



## CITY PLANNING COMMISSION

January 23, 2013/Calendar No.7

C 090154 ZMK

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**IN THE MATTER OF** an application submitted by Fairmont Lanes, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), 60th Street, 16th Avenue, and 61st Street, Borough of Brooklyn, Community District 12, as shown in a diagram (for illustrative purposes only) dated September 4, 2012, and subject to the conditions of CEQR Declaration E-289.

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The application for a Zoning Map amendment was filed by Fairmont Lanes LLC on October 20, 2008, to rezone property located at 1560 60<sup>th</sup> Street (Block 5516, Lot 34) from M1-1 to R6A to facilitate the construction of a mixed-use development with 112 dwelling units and a two-story community facility in the Borough Park/Bensonhurst section of Community District 12, Brooklyn.

### **BACKGROUND**

This application for an amendment of the zoning map was filed by Fairmont Lanes LLC on October 20, 2008, to change an existing M1-1 zoning district to an R6A district, on property located at 1560 60<sup>th</sup> Street (Block 5516, Lot 34) in the Borough Park/Bensonhurst section of Brooklyn Community District 12. The proposed action would facilitate the construction of a mixed-use development with 112 dwelling units and a two-story community facility.

The site proposed for the change in zoning is located on the block bounded by 60th Street to the north, 16th Avenue to the east, 61st Street to the south and 15<sup>th</sup> Avenue to the west. The block is bisected into eastern and western sections by the Long Island Railroad Bay Ridge Division (LIRR) freight line, which runs one to two trains per day. The proposed rezoning affects the entire eastern section of the block.

The rezoning area is located on the edge of an M1-1 district which extends to the south and west, between 14<sup>th</sup> and 17<sup>th</sup> avenues and between 60<sup>th</sup> and 64<sup>th</sup> streets. The M1-1 district is predominantly developed with one-story commercial and manufacturing uses such as warehouses, automotive repair shops and some local retail stores like bakery and restaurants.

This area also contains some nonconforming two-story residential buildings and community facilities including yeshivas, a synagogue and a dormitory building. M1-1 zoning districts allow up to 1.0 FAR of commercial, light industrial and limited community facility uses. New residential uses are not permitted in M1-1 district.

The areas to the north and east of the rezoning area are zoned R5. This area is predominantly developed two- to three-story attached and semi-detached residential buildings and several small multi-family apartment buildings, synagogues, yeshivas and student dormitories.

The applicant is proposing to rezone an approximately 72,704 square-foot, irregularly shaped lot (Block 5516, Lot 34) within the M1-1 district to an R6A district. The R6A district is a contextual zoning district that would permit residential and community facility uses up to an FAR of 3.0. Quality Housing regulations are mandatory within the R6A and the minimum to maximum base height is from 40 to 60 feet. Above the base height, a building can go up to a maximum height of 70 feet, after 15 feet set back on narrow streets and a 10 feet setback on wide streets. Off-street accessory parking is required for 50% of the dwelling units, or can be waived if five or fewer spaces are required.

The area to be rezoned is currently occupied by a one-story, 35,000 square-foot bowling alley with an accessory parking lot. The existing building will be demolished in order to facilitate the construction of a mixed use development on 25 separate zoning lots. The residential component of this development would consist of 24 attached and semi-detached four story residential buildings, 21 of which would be townhouse-style buildings containing four dwelling units each. At the corners of 16<sup>th</sup> Avenue and 60<sup>th</sup> Street, and 16<sup>th</sup> Avenue and 61<sup>st</sup> Street, larger residential buildings with seven dwelling units each would be constructed. At the intersection of 61<sup>st</sup> Street and the LIRR, a 4-story 10-unit multiple dwelling would be constructed. A two-story synagogue that would serve the area residents would be constructed at the intersection of the LIRR and 60<sup>th</sup> Street. The project would provide a total of 112 dwelling units and have a total floor area of 183,498 square feet with an overall FAR of 2.52, including 175,898 square feet of residential floor area and 7,600 square feet of community facility floor area. The townhouse buildings will have a base height of approximately 47 feet and rise to a total height of approximately 57 feet. Accessory parking for 56 cars would be provided in a below-grade parking garage.

## **ENVIRONMENTAL REVIEW**

This application (090154ZMK) 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 11DCP022K. The lead agency is the Department of City Planning.

After a study of the potential environmental impact of the proposed action, a Conditional Negative Declaration was issued.

The lead agency has determined that the proposed action will have no significant effect on the quality of the environment, once modified as follows:

The applicant agrees via a restrictive declaration to prepare a Phase II Environmental Assessment Statement (ESA), hazardous materials sampling protocol and health and safety plans, which would be submitted to the NYC Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans.

To avoid any potential significant adverse impacts, the applicant has entered into a Restrictive Declaration for hazardous materials for their property at Block 5516, Lot 34. An (E) designation, (E-289), for noise would also apply to applicants property at Block 5516, Lot 34, as described below.

The (E) designation for noise would preclude the potential for significant adverse impacts related to high levels of ambient noise. The text for the (E) designation for noise for the above property is as follows:

In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also

be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

With the implementation of the above referenced restrictive declaration and (E) designation, no significant adverse impacts related to hazardous materials or noise would occur.

The applicant signed the Conditional Negative Declaration on August 29, 2012. The Conditional Negative Declaration was published in the City Record on September 12, 2012 and in the New York State Environmental Notice Bulletin on September 13, 2012. Pursuant to the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., a 30-day comment period followed.

No comments were received and the Conditional Negative Declaration was issued on January 23, 2013.

#### **UNIFORM LAND USE REVIEW**

This application (C 090154 ZMK) was certified as complete by the Department of City Planning on September 4, 2012 and was duly referred to Community Board 12 and Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

#### **Community Board Public Hearing**

Community Board 12 held a public hearing on this application (C 090154 ZMK) on September 10, 2012, and on September 11, 2012, by a vote of 31 in favor and 0 in opposition with 0 abstentions, adopted a resolution recommending approval of the application under the condition that “The FAR remains the same as presented in the proposal.”

#### **Borough President Recommendation**

This application (C 090154 ZMK) was considered by the Borough President, who, on November 23, 2012, recommended approval of the application with the following conditions:

1. That the developer establishes a fund toward the possibility of either re-establishing a bowling alley in the nearby manufacturing area or as a means to fund a traffic study in

consultation with the Department of Transportation (DOT) to change the parking along Shell Road near Shell Lanes to angled parking, then subject to the support of Community Board 15, to finance the implementation of angled parking by DOT;

2. That the developer and Maple Lanes operator provide a binding commitment to maintain the bowling alley in operation until a permit is issued for the site's construction;
3. That a commitment is made to provide a portion of the housing to those of a moderate to middle income;
4. R6B should be mapped along 61st Street to within 100 feet of 16th Avenue unless a covenant is filed restricting the final design to reflect what is presented in the proposal prior to the City Council subcommittee on Zoning and Franchise's hearing.

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

On November 28, 2012 (Calendar No.1), the City Planning Commission scheduled December 19, 2012, for a public hearing on this application (C 090154 ZMK). The hearing was duly held on December 19, 2012 (Calendar No. 9).

There were four speakers in favor of the application and no speakers opposed.

The speakers included the applicant's lawyer who provided a summary of the project, stating that the proposed rezoning reflects a sensitive balance between the existing land uses and the housing needs of the community. The lawyer also stated that there were no plans to build affordable housing as part of this project. He also stated, in response to the Community Board's condition, that the developer plans to develop the project as proposed.

Three additional speakers, all residents of the community, testified in support of the proposal. They stated that there was a demand for housing in the community and that the proposed R6A zoning was appropriate in terms of scale. One of the speakers submitted a letter of support on behalf of the New York State Assemblyman for the 48th District.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this amendment to the zoning map (C 090154 ZMK) is appropriate.

The proposed rezoning site at the corner of 16<sup>th</sup> Avenue and 61<sup>st</sup> Street is located at the edge of an M1-1 zoning district, which does not allow new residential uses. The Commission notes that the area south of the proposed rezoning is predominantly developed with one-story commercial and light manufacturing uses interspersed with some nonconforming residential uses, including two to four family walk-up buildings, and that the area directly to the north of the subject site, across 16<sup>th</sup> Avenue, is a residential community within a R5 zoning district. Therefore, the Commission believes that residential use is appropriate within the area proposed to be rezoned. The Commission further acknowledges recognizes the testimony provided by neighborhood residents at the public hearing that there is a strong demand for housing within this neighborhood.

The Commission acknowledges the recommendations by the Borough President and Community Board 12 that any new construction remain substantially identical to the proposed development. The Commission also acknowledges the Borough President's recommendation that some commitment be made to maintain or replace the bowling alley and that moderate affordable housing should be provided. While the Commission recognizes that the application is for a zoning map amendment, and not for review of a specific building or site plan, the Commission is pleased nonetheless that the applicant's representative, in his testimony at the public hearing, stated that they intend to build the project as proposed.

In response to the Borough President's request for affordable housing at this development, the applicant stated at the city planning hearing that, given the location and scope of the project, affordable housing is not feasible and they plan to provide market rate housing."

The Commission believes that the proposed R6A district is appropriate in this area given the surrounding land uses and building context and the need for housing in this growing community.

## **RESOLUTION**

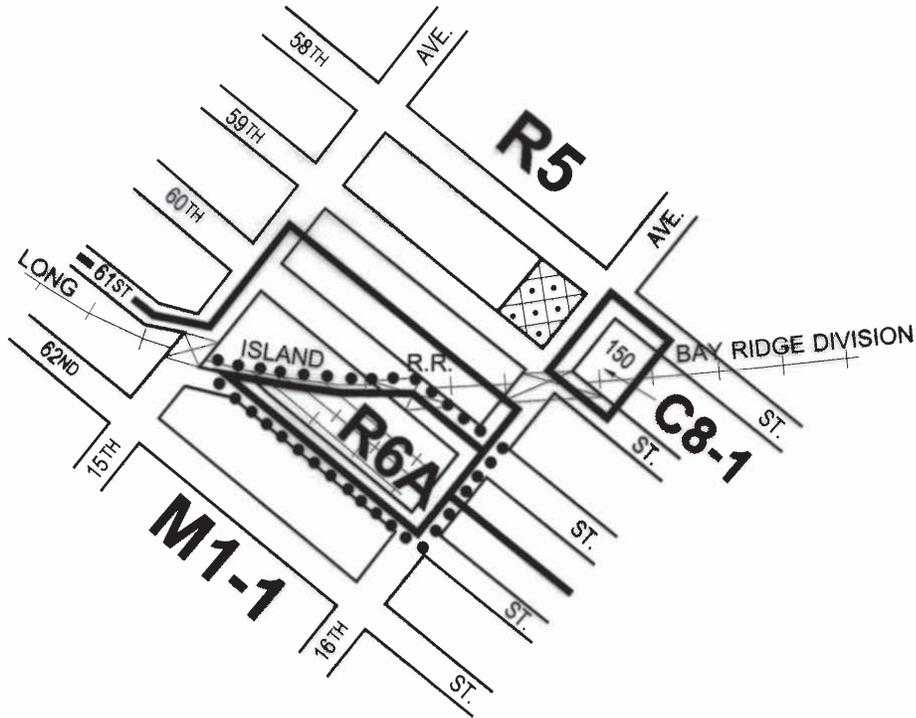
**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment subject to the following conditions:

The applicant has entered into a restrictive declaration (Block 5516, Lot 34) to ensure that the appropriate hazardous materials sampling protocols, including health and safety plans, will occur prior to construction on the premises (Block 5516, Lot 34). The restrictive declaration would ensure that appropriate remediation measures for on-site hazardous materials, if necessary, would occur.

**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. 22d, changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), 60th Street, 16th Avenue, and 61st Street, Borough of Brooklyn, Community District 12, as shown in a diagram (for illustrative purposes only) dated September 4, 2012, and subject to the conditions of CEQR Declaration E-289.

The above resolution (C 090154 ZMK), duly adopted by the City Planning Commission on January 23, 2013 (Calendar No. 7), 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.

**Amanda M. Burden, FAICP, Chair**  
**Angela M. Battaglia, Rayann Besser, Irwin G. Cantor, P.E.**  
**Betty Y. Chen, Michelle R. De la Uz,**  
**Maria M. Del Toro Joseph I. Douek, Richard W. Eaddy,**  
**Anna Hayes Levin, Orlando Marin, Commissioners**



CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**22d**  
 BOROUGH OF  
**BROOKLYN**

New York, Certification Date  
 SEPTEMBER 04, 2012

J. Miraglia, Director  
 Technical Review Division



- NOTE:
- Indicates Zoning District Boundary.
  - The area enclosed by the dotted line is proposed to be rezoned by changing an M1-1 District to an R6A District.
  - Indicates a C2-2 District.



**Community/Borough Board Recommendation**  
Pursuant to the Uniform Land Use Review Procedure

Application #: <b>C 090154 ZMK</b>	Project Name: <b>Maple Lanes Views</b>
CEQR Number: 11 DCP 022K	Borough(s): <b>Brooklyn</b> Community District Number(s): <b>12</b>

*Please use the above application number on all correspondence concerning this application*

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g. "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

**IN THE MATTER OF** an application submitted by Fairmont Lanes, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), 60th Street, 16th Avenue, and 61st Street, Borough of Brooklyn, Community District 12, as shown in a diagram (for illustrative purposes only) dated September 4, 2012, and subject to the conditions of CEQR Declaration E-289.

<b>Applicant(s):</b> Fairmont Lanes, LLC 39 West 37th Street New York, New York 10018 (212) 937-6125 - Phone (212) 937-2034 - Fax	<b>Applicant's Representative:</b> Ron J. Mandel, Esq. Davidoff Hutcher & Citron LLP 605 Third Avenue New York, New York 10158 (212) 557-7200 - Phone / (212) 286-1884
<b>Recommendation submitted by:</b> Brooklyn Community Board 12	
<b>Date of public hearing:</b> September 10, 2012 <b>Location:</b> 5910 - 13th Ave	
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
<b>Date of Vote:</b> September 11, 2012 <b>Location:</b> 5901 13th Ave	
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions	
<i>(THE FAR STAYS THE SAME AS IN ORIGINAL PLANS)</i>	
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>	
<b>Voting</b> # In Favor: 31    # Against:    # Abstaining:    Total members appointed to the board: <b>50</b>	
<b>Name of CB/BB officer completing this form</b> Wolf Sender	<b>Title</b> District Manager
<b>Date</b> 10/23/2012	

# Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

## INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.

2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: 090154 ZMK

Maple Lanes Views

In the matter of an application submitted by Fairmont Lanes, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way, 60<sup>th</sup> Street, 16<sup>th</sup> Avenue, and 61<sup>st</sup> Street.

COMMUNITY DISTRICT NO.

12

BOROUGH OF BROOKLYN

## RECOMMENDATION

APPROVE

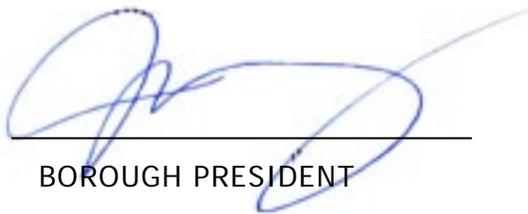
APPROVE WITH

MODIFICATIONS/CONDITIONS

DISAPPROVE

DISAPPROVE WITH

MODIFICATIONS/CONDITIONS



\_\_\_\_\_

BOROUGH PRESIDENT

November 23, 2012

\_\_\_\_\_

DATE

## **RECOMMENDATION FOR THE PROPOSED ZONING MAP AMENDMENT - 090154 ZMK**

### **PUBLIC HEARING**

On September 27, 2012, the Borough President held a public hearing for a land use application by Fairmont Lanes LLC for an amendment to the Zoning Map. Approval of this action is being sought in order to facilitate multi-family residential development which will result in 25 four-story buildings containing 112 units along with a house of worship.

The site is now occupied by Maple Lanes, a bowling alley that has been in operation at this location for approximately 50 years, though the owner of the establishment intends to cease operation and is in contract with the applicant to sell the property. The Borough President expressed his appreciation for the bowling alley as a facility which serves as an amenity enjoyed throughout the community, regardless of ethnicity and heritage. He was interested in the possibility of integrating a bowling alley into the development plan or at a nearby site. The representative for the applicant noted their client is not in the business of operating a bowling alley business; therefore establishing Maple Lanes in any capacity would be improbable. However, the representative remained open to a discussion with the applicant concerning the viability of providing a bowling alley.

All six speakers who provided testimony were in opposition to the project. Among the opinions expressed was that Maple Lanes has, over the years of its operation, become a community treasure. Maple Lanes stands out among the few options for bowling borough-wide, in part, due to its availability of parking. Its league play, which brings together people of all walks of life throughout the community, is a feature not commonly found within the newer, trendier bowling alleys, which is why many believe closing it would be a loss of a social amenity.

Although many cited that housing is needed within the community, the belief is that comparable sites are available that can meet such an objective and not result in the loss of Maple Lanes. In addition to the speakers, a petition with 609 signatures from community members opposed to Maple Lanes ending its operations was submitted.

### **CONSIDERATION**

Community Board 12 (CB12) voted to approve the application with a modification for the applicant's constructed project to mirror the designs that were presented.

### **BOWLING RELOCATION**

The Borough President has concerns regarding the expected loss of Maple Lanes bowling alley, the absence of affordable housing and of a guarantee that the project as presented to CB 12 would be what is developed.

The Borough President agrees that bowling is a recreational activity that crosses boundaries as it appeals to people of all ethnic backgrounds and is a great benefit to many Brooklynites. However, property owners are within their right to make what they deem is the best use of their property, so long as such use is allowable pursuant to zoning regulations. The Borough President understands, though with sadness, the owner of the Maple Lanes property in the capacity of property owner, has the desire to end operations as a bowling alley.

If housing were not to result from the closing of the lanes, there are a host of other permitted uses that might have been profitable enough to replace the bowling alley. According to the existing M1-1 zoning, there are a number of alternative uses of the site that might provide enough incentive to sell. These uses range from community facilities such as houses of worship, schools (subject to discretionary approval for a Special Use permit by the Board of Standards and Appeals), and ambulatory medical facilities to commercial uses such as a drugstore, banquet establishment, office building, or a movie theatre. It just so happens that a choice was made to sell to a residential developer.

#### BOWLING ALTERNATIVES

The Borough President believes that if there were opportunities existing that will keep bowling as a viable option for Borough Park and the broader community, they should be investigated. He urges the developer to consider taking measures to preserve this amenity for the community. One possibility would be if an entrepreneur could be identified that would want to develop a new bowling alley in the manufacturing zoning district that borders Borough Park, running from 4<sup>th</sup> Avenue to 17<sup>th</sup> Avenue, should under-developed properties be identified.

An alternative possibility might be to change the parking nearby Shell Lane along Shell Road to increase parking accessibility to those who travel by car to bowl. Presently Shell Lanes has no off street parking. Adjacent to Shell Lanes, Shell Road might provide an opportunity to increase parking availability in proximity to Shell Lanes. Northbound Shell Road consists of two travel lanes with an overwidth parking lane that becomes an unofficial third travel lane. The Borough President believes this extra-wide parking lane is worthy of consideration to be converted into an angled parking lane. The Borough President believes that by instituting angled parking south of Avenue X along Shell Road, a significant number of parking spaces can be achieved.

The Borough President finds it appropriate for the applicant to undertake a study of Shell Road between Avenue X and the Belt Parkway in consultation with the Department of Transportation (DOT) to determine the feasibility of changing the parking lane to angled parking. Should such a study confirm that angled parking is feasible, the applicant should present the findings to Community Board 15 (CB 15) for its concurrence. If CB 15 is supportive, the applicant should financially contribute to the implementation of a study by DOT.

In the interim, the Borough President believes that until the proposed project is at a point where construction needs to commence, the applicant and current operator should provide a binding commitment that the bowling alley will stay in operation.

Borough President staff have discussed these alternatives with representatives of the applicant and at the present time, the applicant has not agreed to contribute to any efforts to assist a new bowling operation or funding a parking study by Shell Lanes. Additionally, no commitment has been made in terms of how long Maple Lanes would remain open.

#### FINAL DESIGN

The Borough President is concerned that although a number of renderings accompany the application depicting four-story buildings, the requested zoning approval offers no

guarantee that a vastly different project would not be developed. The proposed zoning does not require that these designs be constructed. Rather, the zoning would permit six-to seven-story buildings and an additional 34,897 square feet. In addition, zoning does not preclude subdivision of the property in a manner that would result in the waiving of required parking. As such, the Borough President urges the applicant to memorialize their development plans to the specifications that have been presented through the filing of a covenant that would go into effect subject to the property being rezoned.

If a covenant is not registered in a timely manner, the Borough President believes that mapping 61<sup>st</sup> Street R6B to within 100 feet of 16<sup>th</sup> Avenue would be the nearest tool to more closely replicate the presented plans. Splitting the lot into R6A and R6B establishes a 50 foot height limit after setback along 61<sup>st</sup> Street and limits developable floor area to within 1,000 square feet of what the applicant indicated to CB 12.

The applicant has not provided the Borough President with a commitment to build the plans as presented. Therefore unless the City Council receives adequate documentation to demonstrate that the property is restricted to the drawings presented by the applicant prior to the City Council subcommittee for Zoning and Franchises conducting its public hearing, the Borough President believes rezoning the 61<sup>st</sup> Street frontage to R6B will most closely achieve the objectives of CB 12.

#### MODERATE TO MIDDLE AFFORDABLE HOUSING

It is the Borough President's policy to support land use changes that increase the supply of housing for Brooklyn residents, especially when such projects result in affordable housing. The Borough President is committed to seeking opportunities for Brooklyn's working families to have access to affordable housing. The concern is that too many of the borough's residents, especially within the middle income community, leave because they can no longer afford to live in Brooklyn.

The Borough President believes that it is appropriate for this proposal to provide a percentage of housing devoted to such households as represented by teachers, civil servants and uniformed services currently residing in the community as a means to provide them with quality housing without overtaxing their household income. Although the applicant has not agreed to include affordable housing units as part of this development, the Borough President urges that such a decision is reconsidered.

The Borough President encourages the applicant to pursue funding from the State's Affordable Housing Corporation (AHC) to facilitate affordable homeownership units, should a decision be made to include such units as part of this development. The applicant should consider contacting organizations such as the Housing Partnership Development Corporation (HPDC) to explore securing AHC funding. HPDC's goals include assisting in the development of affordable homeownership through specialized programs and services. With assistance from the appropriate organization, the developer can investigate the feasibility of developing these units in a manner similar to the Department of Housing and Preservation Development's New Foundations initiative. Under this model, all of the affordable units shall be made affordable for middle income families in multiple tiers of earning, ranging from 100 (approximately \$85,000 for a family of four) to 3

130 (approximately \$108,000 for a family of four) percent area median income (AMI), restricted to households not earning more than 165 (approximately \$134,000 for a family of four) percent AMI.

If the applicant would prefer to develop these three buildings as affordable rental housing, the Borough President recommends contacting the Housing Development Corporation to consider the feasibility of developing these units in a manner according to its New Housing Opportunities Program (NewHOP) model. Under this model, all of the affordable units would be made affordable to middle income families earning up to 130 percent AMI, with eligibility to those earning up to 165 percent AMI.

#### **RECOMMENDATION**

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the requested land use actions following these conditions:

1. That the developer establishes a fund toward the possibility of either re-establishing a bowling alley in the nearby manufacturing area or as a means to fund a traffic study in consultation with the Department of Transportation (DOT) to change the parking along Shell Road near Shell Lanes to angled parking, then subject to the support of Community Board 15, to finance the implementation of angled parking by DOT;
2. That the developer and Maple Lanes operator provide a binding commitment to maintain the bowling alley in operation until a permit is issued for the site's construction;
3. That a commitment is made to provide a portion of the housing to those of a moderate to middle income;
4. R6B should be mapped along 61<sup>st</sup> Street to within 100 feet of 16<sup>th</sup> Avenue unless a covenant is filed restricting the final design to reflect what is presented in the proposal prior to the City Council subcommittee on Zoning and Franchise's hearing.