



IN THE MATTER OF an application submitted by Cropsey Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 28c, by establishing within an existing R6 District a C2-4 District bounded by Cropsey Avenue, a line 380 feet northwesterly of 24th Avenue, Leif Ericson Drive and a line 620 feet northwesterly of 24th Avenue, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

This application (C 200358 ZMK) for a zoning map amendment was filed by Cropsey Partners, LLC on June 30, 2021. The proposed action would facilitate a commercial use comprised of 35,227 square feet within the ground floor of an as-of-right residential and community facility building at 2300 Cropsey Avenue (Block 6471, Lots 109), in the Gravesend neighborhood of Brooklyn, Community District 11.

BACKGROUND

The applicant requests a zoning map amendment to establish a C2-4 overlay within an R6 district to facilitate commercial use within the ground floor of a new mixed-use residential and community facility building.

The project area consists of Block 6471, Lot 109 , a very small p/o Lot 13 on Block 6471 and very small p/o Lot 55 on Block 6298 located along the southern side of Cropsey Avenue between Bay Parkway and 24th Avenue. The development site is Block 6471, Lot 109 . There would be no material changes to the regulations governing Lots 13 and Lot 55 as a result of the proposed actions. The development site is approximately 240 feet wide and 200 feet deep containing 45,688 square-feet. It is currently under construction with an as-of-right, 23-story residential and community facility building. The lot is part of a merged zoning lot with Lot 55, which is under separate ownership.

Lot 13 is approximately 120,618 square feet in area and is improved with a nine-story building occupied by a nursing home and rehabilitation center. Lot 55 contains approximately 134,400 square feet of lot area and is improved with a nine-story community facility building. To allow

for a rational zoning district boundary the project area would include a very small triangular portion of these lots adjoining either side lot lines of Lot 109.

The project area is located along Cropsey Avenue, a 120-foot wide street and major thoroughfare running along the southwestern edge of the Gravesend neighborhood. The land uses in the surrounding area include a mix of residential, commercial, light industrial, parking and open spaces. The built form in the area varies widely. The residential areas include one- and two-family buildings, three-story multi-family walk-ups and six-story elevator buildings, three-to-four-story mixed-use commercial and residential buildings, and nine-to-eighteen-story community facility buildings. Community facility uses in the surrounding area include nursing homes, senior living facilities, schools, services for special needs population and a senior housing facility. The Shore Parkway runs parallel to Cropsey Avenue immediately to the southwest of the projects area, it is a limited access highway. The area on the far side of the parkway from the project area includes one-to-two story commercial and light industrial use buildings, including a large retail shopping center, eating and drinking establishments, self-storage, a motel and a sports club.

Several recreational parks, marinas and water activities are located along south side of Shore Parkway. Bensonhurst Park is a large park with a variety of sports and activities located a quarter mile to the west of project area,

The project area is located within an R6 zoning district. R6 is a non-contextual district that allows for developments to use either height factor or quality housing bulk regulations. Under height factor regulations, R6 districts allows residential uses that range from 0.78 to 2.43 floor area ratio (FAR) and building height is governed by a sky exposure plane. Under Quality Housing regulations, R6 allows up to 3.0 FAR (within 100 feet of a wide street) and 2.2 FAR (beyond 100 feet of a narrow street) for residential uses, and up to 4.8 FAR for community facility uses. Quality Housing buildings in R6 districts can have a maximum height of 70 feet, or 75 feet on wide streets with provision of a qualifying ground floor. Parking is required for 70 percent of dwelling units outside of the transit zone.

An R5 zoning district is located to the north and east of the project area. R5 is a non-contextual residential zoning district that typically allow three- and four-story attached houses and small apartment buildings up to 1.25 FAR for residential uses and 2.0 for community facility uses, with a required front yard of at least 10 feet, or as deep as one of the adjacent front yards. The street wall for a new building within R5 zoning districts cannot exceed 30 feet, and the total maximum building height is limited to 40 feet. R5 districts require parking for 85 percent of the dwelling units outside of the transit zone.

A C2-2 commercial overlay is located one block to the north of the project area along Bath Avenue. When paired with an R5 district, allows up to 1.0 FAR. C2-2 commercial district allows uses serving local retail needs such as grocery stores, restaurants and beauty parlors, as well as uses such as funeral homes and repair services. In mixed-use buildings, commercial uses are limited to one or two floors and must always be located below the residential use. C2-2 districts require one parking space per 300 square feet of floor area.

An M3 zoning district is located to the south of project area on the other side of Shore Parkway, permits the heaviest industrial uses, light industrial uses as well as a range commercial uses including retail and office with a maximum FAR of 2.0. Retail uses that exceed 10,000 square feet of floor area per establishment and hotels and most community facility uses are generally not allowed. Height and setback regulations permit a maximum base height of 60 feet (or four stories) before setback, with overall height governed by a sky exposure plane. M3-1 districts require one parking space per 1,000 square feet of floor area (or one per three employees) for manufacturing or semi-industrial uses and one parking space per 300 square feet for general retail or service use.

The project area is located outside of the transit zone. The Bay Parkway subway stop, located half a mile to the north from the project area at 86th Street and Bay Parkway, provides access to the D line. The project area is well-served by several bus routes. The B6 bus (connecting Bath Beach to East New York) and the B82 bus (connecting Coney Island to Spring Creek Towers run east-west along Cropsey Avenue and have a stop across from the project area at the corner of 23rd Avenue. There is also a B82-SBS running along Cropsey Avenue. The B64 bus (connecting Bay Ridge to Coney Island), runs one long block to the north east-west along Bath

Avenue. Express bus service X28 and X38 (connecting Sea Gate/Bensonhurst to Manhattan), have stops located along Cropsey Ave across from the project area.

The development site is under construction with an as-of-right 23-story mixed residential and community facility building pursuant to the underlying R6 zoning. The as-of-right development is built to 4.38 FAR and is comprised of 239,424 square feet. It would include 154 dwelling units containing a total area of 165,198 square feet, and a community facility use comprised of 38,999 square feet, intended to be a charter school. A total of 234 parking spaces would be spread across the cellar and the second floor.

The proposal seeks to incorporate 35,227 square feet of commercial use within the ground floor of the new building which would be comprised of a supermarket and local retail uses. This commercial area would be in addition to the as-of-right community facility use area mentioned above.

In order to facilitate the proposed commercial use, the applicant seeks a zoning map amendment to establish a C2-4 commercial overlay over the existing R6 zoning district at the proposed project area, located on the south side of Cropsey Avenue between Bay Parkway and 24th Avenue.

C2-4 commercial overlays, when mapped a R6 zoning district, allow up to 2.0 FAR for commercial uses and permit a range of local retail and service-related uses, such as grocery stores, restaurants, beauty salons and laundromats. C2-4 commercial overlay requires one parking space per 1,000 square feet of commercial floor area.

ENVIRONMENTAL REVIEW

The application (C 200385 ZMK) 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 of 21DCP032K.

After a study of the environmental impact of the proposed actions, a Negative Declaration was issued on December 13, 2021.

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

WATERFRONT REVITALIZATION PROGRAM

This application (C 299358 ZMK) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 19-027. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program

UNIFORM LAND USE REVIEW

This application (C 200358 ZMK) was certified as complete by the Department of City Planning on December 13, 2021 and duly referred to Brooklyn Community Board 11 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

On February 10, 2022, Brooklyn Community Board 11 held a public hearing on this application (C 200358 ZMK) and on that date, by a vote of 26 in favor, 0 opposed, and 0 abstained, adopted a resolution recommending approval of the application with following conditions:

- “1 No loading/unloading to take place on street.
2. To minimize impact to the residential portions of 24th Avenue and Shore Parkway, no commercial deliveries on Shore Parkway.
3. Deliveries to be coordinated to prevent conflict with arrival and departure of students
4. Managed parking operation to ensure that there is enough capacity for the mixed-uses.

5. School buses will not be stored on the street or within the building lines other than for drop-off or pickup.
6. Traffic Impact Study to be performed 12 months post development.”

Borough President Recommendation

The Brooklyn Borough president held a public hearing on February 17, 2022 on the application (C 200358 ZMK), and issued a recommendation on March 14, 2022 to approve the application with following conditions:

1. “That Cropsey Partners LLC:
 - a. Work with local elected officials, city agencies, and grocers to locate a food store in the ground floor affordable to the local population
 - b. Ensure Community Board 11 (CB 11), the Brooklyn Borough President and the City Council receive the loading and parking plans for the intended mix of uses
 - c. Develop a traffic monitoring program, approved by the Department of Transportation (DOT) to be conducted 12 months after the development is fully tenanted.
 - d. Make any necessary improvements to mitigate unexpected traffic impacts not analyzed in the project's Environmental Assessment Statement (EAS). A summary of the Borough President’s recommendation and modifications/conditions appears in the report for the related zoning special permit (C 210139 ZSK).”

City Planning Commission Public Hearing

On March 2, 2022 (Calendar No. 4), the City Planning Commission scheduled March 16, 2022 for a public hearing on this application (C 200358 ZMK). The hearing was duly held on March 16, 2022 (Calendar No. 29). One speaker testified in favor of the application and none in opposition.

A representative of the applicant spoke in favor the application, describing the project site, the surrounding area and the rationale for the proposed rezoning. They stated that there is a shortage of commercial uses in the area and the proposed project would facilitate uses that are much needed in this area. The representative further stated that the original as-of-right proposal involved medical offices, which got changed to the proposed commercial use comprised of

grocery store, in consideration of the need for retail uses in the area. In response to Community Board concerns, the representative stated that they would be conducting a traffic study 12 months after the development, would coordinate delivery times to avoid conflicts with school buses and would work on accommodating deliveries within the cellar area to avoid on-street loading/unloading. The representative further stated that the applicant has started conversations with food store operators and believes they would be successful in having a grocery store as contemplated

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 200358 ZMK) is appropriate. The action would facilitate a commercial use comprised of 35,227 square feet within the ground floor of an as-of-right residential and community facility building.

The Commission believes that the proposed establishment of a C2-4 commercial overlay over the existing R6 zoning district is appropriate based on the land use needs in the surrounding area. C2-4 commercial overlay would allow for much needed local commercial uses on a major corridor.

The project area is outside of transit zone and located on a 120-foot wide major thoroughfare running along the southern edge of the neighborhood. There are no commercial overlays along Cropsey Avenue in the surrounding area and as a result, there are no neighborhood-serving retail uses within the surrounding area aside from very limited commercial uses located along Bath Avenue to the northeast and an auto-oriented shopping center on the other side of the Belt Parkway.

The Commission notes that there are no grocery stores located within a convenient walking distance from project area and is supportive of the proposed action which would permit much needed local retail uses to the area.

The commission acknowledges the concerns of Community Board 11 and Borough President related to loading and unloading of delivery vehicles, the need to coordinate deliveries to avoid

conflicts with arrival and departure of the proposed charter school buses, and supports the commitment to undertake a traffic study once the facility is open and operating.

The commission notes that the applicant agreed to address all concerns pertaining to traffic, to coordinate delivery times to avoid conflicts with school buses, and to work on accommodating deliveries within the cellar area to avoid on-street loading/unloading.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on December 13, 2021 with respect to this application (CEQR No. 21DCP032K), the City Planning Commission finds that the action described herein will have no significant impact on the environment.

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 28c, by establishing within an existing R6 District a C2-4 District bounded by Cropsey Avenue, a line 380 feet northwesterly of 24th Avenue, Leif Ericson Drive and a line 620 feet northwesterly of 24th Avenue, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

The above resolution (C 200358 ZMK), duly adopted by the City Planning Commission on April 13, 2022 (Calendar No. 13), 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.

DANIEL GARODNICK, CHAIR
KENNETH J. KNUCKES, ESQ., VICE CHAIRMAN
DAVID BURNEY, ALFRED C. CERULLO III,
JOSEPH DOUEK, LEAH GOODRIDGE, RICHARD W. EADDY, ANNA HAYES LEVIN,
ORLANDO MARÍN, LARISA ORTIZ, RAJ RAMPERSHAD, COMMISSIONERS



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 2300 Cropsey Avenue	
Applicant: Cropsey Partners LLC	Applicant's Primary Contact: Richard Lobel
Application # 200358ZMK	Borough:
CEQR Number: 77DCP674K	Validated Community Districts: K11

Docket Description:

IN THE MATTER OF an application submitted by Cropsey Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 28c, by establishing within an existing R6 District a C2-4 District bounded by Cropsey Avenue, a line 380 feet northwesterly of 24th Avenue, Leif Ericson Drive and a line 620 feet northwesterly of 24th Avenue, Borough of Brooklyn, Community District 11, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

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

RECOMMENDATION: Favorable			
# In Favor: 26	# Against: 0	# Abstaining: 0	Total members appointed to the board: 47
Date of Vote: 2/10/2022 12:00 AM		Vote Location: Virtual Public Hearing	

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

Date of Public Hearing: 2/10/2022 7:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	Virtual Public Hearing. Register in advance, https://us02web.zoom.us/webinar/register/WN_YwMQyQO6QQ2zxCTa0DaZmw

CONSIDERATION: Community Board 11 recommends approval of the C2-4 zoning designation, which would permit ground floor commercial use for a supermarket and typical retail uses that cater to the daily needs of the immediate neighborhood, with the following provisos:

1. No loading/unloading to take place on street.
2. To minimize impact to the residential portions of 24th Avenue and Shore Parkway, no commercial deliveries on Shore Parkway.
3. Deliveries to be coordinated to prevent conflict with arrival and departure of students
4. Managed parking operation to ensure that there is enough capacity for the mixed-uses.
5. School buses will not be stored on the street or within the building lines other than for drop-off or pickup.
6. Traffic Impact Study to be performed 12 months post development.

Recommendation submitted by	BK CB11	Date: 2/11/2022 11:30 AM
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Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
120 Broadway, 31st Floor, New York, NY 10271
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

2300 CROPSEY AVENUE REZONING – 220358 ZMK

An application submitted by Cropsey Partners LLC, pursuant to sections 197-c and 201 of the New York City Charter affecting three properties in the middle of a block bounded by 24th Avenue and Bay Parkway, the Belt Parkway and Cropsey Avenue. The requested zoning map amendment would establish a C2-4 overlay within an existing R6 district and permit commercial uses at a 23-story, as-of-right residential and community facility building at 2300 Cropsey Avenue in Brooklyn Community District 11 (CD 11). This action would enable approximately 35,227 square feet (sf) of commercial zoning floor area, to be occupied by a supermarket and local retail uses.

BROOKLYN COMMUNITY DISTRICT 11

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

March 14, 2022

DATE

RECOMMENDATION FOR: 2300 CROPSEY AVENUE REZONING – 220358 ZMK

Cropsey Partners LLC submitted an application pursuant to sections 197-c and 201 of the New York City Charter affecting three properties in the middle of a block bounded by 24th Avenue and Bay Parkway, the Belt Parkway and Cropsey Avenue. The requested zoning map amendment would establish a C2-4 overlay within an existing R6 district and permit commercial uses at a 23-story, as-of-right residential and community facility building at 2300 Cropsey Avenue in Brooklyn Community District 11 (CD 11). This action would enable approximately 35,227 square feet (sf) of commercial zoning floor area, to be occupied by a supermarket and local retail uses.

On February 17, 2022, Brooklyn Borough President Antonio Reynoso held a remote public hearing on this Uniform Land Use Review Procedure (ULURP) application. There were no speakers on the item.

Community Board Position

On February 16, 2022 Brooklyn Community Board 11 (CB 11) approved this application with the following conditions:

- That no loading or unloading would take place on the street
- That there would be no commercial deliveries on Shore Parkway, to minimize impacts on residences at its intersection with 24th Avenue
- That there would be a managed parking operation to ensure sufficient capacity for the intended mix of uses
- That school buses would not be stored on the street or within building lines other than for drop-off or pickup
- That a Traffic Impact Study would be performed 12 months post-development

Approval Rationale

2300 Cropsey Avenue is a high-density, as-of-right, market-rate apartment building on the site of a former nursing home. The surrounding area contains multiple community facility uses that serve the local senior population. It is also remote from large food stores with wide selection of groceries at various price points.

In the last ten years, neighborhoods across Brooklyn have lost major supermarkets due to economic forces or residential development. While the City's Food Retail Expansion to Support Health (FRESH) program has brought affordable food stores to low-income neighborhoods through a combination of zoning and tax incentives, virtually none have opened in Southern Brooklyn, in or around the Coney Island Peninsula. 2300 Cropsey Avenue is not located in a FRESH zone but is just north of a FRESH zone mapped within Community District 13 (CD 13) in 2021.

Borough President Reynoso supports land use actions that expand access to healthy foods, especially in communities where such options are limited. In this case, the C2-4 overlay would convert more than 35,000 sf of underutilized community facility space to commercial floor area. This would in turn, enable a needed supermarket, and neighborhood retail. As opportunities to site large food stores are often scarce, the zoning change provides a viable path toward this objective. However, as a reciprocal benefit, the developer should seek out an affordable supermarket targeted to local populations on fixed incomes, including older seniors and public housing residents.

Borough President Reynoso understands CB 11's concerns about parking and loading at 2300 Cropsey Avenue. He further agrees that Shore Parkway, in its current configuration, is not a feasible access road for a development of this size. Given the potential amount of non-residential space and the owner's intent to site both a charter school and multiple stores, it is vital that the applicant

develop a comprehensive plan to ensure proper traffic flow. This loading and parking plan should be presented to the community, with opportunities for comment and revision. It should also be updated regularly to reflect real and changing conditions following build-out and occupancy of the school and commercial spaces. Finally, the plan should act as a vehicle to address community concerns and mitigate unexpected traffic impacts not analyzed in the project's Environmental Assessment Statement (EAS).

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. That Cropsey Partners LLC:

- a. Work with local elected officials, city agencies, and grocers to locate a food store in the ground floor affordable to the local population
- b. Ensure Community Board 11 (CB 11), the Brooklyn Borough President and the City Council receive the loading and parking plans for the intended mix of uses
- c. Develop a traffic monitoring program, approved by the Department of Transportation (DOT) to be conducted 12 months after the development is fully tenanted.
- d. Make any necessary improvements to mitigate unexpected traffic impacts not analyzed in the project's Environmental Assessment Statement (EAS).