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**IN THE MATTER OF** an application submitted by Omni Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, by changing from an R5B District to an R7A District property bounded by Avenue P, East 13th Street, a line 140 feet southerly of Avenue P, East 12th Street, a line 100 feet southerly of Avenue P, and a line midway between Coney Island Avenue and East 12th Street, as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-653.

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This application for a zoning map amendment was filed by Omni Enterprises, LLC on September 11, 2020 to change an existing R5B zoning district to an R7A zoning district. This application, in conjunction with the related zoning text amendment action (N 210099 ZRK), would facilitate the enlargement of the Levit Medical Center Midwood, an existing five-story building located at 1220 Avenue P in the Midwood neighborhood of Brooklyn, Community District 15.

### **RELATED ACTIONS**

In addition to the zoning map amendment (C 210098 ZMK) which is the subject of this report, the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

**N 210099 ZRK**      Zoning Text Amendment to designate a Mandatory Inclusionary Housing (MIH) area.

### **BACKGROUND**

The applicant requests a zoning map amendment to change an R5B zoning district to an R7A zoning district, as well as a zoning text amendment to map an MIH area coterminous with the project area. The project area is comprised of portions of two blocks, and consists of 10 lots including the development site (Block 6775, Lots 9, 12, 13, and 75), as well as several lots not owned by the applicant and not expected to result in development from this application (Block

6775, Lots 1, 5, and 74; Block 6774, Lots 6, 7, and 9). The existing medical center is located on Block 6775, Lot 9. The project area is located on blocks bounded by Avenue P to the north, East 13<sup>th</sup> Street to the east, Quentin Road/Kings Highway to the south, and Coney Island Avenue to the west. Blocks 6774 and 6775 are separated by East 12<sup>th</sup> Street. Avenue P and Coney Island Avenue are both considered wide streets, with a width of 100 feet, and East 12<sup>th</sup> and 13<sup>th</sup> streets are considered narrow at 60 feet in width.

The development site consists of four contiguous tax lots (Block 6775, Lots 9, 12, 13, and 75), that contain a total of approximately 10,000 square feet. The combination of the lots within the development site are irregular in shape and has 40 feet of frontage on Avenue P, 140 feet of frontage on East 13<sup>th</sup> Street, and 20 feet of frontage on East 12<sup>th</sup> Street. The medical center is an existing five-story, 19,536-square-foot community facility building located at 1220 Avenue P (Block 6775, Lot 9). The existing building is on an approximately 4,000-square-foot lot that has 40 feet of frontage on Avenue P and 105 feet of frontage on East 13<sup>th</sup> Street. The building is controlled by the applicant and has been in operation as a medical office facility since 2000. The medical center provides a wide range of general and specialized treatment services, including cardiology, family practice, general surgery, gynecology, internal medicine, occupational therapy, orthopedic, physical therapy, and wound care. The medical center employs approximately 200 medical and administrative staff

The project area consists of 10 tax lots (Block 6775, Lots 1, 5, 9, 12, 13, 74, and 75; Block 6774, Lots 6, 7, and 9) fronting Avenue P, East 12<sup>th</sup> Street, and East 13<sup>th</sup> Street. The lots are primarily developed with community facility and residential uses with a total area of approximately 38,000 square feet. Block 6774, Lots 6, 7, 9 are each developed with two- and three-story residential buildings with areas ranging between approximately 3,000 and 4,000 square feet. Block 6775, Lots 1 and 5 are each developed with two-story community facility buildings owned and operated by the Jewish Center of Kings Highway and used as a private religious high school and a house of worship. Each lot is approximately 8,000 square feet in area. Block 6775, Lot 9 is occupied by the existing Levit Medical Center Midwood and is five-story building on a 4,000-square-foot lot fronting on Avenue P. Lot 12 is a 2,000-square-foot lot fronting East 13<sup>th</sup> Street that is used as surface parking lot for the medical center. Lot 13 is a 2,000-square-foot lot that contains a two-story residential building with a dwelling unit and

an accessory home occupation fronting on East 13th Street. Lot 74 contains a two-story rowhouse on a 2,000-square-foot lot fronting East 12th Street. Lot 75 is a two-story rowhouse building on a 2,000-square-foot lot that was previously used as a house of worship but is currently vacant.

The project area is located in the Midwood neighborhood within Brooklyn Community District (CD) 15. The surrounding area consists of a mix of residential, community facilities, commercial, and transportation uses. Midwood is a predominately residential neighborhood within R5B and R4-1 zoning districts, which typically produce lower density residential development with Floor Area Ratios (FAR) ranging between 0.9 and 1.35 and community facilities up to 2.0. The existing built character is a predominately two- to three-story, one- and two-family homes along Avenue P, East 12th Street, and East 15th Street. There are also several six-story residential buildings along East 13th and East 14th streets.

Avenue P is an active local residential and community facility corridor that divides CDs 14 and 15 and connects the southern boundary of CD 12 at Coney Island Avenue. This corridor houses many medical facilities, schools, and houses of worship. The project area has three existing community facility buildings. Block 6775, Lots 1 is a two-story, religious high school located on the corner of Avenue P and East 12<sup>th</sup> Street that serves as a house of worship. Block 6775, Lot 5 is a two-story, house of worship located along Avenue P adjacent to the existing medical center on Block 6775, Lot 9. Block 6774, Lot 9 is as an approximately three-story residential building with a home occupational medical office on the ground floor.

East of the site consists primarily of lower density two- to three-story, single-family homes within R5B and R4-1 zoning districts. The area south of the site is mapped with an R5B zoning district and consists of similar lower density two- to three-story, single-family homes. C4-4A, a medium-density contextual commercial zoning district that allows residential, commercial, community facility, and mixed buildings (4.0 FAR) is mapped along Kings Highway, a major retail and transit corridor. Kings Highway is approximately one block to the south of the project area. The existing character is a mix of two- to four-story, mixed-use buildings with one to two floors of retail and residential uses on the upper levels. C4-4A is also mapped on

side streets adjacent to Kings Highway including southern portions of East 13th, East 14th, East 15th, and East 16th streets.

To the west of the site is Coney Island Avenue, a wide street that consists of mixed-use residential buildings and auto-oriented uses ranging in height from two to three stories. The street is mapped with R7A/C2-3 along the eastern portion adjacent to East 12th Street and C8-2 along the western portion adjacent to East 10th Street. R7A districts allow for medium density residential development with a maximum FAR of 4.6 and 4.0 for community facility uses. The C8-2 district allows a variety of retail and service uses, including small appliance repair and upholstery shops as well as automotive service facilities. Developments can have a maximum FAR of 2.0 for commercial uses and 4.8 for community facility uses. West of Coney Island Avenue, the area is predominately low density one- to two-story, single-family homes within an R5 zoning district, which allows a maximum residential FAR of 1.25 and community facility FAR of 2.0. The Ocean Parkway Special District is mapped between Coney Island Avenue and McDonald Avenue, which limits new community facility developments or enlargements to the residential bulk regulations of the underlying zoning district in certain subdistrict and requires all new developments fronting on Ocean Parkway to have 30-foot landscaped unobstructed front yards.

In addition to the low-rise character of the surrounding area, there are significant buildings over four-stories in the area. Along East 13<sup>th</sup> Street, Block 6776, Lot 65 is a six-story residential building, Block 6775, Lot 25 is also a six-story residential building and Block 6776, Lot 31 is a four-story residential building. At the southeastern corner of Avenue P and Coney Island Avenue, Block 6774, Lot 1 is located on the next block west of the project area and is a mixed-use commercial and residential seven-story building. At the northwestern corner of Avenue P and Coney Island Avenue, Block 6617, Lot 45 is seven-story commercial office building.

The area was a part of the Homecrest Rezoning (C 060129 ZMK) in the early 2000s, a 70-block rezoning of predominately residential areas bounded by Avenue P to the north, Ocean Avenue to the east, Coney Island Avenue to the west, and Avenue S to the south. The goal of the rezoning was to preserve the neighborhood scale by mapping low-density contextual districts. The rezoning also sought to create opportunities for new residential development

along wide streets like Ocean Avenue and Kings Highway, as well as side streets near the Kings Highway B/Q subway station. As a result of the Homecrest Rezoning, the medical center was rezoned from R6, a medium-density non-contextual district, to R5B, a low-density contextual rowhouse district.

Public transportation options include the B and Q train lines at the Kings Highway subway station located approximately four blocks to the southeast between East 15th and East 16th streets on the border of Midwood and Sheepshead Bay neighborhoods at Kings Highway. The Q train provides local service, and the B train provides express service in Brooklyn from Coney Island-Stillwell Avenue to DeKalb Avenue towards Manhattan. The surrounding area is also served by four bus lines that have stops within four blocks of the project area, including the B68 local, which runs north-south along Coney Island Avenue from Windsor Terrace to Coney Island; the B82, which runs primarily east-west along Kings Highway from Coney Island to Spring Creek; the B7, which runs both north-south and east-west along Kings Highway from Midwood to Bedford-Stuyvesant; and the B100, which is primarily an east-west route along multiple roads from Mill Basin to Midwood with connections to the B and Q trains. Avenue P is a two-way street running east-west between Nostrand Avenue and Bay Parkway with two travel lanes and two parking lanes in each direction. Half of the project area is within the Transit Zone. Block 6775, Lots 1, 5, 9, 12, 13, and 75 are located within the transit zone and Block 6774, Lots 6, 7, and 9 are outside the Transit Zone.

The proposed zoning map amendment would facilitate a four-story enlargement to the existing five-story Levit Medical Center with approximately 11,240 square feet of additional floor area. Due to adjacency to an R5B zoning district, the height of the enlargement would be limited to 55 feet. In order for the enlargement to have floors that align with the existing building, the proposed enlargement would have a height of approximately 47 feet. The proposed enlargement would be situated at the rear of the existing medical center building on the adjacent tax lots to the south fronting East 13th Street (Block 6775, Lots 12 and 13). The proposed 11,240 square feet of floor area combined with the existing 19,536 square feet on Lot 9 would result in 31,696 square feet of Use Group 4 community facility floor area and an FAR of 3.17. The enlargement would have full lot coverage on the first floor as a permitted obstruction and a 32'-0" rear yard above the first floor. No parking is required for ambulatory

diagnostic or treatment health care facilities, but the applicant plans to provide 14 parking spaces on Lot 75.

In order to facilitate the proposed enlargement, the applicant requests a zoning map amendment to change the R5B district to a R7A district and a zoning text amendment to designate a new MIH area coterminous with the project area.

R7A zoning districts are medium-density contextual districts that produce seven- to nine-story residential and community facility buildings, allowing a maximum residential FAR of 4.6 within an MIH area, and a maximum community facility FAR of 4.0. R7A zoning districts, when mapped within an MIH area, allow a maximum building base height of 75 feet, above which the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street, before rising to a maximum height of 95 feet. Off-street parking is not required for ambulatory diagnostic or treatment health care facilities.

While the proposed development does not contain any new residential use, the applicant is requesting a zoning text amendment to designate the project area as a MIH Area within Appendix F. The applicant proposes to map MIH Options 1 and 2 in the MIH area. Option 1 requires that 25 percent of the residential floor area be provided as housing affordable to households at an average of 60 percent of the AMI, with at least 10 percent of the residential floor area affordable at 40 percent of the AMI, and no units to exceed affordability 130 percent of the AMI. Option 2 requires that 30 percent of the residential floor area be provided as housing affordable to households at an average of 80 percent of the AMI, with no unit targeted at a level exceeding 130 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 210098 ZMK), in conjunction with the related applications (N 210099 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 19DCP109K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on November 1, 2021.

### **UNIFORM LAND USE REVIEW**

This application (C 210098 ZMK) was certified as complete by the Department of City Planning on November 1, 2021, and duly referred to Brooklyn Community Board 15 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 202(b), along with the related application for a zoning text amendment (N 210099 ZRK), which was duly referred in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Brooklyn Community Board 15 held a public hearing on this application (C 210098 ZMK) and the related application for a zoning text amendment (N 210099 ZRK) on December 21, 2021, and, on January 7, 2022, adopted a resolution recommending disapproval of the application.

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 210098 ZMK) and the related application for a zoning text amendment (N 210099 ZRK) on January 19, 2022, and on February 7, 2022 issued a recommendation to approve the application with the following conditions:

- “1. That the Department of City Planning (DCP) and the Department of Transportation (DOT) address reported pedestrian safety and vehicular conflicts along Avenue P.
  - a. Develop an enforcement mechanism to prevent double parking along Avenue P and the nearby local streets.
  - b. Develop a plan, in concert with local religious schools, to minimize the traffic congestion due to school bus operations conducted on, or nearby, Avenue P.
2. That prior to considering the application, the City Council obtain written commitments from Omni Enterprises LLC to:

- c. Develop the properties at 1615 East 12th Street and 1620 East 13th Street into parking lots restricted to patient use in plans filed with the Department of Buildings (DOB)
- d. Coordinate with the Department of Transportation (DOT) to designate an appropriate section of East 13th Street for dedicated drop off and pick up by qualifying vehicles, in consultation with Community Board (CB 15) and local elected officials
- e. Retain Brooklyn-based contractors and subcontractors, as well as material suppliers to provide local employment.”

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

On January 31, 2022 (Calendar No. 5), the City Planning Commission scheduled February 16, 2022, for a public hearing on this application (C 210098 ZMK). The hearing was duly held on February 16, 2022 (Calendar No. 32). Two speakers testified in favor of the application and none against.

The applicant’s representative described the surrounding area, project area, development site, actions requested, and explained the proposed four-story, community facility enlargement. The applicant’s representative stated that the medical center was built in the early 2000s under the previous R6 zoning district and was able to take advantage of the 4.8 community facility FAR. He also described the existing conditions of the medical center and the building being overbuilt in the existing R5B zoning district.

The applicant representative also stated that the proposed development would be an enlargement of to four stories, in order to match the floor to ceiling heights of the existing medical center. He stated that this is a specialized medical facility that is heavily used by local residents in Brooklyn, and it employs over 200 medical and administrative staff.

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

### **CONSIDERATION**



The Commission believes that this application for a zoning map amendment (C 210098 ZMK), in conjunction with the related application for a zoning text amendment (N 210099 ZRK), is appropriate.

Together, these actions will facilitate a four-story, 11,240- square-foot enlargement to the existing five-story Levit Medical Center.

The Commission believes that the proposed R7A zoning district is appropriate based on the surrounding context, built form, and proximity to transit. Buildings facilitated by the proposed R7A district will present only a moderate increase in height and density in comparison to the existing developments in the area. The proposed development is located along Avenue P and two blocks to the west is Coney Island Avenue, both wide streets that are appropriate for a medium density zoning district like R7A. The proposed community facility use is appropriate in this location as the surrounding area primarily consists of community facility uses, including the two lots within the project area (Block 6775, Lots 1 and 5).

Absent the proposed zoning map amendment action, the applicant would be unable to construct the proposed development under the existing bulk regulations for a community facility in an R5B district. The expanded building built under R7A zoning regulations will allow the medical center to serve an increased demand for healthcare and medical services in community, providing much needed additional medical services to the neighborhood and Brooklyn.

The Commission believes that the proposed zoning text amendment (N 210099 ZRK) is appropriate. The action will designate a new MIH area coterminous with the project area, supporting the creation of affordable housing and goals outlined in *Housing New York*. The proposed development site will not generate any income-restricted units, as the development is for a community facility medical use and does not contain any new residential units. Mapping the project area as an MIH area will ensure that a percentage of any future units that are built on site will remain permanently affordable.

The Commission acknowledges Brooklyn Community Board 15's opposition to the proposed development due to the increased density and the potential strain on parking and traffic in the

surrounding area. The proposed development is located along a wide street, near existing developments of similar height and density and located in the transit zone near multiple public transportation options. The Commission also acknowledges that the applicant will provide 14 accessory off-street parking spaces for the medical center.

The Commission also recognizes that in response to the Brooklyn Borough President's recommendation to encourage the New York City Department of City Planning and Department of Transportation (DOT) to address reported pedestrian safety and vehicular conflicts along Avenue P, the applicant has provided a written commitment to coordinate with DOT for a dedicated drop off/pick up location along East 13<sup>th</sup> Street and retaining Brooklyn-based contractors, but notes that these recommendations are outside the scope of this application.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on November 1, 2021, with respect to this application (CEQR No. 19DCP109K) that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and be it further

**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 No. 22d: by changing from an R5B District to an R7A District property bounded by Avenue P, East 13th Street, a line 140 feet southerly of Avenue P, East 12th Street, a line 100 feet southerly of Avenue P, and a line midway between Coney Island Avenue and East 12th Street, as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-653.-

The above resolution (C 210098 ZMK), duly adopted by the City Planning Commission on March 16, 2022 (Calendar No. 18), 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 R. GARODNICK, Esq.,** *Chair*

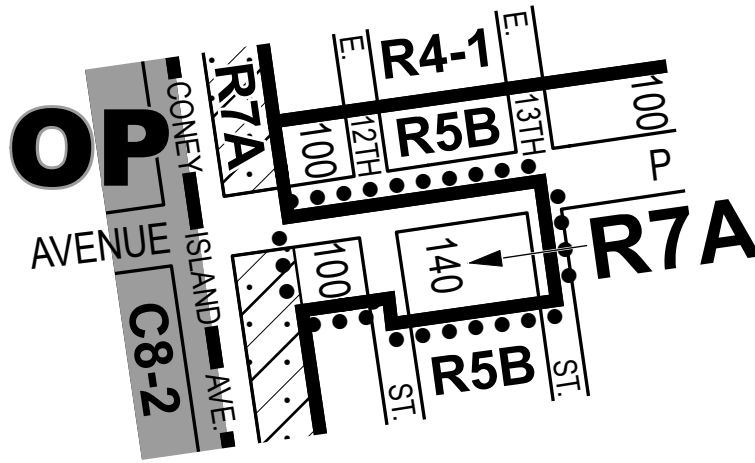
**KENNETH J. KNUCKLES, Esq.,** *Vice Chairman*

**DAVID BURNEY, ALFRED C. CERULLO, III, ALLEN P. CAPPELLI, Esq.,**

**JOSEPH I. DOUEK, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD,** *Commissioners*

**LEAH GOODRIDGE,** *Commissioner*, VOTING NO



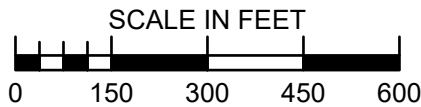
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**22d**  
 BOROUGH OF  
**BROOKLYN**

*S. Lenard*  
 S. Lenard, Director  
 Technical Review Division



New York, Certification Date:  
 November 1, 2021



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing from an R5B District to an R7A District.
- Indicates a C2-3 District
- Indicates a Special Ocean Parkway District



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> 1220 Avenue P Rezoning	
<b>Applicant:</b> Omni Enterprises LLC	<b>Applicant's Primary Contact:</b> Richard Lobel
<b>Application #</b> 210098ZMK	<b>Borough:</b>
<b>CEQR Number:</b> 19DCP109K	<b>Validated Community Districts:</b> K15

**Docket Description:**

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

<b>RECOMMENDATION: Unfavorable</b>			
<b># In Favor:</b> 2	<b># Against:</b> 37	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 40
<b>Date of Vote:</b> 12/21/2021 12:00 AM		<b>Vote Location:</b> Webex	

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

<b>Date of Public Hearing:</b> 12/21/2021 6:00 PM	
<b>Was a quorum present?</b> 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>
<b>Public Hearing Location:</b>	Webex

**CONSIDERATION:** The increased density to an already heavily populated area will immensely congest this neighborhood, there is very little parking and too much traffic currently. The Board votes no.

Recommendation submitted by	BK CB15	Date: 1/7/2022 10:59 AM
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**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**

1220 AVENUE P REZONING – 210098 ZMK, N 210099 ZRK

Applications submitted by Omni Enterprises LLC pursuant to Sections 197-c and 201 of the New York City Charter, for the following land use actions: a zoning map amendment to change the south side of Avenue P from the mid-block east of Coney Island Avenue to East 13<sup>th</sup> streets from R5B to R7A, and a zoning text amendment to establish an MIH area coterminous with the proposed rezoning area. The requested actions would facilitate a four-story, 14,880 sq. ft. enlargement to the Levit Medical Center, located at 1220 Avenue P in Brooklyn Community District 15 (CD 15).

BROOKLYN COMMUNITY DISTRICT 15

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

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

February 7, 2022

\_\_\_\_\_  
DATE

**RECOMMENDATION FOR: 1220 AVENUE P REZONING – 210098 ZMK, N 210099 ZRK**

Omni Enterprises LLC submitted applications pursuant to Sections 197-c and 201 of the New York City Charter, for the following land use actions: a zoning map amendment to change the south side of Avenue P from the mid-block east of Coney Island Avenue to East 13<sup>th</sup> streets from R5B to R7A, and a zoning text amendment to establish an MIH area coterminous with the proposed rezoning area. The requested actions would facilitate a four-story, 14,880 sq. ft. enlargement to the Levit Medical Center, located at 1220 Avenue P in Brooklyn Community District 15 (CD 15).

On January 19, 2022, Brooklyn Borough President Antonio Reynoso held a remote public hearing on this Uniform Land Use Review Procedure (ULURP) application.

There were two speakers, who testified in support of the proposed project.

**Community Board Position**

CB 15 disapproved this application on December 21, 2021, citing potential for increased congestion in a densely populated area with insufficient parking.

**Application Background**

The Levit Medical Center was built as-of-right in 2000 on a 40,000 sq. ft. lot at the southwest corner of East 13<sup>th</sup> Street and Avenue P, according to R6 zoning. The facility employs 200 medical and administrative personnel, hired primarily from the local population. The center provides general and specialized diagnostic and treatment services in a range of areas.

The applicant's first attempt to construct an addition was nullified when the Department of City Planning (DCP) changed 70 blocks of Avenue P from R6 to R5B and R4-1, as part of the 2006 Homecrest rezoning. Under the new R5B district, 12,000 sq. ft. of the center's floor area became non-complying, necessitating a rezoning to enable expansion and legalize excess bulk.

In 2017, the medical center sought an R7A MIH district to enable a 12,000 square-foot horizontal enlargement. The application came before the Brooklyn Borough President but was withdrawn prior to consideration by the City Planning Commission (CPC). The current application seeks the same actions to facilitate a 11,240 sq. ft. addition.

The applicant owns five properties on its block on 10,000 sq. ft.: 1220 Avenue P (the medical center), 1613 East 12<sup>th</sup> Street (a two-story rowhouse), 1614 East 13<sup>th</sup> Street (the center's parking lot), and two detached homes at 1616 and 1620 East 13<sup>th</sup> Street.

The project area covers 10 R5B-zoned tax lots along Avenue P, East 12<sup>th</sup>, and East 13<sup>th</sup> streets, comprising approximately 38,000 sq. ft. In addition to four applicant properties, it includes two religious facilities owned by the Jewish Center of Kings Highway (1202 and 1218 Avenue P), 1615 East 12<sup>th</sup> Street (a two-story rowhouse), and three 2.75-story detached homes across East 12<sup>th</sup> Street abutting an R7A district mapped along Coney Island Avenue.

The proposed enlargement would be built at 1614 and 1616 East 13<sup>th</sup> Street, extending the medical center's frontage from 100 to 140 feet. Due to the adjacent R5B district, the building would be limited to a height of 55 feet. The vacant homes at 1615 East 12<sup>th</sup> Street and 1620 East 13<sup>th</sup> Street would be turned into parking lots to provide 14 attended spaces.

The expanded medical center would total 30,776 sq. ft. with a community facility floor area ratio (FAR) of 3.08. All the sites in the rezoning area would gain R7A MIH development rights of 4.6 residential FAR, and 4.0 community facility FAR.

## **Approval Rationale**

Borough President Reynoso supports this application with several conditions.

While the medical center's proposed enlargement and excess bulk could be satisfied with a lower-density zoning district, the Borough President believes there are compelling reasons to map the requested R7A zone over the entire project area.

Avenue P is a 100-foot wide two-way, four-lane street that divides Community Districts 14 and 15, and forms the southern boundary of CD 12. The corridor contains many educational institutions, houses of worship, and medical facilities clustered primarily between McDonald and Ocean Avenues. It is also a designated Transit Zone, in the New York City Zoning Resolution, accessible via the B/Q and F subways, as well as several buses, including the B82-SBS.

The R5B district underlying the project area abuts an R7A/C2-4 zone to the west, and a C4-4 zone to the south (with an R7A residential equivalent). An extensive R7A district is also mapped along Avenue P and Kings Highway from East 18<sup>th</sup> Street to Nostrand Avenue. While the area is defined by two-story houses and six-story apartment buildings, recent actions have paved the way for medium-density mixed residential development along its edges.

In January 2022, the CPC rezoned 12 lots between Kings Highway and Avenue P from R3-2 to R6B/C2-4, R7A, and R7A/C2-4 to enable a nine-story building with 55 units (14 pursuant to MIH) at 2892 Nostrand Avenue. In August 2018, the CPC rezoned four lots on McDonald Avenue and Quentin Road from R5 to R7A to enable an eight-story building with 35 units (11 pursuant to MIH) at 1881 McDonald Avenue. A recent merger of four R7A-zoned lots at the southeast corner of Coney Island Avenue and Avenue P will enable an as-of-right, seven-story, 43-unit development.

Similar applications for upzonings in CD 15 are pending ULURP certification. It is reasonable to expect that properties along major corridors, including Avenue P will continue to seek additional zoning rights. Borough President Reynoso believes that future development in the area should produce affordable housing, and that medium-density residential construction should be encouraged along wide streets with proximity to public transportation.

He therefore supports mapping the proposed R7A MIH district over the 1220 Avenue P project area, including the non-applicant controlled outparcels. While there is no guarantee that these lots would be merged to trigger the MIH obligation, he believes that local demand for family-sized units will incentivize redevelopment that provides affordable housing floor area.

Borough President Reynoso acknowledges the board's concerns about potential strain on existing parking and additional traffic along narrow streets. He also understands the community's frustration with private applications that appear to undermine previous community-led downzonings.

As DCP continues to promote R7A development in the area, the agency should work with the Department of Transportation (DOT) to address reported pedestrian safety and vehicular conflicts. He further calls on DCP and DOT to examine land use and zoning patterns along Avenue P between Coney Island and Nostrand Avenues, in partnership with CBs 14 and 15, to update the 2006 Homecrest and Midwood rezoning frameworks.

## **Establishing Ambulette Parking Signage along East 13<sup>th</sup> Street**

Congestion along East 13<sup>th</sup> Street has been attributed to double-parked ambulettes and buses associated with local parochial schools. Borough President Reynoso believes that the proposed parking lots in East 12<sup>th</sup> and East 13<sup>th</sup> streets would help mitigate congestion stemming from proposed enlargement. Therefore, he seeks legal guarantees that the lots would be provided as part of the development, and



designated for exclusive use by center patients. Drawings filed with the Department of Buildings (DOB) should reflect these commitments.

In addition to private parking, additional signage is needed at this intersection to rationalize vehicular access to East 13<sup>th</sup> street. Therefore, Omni Enterprises LLC should work with DOT, CB 15 and local elected officials to designate a portion of the center's frontage along East 13<sup>th</sup> Street for drop-off and pickup by qualifying vehicles.

### **Local Jobs**

According to the NYU Furman Center, double-digit unemployment remains a pervasive reality across Brooklyn, with more than half the community districts reporting poverty rates of 20 percent or higher. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. One way to address the borough's economic crisis is to prioritize local hiring and promote Brooklyn-based businesses. Therefore, Omni Enterprises LLC should retain Brooklyn-based contractors and materials suppliers and provide written commitments when this application comes before the City Council.

### **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 the Department of City Planning (DCP) and the Department of Transportation (DOT) address reported pedestrian safety and vehicular conflicts along Avenue P.
  - a. Develop an enforcement mechanism to prevent double parking along Avenue P and the nearby local streets.
  - b. Develop a plan, in concert with local religious schools, to minimize the traffic congestion due to school bus operations conducted on, or nearby, Avenue P.
2. That prior to considering the application, the City Council obtain written commitments from Omni Enterprises LLC to:
  - a. Develop the properties at 1615 East 12<sup>th</sup> Street and 1620 East 13<sup>th</sup> Street into parking lots restricted to patient use in plans filed with the Department of Buildings (DOB)
  - b. Coordinate with the Department of Transportation (DOT) to designate an appropriate section of East 13<sup>th</sup> Street for dedicated drop off and pick up by qualifying vehicles, in consultation with Community Board (CB 15) and local elected officials
  - c. Retain Brooklyn-based contractors and subcontractors, as well as material suppliers to provide local employment