New Jersey Avenue, a line 100 feet southerly of Liberty Avenue, and a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue; and
  - b. a line 100 feet southerly of Liberty Avenue, Bradford Street, a line 150 feet southerly of Liberty Avenue, a line midway between Bradford Street and Wyona Street, and Wyona Street;
41. changing from a C8-2 District to an M1-4/R6A District property bounded by:
  - a. a line 100 feet northerly of Liberty Avenue, Vermont Street, Liberty Avenue, and a line 50 feet westerly of New Jersey Avenue; and
  - b. a line 100 feet southerly of Atlantic Avenue, Wyona Street, a line 100 feet northerly of Liberty Avenue, and Vermont Street;
42. changing from an M1-1 District to an M1-4/R6A District property bounded by Liberty Avenue, Vermont Street, a line 100 feet northerly of Liberty Avenue, Schinck Avenue, a line 230 feet northerly of Liberty Avenue, Barbey Street, a line 100 feet southerly of Liberty Street, and New Jersey Avenue;
43. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southeasterly of Fulton Street, Chestnut Street, Dinsmore Place, Richmond Street, a line 125 feet northerly of Dinsmore Place, and a line 100 feet easterly of Richmond Street;
44. changing from an M1-2 District to an M1-4/R7D District property bounded by Fulton Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
45. changing from a C8-2 District to an M1-4/R8A District property bounded by Atlantic Avenue, Wyona Street, a line 100 feet southerly of Atlantic Avenue, and Vermont Street;
46. changing from an M1-1 District to an M1-4/R8A District property bounded by:
  - a. Atlantic Avenue, Barbey Street, a line 230 feet northerly of Liberty Avenue, and Schenck Avenue; and
  - b. Dinsmore Place, Chestnut Street, Fulton Street, Euclid Avenue, the northwesterly

boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), the northerly centerline prolongation of Fountain Avenue, Atlantic Avenue, and Logan Street;

47. establishing within a proposed R5 District a C2-4 District bounded by:
  - a. Atlantic Avenue, an easterly boundary line of a playground (Sperandio Bros. Playground) and its northerly prolongation, a line 100 feet southeasterly of Atlantic Avenue, and Cleveland Street;
  - b. a line 50 feet northwesterly of Atlantic Avenue, Autumn Avenue, Atlantic Avenue, and a line 100 feet southwesterly of Pine Street; and
  - c. Atlantic Avenue, Lincoln Street, a line 50 feet southeasterly of Atlantic Avenue and Autumn Avenue;
48. establishing within a proposed R5B District a C2-4 District bounded by:
  - a. Glenmore Avenue, Pine Street, a line 100 feet southerly of Glenmore Avenue, and a line midway between Pine Street and Euclid Avenue; and
  - b. Liberty Avenue, Atkins Avenue, a line 100 feet southerly of Liberty Avenue, and Berriman Street;
49. establishing within a proposed R6A District a C2-4 District bounded by:
  - a. a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Fulton Street, Chestnut Street, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, and Bradford Street; and
  - b. a line 100 feet northerly of Liberty Avenue, Jerome Street, Liberty Avenue, Warwick Street, a line 100 feet northerly of Liberty Avenue, Cleveland Street, Liberty Avenue, Linwood Street, a line 100 feet northerly of Liberty Avenue, Conduit Boulevard, Euclid Avenue, a line 100 feet southerly of Liberty Avenue, Atkins Avenue, Liberty Avenue, Berriman Street, a line 100 feet southerly of Liberty Avenue, and Barbey Street;
50. establishing within a proposed R7A District a C2-4 District bounded by:
  - a. a line 100 feet northerly of Bergen Street, a line 100 feet northwesterly of East New York Avenue, Dean Street Sackman Street, a line 100 feet northerly of Dean Street, a line 100 feet northwesterly of East New York Avenue, Pacific Street, East New York Avenue, Christopher Avenue, a line 100 feet southeasterly of East New York

Avenue, Mother Gaston Boulevard, East New York Avenue, Bergen Street, and Mother Gaston Boulevard;

- b. a line 100 feet northerly of Liberty Avenue, Christopher Avenue, Liberty Avenue, and Mother Gaston Boulevard;
- c. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line 100 feet northerly of Liberty Avenue, a line 100 feet easterly of Pennsylvania Avenue-Granville Payne Avenue, a line 250 feet northerly of Pitkin Avenue, Pennsylvania Avenue-Granville Payne Avenue, Pitkin Avenue, and a line 100 feet westerly of Pennsylvania Avenue-Granville Payne Avenue;
- d. a line 100 feet southerly of Pitkin Avenue, a line midway between former New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, Belmont Avenue, and Pennsylvania Avenue-Granville Payne Avenue;
- e. a line 100 feet northerly of Pitkin Avenue, Bradford Street, Pitkin Avenue, Van Siclen Avenue, a line 100 feet northerly of Pitkin Avenue, Shepherd Avenue, Pitkin Avenue, a line midway between Shepherd Avenue and Berriman Street, a line 100 feet southerly of Pitkin Avenue, Scheck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, and New Jersey Avenue;
- f. a line 100 feet northerly of Pitkin Avenue, Doscher Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, and Berriman Street;
- g. Conduit Boulevard, Pine Street, a line 100 feet of Glenmore Avenue, and Euclid Avenue;
- h. Glenmore Avenue, a line midway between Euclid Avenue and Pine Street, a line 100 feet northerly of Pitkin Avenue, and Euclid Avenue;
- i. a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, and Pine Street;
- j. a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet southwesterly of Pine Street, Atlantic Avenue, Autumn Avenue, a line perpendicular to the westerly street line of Autumn Avenue distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Autumn Avenue and the southeasterly street line of Atlantic Avenue, a line 100 feet westerly of Autumn Avenue, a line 125 feet northerly of Glen Street, Crescent Street, a line 100 feet

southeasterly of Atlantic Avenue, a line 70 feet northerly of Glen Street, and Euclid Avenue; and

- k. a line 100 feet northwesterly of Atlantic Avenue, Lincoln Street, Atlantic Avenue, and Autumn Avenue;
51. establishing within a proposed R7D District a C2-4 District Somers Street, a line 100 feet easterly of Mother Gaston Boulevard, Eastern Parkway Extension, Fulton Street, and Mother Gaston Boulevard;
52. establishing within a proposed R8A District a C2-4 District bounded by a line 100 feet northwesterly of Atlantic Avenue, a line 100 feet easterly of Hale Avenue, Atlantic Avenue, Montauk Avenue, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, Ashford Street, a line 100 feet southeasterly of Atlantic Avenue, Jerome Street, a line perpendicular to the westerly street line of Jerome Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the westerly Street line of Jerome Street and the southeasterly street line of Atlantic Avenue, Barbey Street, Atlantic Avenue, Schenck Avenue, a line 100 feet southeasterly of Atlantic Avenue, and Bradford Street;
53. establishing a Special Mixed Use District (MX-16) bounded by:
- a. Fulton Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
  - b. Atlantic Avenue, Wyona Street, a line 100 feet northerly of Liberty Avenue, Schenck Avenue, Atlantic Avenue, Barbey Street, a line 100 feet southerly of Liberty Avenue, Bradford Street, a line 150 feet southerly of Liberty Avenue, a line midway between Bradford Street and Wyona Street, a line 200 feet southerly of Liberty Avenue, Wyona Street, a line 100 feet southerly of Liberty Avenue, a line 100 feet easterly of Pennsylvania Avenue- Granville Payne Avenue, Liberty Avenue, a line 50 feet westerly of New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, and Vermont Street;
  - c. Dinsmore Place, Richmond Street, a line 125 feet northerly of Dinsmore Place, a line 100 feet easterly of Richmond Street, a line 100 feet southeasterly of Fulton Street, Chestnut Street, Fulton Street, Euclid Avenue, Atlantic Avenue, and Logan Street; and
  - d. a line 85 feet northerly of Glenmore Avenue, Berriman Street, Glenmore Avenue, and Shepherd Avenue;
54. establishing a Special Enhanced Commercial District (EC-5) bounded by:

- a. Fulton Street, Van Sinderen Avenue, Herkimer Street, a line 300 feet easterly of Sackman Street, a line midway between Fulton Street and Herkimer Street, and the northerly centerline prolongation of Sherlock Place;
- b. a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 145 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the northerly street line of Atlantic Avenue, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, a line 100 feet southerly of Fulton Street, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 150 feet northerly of Atlantic Avenue, a line midway between Vermont Street and New Jersey Avenue, a line 100 feet northerly of Atlantic Avenue, a line 100 feet northwesterly of Atlantic Avenue, Euclid Avenue, Atlantic Avenue, Fountain Avenue, a line perpendicular to the easterly street line of Logan Street distant 190 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Logan Street and the southeasterly street line of Atlantic Avenue, Logan Street, a line 100 feet southeasterly of Atlantic Avenue, Milford Street, a line 100 feet southeasterly of Atlantic Avenue, Milford Street, a line perpendicular to the westerly street line of Milford Street distant 160 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Milford Street and the southeasterly street line of Atlantic Avenue, a line midway between Milford Street and Montauk Avenue, a line perpendicular to the easterly street line of Montauk Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Montauk Avenue and the southeasterly street line of Atlantic Avenue, Montauk Avenue, a line 100 feet southeasterly of Atlantic Avenue, Linwood Street, Atlantic Avenue, Ashford Street, a line 100 feet southeasterly of Atlantic Avenue, Vermont Street, a line perpendicular to the easterly street line of New Jersey Avenue distant 130 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of New Jersey Avenue and the southerly street line of Atlantic Avenue, New Jersey Avenue, a line 100 feet northerly of Liberty Avenue, Pennsylvania Avenue-Granville Payne Avenue, a line perpendicular to the westerly street line of Pennsylvania Avenue-Granville Payne Avenue distant 110 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Pennsylvania Avenue-Granville Payne Avenue and the southerly street line of Atlantic Avenue, and Sheffield Avenue; and
- c. a line 250 feet northerly of Pitkin Avenue, a line midway between New Jersey Avenue and Pennsylvania Avenue-Granville Payne Avenue, a line 200 feet northerly of Pitkin Avenue, New Jersey Avenue, a line 100 feet northerly of Pitkin Avenue, Bradford Street, Pitkin Avenue, a line 100 feet northerly of Pitkin Avenue, Crescent Street, a line 100 feet southerly of Pitkin Avenue, Atkins Avenue, Pitkin Avenue, a line midway between Berriman Street and Shepherd Avenue, a line 100 feet southerly of Pitkin Avenue, Schenck Avenue, Pitkin Avenue, Hendrix Street, a line 100 feet southerly of Pitkin Avenue, Wyona Street, Pitkin Avenue, the centerline of



former New Jersey Avenue, a line 100 feet southerly of Pitkin Avenue, and Pennsylvania Avenue-Granville Payne Avenue; and

55. establishing a Special Enhanced Commercial District (EC-6) bounded by a line 100 feet northerly of Fulton Street, a line 100 feet northwesterly of Fulton Street, Linwood Street, Arlington Avenue, Hale Avenue, a line 100 feet northerly of Arlington Avenue, a line 100 feet northwesterly of Fulton Street, Euclid Avenue-Father John Krieg Place, Euclid Avenue, a line 100 feet southeasterly of Fulton Street, a line 100 feet southerly of Fulton Street, a line midway between Pennsylvania Avenue-Granville Payne Avenue and Sheffield Avenue, Fulton Street, and Sheffield Avenue;

Borough of Brooklyn, Community Districts 5 & 16, as shown on a diagram (for illustrative purposes only) dated September 21, 2015, modified by the City Planning Commission on February 24, 2016.

The above resolution (C 160035 ZMK), duly adopted by the City Planning Commission on February 24, 2016 (Calendar No. 3), is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**CARL WEISBROD**, *Chairman*

**KENNETH J. KNUCKLES**, *Esq.*, *Vice Chairman*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,  
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,  
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ,**  
*Commissioners*

**MICHELLE R. DE LA UZ**, *Commissioner*, *Voting No*