



CITY PLANNING COMMISSION

August 7, 2013 / Calendar No. 4

C 130213 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. 16c, 16d, 17a & 17b:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Prospect Place, a line 150 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 150 feet northwesterly of Franklin Avenue;
 - c. Pacific Avenue, a line 150 feet easterly of Nostrand Avenue, St. Marks Avenue, and a line 150 feet westerly of Nostrand Avenue; and
 - d. St. Johns Place, a line 150 feet easterly of Nostrand Avenue, Eastern Parkway, and a line 150 feet westerly of Nostrand Avenue;
2. eliminating from within an existing R7-1 District a C1-3 District bounded by a line midway between Sterling Place and St. Johns Place, St. Francis Place and its northeasterly and southwestly centerline prolongations, Eastern Parkway, and a line 150 feet northwesterly of Franklin Avenue;
3. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. Dean Street, a line 150 feet southeasterly of Franklin Avenue, Prospect Place, and a line 150 feet northwesterly of Franklin Avenue;
 - b. a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, a line 150 feet northwesterly of Bedford Avenue, Bergen Street, and Rogers Avenue;
 - c. a line midway between Lincoln Place and Eastern Parkway, a line 150 feet easterly of Rogers Avenue, Eastern Parkway, and a line 150 feet westerly of Rogers Avenue; and
 - d. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 150 feet easterly of Nostrand Avenue, Pacific Street, a line 150 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;
4. changing from an R6 District to an R5B District property bounded by:
 - a. a line midway between Prospect Place and Park Place, a line 100 feet

northwesterly of Bedford Avenue, a line midway between Park Place and Sterling Place, a line 225 feet southeasterly of Franklin Avenue, Park Place, and a line 100 feet southeasterly of Franklin Avenue; and

- b. Sterling Place, a line 100 feet northwesterly of Bedford Avenue, St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, a line midway between Sterling Place and St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
5. changing from an R7-1 District to an R5B District property bounded by a line midway between Sterling Place and St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
6. changing from a C4-3 District to an R6 District property bounded by St. Mark's Avenue, a line 150 feet easterly of Nostrand Avenue, St. Johns Place, and a line 100 feet easterly of Nostrand Avenue;
7. changing from an R6 District to an R6A District property bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, St. Mark's Avenue, the line the centerline of a Railroad right-of-way, a line midway between Prospect Place and Park Place, a line 175 feet southeasterly of Classon Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northeasterly of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet southeasterly of Grand Avenue, a line midway between Prospect Place and Park Place, a line 450 feet northwesterly of Classon Avenue, Park Place, a line 100 feet northwesterly of Classon Avenue, Prospect Place, a line 500 feet northwesterly of Classon Avenue, a line midway between St. Mark's Avenue and Prospect Place, a line 100 feet northwesterly of Classon Avenue, St. Mark's Avenue, a line 450 feet southeasterly of Grand Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Lincoln Place, a line 100 feet northwesterly of Bedford Avenue, Eastern Parkway, the southwesterly centerline prolongation of St. Francis Place, Lincoln Place, a line 275 feet southeasterly of Franklin Avenue, a line midway between Eastern Parkway and Lincoln Place, and a line 235 feet northwesterly of Bedford Avenue;
 - c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet northeasterly of Bedford Avenue, a line 100 feet easterly of Rogers Avenue, a line midway between St. Marks

Avenue and Prospect Place, a line 150 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, St. Johns Place, Bedford Avenue, Lincoln Place, a line 100 feet northwesterly of Bedford Avenue, Dean Street, a line 80 feet northwesterly of Franklin Avenue, Pacific Street, Bedford Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue; and

- d. St. Johns Place, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet easterly of Rogers Avenue, a line midway between Lincoln Place and Eastern Parkway, and a line 100 feet westerly of Nostrand Avenue;
8. changing from an R7-1 District to an R6A District property bounded by:
 - a. a line midway between St. Johns Place and Sterling Place, Classon Avenue, St. Johns Place, and a line 100 feet northeasterly of Washington Avenue; and
 - b. Lincoln Place, the southwesterly centerline prolongation of St. Francis Place, Eastern Parkway, and a line 100 feet southeasterly of Franklin Avenue;
 9. changing from a C4-3 District to an R6A District property bounded by St. Marks Avenue, a line 100 feet easterly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 100 feet westerly of Nostrand Avenue;
 10. changing from an R6 District to an R6B District property bounded by:
 - a. Bergen Street, a line 450 feet southeasterly of Grand Avenue, St. Marks Avenue, a line 100 feet northwesterly of Classon Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 500 feet northwesterly of Classon Avenue, Prospect Place, a line 100 feet northwesterly of Classon Avenue, Park Place, a line 450 feet northwesterly of Classon Avenue, a line midway between Prospect Place and Park Place, a line 100 feet southeasterly of Grand Avenue, Prospect Place, and Grand Avenue;
 - b. a line midway between Prospect Place and Park Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 175 feet southeasterly of Classon Avenue;
 - c. Dean Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between Prospect Place and Park Place, and a line 100 feet

southeasterly of Franklin Avenue;

- d. Park Place, a line 225 feet southeasterly of Franklin Avenue, a line midway between Park Place and Sterling Place, a line 100 feet northwesterly of Bedford Avenue, Sterling Place, and a line 100 feet southeasterly of Franklin Avenue;
 - e. St. Johns Place, a line 100 feet northwesterly of Bedford Avenue, Lincoln Place, a line 235 feet northwesterly of Bedford Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 275 feet southeasterly of Franklin Avenue, and St. Francis Place;
 - f. a line midway between Pacific Street and Dean Street, a line 100 feet westerly of Nostrand Avenue, St. Marks Avenue, a line 150 feet northwesterly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 100 feet easterly of Rogers Avenue, and a line 100 feet northeasterly of Bedford Avenue; and
 - g. a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 100 feet easterly of Rogers Avenue, Eastern Parkway, a line 125 feet southeasterly of Bedford Avenue, St. Johns Place and Rogers Avenue;
11. changing from an R7-1 District to an R6B District property bounded by:
- a. a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between St. Johns Place and Lincoln Place, the line the centerline of a Railroad right-of-way, St. Johns Place, and a line 300 feet southeasterly of Classon Avenue; and
 - b. St. Johns Place, St. Francis Place, Lincoln Place, and a line 100 feet southeasterly of Franklin Avenue;
12. changing from a C4-3 District to an R6B District property bounded by:
- a. St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 150 feet westerly of Nostrand Avenue; and
 - b. a line midway between Sterling Place and St. Johns Place, a line 100 feet westerly of Nostrand Avenue, St. Johns Place, and a line 150 feet westerly of Nostrand Avenue;
13. changing from an R6 District to an R7A District property bounded by Dean Street, a line

- 100 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Prospect Place and Park Place, the line the centerline of a Railroad right-of-way, St. Marks Avenue, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue;
14. changing from an R7-1 District to an R7A District property bounded by St. Johns Place, Classon Avenue, a line midway between Sterling Place, and St. Johns Place, a line 300 feet southeasterly of Classon Avenue, St. Johns Place, the line the centerline of a Railroad right-of-way, a line midway between St. Johns Place and Lincoln Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, and a line 100 feet northeasterly of Washington Avenue;
 15. changing from an R6 District to an R7D District property bounded by St. Johns Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, a line 100 feet southeasterly of Bedford Avenue, Lincoln Place, and Bedford Avenue;
 16. changing from an C8-2 District to an R7D District property bounded by Lincoln Avenue, a line 100 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;
 17. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Prospect Place, Classon Avenue, Park Place, and a line 100 feet northwesterly of Classon Avenue;
 - b. Bergen Street, Bedford Avenue, a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, and a line 100 feet northwesterly of Bedford Avenue; and
 - c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, Nostrand Avenue, Dean Street, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet westerly of Nostrand Avenue, Dean Street, a line 50 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;
 18. establishing within a proposed R7A District a C2-4 District bounded by Dean Street, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, a line 100 feet northwesterly of Franklin Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue; and

19. establishing within a proposed R7D District a C2-4 District bounded by Lincoln Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;

as shown in a diagram (for illustrative purposes only) dated March 18, 2013, and subject to the conditions of CEQR Declaration E-302, Community District 8, Borough of Brooklyn.

The application for an amendment to the Zoning Map was filed by the Department of City Planning on March 12, 2013, to rezone all or portions of 55 blocks in Brooklyn Community District 8. The proposal would map contextual zoning districts and establish new Inclusionary Housing Areas to incentivize the development of affordable housing. In addition, a text amendment (N130212 ZRK) is proposed to modify height and setback regulations in order to maintain consistency between the Zoning Resolution and the New York City Administrative Code in Community Districts 8 and 9, in the Borough of Brooklyn.

RELATED ACTIONS

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

N 130212 ZRK	Zoning text amendment to create new Inclusionary Housing Designated Areas in Brooklyn Community District 8 and modify height and setback regulations along Eastern Parkway in Community Districts 8 and 9.
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BACKGROUND

The Department of City Planning proposes zoning map and text amendments for an approximately 55-block area in the western part of Crown Heights. The Zoning Map amendment would map contextual zoning districts to protect neighborhood character and create opportunities for the development of affordable housing. In addition, the Zoning Resolution would be amended to create new Inclusionary Housing Designated Areas and modify the height and setback regulations along Eastern Parkway. The modifications would maintain consistency between the Zoning Resolution and the New York City Administrative Code.

The rezoning area is generally bounded by Atlantic Avenue, Pacific Street, Dean Street, and Bergen Street to the north; Nostrand Avenue to the east; Eastern Parkway to the south, and Washington Avenue and Grand Avenue to the west. The existing R6, R7-1, C4-3 and C8-2 zoning districts in Crown Heights have predominantly been in place since 1961 and permit buildings that are out-of-character with no height limit on new buildings.

This comprehensive zoning study was undertaken by the Department of City Planning at the request of Community Board 8 and local elected officials to protect the neighborhood's character from out-of-scale development and to create opportunities for the development of affordable housing at appropriate locations. The proposed actions respond to these concerns by proposing to replace non-contextual zoning districts without height limits with contextual zoning districts with height limits and to allow for modest residential growth with incentives for affordable housing along parts of Franklin and Bedford avenues.

The western portion of Crown Heights North is a predominantly residential neighborhood in central Brooklyn, well-known for its brownstones, row houses and apartment buildings rich in architectural beauty. The neighborhood is predominantly residential with mixed use corridors along the north south avenues, predominantly along Franklin and Nostrand avenues. There are several community facilities concentrated along Classon Avenue and a very small number of commercial and manufacturing buildings which are either vacant or used for storage. The area to be rezoned is predominately developed with three- and four-story multifamily walk-up residential buildings and row houses and four story walk-up multifamily buildings. There are some two- to three-story one and two-family houses along the east-west blocks on Park Place, Sterling Street and St John's Place between Bedford and Franklin avenues. There are several large six- to seven-story multifamily buildings located in the R7-1 district at the southwestern portion of the rezoning area, along Washington Avenue and Eastern Parkway. There are several five- to 13-story tall buildings on St Marks Avenue, between Classon and Franklin avenues, which used to comprise Interfaith Hospital but have been converted to residential use. Other

tower like buildings in the rezoning area include a ten-story building near Bergen Street and the Franklin Avenue Shuttle line, a fourteen-story building along St. Marks Avenue and a thirteen-story building along Classon Avenue. Redevelopment activity is on the rise in Crown Heights, with new retail stores, and restaurants, opening on the ground floor of existing three to four story buildings along Franklin Avenue and with the construction of new multistory apartment buildings.

Approximately 82 percent (45 full or partial blocks) of the rezoning area is zoned R6 which permits tower construction on large lots under the 1961 “height factor” regulations. R6 district regulations permit residential and community facility uses with a maximum FAR of 2.43 for residential uses and 4.8 for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. Residential developments using the optional Quality Housing Program in an R6 district are allowed a maximum 2.2 FAR on a narrow street with a base height of between 30 and 45 feet and a maximum building height of 55 feet, or a maximum 3.0 FAR on wide streets with a base height of between 40 and 60 feet, and a maximum building height of 70 feet. Off-street parking is required for a minimum of 70 percent of the dwelling units and a minimum of 50 percent of the dwelling units when the Quality Housing Program is utilized. Parking is waived if five spaces or fewer are required.

In the southwest portion of the rezoning area, approximately 16 percent (9 full or partial blocks) of the rezoning area is zoned R7-1. The R7-1 area is bounded by Sterling Place to the north, Classon Avenue to the east, Washington Avenue to the west, and Eastern Parkway to the south. R7-1 district regulations permit residential and community facility uses with a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. Residential developments using the optional Quality Housing Program in an R7-1 district are allowed a maximum 3.44 FAR on a narrow street with a base height of between 40 and 60 feet and a maximum building height of 75 feet, or a maximum 4.0 FAR on wide streets with a base height of between 40 and 65 feet, and a

maximum building height of 80 feet. Off-street parking is required for a minimum of 60 percent of the dwelling units and a minimum of 50 percent of the dwelling units when the Quality Housing Program is utilized. Parking is waived if five spaces or fewer are required.

Approximately three percent (8 partial blocks) of the rezoning area is zoned C4-3. The C4-3 commercial zoning district is mapped along four blocks of Nostrand Avenue between St. Mark's Avenue and St. Johns Place. C4-3 districts are regional commercial centers where uses such as specialty and department stores serve a larger area and generate more activity than a local retail area. The C4-3 district regulations permit commercial buildings up to 3.4 FAR. Residential buildings are permitted up to 2.43 FAR under height factor regulations and 3.0 FAR using the Quality Housing regulations (R6 equivalent). Community facility and mixed residential/community facility buildings can have an FAR of up to 4.8 with no height limit. Off-street parking is required for 70% of the dwelling units in height factor buildings and for 50% of the units in projects using the Quality Housing regulations. Non-residential parking varies by use and is waived for commercial uses that would require 15 spaces or less or community facility uses that would require 25 spaces or less.

Less than one percent (2 partial blocks) of the rezoning area is zoned C8-2. The C8-2 zoning district is mapped on one block of Bedford Avenue between Eastern Parkway and Lincoln Place. C8-2 districts bridge commercial and manufacturing districts and are mapped mainly along major arterials. The C8-2 district regulations allow all commercial uses, including automotive and other heavy commercial services, up to 2.0 FAR. It permits up to 4.8 FAR for community facilities or mixed commercial and community facility buildings. Residences are not permitted in C8-2 districts and performance standards apply to commercial uses. Off-street parking requirements vary with use, but are generally substantial for automotive uses.

There are commercial overlays permitting local commercial retail uses mapped along Franklin Avenue, including parts of Nostrand Avenue, Bedford Avenue, Rogers Avenue and one block

front along Classon Avenue. The C1-3 commercial overlay allows small-scale retail and service shops needed in residential neighborhoods. The C2-3 overlays allow a slightly broader range of service uses, such as funeral homes and repair services. In R6 districts, the commercial FAR can be up to 2.0, and 1.0 in a mixed-use building. The commercial overlay districts extend 150 feet deep into many of the residential side streets, allowing the potential for commercial encroachment into these residential streets.

Proposed Actions

Zoning Map Amendment

The proposed Zoning Map amendment would introduce new contextual zoning districts on approximately 55 full or partial blocks in the rezoning area.

Proposed R5B (Existing R6)

Three partial blocks of the rezoning area with existing low-rise homes are proposed to be rezoned from R6 to R5B. These proposed R5B areas are typically built with two to three story rowhouses and brownstones. The R5B designation would protect the character of these aesthetically pleasing and well preserved houses from the early 19th century.

The R5B district is a rowhouse district that allows a maximum FAR of 1.35 with a maximum street wall of 30 feet and a maximum building height of 33 feet. The front yard of a new development must be at least five feet deep and as deep as one adjacent front yard and no deeper than the other, to a maximum depth of 20 feet. For detached homes, two side yards are required with an eight foot total. For all other building types, one four foot side yard is required. Parking is not required for one and two family homes. Where parking is required, spaces for 66 percent of the units must be provided. Curb cuts are prohibited on zoning lots less than 40 feet wide, front yard parking is prohibited and infill zoning provisions are not applicable.

Proposed R6B (Existing R6 and R7-1)

Twenty three full and partial blocks of the rezoning area are proposed to be rezoned to R6B. These proposed R6B areas are typically built with two to four story rowhouses and four story apartment buildings. This proposed designation would protect the low-rise, rowhouse character of the east-west side streets and allow for modest enlargements of many existing homes while establishing a height limit that reflects the scale of existing development.

The R6B district is a rowhouse district that allows a maximum FAR of 2.0 and with a maximum street wall of 40 feet and a maximum building height of 50 feet. New development in the proposed R6B district would be required to maintain the existing street wall characteristics. New multi-family residences must provide one off-street parking space each for 50% of the dwelling units. This parking requirement is waived if five or fewer spaces are required. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 25 spaces are required.

Proposed R6A (Existing C4-3, R7-1 and R6)

47 full or partial blocks of the rezoning area are proposed to be rezoned to R6A. An R6A district is proposed for lot frontages along many north/south avenues, including portions of Grand Avenue, Classon Avenue, Franklin Avenue, Bedford Avenue, Rogers Avenue, Nostrand Avenue and along blocks of some east-west streets where appropriate. The area proposed to be mapped R6A generally contains small and medium-sized apartment buildings, including some out-of-scale ten- to fourteen-story buildings and mixed-use developments along parts of the avenues. A portion of Nostrand Avenue between St Marks Avenue and St. Johns Place that is currently zoned C4-3 is also proposed to be changed to R6A. . The proposed R6A would be appropriate for the mapped locations and ensure that new developments would be contextual in nature.

R6A is a medium-density apartment district, with a maximum FAR of 3.0 and a maximum street wall of 40 to 60 feet and a maximum building height of 70 feet, after a setback. The building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street after the

maximum base street height. New structures in R6A districts are required to line up with adjacent structures to maintain the streetwall. Off-street parking is required for 50% of housing units, but is not allowed in the front of the building. This parking requirement is waived if five or fewer spaces are required. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 25 spaces are required.

Proposed R7A (Existing R7-1 and R6)

An R7A designation is proposed for 18 full and partial blocks in the southwestern portion of the rezoning area between St. Johns Place and Eastern Parkway, along Franklin Avenue, and on parts of blocks between Franklin and Classon avenues north of Park Place. Most of the area in the southwestern portion of the rezoning area that is currently zoned R7-1 is proposed to be replaced by R7A. This area between St Johns Place and Eastern Parkway comprises of six to seven story large and bulky multistory elevator apartment buildings. The proposed R7A would be consistent with the existing character of this area, and ensure that new developments would be contextual in nature.

Franklin Avenue, north of the existing R7-1 district, is proposed to be rezoned to R7A and designated as an Inclusionary Housing Designated Area. This area is mixed use in character, with predominantly two- to four-story mixed use buildings with ground-floor retail. In addition, one east-west block along St Marks Avenue, which contains larger apartment buildings and smaller scale residential and a few vacant one-story manufacturing and community facility buildings, is proposed to be zoned R7A with the Inclusionary Housing provisions.

In Inclusionary Housing Designated Areas, R7A permits residential uses up to a base FAR of 3.45. The residential FAR may be increased to 4.6 if affordable housing is provided. Outside of Inclusionary Housing Designated Areas, residential uses are permitted up to 4.0 FAR for all types of housing. Community Facility uses are permitted up to 4.0 FAR in all R7A districts. R7A permits a maximum street wall of 40 to 65 feet and a maximum building height of 80 feet, after a

setback from the street wall. This typically produces 6- to 8-story buildings. New buildings in R7A districts must be located no closer to the street than a neighboring building. Parking is required for 50% of the residential units. This parking requirement is waived if 15 or fewer spaces are required. Non-residential parking requirements depend on the use. 83 percent of tax lots are currently built within the maximum FAR of the R6 district, and 96 percent would be compliant with the proposed R7A zoning district.

Proposed R7D (Existing R6 and C8-2)

An R7D designation and an Inclusionary Housing designation is proposed for three partial blocks along Bedford Avenue between St Johns Place and Eastern Parkway. Bedford Avenue is a wide street and a major thoroughfare. The uses along the two block fronts currently zoned C8-2 along Bedford Avenue north of Eastern Parkway include a bank, an interfaith dental center, a gas station and an auto center. The east side of Bedford Avenue between St. Johns Place and Lincoln Place is currently zoned R6 and includes a house of worship and a day care center. Mapping R7D with the Inclusionary Housing regulations in this small area will provide opportunities for housing and mixed use development including affordable housing.

R7D is a residential district that allows apartment building development, with a base FAR of up to 4.2 for residential uses. The R7D district would be included in the Inclusionary Housing Program, where residential developers could receive a 33% floor area bonus, up to 5.6 FAR, if approximately 20% of the floor area is made affordable to low-income households, Community Facility uses would have a maximum FAR of 4.2. R7D permits a maximum street wall of 60 to 85 feet and a maximum building height of 100 feet, after a setback. New structures in R7D districts are required to line up with adjacent structures to maintain the streetwall, but are not required to be set back more than fifteen feet from the street lot line. In addition, where commercial overlays are mapped, active ground floor uses, such as retail uses, commercial services, and community facilities are required. Off-street parking is required for at least 30% of the dwelling units. This parking requirement is waived if 15 or fewer spaces are required. Non-

residential parking requirements depend on the use.

Proposed C2-4 Overlays

The proposed rezoning would update all C1-3 and C2-3 commercial overlay districts to C2-4 districts. C2-4 districts also allow Use Groups which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. Parking requirements vary depending on the type of commercial use and the districts suffix. Food and retail establishments are required to provide one accessory space per 200 and 300 square feet, respectively in C1-3 and C2-3 districts. C2-4 overlays require one accessory space per 1,000 square feet for most commercial uses.

In addition to areas currently mapped with C1-3 and C2-3 districts, the proposed C2-4 commercial overlay would be mapped along Bedford Avenue between Eastern Parkway and Lincoln Place, replacing the existing C8-2 district, and on Nostrand Avenue between St Marks Avenue and St. Johns Place, replacing the existing C4-3 commercial district. A new C2-4 commercial overlay would also be added to a block front on the west side along Classon Avenue, between Prospect Place and Park Place. This would bring the underlying mixed use buildings with retail on the ground floor into conformance, and also help match zoning with retail character, one of the goals of the rezoning.

Some of the C2-3 and C1-3 commercial overlays would be removed in areas where there are no commercial uses to prevent commercial encroachment on side residential streets. Currently C1-3 and C2-3 districts are mapped to a depth of 150 feet. The proposal would map C2-4 commercial overlays at a depth of 100 feet in order to better reflect the typical depth of existing commercial uses along these corridors. Commercial overlays are proposed to be removed on one block of Rogers Avenue between Lincoln Place and Eastern Parkway, and removed or reduced to 50' on some parts of Nostrand Avenue between Dean Street and Atlantic Avenue, because there are no commercial uses in these areas and to protect the existing residential character along the side

streets.

Zoning Text Amendments (N130212 ZRK)

Two amendments to the Zoning Resolution would create new Inclusionary Housing Designated Areas and would modify height and setback regulations along Eastern Parkway in Brooklyn in order to maintain consistency between the Zoning Resolution and the New York City Administrative Code.

Inclusionary Housing Program

A Zoning Text Amendment is proposed to apply the Inclusionary Housing Program to portions of the proposed R7A and R7D districts within the rezoning area to establish incentives for the creation and the preservation of affordable housing in conjunction with new development.

Under the Inclusionary Housing Program, a development providing affordable housing is eligible for a floor area bonus above a ‘base’ FAR. Affordable units can be provided either on-site or off-site, through new construction or by acquiring and preserving existing housing at affordable rents. Off-site affordable units must be located within the same community district or within a half-mile of the bonused development. Available city, state, and federal housing finance programs may be used to finance affordable units. The combination of a zoning bonus with housing finance programs would establish a powerful incentive for the development and preservation of affordable housing in the rezoning area.

Setback along Eastern Parkway

A Zoning Text Amendment is proposed to address a requirement in the New York City Administrative Code (§18-112) which requires buildings to be set back 30 feet along Eastern Parkway. The amendment would ensure that street wall requirements in contextually-zoned areas along Eastern Parkway would not be in conflict with the Administrative Code.

A section in the Administrative Code dating to the construction of Eastern Parkway at the end of the 19th century requires buildings to be set back 30 feet from the street. The Crown Heights West rezoning's proposed contextual zoning districts fronting on Eastern Parkway, however, would require buildings to be built up to or within 15 feet of the street line, which would be in conflict with the Code. To resolve this conflict, a Zoning Text amendment is proposed to reflect the 30-foot setback requirements of the Administrative Code along Eastern Parkway. This text amendment would apply to both sides of Eastern Parkway, which is the dividing line between Community Districts 8 and 9. Community District 9 is included because there are some contextual zoning districts along Eastern Parkway in CD 9 which the text would concurrently allow to align with the Code.

The proposal would amend Zoning Resolution Section 23-633 "Street wall location and height and setback regulations in certain districts" and Section 35-24 "Special Street Wall Location and Height and Setback Regulations in Certain Districts." The text would specify that lines drawn 30 feet north and south of and parallel to Eastern Parkway are considered the #street line# of Eastern Parkway.

ENVIRONMENTAL REVIEW

This application (C 130213 ZMK) in conjunction with the related actions for a zoning text amendment (N 130212 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 13DCP105K. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the proposed action (**Error! Reference source not found.**K), a Negative Declaration was issued on March, 18 2013.

UNIFORM LAND USE REVIEW

This application (C 130213 ZMK), was certified as complete by the Department of City Planning on March 18, 2013, and was duly referred to Brooklyn Community Board 8 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 related non-ULURP application for a zoning text amendment (N 130212 ZRK), which was referred for review and comment.

Community Board Public Hearing

Community Board 8 held a public hearing on this application (C 130213 ZMK) on May 9, 2013 and, on that day, by a vote of 35 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of this application with the following comments for a follow-up corrective action:

1. Revise the Zoning Text, maps, pertinent codes and rules to make the Inclusionary Housing Program in Brooklyn CD 8 mandatory for any buildings taller than 60 feet;
2. Require that the affordable units be built on-site, or within Brooklyn CD 8;
3. Require that affordable units have a 50% preference for CD 8 residents of five years or more; and
4. Adjust the income requirements to reflect the average median income of Brooklyn CD 8;

Borough President Recommendation

This application (C 130213 ZMK) was considered by the Borough President, who issued a recommendation on June 27, 2013 approving the application with the following conditions:

1. The proposed R7D along Bedford Avenue between Lincoln Place and Eastern Parkway remain C8-2.
2. The proposed R7D along Bedford Avenue between St. John's Place and Lincoln Place remain R6.
3. The proposed R7A IZ along Franklin Avenue between Dean Street and the mid-block south of Sterling Place, but for within 100 feet of St. Mark's Avenue and the west side of

the Street between Dean and Bergen Streets, remain R6.

4. The proposed R7A IZ along the west side of Franklin Avenue between Dean and Bergen Street, remain R6 unless the property owner provides a commitment of satisfaction to the City Council that the site would be redeveloped pursuant Building Department application that includes use of the Inclusionary Housing Program.
5. That, subject to a recommendation from Community Board 8 as to whether, in lieu of the proposed R6A, it would prefer to retain R6 (or where C4-3 now exists, proposed R6) for the locations as follows:
 - a. West side of Classon Avenue between Sterling Place and St. John's Place
 - b. North side of Dean Street between 200 feet east of Franklin Avenue and 200 feet west of Bedford Avenue
 - c. North side of Pacific Street between 300 feet east of Bedford Avenue and 150 feet west of Nostrand Avenue
 - d. East side of Nostrand Avenue at: Dean Street (north side – Crown Heights North I Historic District), Park Place (north side – Crown Heights North II Historic District), Sterling Place (Crown Heights North II Historic District) and Lincoln Place (Crown Heights North II Historic District)

Be it further resolved that:

- A. That during the next Administration, the Department of City Planning undertake a zoning text study to consider the following:
 1. Zoning Resolution Section 35-24 Table A pertaining to Height and Setback for Buildings or Other Structures in Contextual Districts as it pertains to C1 or C2 mapped in R7D zoning districts to be amended as follows: for #zoning lots# developed according to ZR 23-90 Inclusionary Housing, the maximum #building# height shall be 100 feet or ten #stories#, whichever is less, for all other zoning lots, the height and setback be pursuant to R7A District standards (maximum building height for developments to not exceed eight stories).
 2. For existing C8-2 districts being rezoned to R7D, the base FAR pursuant to section ZR 23-952 "Inclusionary Housing Program" (the affordable housing floor area bonus) be further modified to increase the percentage of affordable housing and decrease the proportion of market-rate floor area by establishing the Base FAR at 2.0 (in lieu of 4.2 FAR) and increasing the affordable housing component of the floor area to be 35 percent (1.96 FAR in lieu of 1.12 FAR).
 3. That for R7A districts when Zoning Lots have frontage solely on Narrow Street, the base FAR pursuant to section ZR 23-952 "Inclusionary Housing Program" (the affordable housing floor area bonus) be further modified to decrease the

proportion of market-rate floor area by establishing the Base FAR at 2.5 (in lieu of 3.45 FAR).

- B. That the Rules of the City of New York pertaining to the Rules governing tax exemptions under Section 421-a of the Real Property Law of New York State pertaining to limits of Area Median Income and placement of affordable housing units should be amended to be consistent with Zoning Resolution Sections 23-911 (Definitions) and 23-94(a) (Methods of Providing Affordable Housing)

- C. That the City Council, with the Office of the Borough President, should review anti-harassment measures of Zoning Resolution Sections 23-90 and 93-90 and The Tenant Protection Act (Local Law 7 of 2008) to determine the best means of protecting the tenants of Crown Heights North from harassment that could arise as a result of the threat of displacement that may result from the adoption of this zoning map amendment. The City Council should then take appropriate action to protect tenants in Crown Heights North, including advocating for anti-harassment designation or amendments to Local Law 7.

- D. That should the Department of City Planning undertake a zoning study for the section of Crown Heights North east of Nostrand Avenue:
 - 1. That for R6A zoned properties not fronting wide streets, should be re-designated as R6A IZ (reducing base as-of-right floor area from 3.0 FAR to 2.7 FAR)
 - 2. That for R7A zoned properties not fronting wide streets, should be re-designated as R7A IZ (reducing base as-of-right floor area from 4.0 FAR to 3.45 FAR)
 - 3. That unless adequately addressed by subsequent Historic District Designation, such study should include the following:
 - Proposed to be zoned R6A properties should be given consideration for R6B zoning designation, as follows:
 - a. West side of Classon Avenue between Sterling Place and St. John's Place
 - b. North side of Dean Street between 200 feet east of Franklin Street and 200 feet west of Bedford Avenue
 - c. North side of Bergen Street, west of Bedford Avenue
 - d. South side of St. Mark's Avenue, west of Bedford Avenue
 - e. North side of St. Mark's Avenue east of Rogers Avenue
 - f. North side of Pacific Street between 300 feet east of Bedford Avenue and 150 feet west of Nostrand Avenue
 - 4) That for Franklin Avenue frontages in R7A IZ zoning district be considered for designation as a Special Enhanced Commercial District.

City Planning Commission Public Hearing

On June 19, 2013 (Calendar No. 4) the City Planning Commission scheduled July 10, 2013, for a public hearing on this application (C 130213 ZMK). The hearing was duly held on July 10, 2013 (Calendar No. 32) in conjunction with the public hearing on the related action (N 130212 ZRK).

There were 13 speakers in favor of the applications, and none opposed. Speakers in favor of the rezoning proposal and accompanying text amendment included the co-Chair of the Housing/ULURP Committee and General Counsel to the Crown Heights North Association, a member of Brooklyn Community Board 8, a representative of the local Council Member representing the 35th district, a representative of the Association of Neighborhood and Housing Development, property owners, an architect for a property owner, a member of Crow Hill Community Association, several members of Crown Heights Assembly and residents of the neighborhood.

The speakers expressed their general support for the rezoning proposal, stating that it would help maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and would create incentives for the development of affordable housing.

The co-Chair of the Community Board's Housing/ULURP Committee described the close, multi-year collaboration with the Department which led to the current proposal and expressed strong support for its implementation but noted concerns expressed at the Community Board's public hearing regarding the Inclusionary Housing Program.

A representative of the local Council Member from the 35th Council District testified of the Council Member's strong support for the proposed rezoning and its goals, expressing appreciation for the Department of City Planning's work with Community Board 8. The representative further noted the Council Member's firm support for the proposed rezoning along

the Bedford Avenue corridor at Eastern Parkway because it would create more affordable housing. The representative also expressed support for revising the Inclusionary Housing Program to make it mandatory.

The owner of property located along the west side of Franklin Avenue between Dean and Bergen streets and his architect testified that, were the rezoning approved, the site would be redeveloped with affordable housing using the Inclusionary Housing Program. They noted that the proposed rezoning of the site would only marginally increase the allowable density from the existing 3.43 FAR permitted for residential, commercial, and community facility uses to 3.45 FAR. However, the bonus FAR for the inclusion of affordable housing under the Inclusionary Housing Program with the proposed rezoning would be a significant incentive to participate in that program.

Another property owner strongly supported the proposal because it would be appropriate for the neighborhood and because the proposed commercial zoning district over his property would allow his mixed-use building on Classon Avenue to be in conformance with zoning.

A representative of the Association for Neighborhood and Housing Development stated their support for the proposal but expressed strong concerns that the Inclusionary Housing Program had not been effective and had not produced the expected affordable housing units. She further testified that only developers with large lots would participate in the Program and that property owners would have an increase in FAR for their properties without having to provide affordable housing. She therefore advocated that the Program be made mandatory.

Several members of the Crown Heights Assembly also stated their support for the rezoning and expressed their concerns about the efficacy of the Inclusionary Housing Program. They critiqued the Program's off-site affordable housing option, the lack of mandatory affordable housing in new developments, the Area Median Income levels that are pegged to citywide instead of Community District 8 levels, and the increased potential for displacement of residents. They

made a number of recommendations including making the Inclusionary Housing program mandatory, reducing the base FAR, eliminating the off-site option, increasing the percentage of affordable housing from the current 20 percent to at least 30 percent, and establishing of Anti-Harassment Areas similar to those established in the Special Clinton District and in Williamsburg and Greenpoint.

CONSIDERATION

The Commission believes that this application to amend the Zoning Map (C 130213 ZMK), along with the related application for a zoning text amendment (N 130212 ZRK), is appropriate.

The Commission acknowledges that the proposal was developed at the request of Community Board 8, elected officials and community residents in response to out-of-character development and to incentivize affordable housing. The proposal was developed during a five-year participatory planning process by the Department of City Planning in close collaboration with the Community Board, local stakeholders and elected officials.

The existing zoning allows for buildings to be developed with no restriction on height and therefore allows development which is out of scale with existing development. The current zoning, which does not require new development to line up with existing development, allows buildings to disrupt the continuity of the existing row house character of the neighborhood by permitting very deep front yards. The existing commercial zoning designations do not coincide with the existing land uses in that some commercial districts that are regional or allow heavy commercial uses, are mapped on street frontages containing local retail. Some commercial uses are not located in commercial zones, while some commercial overlays are mapped in areas with no commercial activity. Some of the existing commercial overlays are mapped at a depth of 150 feet, which could allow for encroachment of commercial uses onto residential side streets.

The Commission believes that the proposed contextual zoning districts would preserve the existing built character by providing height limits and bulk regulations which would reflect the

current neighborhood scale while allowing for additional growth along major corridors served by transit and create opportunities for the development of affordable housing. The Commission further believes that the proposal to reduce the depth of commercial overlays from 150 feet to 100 feet and 50 feet would prevent intrusion of commercial uses on residential side streets.

The Commission believes that the proposed contextual districts are appropriate; R5B zoning districts are proposed to protect the small home character of the well-preserved row-houses and brownstones located along mid-blocks; R6B zoning districts would protect the multi-storied row-house and small apartment building character of most of the residential side streets; R6A districts are proposed along avenues and some side streets that are developed to medium density; and R7A districts would replace the existing R7-1 districts which contain dense, six- to seven-storied apartment buildings and would preserve the existing character of this area.

The Commission further believes that the proposed contextual districts with the proposed text amendment to allow for the Inclusionary Housing program along portions of Franklin and Bedford avenues, which would allow for modest growth along these transit and retail corridors with inducements to include affordable housing in new developments in return for a floor area bonus, is responsive to the community's goals to promote permanent affordable housing, is appropriate. An R7A district is proposed along Franklin Avenue north of Sterling Place, a major commercial and transit corridor running parallel to the Franklin Avenue Shuttle, and an R7D district is proposed along Bedford Avenue at Eastern Parkway, both of which are wide streets lined with dense apartment buildings and in close proximity of a subway line.

The related Zoning Text amendment (N 130212 ZRK) that would modify height and setback regulations would maintain consistency between the Zoning Resolution and the New York City Administrative Code. Currently, the New York City Administrative Code (§18-112) requires buildings to be set back 30 feet along Eastern Parkway. The Commission believes that the proposed modification of height and setback regulations along Eastern Parkway would ensure that contextual street wall requirements in contextually zoned areas are not in conflict with the Administrative Code. The Zoning Text amendment would also create new Inclusionary Housing

(IH) Designated Areas in Brooklyn Community District 8 and promote the development and preservation of affordable housing, a significant need in the Crown Heights West neighborhood, in areas where increases in density along retail and transit corridors are proposed.

The Commission acknowledges the recommendations of the Borough President to change the proposed zoning designations. Regarding the recommendations to retain the existing C8-2 and R6 zoning districts along portions of Bedford Avenue at Eastern Parkway, the Commission notes that these are wide streets; Eastern Parkway is a major, six-lane, 140-foot wide parkway, lined with dense six- to ten-story apartment buildings and Bedford Avenue is a wide transit and retail corridor. The area proposed to be rezoned to R7D/C2-4 currently contains a gas station, a two-story commercial building and two, two-story buildings with community facility uses in close proximity to public transit and retail services. The existing C8-2 is a general service and automotive zoning district that does not allow new residential uses and the R6 district is a medium-density residential district with no height limit. The proposed R7D/C2-4 district and its inclusion in an IH Program designated area would permit the development of these sites with new, mixed-use buildings up to ten stories with active ground-floor uses and housing. Furthermore, there would be incentives for the inclusion of affordable housing in any new residential development, an expressed goal of the local community, and strongly supported by the local Council Member at the Commission's public hearing. Therefore, the Commission believes that the proposed R7D/C2-4 at this location is appropriate.

Regarding the recommendations to retain the existing R6 zoning districts along portions of Franklin Avenue, the Commission notes that Franklin Avenue is a major retail and transit corridor lined with two- to six-story apartment buildings with stores on the ground floors. The existing R6 and C4-3 zoning districts allow new development to be set back from the street line and without height limit and would be out-of-character with the existing built form. The existing C8-2 is a general service and automotive zoning district that does not allow new residential uses and the R6 district is a medium-density residential district with no height limit. The proposed R7A/C2-4 district and its inclusion in an IH designated area would permit the development of these sites with new, mixed-use buildings up to eight stories with active ground-floor uses and housing. Furthermore, there

would be incentives for the inclusion of affordable housing in new residential development and building height limits where there currently are none, both of which address priorities expressed by the local community. Therefore, the Commission believes that the proposed R7A/C2-4 at these locations is appropriate.

Regarding the recommendations to retain the existing R6 zoning districts along locations of Sterling Place, Dean Street, Pacific Street and Nostrand Avenue, the Commission notes that these streets are predominantly developed with dense two- to six-story apartment buildings built to the street line. The existing R6 zoning district encourages new development set back from the street line and has no height limit. The proposed R6A districts would reflect the predominant built density of these buildings and would require new buildings to line up with existing adjacent street line buildings and would be limited in height to no more than six stories. The Commission also notes that one of the community's expressly-noted goals of the rezoning is to prevent out-of-character development by limiting building setbacks and heights. The Commission believes that the proposed R6A zoning districts are appropriate.

The Commission acknowledges the Borough President's recommendation of zoning text studies to be undertaken by the Department under the next administration.

The Commission received comments and testimony regarding concerns that the proposed rezoning might increase the pace of displacement of residents, and about the Inclusionary Housing program. The Commission understands that there is demand for housing in this area, and that new residents are competing with existing residents for a limited supply of housing. The proposed rezoning would both identify new opportunities for housing to increase this supply, and provide incentives for the creation and preservation of affordable housing within the community. Within rezonings that promote new development, such as the Crown Heights West rezoning, the Inclusionary Housing program has been applied to encourage affordable housing and to promote substantial new housing at increased density. It is a voluntary program that combines a zoning incentive with a range of public subsidies to strongly promote affordable housing. As the Commission has observed previously during the creation and subsequent application of the

Inclusionary Housing program, strategies that would impose mandates for affordable housing in as-of-right development would risk reducing housing production, which would exacerbate rather than relieve affordability issues, undermine objectives for transit-oriented development, and impede the ability to allocate finite affordable housing subsidies around the city in an equitable manner. The Commission notes that the IH Program has been very effective; to date, it has produced over 1,100 permanently affordable units in Brooklyn, and nearly 4,500 units citywide.

The Commission notes that the off-site location option of the IH Program provides important flexibility, enabling the program to address a range of housing needs, including keeping existing residents in their current homes, and encourages broad participation in the program. In addition, the 421-a General Exclusion Area, which encompasses nearly all of the rezoning area, provides an additional encouragement of the provision of 20 percent of units as affordable, on-site. Regarding testimony about the income levels targeted by the program, the Commission observes that while IH income limits are based on 80 percent of the citywide AMI, units are commonly funded through programs that reach lower incomes, with most units below 60 percent of AMI and even lower incomes reached in many instances. The Commission also notes the testimony of the property owner of a block front on Franklin Avenue and Dean Street who stated that the proposed increase in density due to the Program would strongly encourage him to take advantage of the Program.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; 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, changing the Section Nos. 16c, 16d, 17a & 17b:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Prospect Place, a line 150 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 150 feet northwesterly of Franklin Avenue;
 - c. Pacific Avenue, a line 150 feet easterly of Nostrand Avenue, St. Marks Avenue, and a line 150 feet westerly of Nostrand Avenue; and
 - d. St. Johns Place, a line 150 feet easterly of Nostrand Avenue, Eastern Parkway, and a line 150 feet westerly of Nostrand Avenue;
2. eliminating from within an existing R7-1 District a C1-3 District bounded by a line midway between Sterling Place and St. Johns Place, St. Francis Place and its northeasterly and southwesterly centerline prolongations, Eastern Parkway, and a line 150 feet northwesterly of Franklin Avenue;
3. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. Dean Street, a line 150 feet southeasterly of Franklin Avenue, Prospect Place, and a line 150 feet northwesterly of Franklin Avenue;
 - b. a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, a line 150 feet northwesterly of Bedford Avenue, Bergen Street, and Rogers Avenue;
 - c. a line midway between Lincoln Place and Eastern Parkway, a line 150 feet easterly of Rogers Avenue, Eastern Parkway, and a line 150 feet westerly of Rogers Avenue; and
 - d. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 150 feet easterly of Nostrand Avenue, Pacific Street, a line 150 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;
4. changing from an R6 District to an R5B District property bounded by:
 - a. a line midway between Prospect Place and Park Place, a line 100 feet northwesterly of Bedford Avenue, a line midway between Park Place and Sterling Place, a line 225 feet southeasterly of Franklin Avenue, Park Place, and a line 100 feet southeasterly of Franklin Avenue; and

- b. Sterling Place, a line 100 feet northwesterly of Bedford Avenue, St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, a line midway between Sterling Place and St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
- 5. changing from an R7-1 District to an R5B District property bounded by a line midway between Sterling Place and St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
- 6. changing from a C4-3 District to an R6 District property bounded by St. Mark's Avenue, a line 150 feet easterly of Nostrand Avenue, St. Johns Place, and a line 100 feet easterly of Nostrand Avenue;
- 7. changing from an R6 District to an R6A District property bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, St. Mark's Avenue, the line the centerline of a Railroad right-of-way, a line midway between Prospect Place and Park Place, a line 175 feet southeasterly of Classon Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northeasterly of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet southeasterly of Grand Avenue, a line midway between Prospect Place and Park Place, a line 450 feet northwesterly of Classon Avenue, Park Place, a line 100 feet northwesterly of Classon Avenue, Prospect Place, a line 500 feet northwesterly of Classon Avenue, a line midway between St. Mark's Avenue and Prospect Place, a line 100 feet northwesterly of Classon Avenue, St. Mark's Avenue, a line 450 feet southeasterly of Grand Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Lincoln Place, a line 100 feet northwesterly of Bedford Avenue, Eastern Parkway, the southwesterly centerline prolongation of St. Francis Place, Lincoln Place, a line 275 feet southeasterly of Franklin Avenue, a line midway between Eastern Parkway and Lincoln Place, and a line 235 feet northwesterly of Bedford Avenue;
 - c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet northeasterly of Bedford Avenue, a line 100 feet easterly of Rogers Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 150 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, St. Johns Place, Bedford Avenue, Lincoln Place, a line 100 feet

northwesterly of Bedford Avenue, Dean Street, a line 80 feet northwesterly of Franklin Avenue, Pacific Street, Bedford Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue; and

- d. St. Johns Place, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet easterly of Rogers Avenue, a line midway between Lincoln Place and Eastern Parkway, and a line 100 feet westerly of Nostrand Avenue;
8. changing from an R7-1 District to an R6A District property bounded by:
- a. a line midway between St. Johns Place and Sterling Place, Classon Avenue, St. Johns Place, and a line 100 feet northeasterly of Washington Avenue; and
 - b. Lincoln Place, the southwesterly centerline prolongation of St. Francis Place, Eastern Parkway, and a line 100 feet southeasterly of Franklin Avenue;
9. changing from a C4-3 District to an R6A District property bounded by St. Marks Avenue, a line 100 feet easterly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 100 feet westerly of Nostrand Avenue;
10. changing from an R6 District to an R6B District property bounded by:
- a. Bergen Street, a line 450 feet southeasterly of Grand Avenue, St. Marks Avenue, a line 100 feet northwesterly of Classon Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 500 feet northwesterly of Classon Avenue, Prospect Place, a line 100 feet northwesterly of Classon Avenue, Park Place, a line 450 feet northwesterly of Classon Avenue, a line midway between Prospect Place and Park Place, a line 100 feet southeasterly of Grand Avenue, Prospect Place, and Grand Avenue;
 - b. a line midway between Prospect Place and Park Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 175 feet southeasterly of Classon Avenue;
 - c. Dean Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between Prospect Place and Park Place, and a line 100 feet southeasterly of Franklin Avenue;

d. Park Place, a line 225 feet southeasterly of Franklin Avenue, a line midway between Park Place and Sterling Place, a line 100 feet northwesterly of Bedford Avenue, Sterling Place, and a line 100 feet southeasterly of Franklin Avenue;

e. St. Johns Place, a line 100 feet northwesterly of Bedford Avenue, Lincoln Place, a line 235 feet northwesterly of Bedford Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 275 feet southeasterly of Franklin Avenue, and St. Francis Place;

f. a line midway between Pacific Street and Dean Street, a line 100 feet westerly of Nostrand Avenue, St. Marks Avenue, a line 150 feet northwesterly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 100 feet easterly of Rogers Avenue, and a line 100 feet northeasterly of Bedford Avenue; and

g. a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 100 feet easterly of Rogers Avenue, Eastern Parkway, a line 125 feet southeasterly of Bedford Avenue, St. Johns Place and Rogers Avenue;

11. changing from an R7-1 District to an R6B District property bounded by:

a. a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between St. Johns Place and Lincoln Place, the line the centerline of a Railroad right-of-way, St. Johns Place, and a line 300 feet southeasterly of Classon Avenue; and

b. St. Johns Place, St. Francis Place, Lincoln Place, and a line 100 feet southeasterly of Franklin Avenue;

12. changing from a C4-3 District to an R6B District property bounded by:

a. St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 150 feet westerly of Nostrand Avenue; and

b. a line midway between Sterling Place and St. Johns Place, a line 100 feet westerly of Nostrand Avenue, St. Johns Place, and a line 150 feet westerly of Nostrand Avenue;

13. changing from an R6 District to an R7A District property bounded by Dean Street, a line 100 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Prospect Place and Park Place, the line the centerline of a Railroad right-of-way, St.

Marks Avenue, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue;

14. changing from an R7-1 District to an R7A District property bounded by St. Johns Place, Classon Avenue, a line midway between Sterling Place, and St. Johns Place, a line 300 feet southeasterly of Classon Avenue, St. Johns Place, the line the centerline of a Railroad right-of-way, a line midway between St. Johns Place and Lincoln Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, and a line 100 feet northeasterly of Washington Avenue;
15. changing from an R6 District to an R7D District property bounded by St. Johns Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, a line 100 feet southeasterly of Bedford Avenue, Lincoln Place, and Bedford Avenue;
16. changing from an C8-2 District to an R7D District property bounded by Lincoln Avenue, a line 100 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;
17. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Prospect Place, Classon Avenue, Park Place, and a line 100 feet northwesterly of Classon Avenue;
 - b. Bergen Street, Bedford Avenue, a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, and a line 100 feet northwesterly of Bedford Avenue; and
 - c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, Nostrand Avenue, Dean Street, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet westerly of Nostrand Avenue, Dean Street, a line 50 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;
18. establishing within a proposed R7A District a C2-4 District bounded by Dean Street, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, a line 100 feet northwesterly of Franklin Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue; and
19. establishing within a proposed R7D District a C2-4 District bounded by Lincoln Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;

as shown in a diagram (for illustrative purposes only) dated March 18, 2013, and subject to the conditions of CEQR Declaration E-302.

The above resolution (C 130213 ZMK), duly adopted by the City Planning Commission on August 7, 2012 (Calendar No. 4), 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
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE R. de la UZ,
MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY,
ANNA HAYES LEVIN, ORLANDO MARÍN, Commissioners