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February 3, 2021 / Calendar No. 14

C 190447 ZMK

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**IN THE MATTER OF** an application submitted by Bayride Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b:

1. changing from an existing C8-2 District to an R7A District property bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, 5th Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of Fifth Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of Fifth Avenue; and
2. establishing within a proposed R7A District a C2-4 District bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, Fifth Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of Fifth Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of Fifth Avenue;

as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of City Environmental Quality Review (CEQR) Declaration E-577.

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This application for a zoning map amendment was filed by Bayride Realty LLC on May 10, 2019 to change a C8-2 zoning district to an R7A/C2-4 zoning district within the Special Bay Ridge District (SBRD). This application, in conjunction with the related action (N 190448 ZRK), would facilitate the construction of a new nine-story, approximately 45,000-square-foot mixed-use building with approximately 41 dwelling units and ground floor commercial uses at 9114 Fifth Avenue (Block 6087, Lots 23 and 31) in the Bay Ridge neighborhood of Brooklyn, Community District 10.

## **RELATED ACTIONS**

In addition to the zoning map amendment (C 190447 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

**N 190448 ZRK**        Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

## **BACKGROUND**

The applicant seeks a zoning map amendment to change a C8-2 zoning district to an R7A/C2-4 zoning district in SBRD, as well as a zoning text amendment to establish an MIH area coterminous with the project area. The project area, coterminous with the area to be rezoned, is located on the block bounded by 91st Street to the north, Fifth Avenue to the east, 92<sup>nd</sup> Street to the south, and Fourth Avenue to the west, and consists of 12 tax lots (Block 6087, Lots 23, 26, 27, 28, 29, 129, 30, 31, 32, 33, 34, and part of 1) with frontage on Fifth Avenue and 92<sup>nd</sup> Street. Within the project area, the development site consists of two tax lots (Block 6087, Lots 23 and 31). The remainder of the project area contains three-story residential buildings with ground-floor retail and a community facility, two-story residential and mixed-use buildings, and a small portion of a gas station.

The development site has a combined lot area of 9,851 square feet. Lot 23 is currently used as a surface parking lot, has 65 feet of frontage along Fifth Avenue and an area of 6,550 square feet. Lot 31 is vacant, with 27 feet of frontage on 92<sup>nd</sup> Street and an area of 3,305 square feet.

The project area includes 10 tax lots that are not part of the development site (Block 6087, Lots 26, 27, 28, 29, 129, 30, 32, 33, 34, and p/o 1) and not owned by the applicant. Lot 34 is 1,525 square feet with a floor area ratio (FAR) of 1.47 and contains a single-family residential building with a community center use on the ground floor. Lots 32 and 33 are each 1,500 square foot lots with two-story, multi-family houses, each with an FAR of 1.17. Lot 30 is 2,578 square feet with an FAR of 1.54 and contains a three-story multifamily residential building. Lot 129 is 1,296 square feet with an FAR of 2.13 and contains a three-story residential building with a laundromat on the ground floor. Lot 29 is 1,052 square feet with an FAR of 2.94 and contains a three-story residential building with a restaurant on the ground floor. Lots 27, and 28 are 1,308 square feet with an FAR



of 2.29 and contain three-story residential buildings, with commercial and community facility uses on the ground floor. Lot 26 is 2,235 square feet with an FAR of 1.98 and contains a three-story residential building with a law office on the ground floor. The project area also includes a small portion of Lot 1, which contains a gas station, the sole conforming use among all 10 lots.

The project area is located in the SBRD, designated in 1978 (C 780284 ZRM and C 780285 ZMK) and modified in 2005 (C 05134(A) ZMK and N 05133 ZRK) to preserve the existing scale and character of the predominantly low-rise residential area and encourage new development that reflects the character of the surrounding neighborhood. The SBRD reinforced several avenues as corridors for mid-rise mixed retail and residential uses. The SBRD provides special bulk regulations relating to maximum FAR, height and setback regulations. These regulations apply to C8-2 zoning districts and low-density residential districts, including R4A, R4-1, R4B and R5B zoning districts. For C8-2 zoning districts in the SBRD, the maximum commercial FAR is 2.0 and maximum community facility FAR is 3.0 (non-SBRD C8-2 districts permit 4.8 for community facility). Community facilities have a maximum height of 70 feet, setback at 60 feet (non-SBRD use sky exposure plane to regulate height and setback).

The project area is located in a C8-2 zoning district that extends roughly from 87<sup>th</sup> Street to 95<sup>th</sup> Street between Fourth and Fifth avenues. C8-2 zoning districts permit a range of community facility, commercial, and light industrial uses at a maximum FAR of 2.0. In the SBRD, community facility uses are permitted a maximum FAR of 3.0 and have a maximum base height of 60 feet, and a maximum building height of 70 feet, after a required setback. C8-2 zoning districts allow commercial and manufacturing uses, including automotive and other heavy commercial services. Residential use is not permitted, and parking requirements vary by use.

The commercial and office buildings and the mixed-use residential and commercial buildings in the surrounding area are predominantly located along Fourth and Fifth avenues and range from one to seven stories in height. Lower density two- to four-story mixed residential and commercial buildings are located east of the project area, along 92<sup>nd</sup> Street. Fourth and Fifth avenues serve as retail and transit corridors for the surrounding area. Fourth Avenue is a wide street (100 feet) and a major north-south vehicular and transit corridor, containing mixed-use buildings including

elevator apartment buildings, walkup rowhouses, ground floor retail, auto showrooms and gas stations. Fifth Avenue is a wide street (75 feet) that is also a major north-south vehicular and pedestrian corridor that primarily contains three-story mixed-use buildings and community facility uses.

Residential uses are located to the west of Fourth Avenue and to the east of Fifth Avenue in R5B zoning districts. These are typically one- to three-story one- and two-family buildings, and two- to six-story multi-family walk-up and elevator buildings.

The west side of Fourth Avenue is mapped with an R6A/C2-3 zoning district and the east side of Fifth Avenue is mapped with an R6B/C2-3 zoning district. R6A zoning districts permit a maximum FAR of 3.0 for residential uses, with a maximum base height of 65 feet and an overall maximum building height of 75 feet above a required setback. R6B districts permit a maximum FAR of 2.0 for residential uses, with a maximum base height of 30-45 feet and an overall maximum building height of 55 feet. C2-3 districts are commercial overlays mapped along residential streets that serve local retail needs, allowing a maximum FAR of 2.0 in R6 districts with one parking space required per 400 square feet of floor area.

Community facility uses in the surrounding area include the Fort Hamilton School PS/IS 104, located on Fifth Avenue across from the development site and the New York City Fire Department Engine 242, located on Fifth Avenue between 92<sup>nd</sup> and 94<sup>th</sup> streets.

The area is well served by public transit. The R subway line runs along Fourth Avenue with a stop at 95<sup>th</sup> Street and Fourth Avenue, located one and a half blocks southwest of the project area. The B63 bus, which connects Bay Ridge to Downtown Brooklyn, runs along Fifth Avenue and has a stop located directly in front of the development site. The B8 bus, which connects Dyker Heights to East Flatbush, runs along Fourth Avenue with a stop at 92<sup>nd</sup> Street and Fourth Avenue. The S53 bus, connecting Staten Island to Bay Ridge, runs along Fourth Avenue and 92<sup>nd</sup> Street. The S93, connecting the College of Staten Island and Bay Ridge, has stops on both Fourth and Fifth avenues at 86<sup>th</sup> Street.

The proposed actions would facilitate the development of a nine-story, 45,238 square foot mixed-use residential building with ground floor commercial uses at an FAR of 4.59. The proposed development would consist of 35,938 square feet (3.7 FAR) of residential floor area with a total of 41 dwelling units, and 9,300 square feet (0.89 FAR) of commercial space on the ground floor. The residential portion of the building would be located solely on lot 23, with a frontage of 65 feet on Fifth Avenue and rise to a height of 95 feet, after a setback at 75 feet. The residential entrance would be located on Fifth Avenue. The building would comply with Option 1 or Option 2 of the MIH program, providing 10 or 12 units of affordable housing, respectively. The one-story commercial wing of the building would be located on lot 30 and part of lot 23, with a frontage of 27 feet on 92nd Street. This commercial wing on 92<sup>nd</sup> Street would be 13 feet in height. No parking would be provided on site, as residential and commercial/retail parking are waived pursuant to ZR Section 36-341 and ZR Section 36-232, respectively.

To facilitate the proposed development, the applicant is seeking a zoning map amendment and a zoning text amendment. The applicant proposes a zoning map amendment to change a C8-2 zoning district to an R7A/C2-4 zoning district within the SBRD. The proposed R7A/C2-4 within the SBRD would permit residential (Use Groups 1 and 2), community facilities (Use Groups 3 and 4) and commercial (Use Groups 5-9, and 14) uses at a maximum FAR of 4.6, 4.0, and 2.0, respectively. In R7A zoning districts, new buildings must comply with the Quality Housing height and setback regulations. When in an MIH area, the maximum base height in R7A zoning districts is 75 feet, and the maximum building height (excluding bulkhead and other permitted obstructions) is 95 feet. At a height not lower than 40 feet (the minimum base height) or higher than 75 feet (the maximum base height), a setback with a depth of at least 10 feet is required for any street wall fronting on a wide street, and a setback with a depth of at least 15 feet is required for any street wall fronting a narrow street. The C2-4 commercial overlay permits a range of commercial uses on the first and second floors, with a maximum FAR of 2.0. Parking regulations would apply to residential, commercial and community facility uses.

The applicant also proposes a zoning text amendment to designate an MIH area coterminous with the project area. The proposed text amendment would map MIH Options 1 or 2. Option 1 requires that at least 25 percent of the residential floor area be provided as permanently affordable housing

to households with incomes at an average of 60 percent of the area median income (AMI) with 10 percent of the floor area for households with household incomes at an average of 40 percent of the AMI, and with no unit targeted to households with incomes exceeding 130% of the AMI. Option 2 requires that 30 percent of residential floor area be set aside for affordable housing units for residents with incomes averaging 80% of the AMI. No more than three income bands can be used to average out to 80 percent, and no income band can exceed 130 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 190447 ZMK), in conjunction with the application for the related action (N 190448 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 19DCP128K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on August 31, 2020. The Negative Declaration included (E) designations to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-513). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

This application (C 190447 ZMK) was certified as complete by the Department of City Planning on August 31, 2020 and duly referred to Brooklyn Community Board 10 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 application for a zoning text amendment (N 190448 ZRK), which was referred in accordance with the procedures for non-ULURP actions.

## **Community Board Public Hearing**

Community Board 10 held a public hearing on this application (C 190447 ZMK) on November 19, 2020 and, on that date, by a vote of 35 in favor, three opposed, and one recusal, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 190447 ZMK) on November 30<sup>th</sup>, 2020 and recommended approval with the following conditions:

- “1. Reduce the extent of the proposed R7A/C2-4 MIH district to within 125 feet of Fifth Avenue
2. That prior to considering the application, the City Council obtain written commitments from the applicant, BayRide Realty LLC, clarifying how it would:
  - a. Memorialize for an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-bedroom units
  - b. Utilize one or more affordable housing non-profits as the administering agent for the 9114 Fifth Avenue MIH lottery to conduct a coordinated marketing campaign, including extensive community outreach and financial literacy training in CD 10, based on provision of adequate funding for such efforts
  - c. Set aside a portion of the commercial space for arts/cultural entities and non-profit organizations, and/or locally-based immigrant-owned business at below-market lease terms, as warranted
  - d. Incorporate resiliency and sustainability measures, such as blue roofs, passive house design, solar facades, and/or wind turbines
  - e. Coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens, as part of the required Builders Pavement Plan along Fifth Avenue and/or 92nd Street fronting the development, in consultation with CB 10 and local elected officials
  - f. Retain Brooklyn-based contractors and subcontractors, especially those who are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City’s Administrative Code, and minority- and women-owned business enterprises (MWBES) to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

3. That DOT conduct a traffic study along this section of 92nd Street to determine appropriate mitigation measures for traffic safety, including, but not limited to restrictive curbside signage.”

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

On December 16<sup>th</sup>, 2020 (Calendar No. 3), the Commission scheduled January 6<sup>th</sup>, 2021 for a public hearing on this application (C 190447 ZMK) and the related application for a zoning text amendment (N 190448 ZRK). The hearing was duly held on January 6<sup>th</sup>, 2021 (Calendar No. 23).

An applicant representative stated that the project area would include 12 lots, nine of which are currently non-conforming. The applicant representative also stated that the project area is an appropriate location for increased residential density due to the surrounding context including a 70-foot tall school to the east, a seven-story commercial building to the south, and a number of six-story residential buildings to the west.

There were no speakers, and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 190447 ZMK), in conjunction with the related application for a zoning text amendment (N 190448 ZRK), is appropriate.

Together, the proposed actions will facilitate the development of a nine-story, approximately 45,238 square-foot mixed-use building on two underutilized lots, with approximately 41 dwelling units, of which at least 10 will be permanently affordable, and approximately 8,800 square feet of ground floor commercial space. The Commission believes that this proposal will help support development of affordable housing, as outlined in *Housing New York*, including creating a substantial number of new homes, including permanently affordable homes, and creating additional commercial space in an area that contains a mix of uses and is well-served by transit.

The proposed zoning map amendment is appropriate. While the existing C8-2 zoning district does not allow new residential uses, the proposed R7A/C2-4 zoning district will allow residential uses up to a maximum FAR of 4.6 with MIH, as well as commercial uses up to a maximum FAR of 2.0, and a contextual building envelope with a maximum height of 95 feet or nine stories. The Commission notes that the project area is located in close proximity to public transit options, including a subway and multiple bus lines. Surrounding the project area there is a built density consistent with the proposed R7A zoning district, making it an appropriate location for increased density that reflects the surrounding context. Fourth and Fifth avenues serve as major local corridors, carrying heavy vehicular and foot traffic. In addition, Fourth and Fifth avenues are “wide” streets mapped at a width of 100 and 75 feet, respectively, making them appropriate for the proposed density. The proposed C2-4 commercial overlay will activate the ground floor by allowing for mixed-use buildings with ground floor retail along 92nd Street and Fifth Avenue, both pedestrian thoroughfares with existing local ground floor commercial and community facility uses. The proposed actions will also bring nine existing legal non-conforming mixed-use buildings within the project area into conformance.

The proposed zoning text amendment (N 190448 ZRK) is appropriate. The action will designate a new MIH area coterminous with the rezoning area, supporting the creation of new affordable housing. The text amendment will map an MIH area with Options 1 or 2 for the proposed development in order to create between 10 and 12 affordable housing units that will remain permanently affordable. The Commission believes that the proposed development is located in an area where it is particularly desirable to support transit-oriented development and provide permanently affordable housing.

The Commission recognizes the Brooklyn Borough President’s recommendation to reduce the extent of the proposed zoning district to within 125 feet of Fifth Avenue, which will result in removing three lots from the project area. The Commission believes that the proposed boundary is appropriate due to the close proximity to public transit, bordered by two wide avenues, with a surrounding neighborhood context reflecting the proposed density, making the entire project area appropriate for higher density mixed-income housing. Additionally, this action will bring legally non-conforming buildings into conformance.

The Commission acknowledges the Borough President's recommendations regarding the distribution of affordable unit sizes, an affordable housing administering agent, commercial space for local organizations, Brooklyn-based contractors, resiliency and sustainability measures, a traffic study, and the recommendations directed to the NYC departments of Environmental Protection, Of Transportations, and Of Parks and Recreation, but notes that these recommendations are outside the scope of this application.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on August 31, 2020 with respect to this application (CEQR No. 19DCP128K), the City Planning Commission finds that the actions 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 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,

1. changing from an existing C8-2 District to an R7A District property bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, 5<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of 5<sup>th</sup> Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of 5<sup>th</sup> Avenue; and
2. establishing within a proposed R7A District a C2-4 District bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, 5<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of 5<sup>th</sup> Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of 5<sup>th</sup> Avenue;



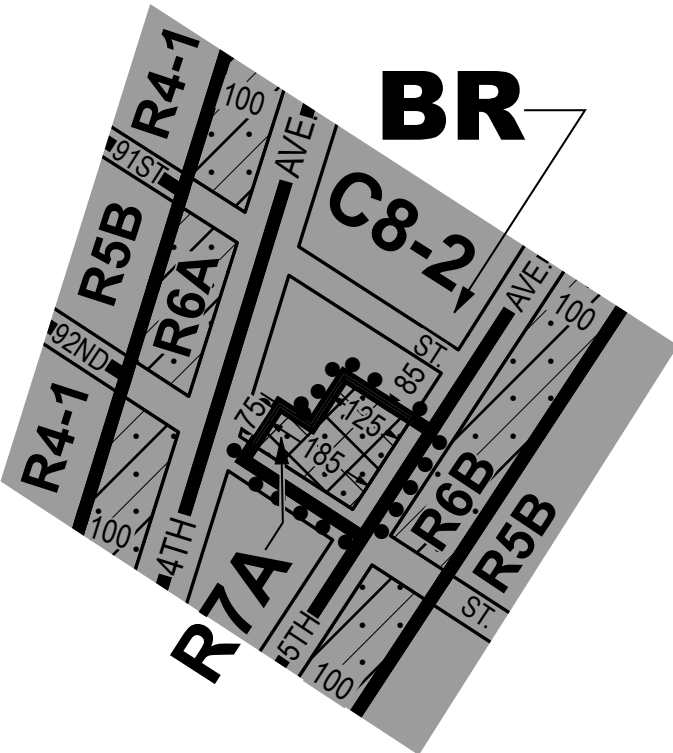
as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of CEQR Declaration E-577.

The above resolution (C 190447 ZMK), duly adopted by the City Planning Commission on February 3, 2020 (Calendar No. 14), 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.

**MARISA LAGO**, *Chair*

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

**DAVID BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARÍN, LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*

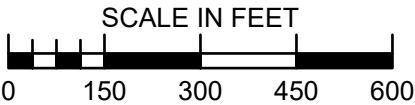


CITY PLANNING COMMISSION  
CITY OF NEW YORK  
DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
ON SECTIONAL MAP  
**22b**  
BOROUGH OF  
**BROOKLYN**



New York, Certification Date:  
September 14, 2020

S. Lenard, Director  
Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is rezoned by changing an existing C8-2 District to an R7A District and establishing a C2-4 District within the proposed R7A District.
- Indicates a C2-3 District
- Indicates a C2-4 District
- Indicates a Special Bay Ridge District

Application #: **190447zmk, 190448zrk**

Project Name: **9114 5th Avenue Rezoning**

CEQR Number: 19DCP128K

Borough(s): Brooklyn

Community District Number(s): 10

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, 120 Broadway, 31st Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 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 Bayside Realty LLC seeking a zoning map amendment from C8-2 to an R7A/C2-4, and a zoning text amendment to map Mandatory Inclusionary Housing Options 1 and 2 at 9108-9128 5th Avenue (Block 6087, Lots, 23, 26, 27, 28, 29) and 405-419 92nd Street (Block 6087, Lots 30-34, 129). The proposed rezoning will facilitate the development of a new 9-story plus cellar, mixed-use commercial and residential building with a total of 50 units.

\*Please see attached Zoning and Land Use Committee Report. Motion adopted by Board Members is to approve the application as submitted and to request that the Department of City Planning reduce the number of lots considered for this rezoning, specifically, the three lots facing 92nd Street (405, 407 and 409 92nd Street - Block 6087, Lots 32, 33 and 34).

**Applicant(s):**

Bayside Realty LLC  
164-05 Hillside Avenue, 2nd Floor  
New York, NY 11432

**Applicant's Representative:**

Richard Lobel  
Sheldon Lobel P.C.  
18 East 41st Street, 5th Floor  
New York, NY 10017

**Recommendation submitted by:**

Brooklyn Community Board 10

**Date of public hearing:** November 16, 2020

**Location:** Via Zoom Webinar

**Was a quorum present?** YES ☒ NO ☐

A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

**Date of Vote:** November 16, 2020

**Location:** Via Zoom Webinar

**RECOMMENDATION**

☒ Approve

☐ Approve With Modifications/Conditions

☐ Disapprove

☐ Disapprove With Modifications/Conditions

**Please attach any further explanation of the recommendation on additional sheets, as necessary.**

**Voting**

# In Favor: 35 # Against: 3 # ~~Abstaining~~ <sup>Recusal</sup>: 1 Total members appointed to the board: 48

**Name of CB/BB officer completing this form**

Josephine Beckmann

**Title**

District Manager

**Date**

11/17/2020



## Zoning and Land Use Committee Report, November 17, 2020

The committee met in quorum via Zoom on Thursday, October 29, 2020.

The committee met to review a rezoning application for 9114 Fifth Avenue and adjacent lots, ULURP Reference numbers 190447 ZMK and 190448 ZMK. If this seems familiar, it is because the committee heard an informational report on the proposed rezoning and it was reported at the February 26, 2020 general meeting and again at the October 2020 meeting after the application was certified and ULURP procedures resumed.

At the October 29, 2020 meeting, the public was invited to participate in the meeting, ask questions and offer comments. As mentioned in the last informational report, it was decided to have a committee meeting which was available to the general public and then have a second meeting allowing comments and questions. This procedural decision was made due to the uniqueness of Zoom meeting.

For some history and perspective –

- The lot at 9114 Fifth Avenue was purchased by a local doctor who wanted to build a hotel.
- 9114 Fifth Avenue is located within the Special Bay Ridge Zoning District within the C8-2 District which allows the construction of a commercial/community facility use building with a maximum height of 70 feet.
- Right now, as-of-right the developer can construct a 7-story hotel without any public review. In fact, the developer has approved Department of Building plans ready to go to build the 7-story hotel.
- There were several community protests. We have many needs in Bay Ridge, but a hotel has never been identified as a community need.
- The School Construction Authority reviewed the lot and determined that it was too small to build a school.
- The developer was willing to build residential units, but zoning regulations of the C8-2 do not permit the construction of residential units.
- The developer agreed to submit a rezoning application which would allow the construction of market rate rentals. The application included a wider area beyond his lot because of existing legal precedent that does not allow developers to limit a rezoning application to a single lot, a/k/a "spot zoning".
- 
- The R7A/C42-A overlay was selected because it was the most comparable residential district to the density, bulk and height of the C8-2 district.
- The R7A district allows a waiver of parking requirements. This is in the Zoning Resolution and the Community Board cannot change this provision of the plans.
- The R7A district is the highest density district currently zoned in Community District 10, along Shore Road and 3<sup>rd</sup> Avenue.

- MIH allows an additional 2 stories within the contextual district for the development of affordable housing – the reason behind the additional 2 stories.
- If the zoning change is approved, the developer plans to build 41 total new apartments; 13 of which would be affordable as per MIH rules in accordance with Area Median Income (AMI). It will be a mix on studios and one and two bedroom apartments.
- Members of the public raised good points about maintaining the commercial uses and residential mid-block density and scale. Again, any of the properties along 92<sup>nd</sup> Street can be torn down today and replaced with a 7 story commercial building.
- Board Members considered all testimony and motioned to approve the Rezoning application No. 20190447; 20190448 ZRK project Address 9108 – 9128 5 Avenue (Block 6087, Lots 23, 26, 27, 28 and 29) and 405-419 92 Street (Block 6087, Lots 30-34, 129) reducing the project area in the mid-block of 92<sup>nd</sup> Street by 3 zoning lots – 405, 407 and 409 92 Street – Block 6087 and Lots 32, 33 and 34.

### **ULURP and Community Board Review**

- The Community Board has 60 days to review the proposal and hold a public hearing. The board provides an advisory opinion on the application. It then moves to the borough president's office for its opinion. Following the Borough President review, the application moves to the City Council for review and modifications.
- Community Boards do not have the right or power to just tell people what they can do with their property. The Community Board review is limited to an advisory recommendation. There are zoning laws in place that we do not control. Today, a 7-story building can be built on any underbuilt location in the C8-2 District.
- The Community Board cannot change the current zoning contextual district regulations.

Again, after discussion by the committee and comments from the public, most of which concerned the scale of the building and its impact on an area that already has many traffic problems and that we have this proposal as an alternative to an “as of right” hotel, a motion was made.

The first motion was to approve a rezoning of one lot only, 9114 5<sup>th</sup> Avenue with no other lots included. It was argued that this would be a “spot rezoning” and is not allowed and would be denied by the Department of City Planning. A denial of the rezoning application could result in a hotel at the site.

A second motion was made to approve the application as submitted but request that the Department of City Planning reduce the number of lots considered for rezoning. Specifically, the three lots facing 92<sup>nd</sup> Street **405, 407 and 409 92 Street – Block 6087 and Lots 32, 33 and 34**. Because 92<sup>nd</sup> street is narrower

than Fourth and Fifth avenues, it was felt that the zoning change would be inappropriate for that block.



The motion was seconded and approved.

In addition to the community discussion at the October 29<sup>th</sup> meeting, DM Beckmann had lengthy discussions with residents who contacted her with their concerns about the site and the proposal.

The meeting was adjourned.

Respectfully submitted,  
  
Doris N Cruz





## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)

### 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 #: 9114 Fifth Avenue Rezoning (190447 ZMK, 190448 ZRK)

Applications submitted by BayRide Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change the western side of Fifth Avenue between 91<sup>st</sup> and 92<sup>nd</sup> streets from C8-2 to R7A/C-4 and a zoning text amendment to designate the rezoning area a Mandatory Inclusionary Housing (MIH) area. These actions are requested to facilitate a nine-story development with 50 dwelling units and 9,300 square feet (sq. ft.) of commercial use in Brooklyn Community District 10 (CD 10). Up to 30 percent of the building's residential floor area would be affordable pursuant to MIH. The applicant also intends to seek a waiver of the required parking.

BROOKLYN COMMUNITY DISTRICT NO. 10

BOROUGH OF BROOKLYN

### RECOMMENDATION

☐ APPROVE  
☒ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☐ DISAPPROVE WITH  
MODIFICATIONS/CONDITION

SEE ATTACHED

*Eric L. Adams*

\_\_\_\_\_  
BROOKLYN BOROUGH PRESIDENT

December 29, 2020

\_\_\_\_\_  
DATE

## **RECOMMENDATION FOR: 9114 Fifth Avenue Rezoning (190447 ZMK, 190448 ZRK)**

BayRide Realty LLC submitted applications, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change the western side of Fifth Avenue between 91<sup>st</sup> and 92<sup>nd</sup> streets from C8-2 to R7A/C-4 and a zoning text amendment to designate the rezoning area a Mandatory Inclusionary Housing (MIH) area. These actions are requested to facilitate a nine-story development with 50 dwelling units and 9,300 square feet (sq. ft.) of commercial use in Brooklyn Community District 10 (CD 10). Up to 30 percent of the building's residential floor area would be affordable pursuant to MIH. The applicant also intends to seek a waiver of the required parking.

Brooklyn Borough President Eric Adams held a remote public hearing on this application on November 30, 2020. There were no speakers on this item.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, the representative disclosed that the development's affordability program is under discussion with Council Member Justin Brannan. However, approximately 14 of the building's 41 units have been earmarked as affordable, and the applicant intends to map MIH Options 1 and 2 on the development site.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process to ensure the highest level of participation from CD 10 residents, and whether the applicant's marketing strategy would include a financial literacy campaign to assist local residents in becoming lottery-eligible, the representative stated that an administering agent has not been selected. However, the applicant would prefer to work with a local non-profit organization that could also provide financial literacy training.

In response to Borough President Adams' inquiry as to what consideration has been given to setting aside a portion of the commercial ground floor as affordable spaces for arts and cultural uses, and/or local retail, the representative stated that the applicant is seeking local retail for the development's commercial space, which would front 92<sup>nd</sup> Street.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, and/or New York City Department of Environmental Protection (DEP) rain gardens, the representative stated that the development would incorporate a green roof and solar panels. The applicant is also exploring stormwater retention onsite.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs) in the construction process, the representative stated that the owner would seek to hire local and MWBE firms.

### **Consideration**

Brooklyn Community Board 10 (CB 10) voted to approve this application on November 16, 2020. However, the board felt that the requested R7A/C2-4 district was less appropriate along 92<sup>nd</sup> Street, and requested that 405, 407, and 409 92<sup>nd</sup> Street be removed from the proposed rezoning area.

The proposed actions concern a 9,850 square-foot (sq. ft.) "L" shaped property located mid-block on the west side of Fifth Avenue between 91<sup>st</sup> and 92<sup>nd</sup> streets. The site has 65 feet of primary frontage on Fifth Avenue and 27 feet of secondary frontage on the north side of 92<sup>nd</sup> Street. It is currently utilized as an open parking lot. In addition to 9114 Fifth Avenue, the rezoning area includes 10 non-applicant-owned lots, which are improved as follows: 9118 Fifth Avenue is a three-story, 4,432 sq. ft. mixed-use building with a ground-floor commercial office and residential units on the



upper floors. 9122, 9126, and 9128 Fifth Avenue are all three-story, 3,000 sq. ft. buildings with retail and/or restaurants on the ground floor, and apartments above. 419 92<sup>nd</sup> Street is a corner lot containing a three-story, 2,776 sq. ft. building with laundromat and residences on the upper floors. 415 92<sup>nd</sup> Street is a three-story, nearly 4,000 sq. ft. multi-family building. Finally, the aforementioned 409 and 407 92<sup>nd</sup> Street are two-story residential buildings of 1,760 sq. ft., while 405 92<sup>nd</sup> Street is a larger, two-story, mixed-use building with ground-floor commercial use and apartments above. The rezoning boundary also includes a small portion of a lot with an existing gas station. It should be noted that all the aforementioned properties with dwelling units are legally non-conforming, as residential use is precluded by the underlying zoning district.

The project area is located in a roughly triangular C8-2 zone between Fourth and Fifth avenues that extends from 87<sup>th</sup> to 95<sup>th</sup> streets. This C8-2 zone falls within the Special Bay Ridge District (SBRD), which stipulates unique height restrictions and bulk controls. In 2005, the New York City Department of City Planning (DCP) rezoned 249 blocks of CD 10 to strengthen the SBRD toward discouraging inappropriate development. Many of the underlying districts in Bay Ridge were replaced with contextual zoning and lower density and districts, ranging from R2 to R7B.

The aforementioned C8-2 zone (including the proposed development site) was upzoned from C8-1 to C8-2, which doubled the district's commercial FAR from 1.0 to 2.0. However, an amendment to the SBRD reduced the maximum community facility FAR to 3.0 and imposed a height limit of 70 feet for all uses. Such controls were intended to promote expansion of traditional auto-rated uses, while accommodating demand for medical office development.

Beyond the C8-2 district, the surrounding area is zoned for mixed use and low-density residential use. Housing types range from single-family homes along numbered side streets to elevator apartment buildings along the avenues. Commercial uses are concentrated primarily along three corridors: Fourth Avenue, Fifth Avenue, and 86<sup>th</sup> Street. Notable community facility uses include PS/IS 104 The Fort Hamilton School directly across the street, a postal office, and medical centers. The major open space resource is John J. Carty Park on Hamilton Avenue and 94<sup>th</sup> Street.

Prior to this application, the owner of 9114 Fifth Avenue filed permits for an as-of-right seven-story hotel, which drew significant local opposition. In response, the applicant proposed a mixed-use residential building with some affordable units and ground-floor commercial use. If approved, this application would establish R7A MIH zoning on this block to realize 4.6 FAR of residential development rights. It should be noted that this is the highest-density district in Bay Ridge, currently zoned without MIH along Shore Road and Third Avenue. The resulting nine-story development would front on Fifth Avenue, where it would have its residential entrance and one story on 92<sup>nd</sup> Street, which would be entirely commercial. Its maximum height would be 95 feet excluding rooftop mechanicals.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. The MIH program targets affordable housing units to a broad range of incomes, consistent with Borough President Adams' objective to extend such opportunities to households at various AMI tiers.

Borough President Adams supports developments that allow low-, moderate-, and middle-income households to qualify for the City's affordable housing lottery. The proposed development would gear apartments to households at multiple income tiers, which would remain permanently affordable, according to MIH.

As represented at Borough President Adams' hearing, 9114 Fifth Avenue would contain 41 apartments, with affordability pursuant to MIH Option 2, which stipulates that 30 percent of the residential floor area be available to households earning an average of 80 percent AMI. The project would contain a mix of studio, one-bedroom, and two-bedroom apartments.

It is Borough President Adams' policy to support the development of affordable housing and to seek that such housing remain "affordable forever," wherever feasible. Development adhering to the MIH program is consistent with his policy for new residential developments to produce housing that remains affordable in perpetuity. According to the application, the development rights generated on the site would yield approximately 14 permanently affordable units.

Borough President Adams believes that it is appropriate to zone for increased density in proximity to public transportation. The project site is accessible via subways and buses, including the Queens Boulevard/Broadway/Fourth Avenue Local R trains at the 95<sup>th</sup> Street terminal; the B63 bus, which stops across from the site on Fifth Avenue, and the B8 bus, which stops at Fourth Avenue and 92<sup>nd</sup> Street.

Borough President Adams is generally supportive of the proposed development at 9114 Fifth Avenue. However, he is concerned that the introduction of an R7A district into this lower-density neighborhood could result in non-contextual development and residential displacement. As with any rezoning, Borough President Adams seeks a number of commitments consistent with his policies for new development, including: a robust marketing campaign for the MIH units, affordable space for immigrant retailers and/or local cultural entities, resiliency and sustainability measures (including rain gardens), as well as significant local hiring and procurement. Finally, Borough President Adams calls upon the New York City Department of Transportation (DOT) to address community concerns about vehicular traffic flows along 92<sup>nd</sup> Street.

### **Consideration for Extent of R7A Rezoning**

It is important to clarify the difference between what is presently allowed and what is requested at 9114 Fifth Avenue with regard to density and height. The existing C8-2 district would permit a commercial development of up to 2.0 FAR or a community facility development of up to 3.0 FAR, according to SBRD regulations. By contrast, R7A MIH districts permit a maximum residential FAR of 4.6 and up to 4.0 community facility FAR.

Borough President Adams is aware that the owner has applied to construct a hotel at this location. Such a building would have a maximum height of 70 feet or approximately seven stories, with a required setback of at least 10 feet from Fifth Avenue. It would be constructed as-of-right without any discretionary approvals. At 4.6 FAR, and 95 feet the proposed development would be substantially denser and taller. However, the community has indicated that a hotel would not be responsive to its needs, while a mixed-use building with some affordable units would bring needed housing to the area.

Borough President Adams recognizes that the proposed rezoning would bring into conformance several residential properties within the C8-2 district. The proposed rezoning would also permit such residential development on other properties within the area proposed to be rezoned. Though it is unlikely that all such lots would be redeveloped, there are two, in particular, that would be placed at risk. According to standards used by the Office of the Brooklyn Borough President, properties in excess of 1.72 FAR would likely become attractive to developers if the requested zoning district is adopted. This would affect all the Fifth Avenue fronting lots on the south side of the block, which could be developed without triggering the threshold for MIH. Such actions would result in the displacement of several small businesses and over a dozen residents.

While zoning conformance is a desirable outcome, Borough President Adams believes that it is important to limit the potential adverse impacts of mapping R7A MIH, including an elevated risk of displacement. Moreover, significant market-rate residential development could be achieved with less drastic upzoning to R6B, which has a maximum height of 50 feet. Borough President Adams concurs with CB 10's position that such zoning is inappropriate along 92<sup>nd</sup> Street, with its low-rise built form and narrow width condition. He believes that the proposed R7A MIH district should be restricted to within 125 feet of Fifth Avenue. Therefore, Borough President Adams calls on the City Planning Commission (CPC) and/or the City Council to reduce the extent of the proposed R7A MIH/C2-4 district to within 125 feet of Fifth Avenue.

### **Bedroom Mix**

A recent report has identified that rent-burdened households, which typically represent those applying to the City's affordable housing lotteries, are more likely to require family-sized units. Therefore, Borough President Adams seeks for new developments to achieve an affordable unit mix that would adequately reflect the needs of low- to middle-income rent-burdened families. BayRide Realty LLC has disclosed that the development would contain 10 studios, 11 one-bedroom units, and 20 two-bedroom units.

Borough President Adams believes that using that right-sizing the bedroom distribution within the affordable housing floor area is more important than maximizing the number of MIH units. Though the applicant expressed intent to have larger size units, development pursuant to MIH lacks leverage to require that the development's MIH units include apartments with multiple bedrooms. As such, Borough President Adams believes that it is appropriate to use discretionary land use actions to advance policies that constrain what would be permitted as-of-right.

The New York City Zoning Resolution (ZR) allows for the provision of at least 50 percent of the MIH units with two or more bedrooms and at least 75 percent with one or more bedrooms. For this building, it is important to mandate that the developer provide affordable housing pursuant to ZR Section 23-96(c)(1)(ii). This would require at least 50 percent of the units to be two- or three-bedrooms and at least 75 percent of the units to contain one or more bedrooms.

The proposed inclusion of two-bedroom units within 9114 Fifth Avenue is consistent with Borough President Adams' policy to ensure affordable housing for low- to moderate-income families. However, the application's representation of 41 housing units with 14 affordable apartments is not binding, and the MIH unit bedroom mix has not been disclosed. Borough President Adams believes that it is appropriate to seek guarantees to secure the provision of larger apartments within the development.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from the developer, BayRide Realty LLC, clarifying how it would memorialize a bedroom mix of at least 50 percent two- or three-bedroom affordable housing units and at least 75 percent one-bedroom affordable housing units.

### **Maximizing Community Participation in the Affordable Housing**

The ZR requires inclusionary housing units to be overseen by a non-profit administering agent, unaffiliated with the for-profit developing entity, except when otherwise approved by the New York City Department of Housing Preservation and Development (HPD). Such an administering non-profit becomes responsible for ensuring that the affordable housing remains in accordance with its regulatory agreement, which governs the development's affordable housing plan. These tasks include verifying a prospective tenant household's qualifying income and approving the rents of such affordable housing units. The administering non-profit is responsible for submitting an affidavit to HPD attesting that the initial lease-up of the affordable housing units is consistent with the income requirements, as well as following up with annual affidavits to ensure compliance.

It is Borough President Adams' policy for non-profit community development organizations to play a role in maximizing community participation in neighborhood affordable housing opportunities. He believes it is essential that the developer take adequate steps to meet 50 percent community preference for the MIH units. This can be achieved by contracting with an affordable housing non-profit that would conduct extensive community outreach and offer financial literacy trainings across the district. Such efforts should be coordinated as part of the development's marketing campaign.

Borough President Adams encourages developers of new buildings that include affordable units to partner with local non-profit administering agents. However, he recognizes that CD 10 is not served by locally-based non-profit housing advocates. Nevertheless, there are Brooklyn-based and citywide organizations with proven track records of marketing affordable housing units and promoting lottery readiness through educational initiatives, such as the Mutual Housing Association of New York (MHANY), the New York City Housing Partnership, and the Settlement Housing Fund. Borough President Adams also believes that there would be opportunities for such entities to partner with local organizations. He calls on the developer to seek out such organizations in consultation with his office, CB 10, and/or local elected officials.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, BayRide Realty LLC, to utilize one or more affordable housing non-profits as the administering agent for the 9114 Fifth Avenue MIH lottery. This entity or entities would conduct a coordinated marketing campaign, including extensive community outreach and financial literacy training in CD 10, based on provision of adequate funding for such efforts.

#### **Setting Aside a Portion of the Commercial Space for Local Arts/Cultural and Non-Profit Organizations and/or Local Immigrant-Owned Businesses**

It is one of Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space in the borough. These organizations play an important role in the neighborhoods they serve but often struggle to secure the necessary space to expand and sustain their programs. Many cultural entities have contacted the Office of the Brooklyn Borough President with these concerns. It has been Borough President Adams' policy to review discretionary land use actions for opportunities to promote cultural and non-profit uses.

In June 2016, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining challenges for artists in the borough, with accompanying recommendations. The report highlighted the benefits of arts and dance, which include maintaining physical fitness, promoting creative self-expression, and making significant contributions to the vibrant culture of Brooklyn. Among the difficulties faced by the Brooklyn arts community is an absence of diversity — according to 2000 United States Census data, fewer than half the individuals working in dance are people of color. Additionally, public funding for the arts in New York City has shrunk dramatically in recent years: by 37 percent from the New York State Council of the Arts (NYSCA), by 15 percent from the National Endowment for the Arts (NEA), and by 16 percent from the New York City Department of Cultural Affairs (DCLA).

Data shows that cultural programs generate a variety of positive effects, which include combating the borough's high rate of obesity. As of 2016, 61 percent of Brooklyn adults are overweight or obese, according to the New York State Department of Health (NYSDOH). Research by the Citizens' Committee for Children of New York has found that such activities also help children succeed in school. Moreover, demand for cultural programs continues to grow across Brooklyn. A 2015 report by the Center for an Urban Future found a 20 percent increase in attendance at events organized by local cultural institutions since 2006.

Borough President Adams believes that the inclusion of arts and cultural entities and non-profit organizations at 9114 Fifth Avenue would provide benefits and enrichment to the community. The development's location is advantageous given the area's considerable residential density, and the high proportion of young families in CD 10. If the proposed rezoning is approved, 9114 Fifth Avenue would

provide approximately 9,300 sq. ft. of commercial floor area, currently envisioned as retail stores. Borough President Adams believes that a portion of such non-residential space could be marketed to local arts or cultural groups and/or local community organizations. However, he is aware that such entities cannot afford to compete with retailers who could pay higher rents to lease at this location.

Borough President Adams is also concerned about immigrant-owned businesses, which are a vital part of their communities but easily displaced by rising commercial rents. For immigrant households, operating a retail store is an important and viable way to earn a living, as it poses relatively low barriers to entry. According to a recent report by the Citizens Planning and Housing Council (CPHC), immigrants own more than half of the City's small businesses but 77 percent are burdened by commercial rents. Financial hardships threaten the livelihood of such enterprises, which are often family-owned operations with limited capital and resources. Borough President Adams recognizes the importance of supporting immigrant-owned businesses and seeks to secure opportunities for immigrant entrepreneurship through the creation of affordable commercial space.

Therefore, prior to considering this application, the City Council should obtain commitments, in writing, from the developer, BayRide Realty LLC, clarifying how it would memorialize setting aside a portion of the non-residential space for non-profit and/or arts and cultural organizations, and/or locally-based immigrant-owned business at below-market lease terms, as warranted.

Furthermore, to the extent that the City Council seeks to provide below-market rents to accommodate such non-profit and/or arts and cultural organizations, BayRide Realty LLC should actively solicit such entities, based on reasonable lease terms, in consultation with CB 10 and local elected officials.

### **Advancing Resilient and Sustainable Energy and Stormwater Management Policies**

It is Borough President Adams' policy to advocate for the use of environmentally sustainable development that integrates blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. Such measures tend to increase energy efficiency and reduce a building's carbon footprint.

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly-constructed roofs, as well as existing roofs undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and the expansion of the City's highly reflective (white) roof mandate. Borough President Adams believes that developers should seek to exceed this mandate by integrating blue roofs with green roof systems.

Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings and those in proximity to the waterfront, micro-wind turbines can provide effective sustainable energy generation. Finally, passive house design achieves energy efficiency while promoting locally-based construction and procurement.

Borough President Adams believes it is appropriate for BayRide Realty LLC to engage the Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or NYPA, and consider government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per square foot of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams' Office is available to facilitate dialogue between the applicant and aforementioned agencies, and for further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces can be transformed through the incorporation of rain gardens, which provide environmental benefits such as improved air quality and streetscape beautification through efficient rainwater collection. Moreover, tree plantings can be consolidated with rain gardens as part of a comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, street tree pit enhancements can realize enhanced stormwater retention benefits while making a site more pleasant for pedestrians. The incorporation of blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would also help divert stormwater from the City's water pollution control plants.

The required Builders Pavement Plan provides an opportunity to install DEP rain gardens along the proposed Fifth Avenue and 92<sup>nd</sup> Street frontages. The ZR requirement to plant street trees results in the provision of shade on days of excessive heat, as well as other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption. However, the implementation of rain gardens could help advance DEP green water/stormwater strategies, enhancing the operation of the Owls Head Wastewater Treatment Plant during wet weather. Such rain gardens have the added benefit of serving as a streetscape improvement.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from the developer, BayRide Realty LLC, clarifying how it would memorialize integrating resiliency and sustainability features at 9114 Fifth Avenue.

### **Promoting Local Hiring and MWBE Participation for Construction Jobs**

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 20 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those who are designated LBEs, consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, BayRide Realty LLC, to retain Brooklyn-based contractors and subcontractors, especially those designated LBE consistent with Section 6-108.1 of the City's Administrative Code, and MWBE in order to meet or exceed standards per Local Law 1 (no less than 20 percent participation). Oversight of such participation should be coordinated by an appropriate monitoring agency.

### **DOT Traffic Study**

According to the CD 10 Fiscal Year 2021 (FY 21) needs statement, CB 10 is concerned about competing sources of traffic along 92<sup>nd</sup> Street, particularly where buses turn onto Fourth and Fifth avenues. Borough President Adams has heard about unsafe conditions at several intersections caused by speeding vehicles. Additionally, several local businesses in the C8-2 zone have loading needs that are constrained by non-commercial vehicles. Borough President Adams believes that it would be appropriate for DOT to take an updated look at this corridor to determine appropriate mitigation measures including, but not limited to, restrictive curbside signage for designated loading zones. Therefore, he calls on DOT to undertake a traffic study of 92<sup>nd</sup> Street with a particular focus on its intersections with Fourth and Fifth avenues.

### **Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. Reduce the extent of the proposed R7A/C2-4 MIH district to within 125 feet of Fifth Avenue
2. That prior to considering the application, the City Council obtain written commitments from the applicant, BayRide Realty LLC, clarifying how it would:
  - a. Memorialize for an affordable housing mix with at least 50 percent two- or three-bedroom units, and at least 75 percent one-bedroom units
  - b. Utilize one or more affordable housing non-profits as the administering agent for the 9114 Fifth Avenue MIH lottery to conduct a coordinated marketing campaign, including extensive community outreach and financial literacy training in CD 10, based on provision of adequate funding for such efforts
  - c. Set aside a portion of the commercial space for arts/cultural entities and non-profit organizations, and/or locally-based immigrant-owned business at below-market lease terms, as warranted
  - d. Incorporate resiliency and sustainability measures, such as blue roofs, passive house design, solar facades, and/or wind turbines
  - e. Coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of DEP rain gardens, as part of the required Builders Pavement Plan along Fifth Avenue and/or 92<sup>nd</sup> Street fronting the development, in consultation with CB 10 and local elected officials
  - f. Retain Brooklyn-based contractors and subcontractors, especially those who are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBES) to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency

Be it further resolved:

1. That DOT conduct a traffic study along this section of 92<sup>nd</sup> Street to determine appropriate mitigation measures for traffic safety, including, but not limited to restrictive curbside signage.





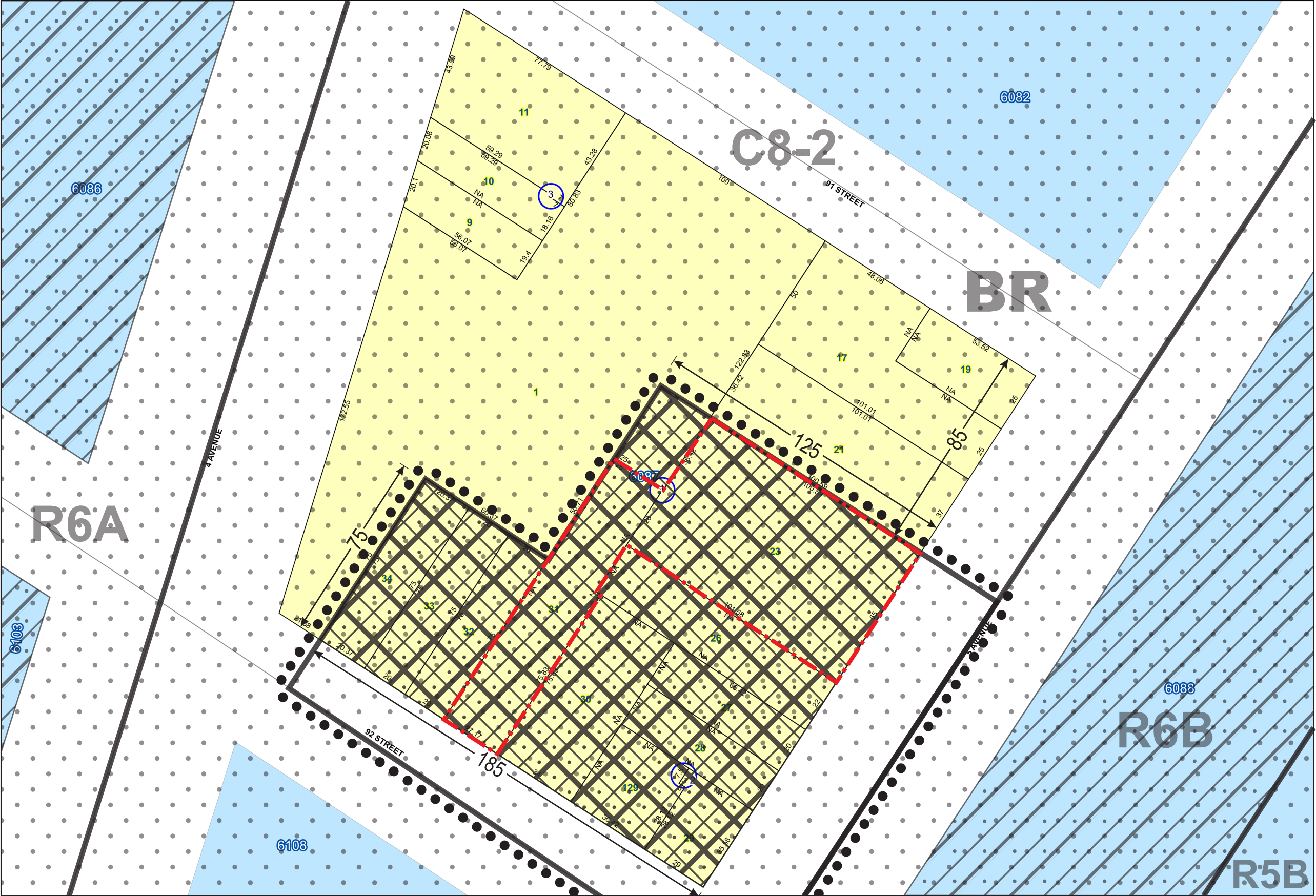
NYC Digital Tax Map

Effective Date : 08-02-2018 15:05:06  
End Date : Current  
Brooklyn Block: 6087



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning Districts
- Special Districts
- Development Site
- Area Proposed to be Rezoned
- C8-2 Existing Zoning District
- Existing C2-3 Overlay
- R7A Proposed Zoning District
- Proposed C2-4 Overlay





Area Map  
9114 5th Avenue, Brooklyn  
Block 6087, Lots 23 & 31

**Project Information**

- 600' Radius
- Development Site
- Area Proposed to be Rezoned
- Zoning Districts
- Special Districts

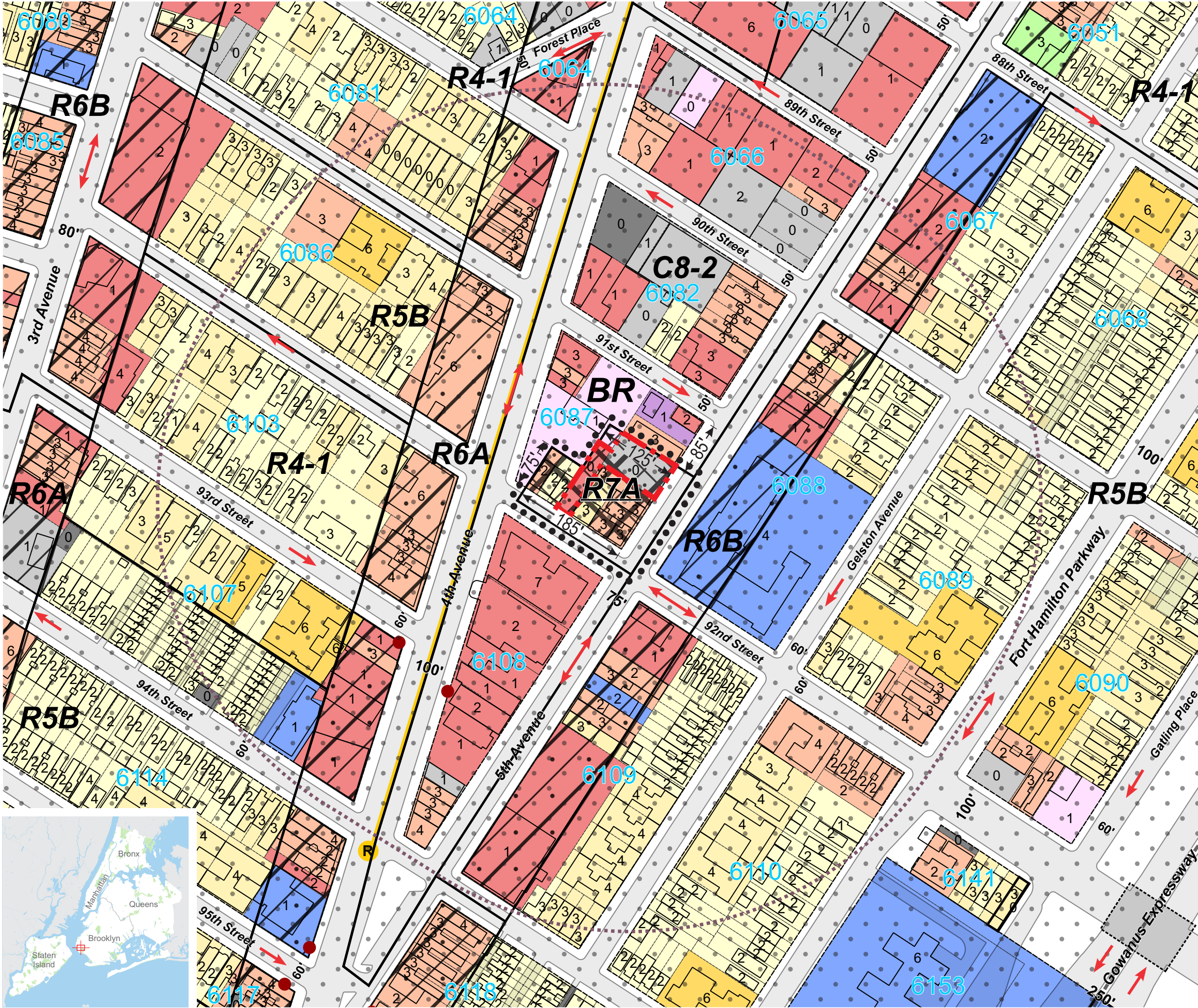
**Existing Commercial Overlays**

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

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

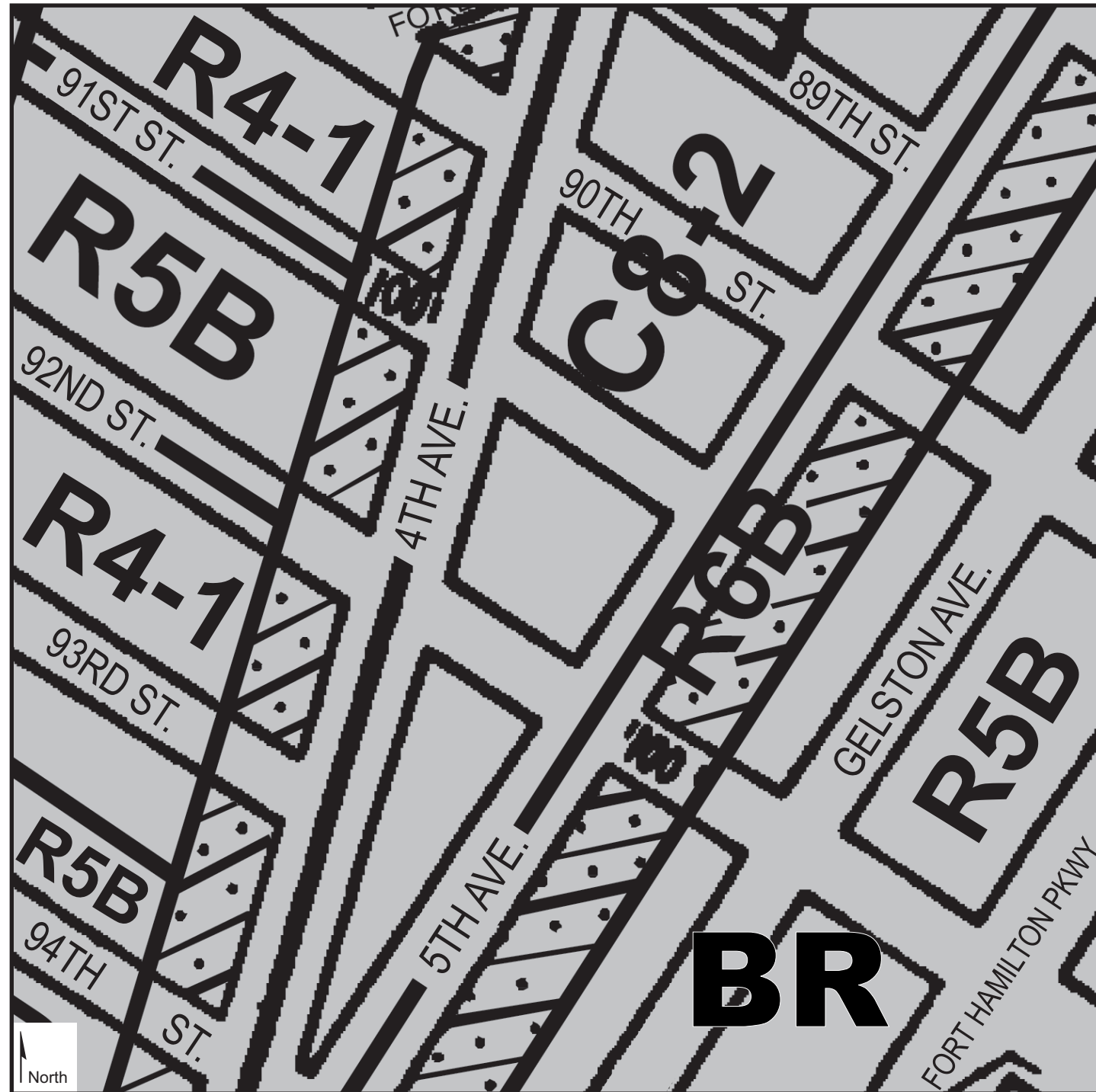
**Land Uses**

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other

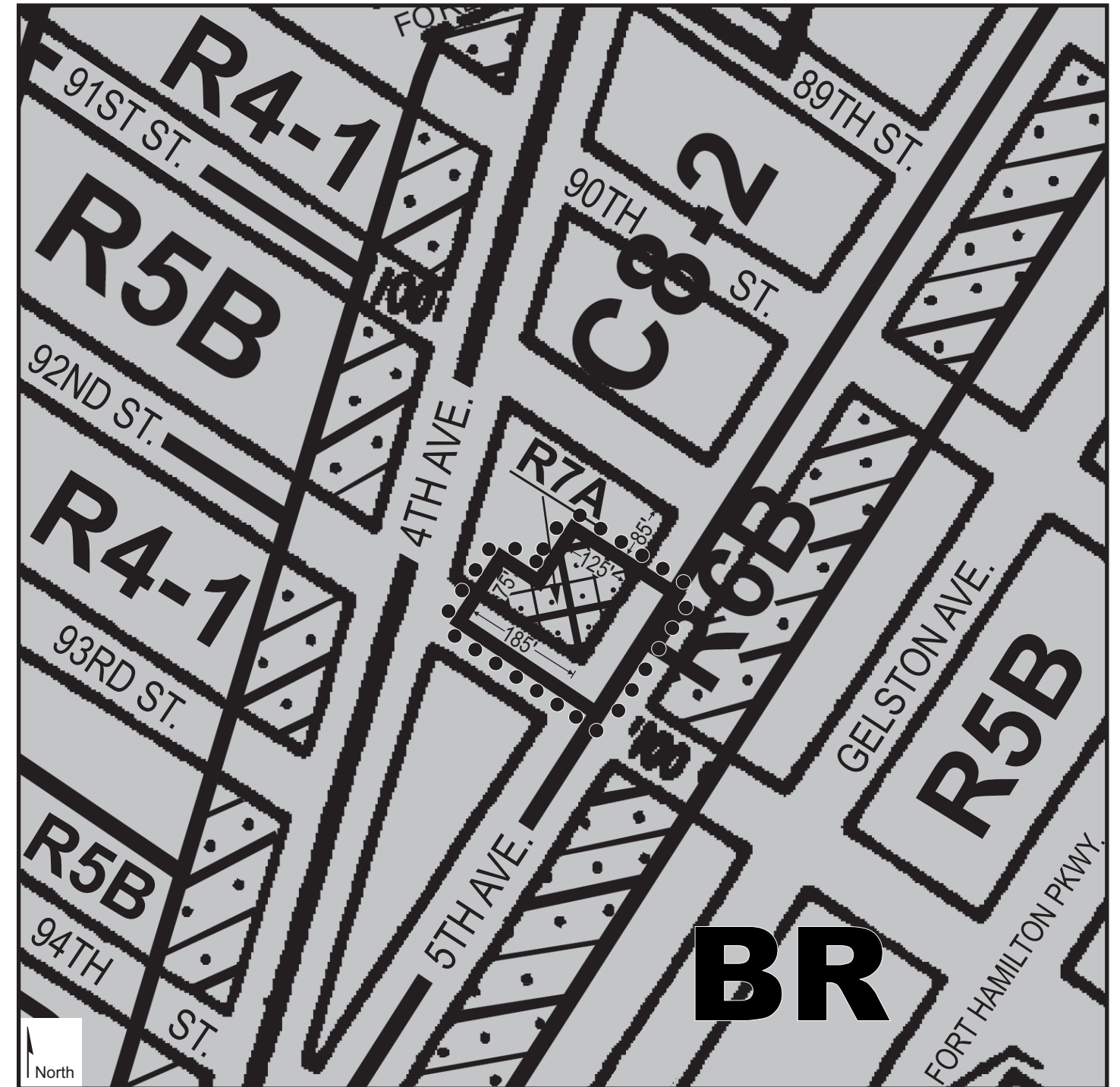




# Zoning Change Map

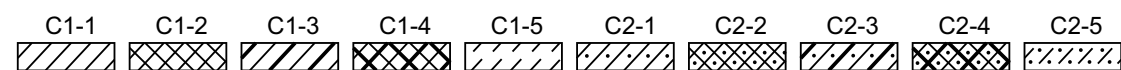


Current Zoning Map (22b)



Proposed Zoning Map (22b) - Area being rezoned is outlined with dotted lines

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



**NOTE:** Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.





1. View of the Development Site facing northwest from 5th Avenue.



2. View of 5th Avenue facing southwest (Development Site at right).



3. View of the Development Site facing west from 5th Avenue.







4. View of the Development Site facing northwest from 5th Avenue.



5. View of the Project Area facing west from 5th Avenue.



6. View of the Project Area facing northwest from 5th Avenue.







7. View of 92nd Street facing northwest from 5th Avenue (Project Area at right).



8. View of the Project Area facing north from the intersection of 5th Avenue and 92nd Street.



9. View of 5th Avenue facing northeast from 92nd Street (Project Area at left).







10. View of the Project Area facing northeast from 92nd Street.



11. View of the Development Site facing northeast from 92nd Street.



12. View of the Project Area facing east from 92nd Street.







13. View of the Project Area facing north from 92nd Street.



14. View of the Project Area facing northeast from 92nd Street.



15. View of the Project Area facing northeast from 92nd Street.







16. View of the Project Area and Development Site facing east from 92nd Street.



17. View of 92nd Street facing southeast from 4th Avenue (Project Area at left).



18. View of the sidewalk along the north side of 92nd Street facing southeast (Project Area at left).







19. View of the intersection of 4th Avenue and 92nd Street facing west from the Project Area.



20. View of the sidewalk along the north side of 92nd Street facing southeast (Development Site at left).



21. View of the south side of 92nd Street facing west from the Development Site.







22. View of the sidewalk along the north side of 92nd Street facing northwest (Development Site at right).



23. View of the south side of 92nd Street facing southwest from the Project Area.



24. View of the sidewalk along the north side of 92nd Street facing northwest from 5th Avenue (Project Area at right).







25. View of the intersection of 5th Avenue and 92nd Street facing south from the Project Area.



26. View of the sidewalk along the west side of 5th Avenue facing northeast from 92nd Street (Project Area at left).



27. View of the sidewalk along the west side of 5th Avenue facing northeast (Development Site at left).







28. View of the east side of 5th Avenue facing south from the Development Site.



29. View of the sidewalk along the west side of 5th Avenue facing southwest (Development Site at right).



30. View of the east side of 5th Avenue facing east from the Development Site.





**9114 5<sup>th</sup> Avenue**  
**Community District 10, Brooklyn**  
**9/19/18**  
**Zoning Map 22b**

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**Brooklyn**

\* \* \*

**Brooklyn Community District 10**

\* \* \*

**Map 1 – [Date of Adoption]**



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

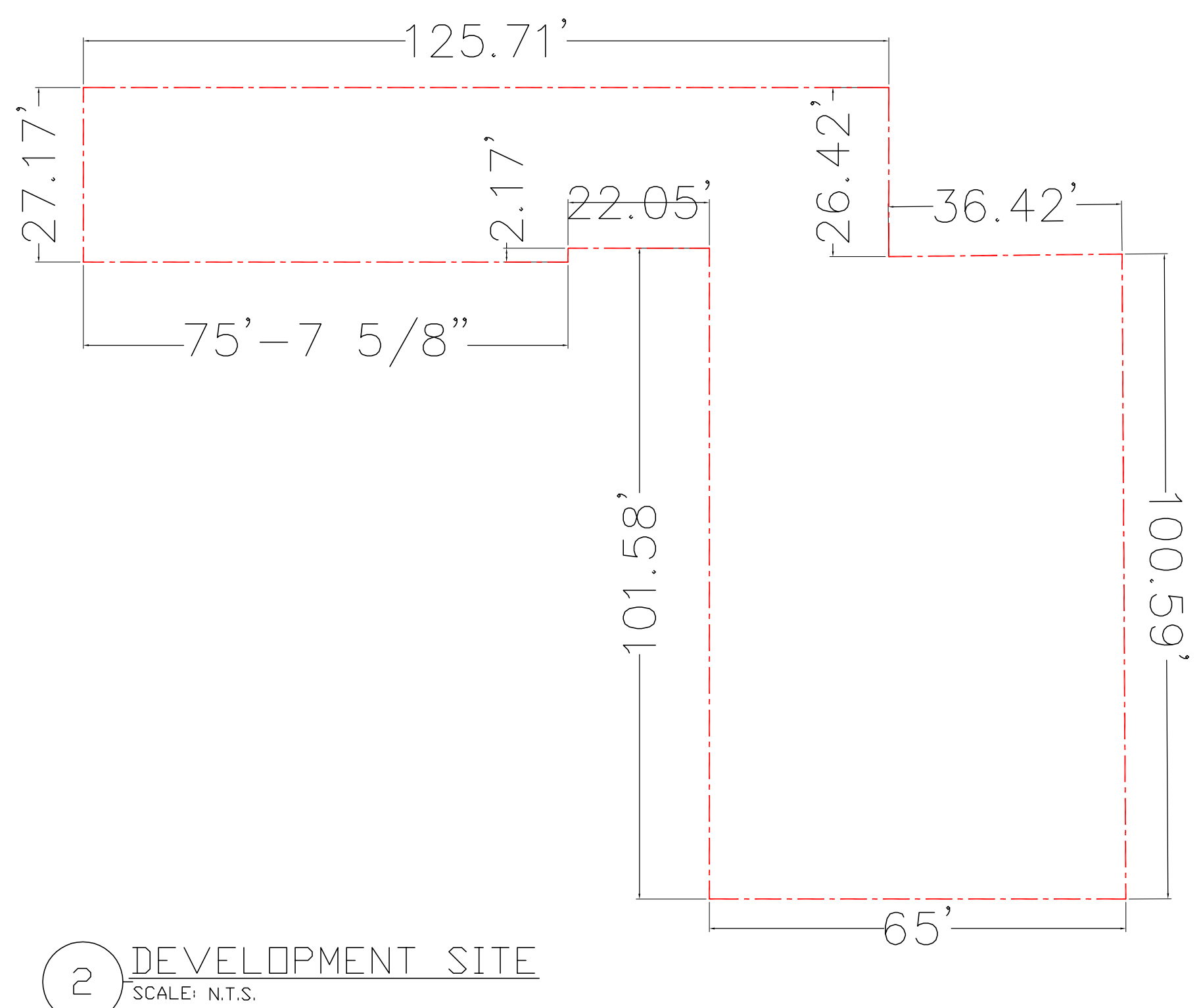
**Area 1 — [date of adoption] — MIH Program Option 1 and Option 2**

**Portion of Community District 10, Borough of Brooklyn**











\* \* \*

PROPOSED DEVELOPMENT

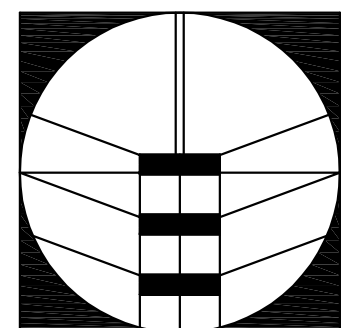
<b>REQUIRED ACTIONS</b> 1. Zoning Map Amendment from a C8-2 Zoning District to an R7A/C2-4 Zoning Districtand, 2. Text Amendment to ZR Appendix F: Mandatory Inclusionary Housing (MIH)		<b>STREET ADDRESS:</b> 9114 5TH Avenue & 413 92 <sup>ND</sup> Street, Block: 6087   Lots: 23, 31 Existing Zoning: C8-2/Special Bay Ridge District; Proposed Zoning: R7A/C2-4 & Mandatory Inclusionary Housing (MIH) Community District: 10, Brooklyn Zoning Section Map No. 22 Zoning Lot Area: 9,851.7 S.F.	
TITLE	PERMITTED/REQUIRED	PROPOSED	COMPLIANCE
USES	USE GROUPS 1-9, 14	2 & 6	Y
FLOOR AREA RATIO (FAR)	RESIDENTIAL = 4.60 (MIH)	3.70	Y
	COMMERCIAL = 2.00	0.89	Y
	MAX FAR PERMITTED = 4.60	4.59	Y
FLOOR AREA	RESIDENTIAL 9,851.7 SF x 4.60 = 45,317.82 SF	36,438 S.F.	Y
	COMMERCIAL 9,851.7 SF x 2.00 = 19,703.4 SF	8,800 S.F.	Y
	MAX FA PERMITTED = 45,317.82 SF	45,238 S.F.	Y
LOT COVERAGE	RESIDENTIAL		
	65%	45.98%	Y
	COMMERCIAL		
	N/A		
DENSITY	(MAX. ZFA - COM. ZFA) / 680	45	Y
	(45,317.8 - 9,300) / 680 = 52.97 = 53		
YARD REGULATIONS	FRONT:    NONE	NONE	Y
	SIDE:      NONE OR 8'	NONE	Y
	REAR:     RESIDENTIAL: 30'	30'-3 3/8"	Y
	COMMERCIAL: 20'	1-STY & 13' HT. PERMITTED OBSTRUCTION	Y
HEIGHT AND SETBACK REGULATIONS			
BASE HEIGHT	MIN.: 40',        MAX.: 75'	75'	Y
MAXIMUM HEIGHT	95' (W/ QUALIFYING GROUND FLOOR)	95'	Y
MAXIMUM # OF STORIES	9 STORIES	9	Y
SETBACK	WIDE STREET: 10' (5TH AVENUE)	10' W/ DORMER	Y
	NARROW STREET: 15' (92ND STREET)	N/A	Y
STREET WALL LOCATION	AT LEAST 70% OF THE AGGREGARE WIDTH OF STREET WALLS SHALL BE LOCATED WITHIN 8' OF THE STREET LINE AND SHALL EXTEND TO AT LEAST THE MINIMUM BASE HEIGHT, OR THE HEIGHT OF THE BUILDING, WHICHEVER IS LESS.	STREET WALL 100% LOCATED WITHIN 8' OF STREET LINES	Y
ACCESSORY OFF-STREET PARKING SPACES			
RESIDENTIAL USE	30% OF RESIDENCES	NONE	Y
	45 X 30% = 14 CARS		
	<= 15 CARS CAN BE WAIVED		
COMMERCIAL USE	RETAIL: 1 PER 400 S.F. FLOOR AREA	NONE	Y
	8,800 / 400 = 22 CARS		
	<= 40 CARS CAN BE WAIVED		
REQUIRED OFF-STREET LOADING	RETAIL: 1ST 25,000 S.F.: NONE	NONE	Y
BICYCLE PARKING	RESIDENTIAL: 1 PER 2 DWELLING UNITS		
	45 / 2 = 23 BIKES	23 BIKES	Y
	COMMERCIAL:	NONE	Y
	RETAIL: 1 PER 10,000 S.F.		
	RETAIL: 1 PER 10,000 S.F.		
	<= 3 CAN BE WAIVED		



### LEGEND

- |   |                              |   |                   |
|---|------------------------------|---|-------------------|
|  | ZONING DISTRICT BOUNDARY     |   |                   |
|  | PROJECT AREA                 |  | TREE              |
|  | ZONING LOT (SUBJECT PROJECT) |  | BUILDING ENTRANCE |
|  | DEVELOPMENT SITE             |  | ONE WAY TRAFFIC   |
|  | TAX LOT                      |  | TWO WAY TRAFFIC   |
|  | BUILDING FOOTPRINT           |   |                   |

NOTE:  
INFORMATION OUTSIDE OF THE BOUNDARIES OF THE  
ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND  
MAY NOT BE EXACT. THE ARCHITECT BEARS NO  
RESPONSIBILITY FOR INEXACT INFORMATION ON  
SURROUNDING PROPERTIES.



5816 Fort Hamilton Parkway, Units M1,  
Brooklyn, NY 11219

Tel: 718-765-1122      Fax: 718-765-0813

**CONSULTANTS:**

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REVISIONS NO. DATE:

	<b>PROJECT NAME:</b>

DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough:	Brooklyn
Block:	6087
Lots:	23, 31
ULURP:	00X

**DRAWING TITLE:**

SITE PLAN

SEAL &amp; SIGNATURE

NYC DOB#:

**JOB STICKER**

APPROVAL STAMP

DRAWN BY:

CHECKED BY:
-------------

**SCALE:**

PROJECT NO:	
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FILE NAME
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<i>DATE:</i>	
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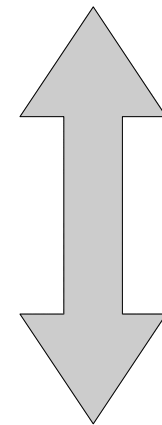
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**Z-100.00**

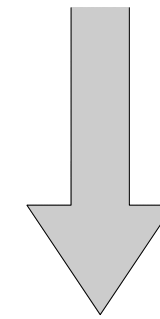
01 OF 10



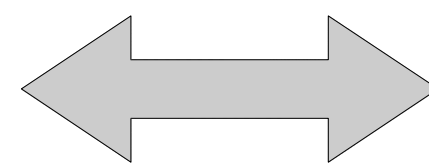
92ND STREET (60' - NARROW)



91ST STREET (50' - NARROW)



5TH AVENUE (75' - WIDE)



Residential  
@ 25'

Residential  
@ 25'

Commercial  
@ 20'

COMMERCIAL

Residential  
@ 35'

COMMERCIAL  
±8,801 S.F.

Manufacturing  
@ 24'

Mix-use  
@ 36'

Mix-use  
@ 38'

Mix-use  
@ 34'

Mix-use  
@ 40'

Mix-use  
@ 24'

Mix-use  
@ 37'

Mix-use  
@ 38'

RES.  
±1050 SF

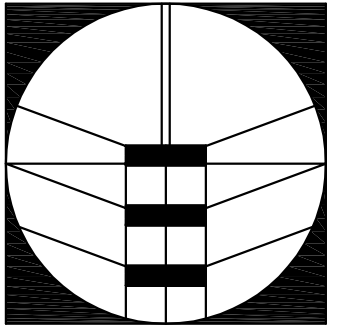
LOBBY  
15'-0"

COMMERCIAL

COM.

RES.

S M TAM ARCHITECT, PLLC  
ARCHITECTS & ENGINEERS



5816 Fort Hamilton Parkway, Units M1,  
Brooklyn, NY 11219  
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REVISIONS NO. DATE:

PROJECT NAME:

DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough: Brooklyn  
Block: 6087  
Lots: 23, 31  
ULURP: 00X

DRAWING TITLE:

GROUND FLOOR PLAN

SEAL & SIGNATURE

NYC DOB#:

JOB STICKER

APPROVAL STAMP

DRAWN BY: H.L. CHECKED BY: SMT

SCALE: AS NOTED PROJECT NO: 2018-012

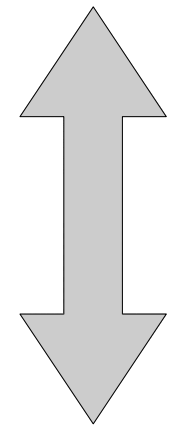
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DRAWING NO: Z-200.00

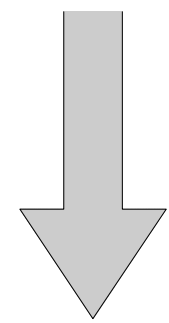
02 OF 10

1 GROUND / 1ST FLOOR PLAN  
SCALE: N.T.S.

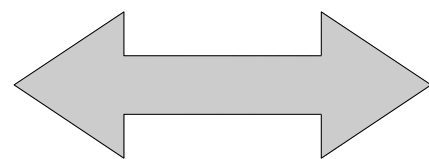
92ND STREET (60' - NARROW)



91ST STREET (50' - NARROW)



5TH AVENUE (75' - WIDE)



Residential  
@ 25'

Residential  
@ 25'

Commercial  
@ 20'

ROOF  
@ 13'

ROOF TERRACE  
@ 13'

Manufacturing  
@ 24'

Residential  
@ 35'

Mix-use  
@ 36'

Mix-use  
@ 38'

Mix-use  
@ 37'

Mix-use  
@ 38'

Mix-use  
@ 34'

RES. #01  
(1 BED)  
±743 SF

RES. #02  
(1 BED)  
±599 SF

RES. #03  
(1 BED)  
±585 SF

RES. #04  
(STUDIO)  
±527 SF

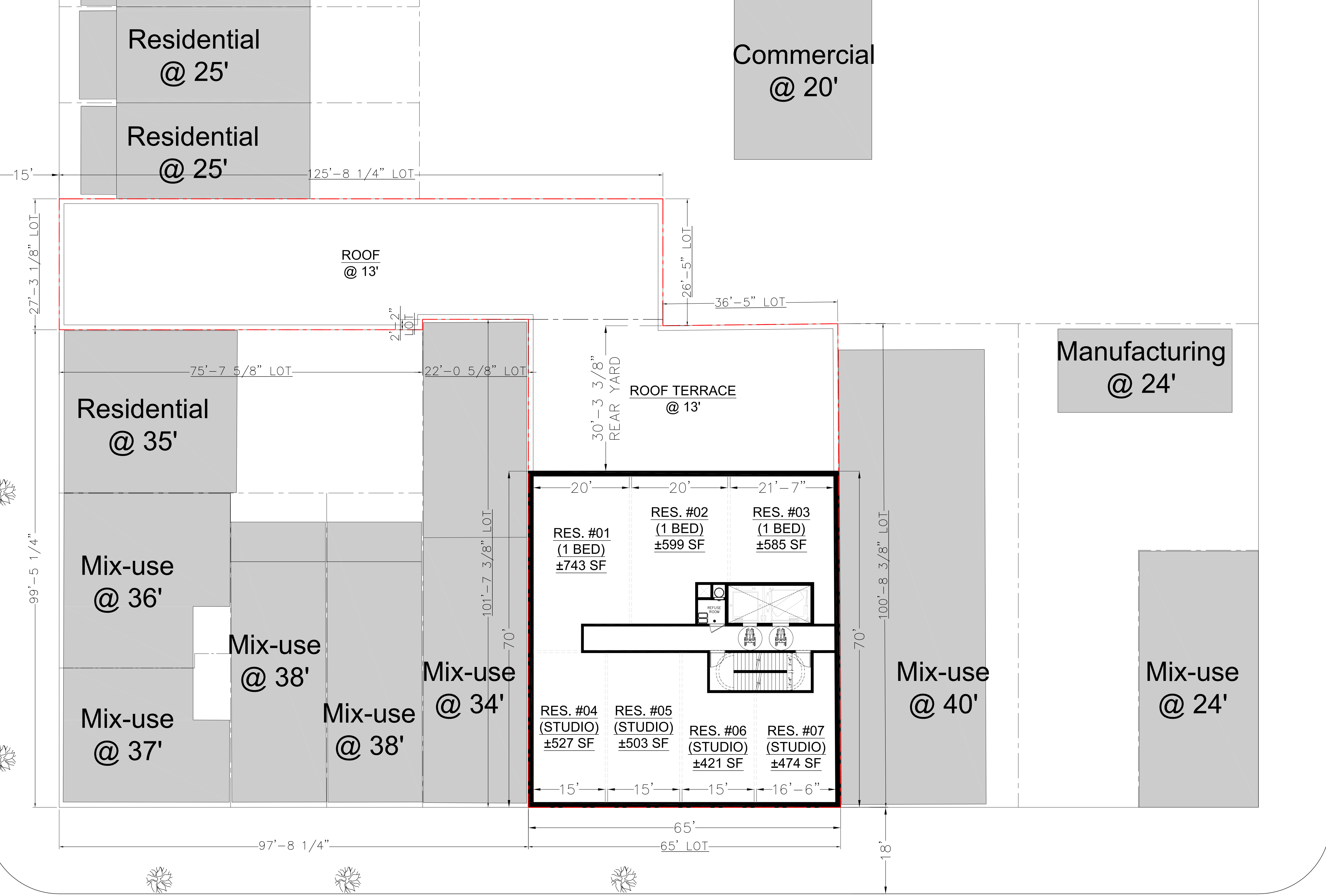
RES. #05  
(STUDIO)  
±503 SF

RES. #06  
(STUDIO)  
±421 SF

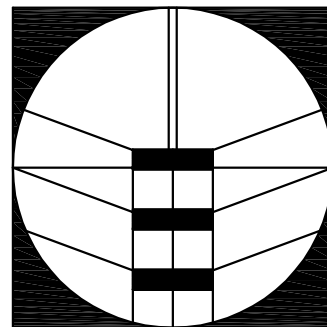
RES. #07  
(STUDIO)  
±474 SF

Mix-use  
@ 40'

Mix-use  
@ 24'



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ARCHITECTS & ENGINEERS



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REVISIONS NO. DATE:

PROJECT NAME:

DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough: Brooklyn  
Block: 6087  
Lots: 23, 31  
ULURP: 00X

DRAWING TITLE:

2ND FLOOR PLAN

SEAL & SIGNATURE

NYC DOB#:

JOB STICKER

APPROVAL STAMP

DRAWN BY: H.L. CHECKED BY: SMT

SCALE: AS NOTED PROJECT NO: 2018-012

FILE NAME: JOBS/2018/NB DATE: 12-04-2018

DRAWING NO:

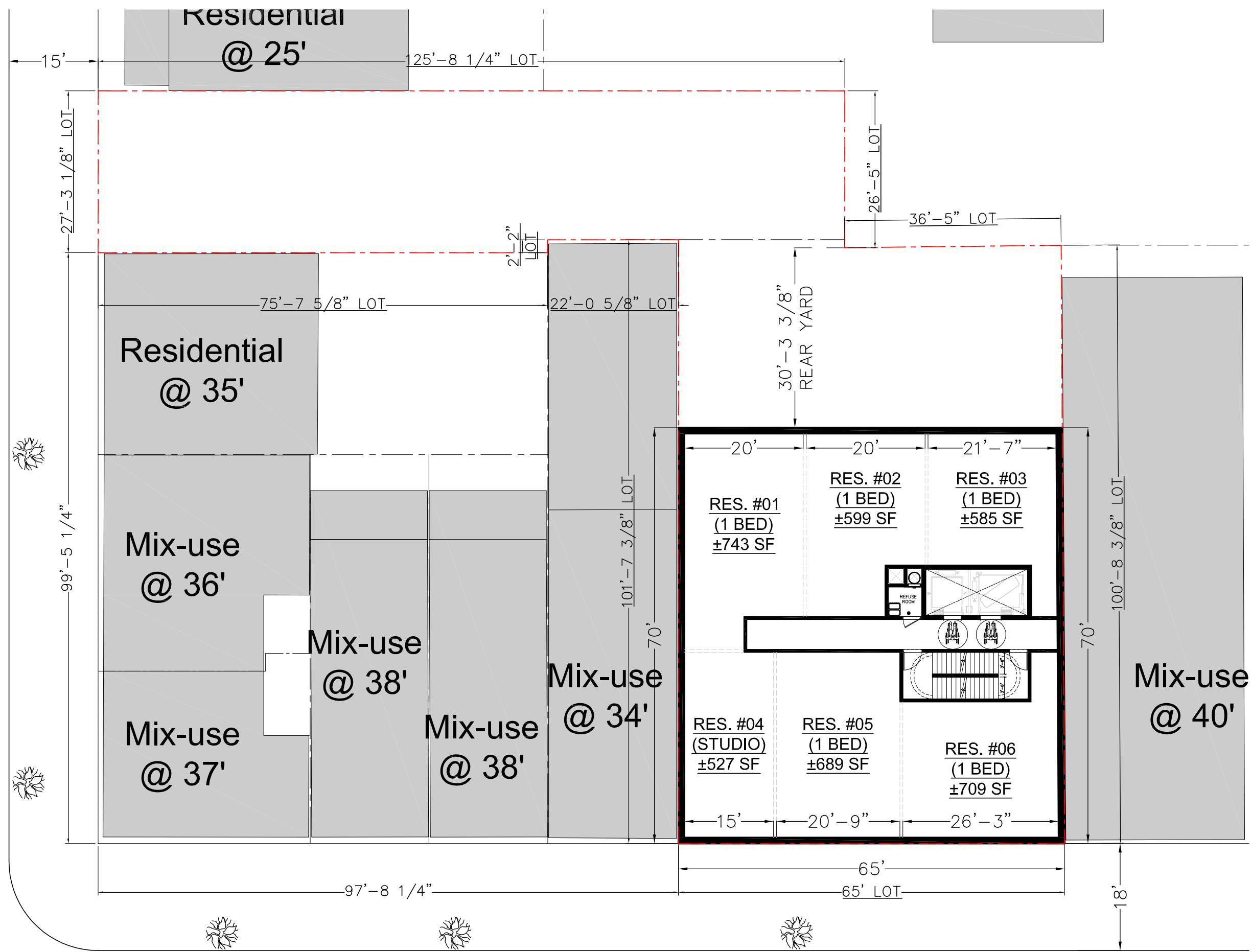
Z-201.00

03 OF 10



1 3RD~5TH FLOOR PLAN  
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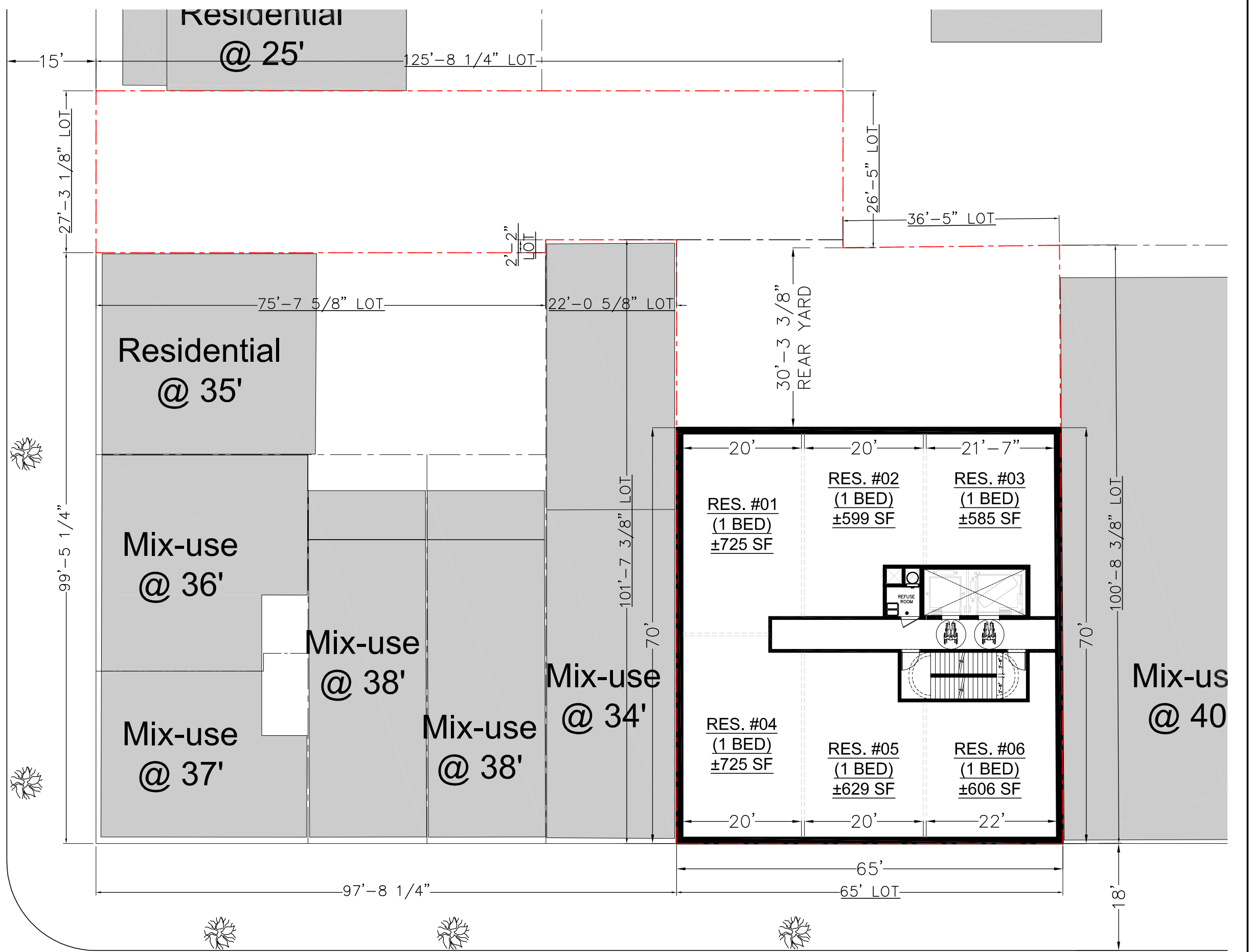
92ND STREET (60' - NARROW)



5TH AVENUE (75' - WIDE)

2 6TH~7TH FLOOR PLAN  
SCALE: N.T.S.

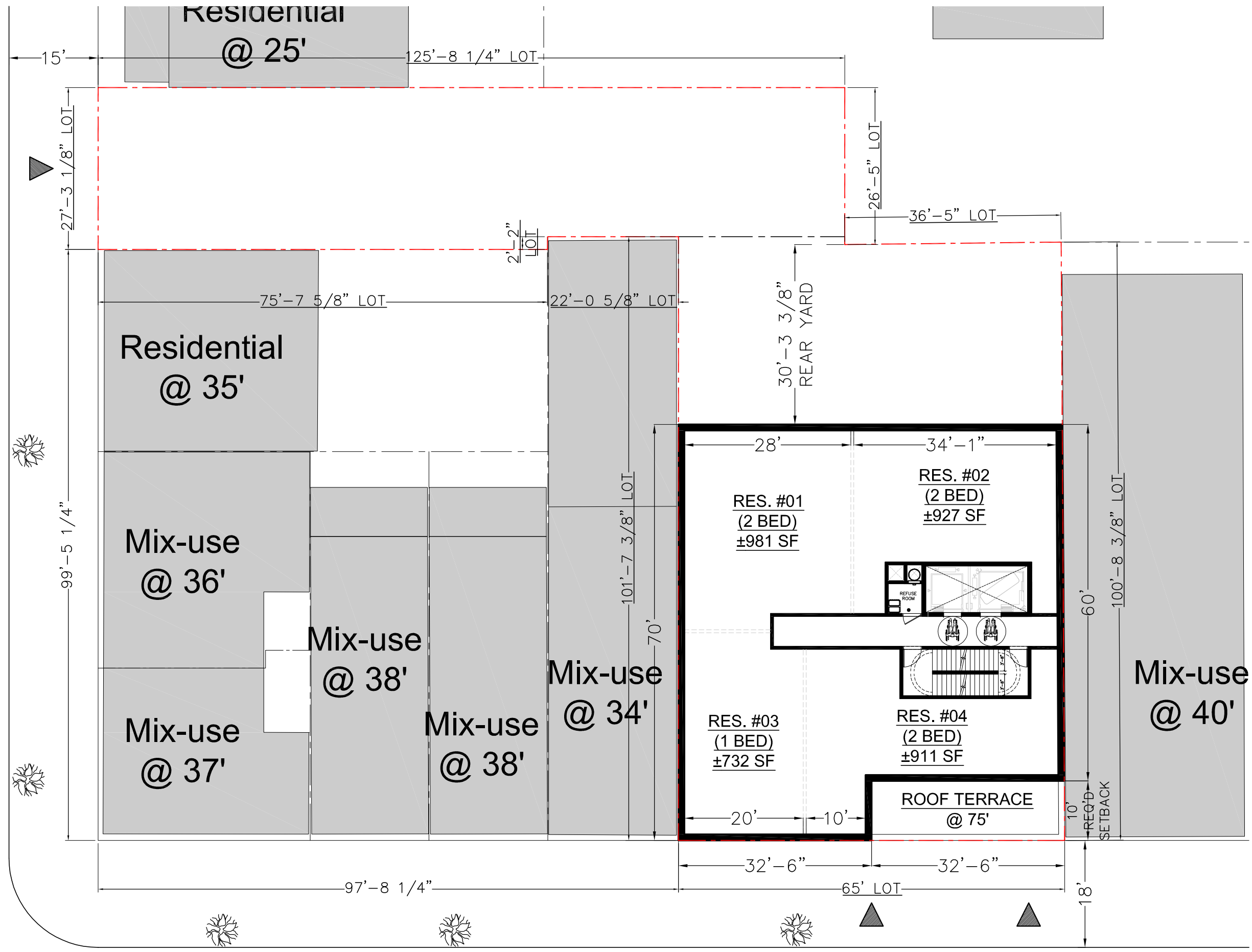
92ND STREET (60' - NARROW)



5TH AVENUE (75' - WIDE)

3 8TH FLOOR PLAN  
SCALE: N.T.S.

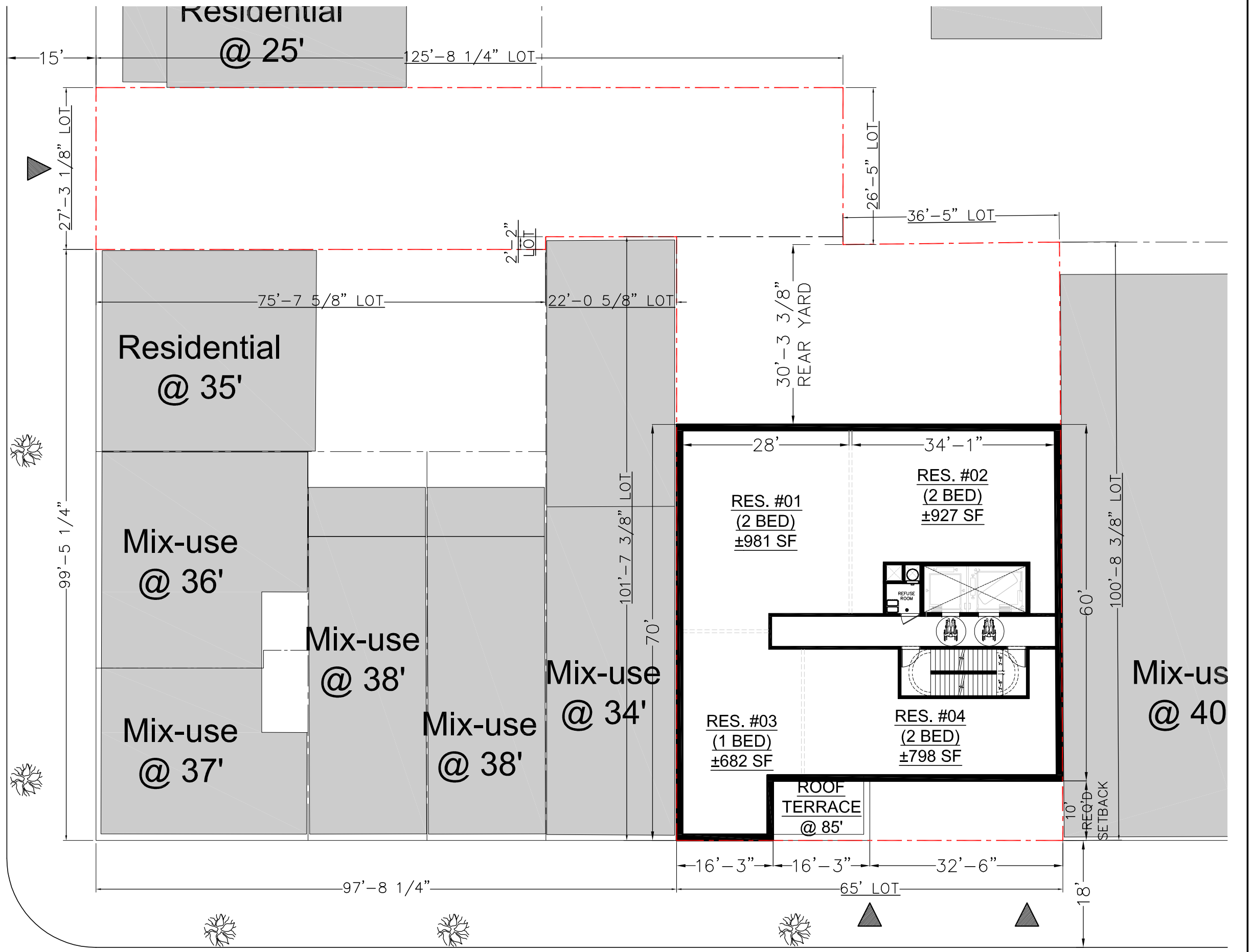
92ND STREET (60' - NARROW)



5TH AVENUE (75' - WIDE)

4 9TH FLOOR PLAN  
SCALE: N.T.S.

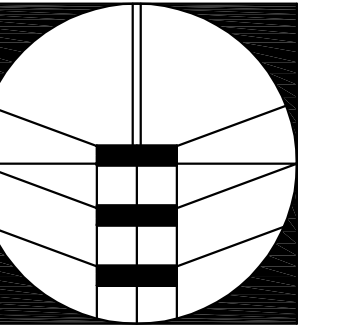
92ND STREET (60' - NARROW)



5TH AVENUE (75' - WIDE)

S M TAM ARCHITECT, PLLC

ARCHITECTS & ENGINEERS



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REVISIONS NO. DATE:

PROJECT NAME:

DCP SUBMISSION  
1114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough: Brooklyn  
Block: 6087  
Lots: 23, 31  
ULURP: 00X

DRAWING TITLE:

FLOOR PLANS

SEAL & SIGNATURE

NYC DOB#:

JOB STICKER

APPROVAL STAMP

DRAWN BY: H.L.

CHECKED BY: SMT

SCALE: AS NOTED

PROJECT NO: 2018-012

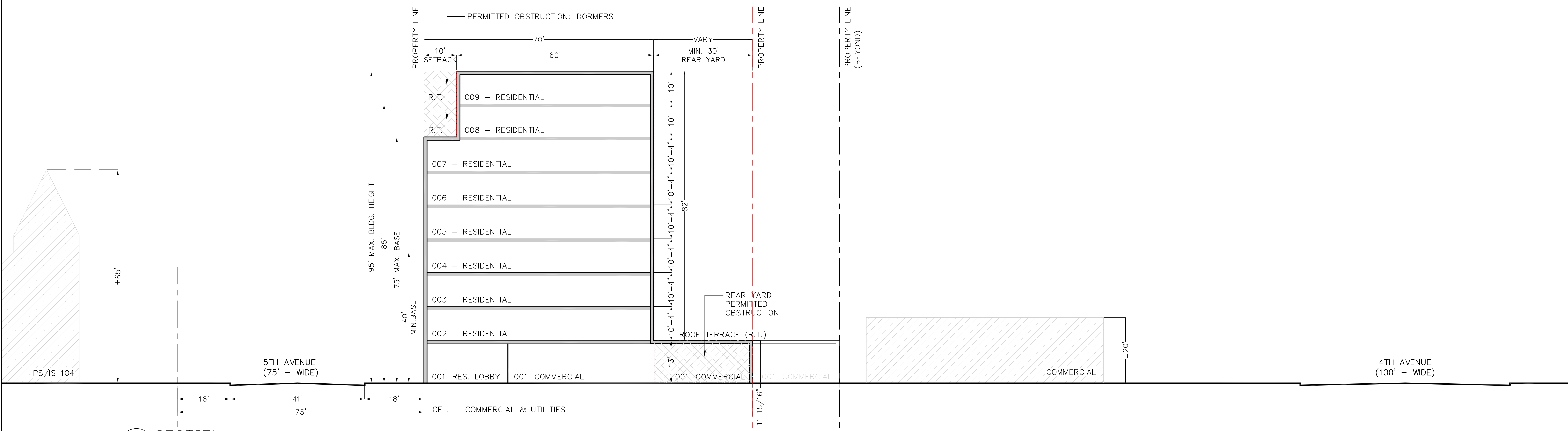
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DATE: 12-04-2018

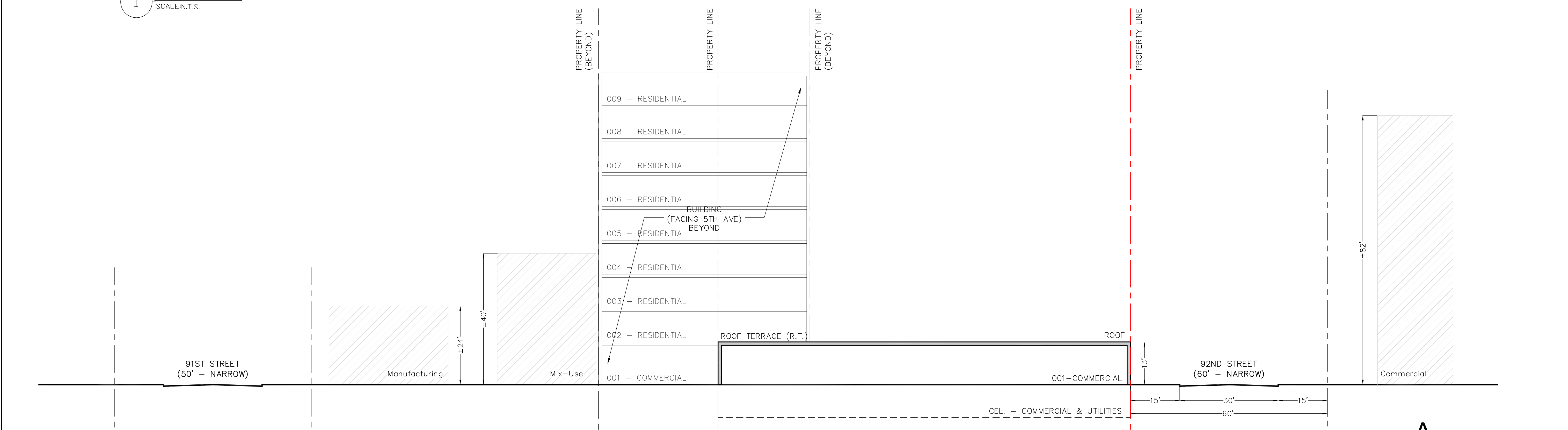
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Z-202.00

04 OF 10



1 SECTION A  
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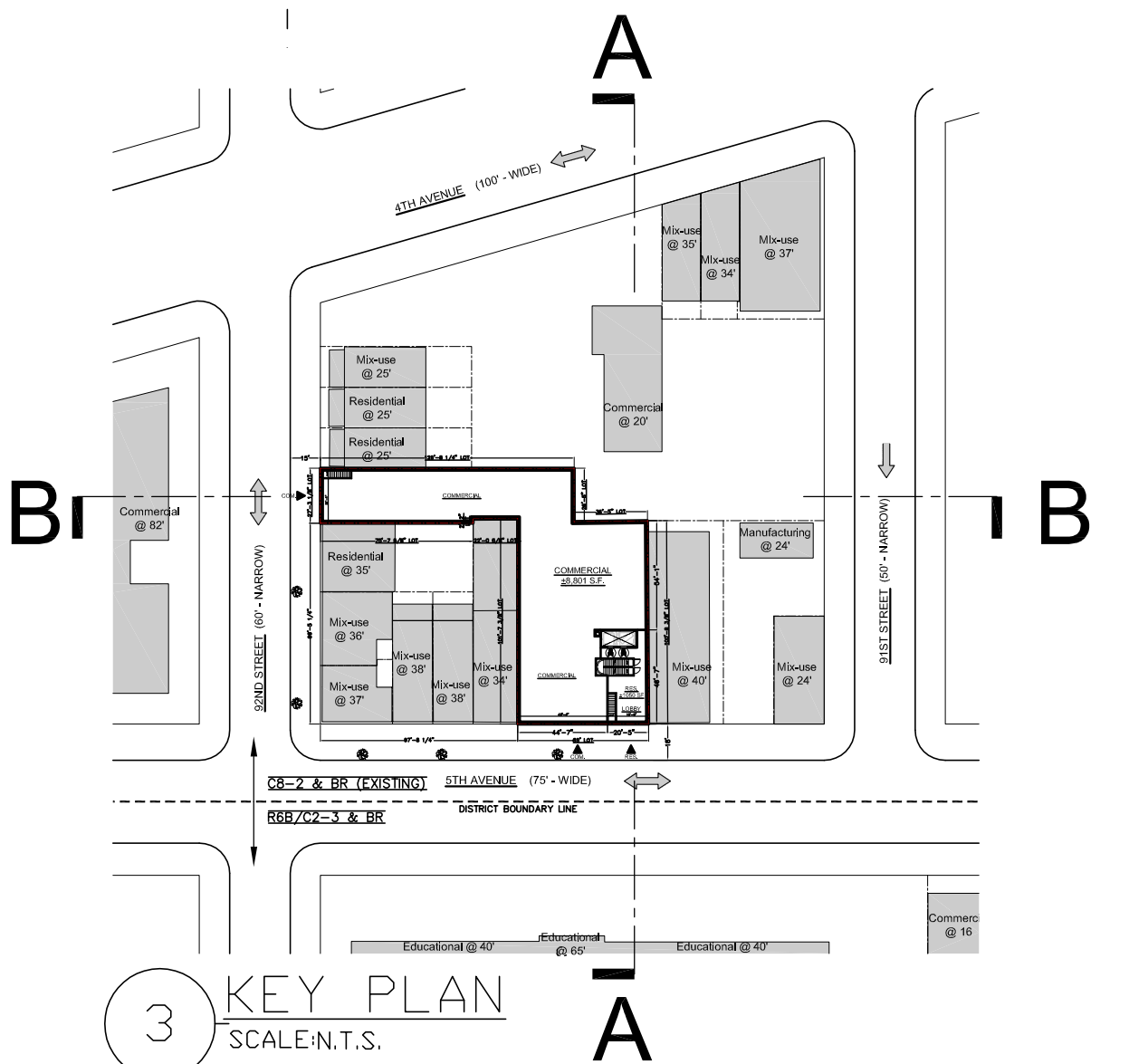


2 SECTION B  
SCALE: N.T.S.

**LEGEND**

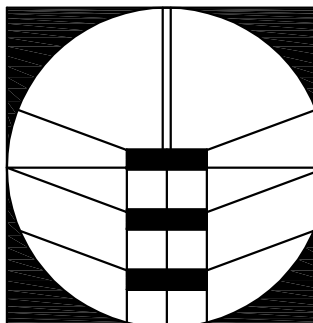
- ZONING LOT (SUBJECT PROJECT)
- TAX LOT
- BUILDING FOOTPRINT
- DEVELOPMENT LOT
- ZONING DISTRICT BOUNDARY
- TREE
- BUILDING ENTRANCE
- ONE WAY TRAFFIC
- TWO WAY TRAFFIC

NOTE:  
INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.



3 KEY PLAN  
SCALE: N.T.S.

S M TAM ARCHITECT, PLLC  
ARCHITECTS & ENGINEERS



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Brooklyn, NY 11219  
Tel: 718-765-1122 Fax: 718-765-0813

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REVISIONS NO. DATE:

PROJECT NAME:  
DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough: Brooklyn  
Block: 6067  
Lots: 23, 31  
ULURP: 00X

DRAWING TITLE:  
SECTIONS

SEAL & SIGNATURE  
NYC DOB#:

JOB STICKER

APPROVAL STAMP

DRAWN BY: H.L. CHECKED BY: SMT

SCALE: AS NOTED PROJECT NO: 2018-012

FILE NAME: JOBS/2018/NB DATE: 12-04-2018

DRAWING NO: Z-300.00

05 OF 10



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REVISIONS NO. DATE:

PROJECT NAME:

DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209

Borough:	Brooklyn
Block:	6087
Lots:	23, 31
ULURP:	00X

**DRAWING TITLE:**

### ELEVATIONS

SEAL &amp; SIGNATURE

NYC DOB#

**JOB STICKER**

APPROVAL STAMP

DRAWN BY:

CHECKED BY	
------------	--

SCALE:

	PROJECT NO.
--	-------------

**FILE NAME:**

DATE: \_\_\_\_\_










DRAFTING NO.

**Z-400.00**

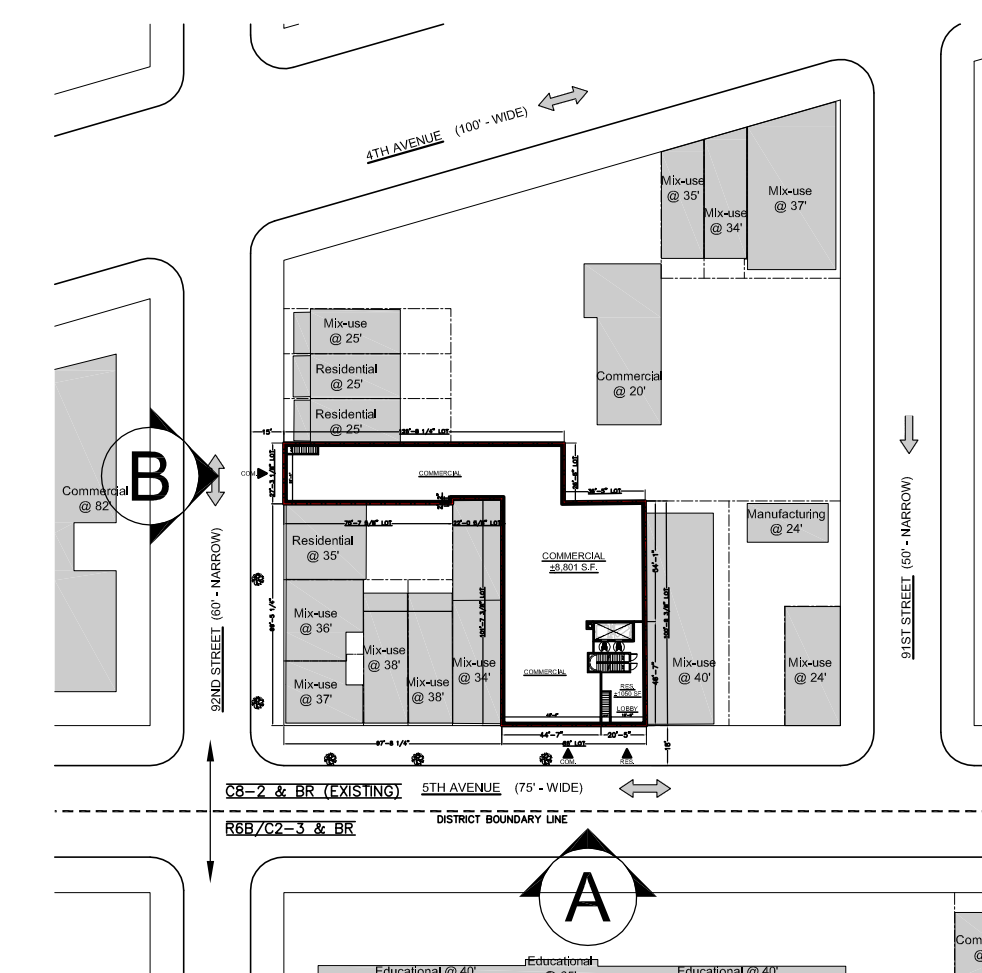
06 OF 10



2 ELEVATION B  
SCALE: N.T.S.

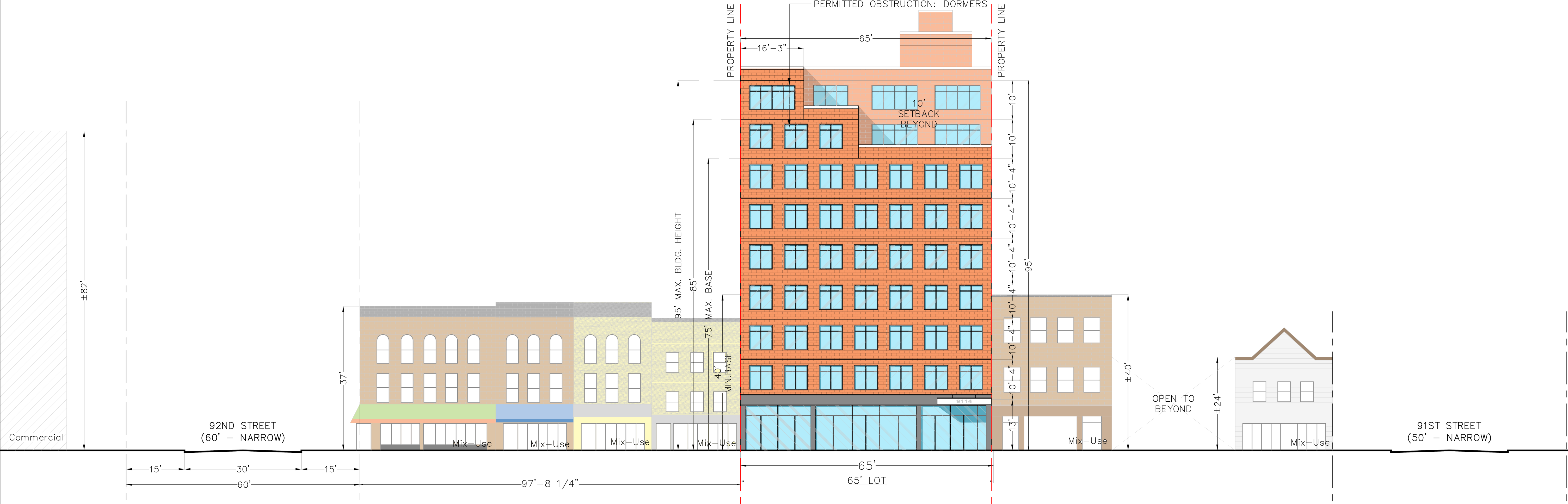
- | LEGEND  |                              |
|---|------------------------------|
|  | ZONING LOT (SUBJECT PROJECT) |
|  | TAX LOT                      |
|  | BUILDING FOOTPRINT           |
|  | DEVELOPMENT LOT              |
|  | ZONING DISTRICT BOUNDARY     |
|  | TREE                         |
|  | BUILDING ENTRANCE            |
|  | ONE WAY TRAFFIC              |
|  | TWO WAY TRAFFIC              |

NOTE:  
INFORMATION OUTSIDE OF THE  
BOUNDARIES OF THE ZONING  
LOT IS FOR ILLUSTRATIVE  
PURPOSES ONLY, AND MAY  
NOT BE EXACT. THE ARCHITECT  
BEARS NO RESPONSIBILITY FOR  
INEXACT INFORMATION ON  
SURROUNDING PROPERTIES.



3 KEY PLAN  
SCALE: N.T.S.



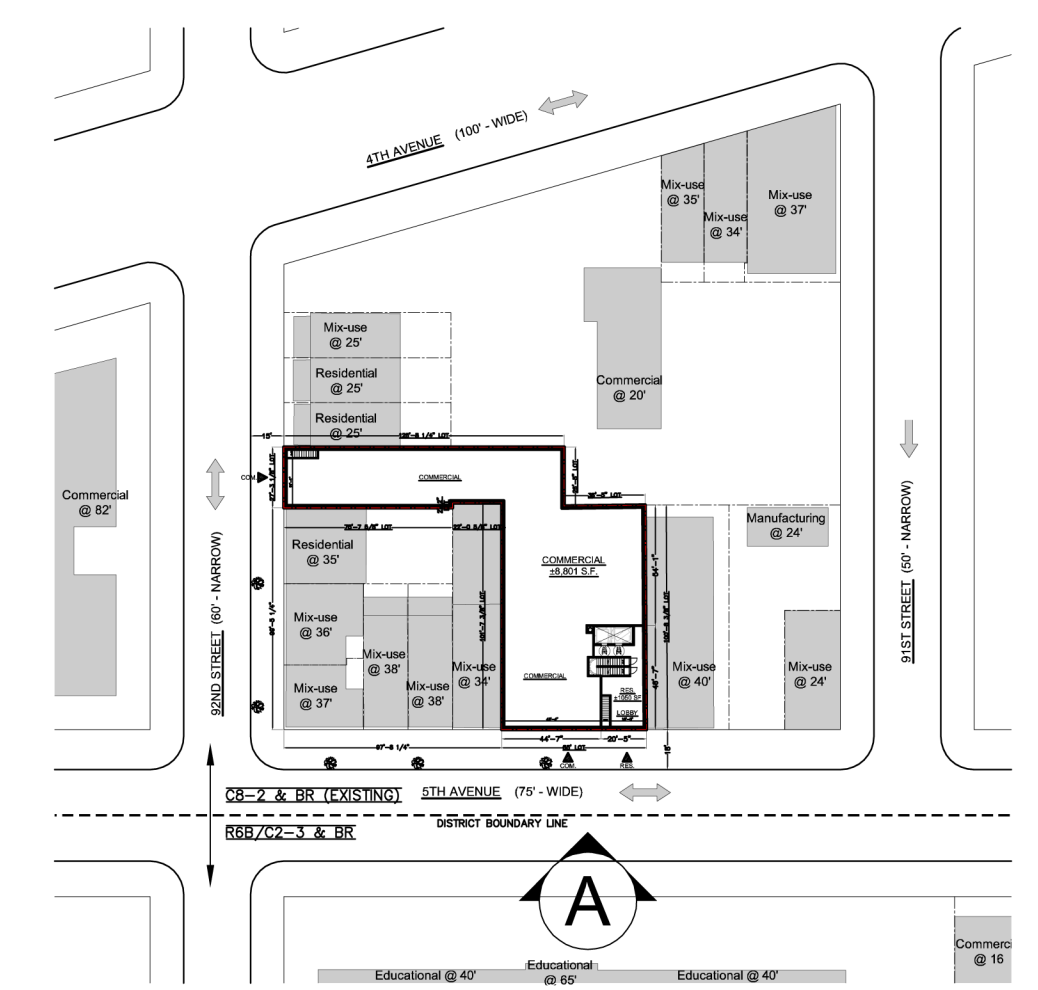


1 ELEVATION A (COLORED)  
SCALE: N.T.S.

**LEGEND**

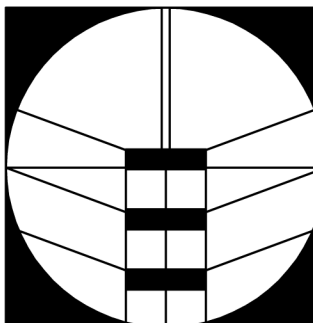
- ZONING LOT (SUBJECT PROJECT)
- TAX LOT
- BUILDING FOOTPRINT
- DEVELOPMENT LOT
- ZONING DISTRICT BOUNDARY
- TREE
- BUILDING ENTRANCE
- ONE WAY TRAFFIC
- TWO WAY TRAFFIC

NOTE:  
INFORMATION OUTSIDE OF THE  
BOUNDARIES OF THE ZONING  
LOT IS FOR ILLUSTRATIVE  
PURPOSES ONLY, AND MAY  
NOT BE EXACT. THE ARCHITECT  
BEARS NO RESPONSIBILITY FOR  
INEXACT INFORMATION ON  
SURROUNDING PROPERTIES.



3 KEY PLAN  
SCALE: N.T.S.

S M TAM ARCHITECT, PLLC  
ARCHITECTS & ENGINEERS



5816 Fort Hamilton Parkway, Units M1,  
Brooklyn, NY 11219  
Tel: 718-765-1122 Fax: 718-765-0813

CONSULTANTS:

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REVISIONS NO. DATE:

PROJECT NAME:  
DCP SUBMISSION  
9114 5TH AVENUE,  
BROOKLYN, NY 11209  
Borough: Brooklyn  
Block: 6087  
Lots: 23, 31  
ULURP: 00X

DRAWING TITLE:  
ELEVATIONS

SEAL & SIGNATURE  
NYC DOB#:

JOB STICKER

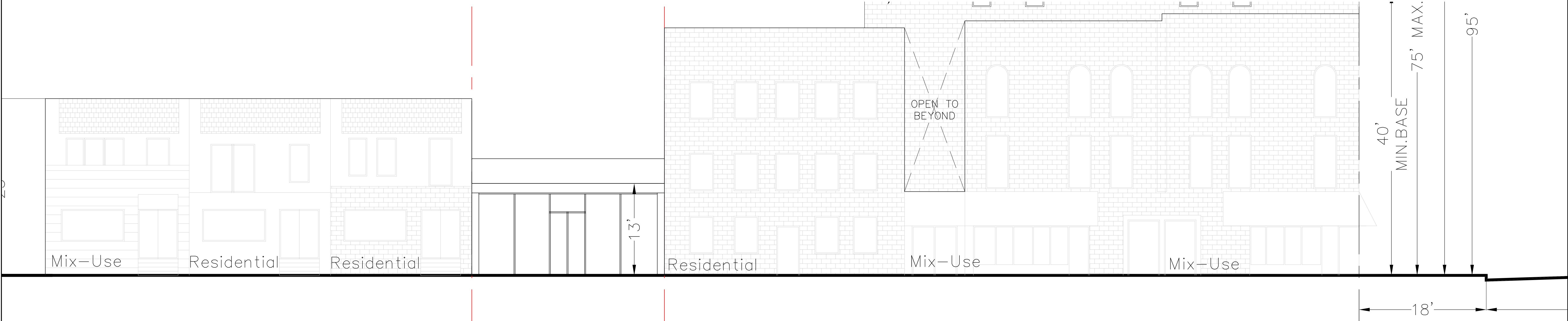
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SCALE: AS NOTED	PROJECT NO: 2018-012
FILE NAME: JOBS/2018/NB	DATE: 12-04-2018
DRAWING NO: <b>Z-401.00</b>	

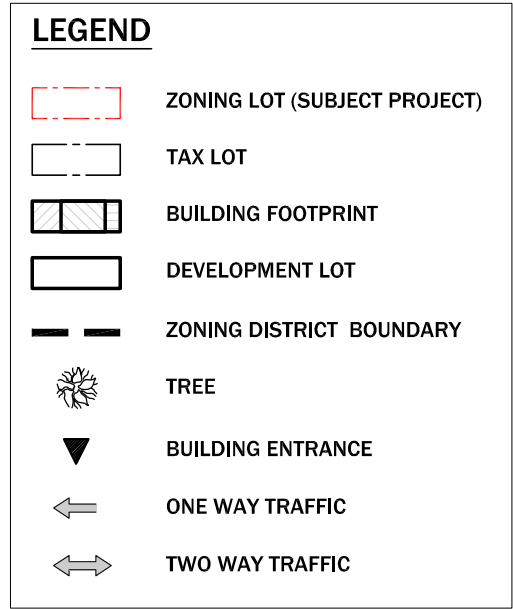




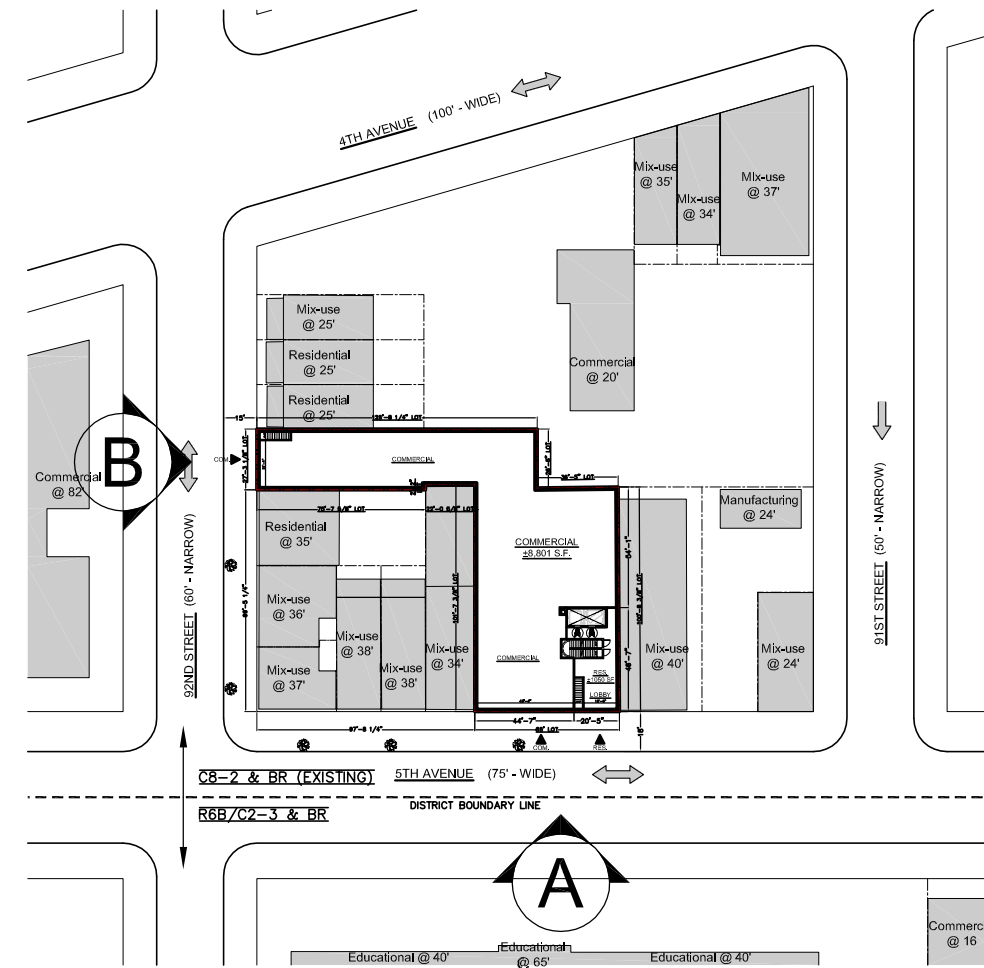
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SCALE: N.T.S.



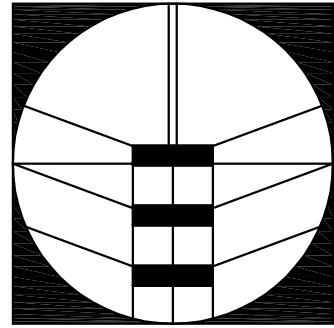
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PROJECT NO:

2018-012

FILE NAME:

JOBS/2018/NB

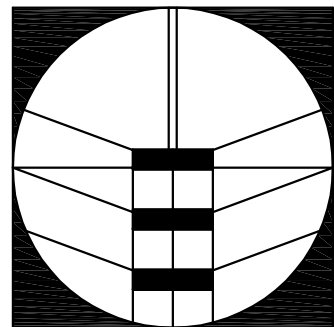
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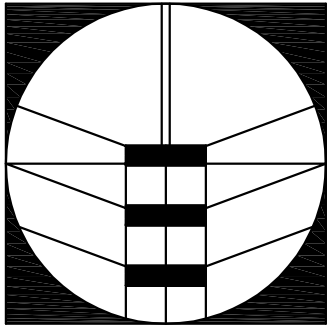
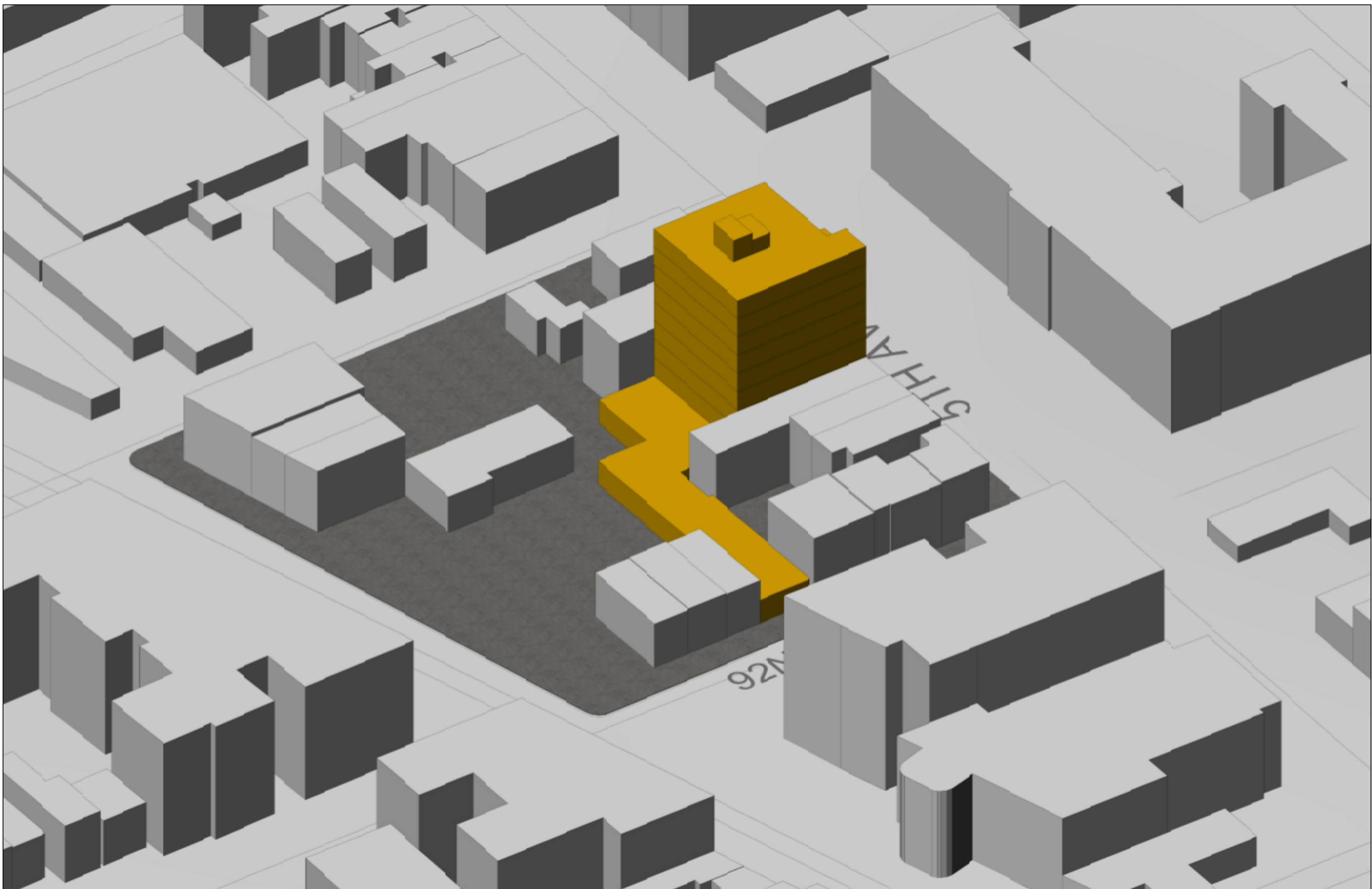
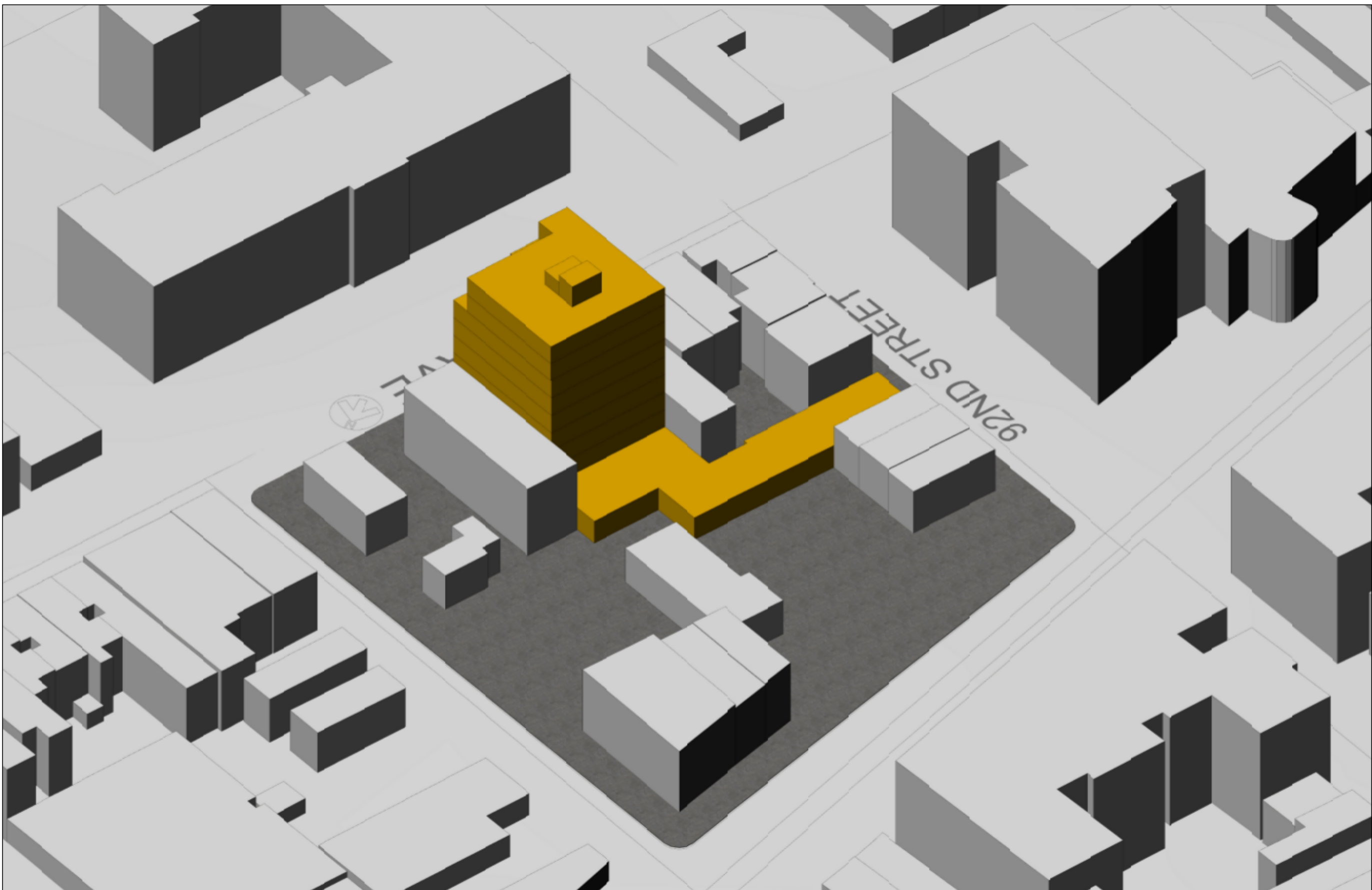
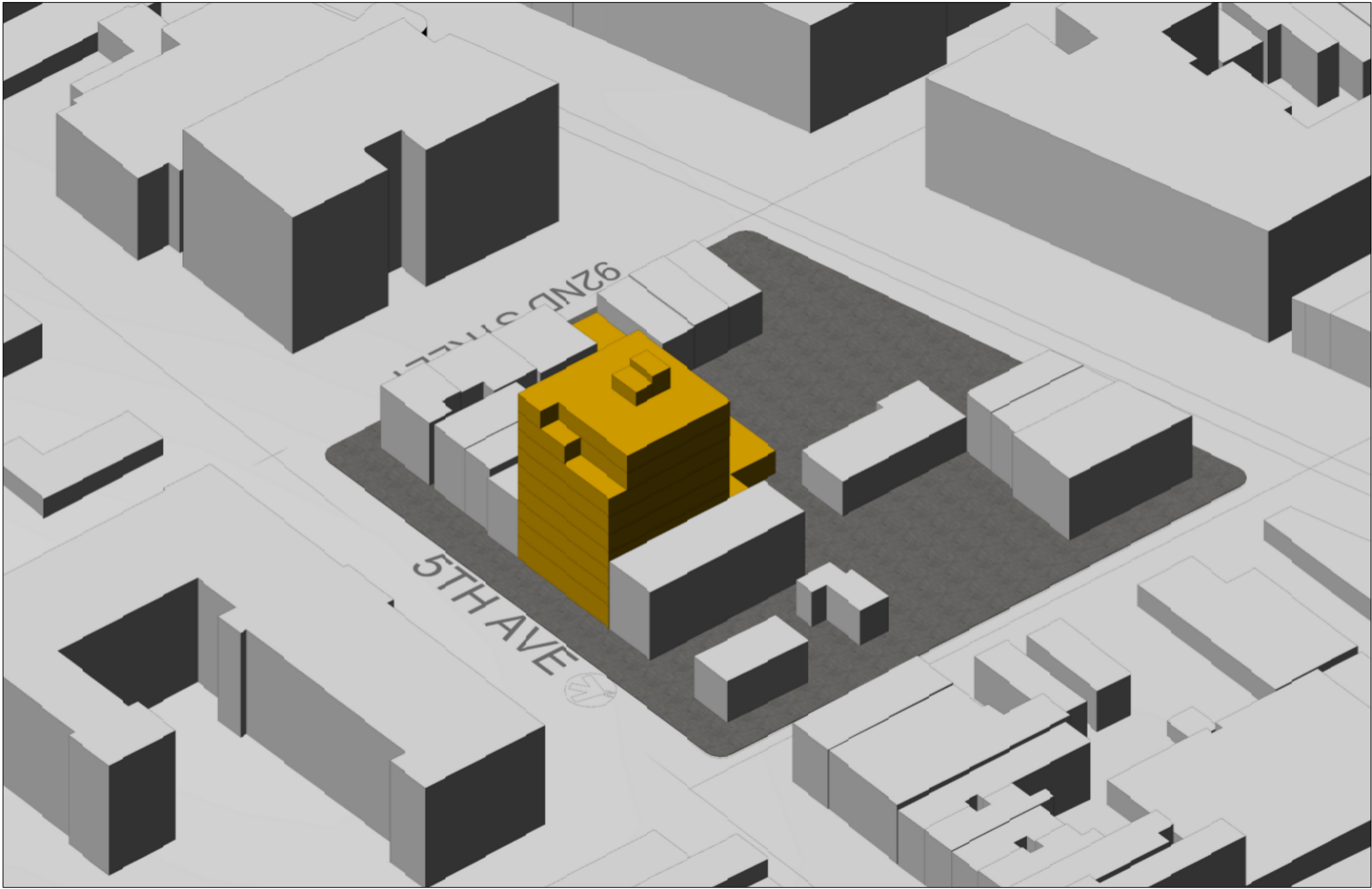
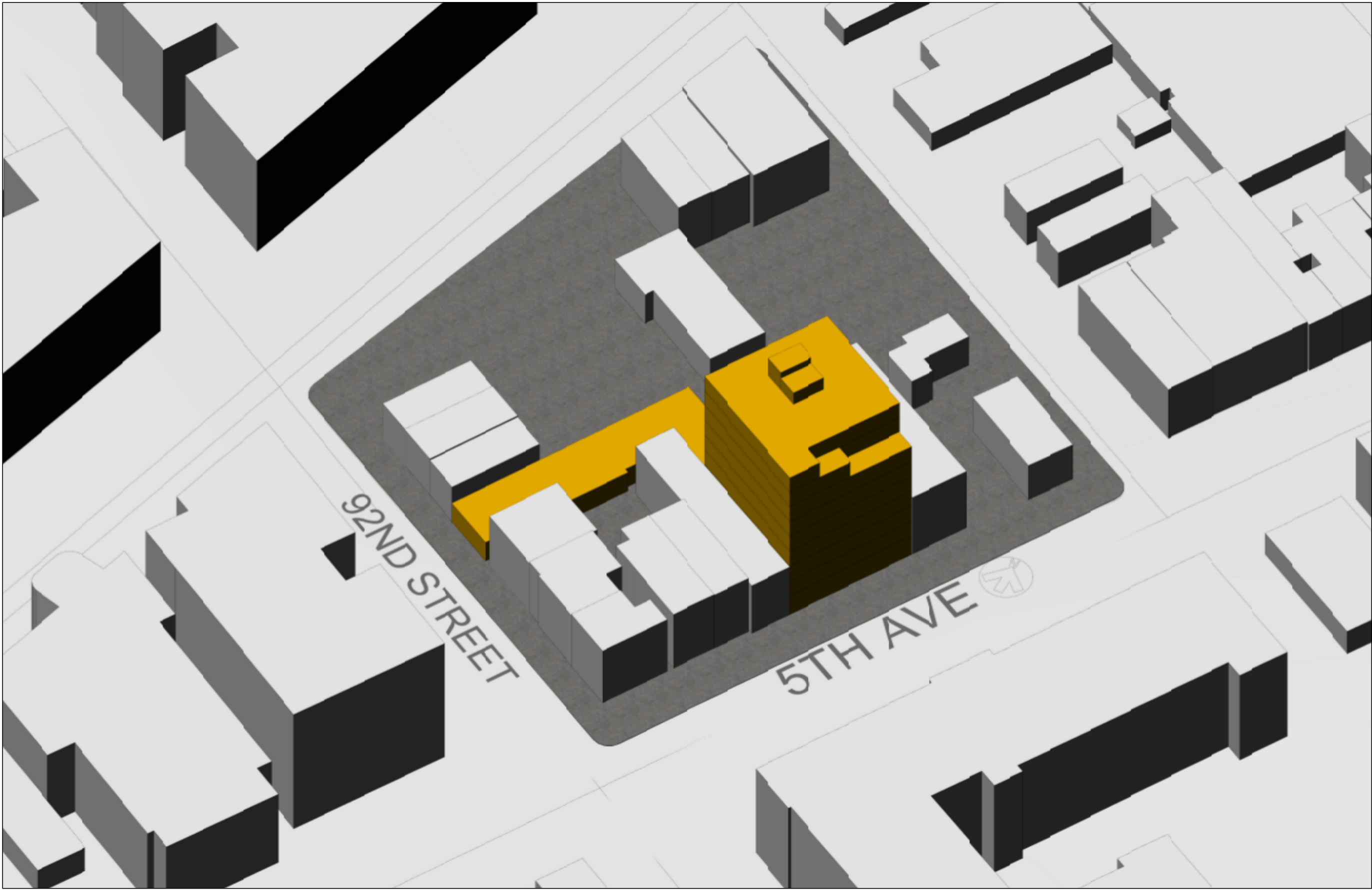
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