



**IN THE MATTER OF** an application submitted by Ranco Capital, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street;

Borough of Brooklyn, Community District 3, as shown on a diagram (for illustrative purposes only) dated April 24, 2023, and subject to the conditions of CEQR Declaration E-695.

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This application for a zoning map amendment was filed by the Remica Property Group LLC on June 10, 2022, to change an M1-1 zoning district to an R7D/C2-4 zoning district. This application, in conjunction with the related zoning text amendment action (N 220454 ZRK), would facilitate the construction of a new eight-story residential building containing 54 dwelling units, 18 of which would be permanently income-restricted, at 703 Myrtle Avenue in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3.

### **RELATED ACTIONS**

In addition to the zoning map amendment (C 220453 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

**N 220454 ZRK**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

## **BACKGROUND**

The applicant requests a zoning map amendment to change an M1-1 zoning district to an R7D district along with a C2-4 commercial overlay, and a zoning text amendment to create an MIH area coterminous with the project area. The project area is comprised of eight tax lots (Block 1735, lots 33, 34, 35, p/o 32, p/o 36, p/o 37, p/o 38, and p/o 39) located on the north side of Myrtle Avenue between Spencer Street and Walworth Street. The project area contains the development site (Block 1735, Lot 39), as well as seven portions or full lots not owned by the applicant.

Land uses within the surrounding area consist of a mix of multi-family residential buildings and industrial and commercial uses. Uses to the West are characterized by four- to nine-story multi-family walkups and mixed commercial and residential buildings. Lots to the East predominantly include industrial uses and public facilities, including multiple yeshivas and schools. Myrtle Avenue is a wide street with a width of 75 feet. Further South and East are bottle and can redemption stations, bike repair shops, automotive repair, and storage facilities. Marcy Houses, a NYCHA public housing campus home to over 4,000 residents, is located two blocks to the East. Myrtle Avenue serves as a primary east-west connection across the northwest portion of Bedford Stuyvesant, linking portions of the neighborhood to the Brooklyn-Queens Expressway and Downtown Brooklyn. The project area itself is located to the north-east of a large grocery store and directly north of a wedding and special event venue. To the north of the project area is a clothing store.

The proposed project area is located within the Transit Zone and accessible to multiple bus and subway lines, including the Myrtle-Willoughby Avenue and Bedford-Nostrand Avenue G train stops. The B44 and B44 –Select Bus Service (running from Sheepshead

Bay to Williamsburg), B48 (running from Lefferts Gardens to Greenpoint), and B54 (running from Downtown Brooklyn to Ridgewood) all serve area residents. Bike lanes run along nearby Bedford (to the South) and Willoughby (to the West) Avenues. The area was previously served by the Myrtle Avenue Line, a trolley service that ran above grade for nearly half a century until it was dismantled in 1949. Multiple CitiBike docks are located nearby on Franklin Avenue, Nostrand Avenue, and Marcy Avenue, as well to the South on Willoughby Avenue and Walworth Street. Local truck routes run along Bedford, Nostrand, and Myrtle avenues.

The proposed project area is adjacent to the 2001 Flushing-Bedford Rezoning (C 000109 ZMK), which rezoned 15 blocks from M1-1, M1-2, and M3-1 zoning districts to R7-1 and M1-2/R6A zoning districts and created a new Special Mixed Use District (MX-4) in Brooklyn community districts 1 and 3 with the goal of accommodating new housing while allowing industrial and commercial uses in the proposed mixed-use district to continue operating.

The proposed project area is located in between two corridors that were part of the 2012 Bedford-Stuyvesant North Rezoning (C 120294 ZMK). The rezoning changed the zoning of the blocks to the east of Nostrand Avenue from R6 to R7A and to the west of Bedford Avenue from R6 to R7D along with a C2-4 overlay. The goal of the 2012 rezoning was to preserve the character of low-rise residential blocks, while supporting the creation of new housing (with incentives for income restricted housing) and active ground floor commercial and community uses along major corridors, such as Myrtle Avenue.

The proposed project area is also adjacent to the 723-733 Myrtle Avenue Rezoning (C 170025 ZMK), which rezoned three blocks from M1-1 and M1-2 zoning districts to R7D/C2-4 and R6B/C2-4 zoning districts with the goal of accommodating new housing while reinforcing Myrtle Ave as a mixed-use corridor that can accommodate growth.

The proposed project area is zoned M1-1. The M1-1 is a manufacturing district which permits commercial, light industrial, and select community facility uses, including retail uses, woodworking shops, repair shops, and wholesale service and storage facilities. Residential development is not permitted in M1-1 districts. The six mixed commercial and residential lots in the project area, to the east of the development site are non-conforming. Within the project area is the development site itself, which is an unimproved rectangular corner lot with a lot area of approximately 8,600 square feet. The development site is situated at the northeast corner of Spencer Street and Myrtle Avenue and has been used for storage purposes related to stonemasonry work.

The proposed development will be an eight-story, 48,224 square-foot mixed-use building, at 5.6 floor area ratio (FAR) with approximately 54 dwelling units, including 18 MIH units, as well as 4,469 square feet of ground floor retail. The proposed development will include some terraces and balconies as well as 11 vehicular and 34 bicycle parking spaces. The vehicle parking is in the cellar and will be accessible through an 11-foot-wide curb cut on Spencer Street, which is on the northwest side of the proposed development. Off-street parking is required for 50 percent of the market-rate units and optional for income-restricted units due to the project area being situated within a Transit Zone. Additionally, lots under 10,000 square feet may further reduce off-street parking to 30 percent of the non-income restricted units. Finally, the development is proposed to include 18 income-restricted housing units in accordance with MIH Option 1, which requires 25 percent of the residential floor area as affordable housing at an average of 60 percent of the Area Median Income (AMI).

To facilitate the proposed developments, the applicant requests a zoning map amendment from M1-1 to R7D with a C2-4 commercial overlay and a zoning text amendment to designate a new MIH area coterminous with the project area. R7D districts are medium density contextual residential districts which permit residential buildings up to a maximum of 5.60 FAR in an area mapped with MIH, community

facility uses up to a maximum of 4.2 FAR, and commercial uses up to a maximum of 2.0 FAR. The R7D district allows for base heights between 60 and 95 feet with a maximum height of 115 feet (11 stories).

The proposed C2-4 commercial overlay permits a range of commercial uses that serve local retail and service needs, such as grocery stores and hair salons. The C2-4 Commercial overlay along Myrtle Avenue have contributed to diverse array of storefronts and community facilities, including pharmacies, electronics supply stores and repair shops. When paired with R7D districts, C2-4 overlays require non-residential ground floor use.

In addition to the zoning map amendment, the applicant also seeks a zoning text amendment to map the project area with MIH options 1 and 2. Under MIH Option 1, 25 percent of residential floor area would be reserved would average 60 percent of area median income AMI (with a minimum of 10 percent at 40 percent AMI). Under Option 2, 30 percent of residential floor area would be available at an average of 80 percent of AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 220453 ZMK), in conjunction with the related application for zoning text amendment (N 220454 ZRK), were 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 21DCP203K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on April 21, 2023. The Negative Declaration includes

an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise impacts (E-695). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

This application (C 220453 ZMK) was certified as complete by the Department of City Planning on April 24, 2023 and duly referred to Brooklyn Community Board 3 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 220454 ZRK), which was referred for information in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Brooklyn Community Board 3 held a public hearing on this application (C 220453 ZMK) and the related actions for a zoning text amendment (N 220454 ZRK) on May 23, 2023, and on June 26, 2023, by a vote of 33 in favor, nine in opposition, and one abstaining, adopted a resolution recommending approval of the application, stating that “The recommendation is to support the application with the following stipulation: The building should not exceed 95ft in height.”

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 220453 ZMK) and the related action for a zoning text amendment (N 220454 ZRK) on July 11, 2023, and on August 1, 2023, issued a recommendation to approve the application without conditions.

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

On July 26, 2023 (Calendar No. 4), the City Planning Commission scheduled a public hearing on this application (C 220453 ZMK) and the related zoning text amendment (N 220454 ZRK). The hearing was duly held on August 9, 2023 (Calendar No. 16). One speaker appeared in favor of the application and none in opposition.

The applicant's attorney spoke in favor of the application, providing an overview of the proposal, development site, and surrounding context. He also described the history of the site, noting past uses and current vacancies.

He stated the adjacent R7D boundaries to the east of 703 Myrtle Avenue would be extended to include the project area. He further argued that the proposed action was appropriate in the light of the 723-733 Myrtle Avenue rezoning in 2017 which established R7D/C2-4 zones to the east. Additionally, he stated that the 2012 Bedford-Stuyvesant North rezoning, which established R7D/C2-4 lots on the southern side of the Myrtle Avenue frontage to the east of Nostrand Avenue, further strengthened the case for the proposed action. Finally, he claimed that the status of Myrtle Avenue as an important thoroughfare and transportation corridor supported the rationale that a mixed-use residential development was appropriate at 703 Myrtle Avenue.

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

## **CONSIDERATION**

The Commission believes that this amendment to the zoning map (C 220453 ZMK), in conjunction with the related application for a zoning text amendment (N 220454 ZRK), is appropriate. Together, these actions will facilitate the development of a new eight-story residential building at 703 Myrtle Avenue with 54 apartments, 18 of which will be permanently income-restricted.

The Commission believes the proposed R7D and C2-4 zoning districts are appropriate given the surrounding context and land use conditions. The project area is a suitable

location to accommodate much-needed housing, situated near G train stations a half mile away and along several major bus routes, which provide access to major regional job centers such as Downtown Brooklyn and Long Island City.

The Commission also recognizes that the uses within the project area are predominantly mixed commercial and residential, in divergence with the existing M1-1 zoning district, which does not permit new residential uses. The proposed zoning better matches the current mixed-use character and will bring existing residential uses and a food store on six lots to the east of the development site into conformance.

The Commission notes that the M1-1 zoning mapped across the project area in 1961 does not reflect the mixed-use local conditions and residential uses that pre-date zoning, and it has not been updated in over 60 years.

Regarding the proposed zoning district boundary, the Commission believes that expanding the existing R7D and C2-4 district boundaries to the west while replacing the M1-1 district is appropriate and represents strong land use rationale and a well-considered plan. By extending the R7D and C2-4 district boundaries westward, the proposal would contribute to a more contiguous frontage along Myrtle Avenue, characterized by mixed residential and commercial uses for nearly a mile to the east and west.

R7D bulk regulations are appropriate for this area given the size and scale of nearby existing and proposed developments, with buildings heights ranging from 65 and 85 feet in multiple residential lots along the Myrtle Avenue frontage. Adjacent R7D lots to the east of the project area will allow for similar development, contributing to a unified build form extending to the west. The C2-4 overlay, which would require non-residential ground floor use in the R7D district, will further serve to expand and enhance the active streetscape near and around the project area, situated as it is across from event spaces, supermarkets and



restaurants.

The Commission believes that the zoning text amendment (N 220454 ZRK) to Appendix F to create a new MIH area coterminous with the project is appropriate. The MIH area will ensure that a portion of future residential development be designated as permanently income restricted, utilizing either MIH Option 1 or MIH Option 2.

The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* and *Where We Live*, New York City's HUD-mandated report that outlines goals and strategies to affirmatively further fair housing.

The Commission acknowledges the ongoing change of uses in the area, from one of primarily commercial and industrial uses to a greater amount of community facility and residential uses, and recommends the Department include an analysis of these trends and the affect this has on the provision of commercial and industrial services and jobs for the surrounding neighborhoods and borough as part of their proposed Community Development Block Grant (CDBG) study.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement (EAS) for which a Negative Declaration was issued on April 21, 2023, with respect to this application (CEQR No. 21DCP203K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the

consideration described in this report, the Zoning Resolution of the City Of New York, effective as of December 15, 1961, and subsequently amended, is further amended by changing the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street;

Borough of Brooklyn, Community District 3, as shown on a diagram (for illustrative purposes only) dated April 24, 2023, and subject to the conditions of CEQR Declaration E-695.

The above resolution (C 220453 ZMK), duly adopted by the City Planning Commission on September 11, 2023 (Calendar No. 2), 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*

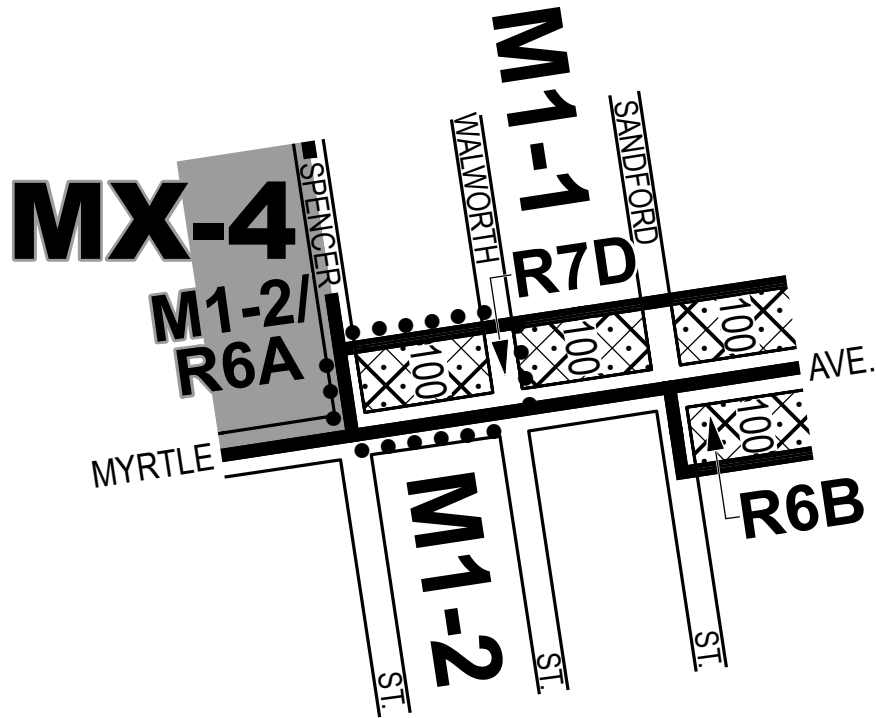
**GAIL BENJAMIN, LEILA BOZORG, JUAN CAMILO OSORIO,**

**ALFRED C. CERULLO, III, ANTHONY W. CROWELL,**

**JOSEPH I. DOUEK, DAVID GOLD, Esq.,**

**RASMIA KIRMANI-FRYE, ORLANDO MARÍN, RAJ RAMPERSHAD,** *Commissioners*

**LEAH GOODRIDGE, Esq.,** *Commissioner VOTING ABSTAIN*



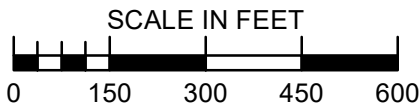
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**13b**  
 BOROUGH OF  
**BROOKLYN**

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



New York, Certification Date:  
 April 24, 2023



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing from an M1-1 District to an R7D District, and by establishing a C2-4 District within the proposed R7D District.

Indicates a C2-4 District

Indicates a Special Mixed Use District (**MX-4**)



# BOROUGH PRESIDENT RECOMMENDATION

|   |   |
|---|---|
| <b>Project Name:</b> 534 Coney Island Avenue  |   |
| <b>Applicant:</b> Remica Property Group Corp. | <b>Applicant's Administrator:</b> Eric Palatnik |
| <b>Application #</b> 230010ZMK                | <b>Borough:</b> Brooklyn                        |
| <b>CEQR Number:</b> 23DCP033K                 | <b>Validated Community Districts:</b> K12       |

**Docket Description:**  
 IN THE MATTER OF an application submitted by Remica Property Group Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 22c:  
 1. changing from a C8-2 District to an R7X District property bounded by Hinckley Place, Coney Island Avenue, Beverly Road, a line 100 feet westerly of Coney Island Avenue;  
 and  
 2. establishing within the proposed R7X District a C2-4 District bounded by Hinckley Place, Coney Island Avenue, Beverly Road, a line 100 feet westerly of Coney Island Avenue;  
 as shown on a diagram (for illustrative purposes only) dated May 22, 2023, and subject to the conditions of CEQR Declaration E-717.

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

**RECOMMENDATION:** Favorable

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

**CONSIDERATION:**

|                             |       |                         |
|-----------------------------|-------|-------------------------|
| Recommendation submitted by | BK BP | Date: 8/11/2023 4:00 PM |
|-----------------------------|-------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |
|---|---|
| <b>Project Name:</b> 534 Coney Island Avenue  |   |
| <b>Applicant:</b> Remica Property Group Corp. | <b>Applicant's Primary Contact:</b> Eric Palatnik |
| <b>Application #</b> 230010ZMK                | <b>Borough:</b>                                   |
| <b>CEQR Number:</b> 23DCP033K                 | <b>Validated Community Districts:</b> K12         |

|  |
|--|
| <b>Docket Description:</b><br>IN THE MATTER OF an application submitted by Remica Property Group Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 22c:<br>1. changing from a C8-2 District to an R7X District property bounded by Hinckley Place, Coney Island Avenue, Beverly Road, a line 100 feet westerly of Coney Island Avenue;<br>and<br>2. establishing within the proposed R7X District a C2-4 District bounded by Hinckley Place, Coney Island Avenue, Beverly Road, a line 100 feet westerly of Coney Island Avenue;<br>as shown on a diagram (for illustrative purposes only) dated May 22, 2023, and subject to the conditions of CEQR Declaration E-717. |
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*Please use the above application number on all correspondence concerning this application*

|  |                     |   |   |
|--|---------------------|---|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |   |   |
| <b># In Favor:</b> 32                        | <b># Against:</b> 2 | <b># Abstaining:</b> 0                        | <b>Total members appointed to the board:</b> 34 |
| <b>Date of Vote:</b> 6/27/2023 12:00 AM      |                     | <b>Vote Location:</b> 5901 13th Avenue & Zoom |   |

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

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/20/2023 7:00 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>                  | 5901 13th Avenue & Zoom  |

|  |         |                         |
|--|---------|-------------------------|
| <b>CONSIDERATION:</b> The Community Board heard a lot of concerns regarding the height of the proposed project, which is for 110 feet. Based on the surrounding buildings being 70 feet tall, the Community Board voted to support the application on condition that it be approved for an R6A Zoning and the development kept at 70 feet. |         |                         |
| Recommendation submitted by  | BK CB12 | Date: 7/12/2023 6:46 PM |