



IN THE MATTER OF an application submitted by 7120 New Utrecht LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 11.

This application for a zoning text amendment was filed by 7120 New Utrecht LLC on July 6, 2022. This application, in conjunction with the related zoning map amendment (C 230001 ZMK), would facilitate the development of a nine-story, 85,034-square-foot mixed-use building containing 100 dwelling units, approximately 30 of which would be permanently income-restricted, 651 square feet of commercial floor area at 7120 New Utrecht Avenue in Bensonhurst neighborhood of Brooklyn, Community District 11.

RELATED ACTION

In addition to the zoning text amendment (N 230002 ZRK) 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:

C 230001 ZMK Zoning map amendment to change an R5/C2-2 zoning district to a C4-4L zoning district.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 230001 ZMK).

ENVIRONMENTAL REVIEW

This application (N 230002 ZRK), in conjunction with the application for the related action (C 230001 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 agency is the City Planning Commission. The designated CEQR number is 23DCP002K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on January 30, 2023.

PUBLIC REVIEW

This application (N 230002 ZRK) was duly referred to Brooklyn Community Board 11 and the Brooklyn Borough President on January 30, 2023 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 230001 ZMK), which was certified as complete by the Department of City Planning and duly referred in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

COMMUNITY BOARD PUBLIC HEARING

Brooklyn Community Board 11 held a public hearing on this application (N 230002 ZRK) on March 28, 2023. On April 3, 2023, by a vote of 22 in favor, one opposed, and none abstaining, adopted a resolution recommending disapproval of the application.

BOROUGH PRESIDENT RECOMMENDATION

The Brooklyn Borough President held a public hearing on this application (N 230002 ZRK) and the related action (C 230001 ZMK) on March 20, 2023, and, on May 8, 2023, issued a recommendation to approve the application.

CITY PLANNING COMMISSION PUBLIC HEARING

On April 26, 2023 (Calendar No. 6), the City Planning Commission scheduled a public hearing on this application (N 230002 ZRK) and the application for the related action (C 230001 ZMK). The hearing was duly held on May 10, 2023 (Calendar No. 17). Three speakers appeared in opposition to the application and one in favor, as described in the report for the related action (C 230001 ZMK), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 230002 ZRK), in conjunction with the application for the related zoning map amendment action (C 230001 ZMK), is appropriate. A full consideration and analysis of issues and the reasons for approving this application appear in the report for the related zoning map amendment (C 230001 ZMK).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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.

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APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 11

* * *

Map 3 – [date of adoption]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area # — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 11, Brooklyn

* * *

The above resolution (N 230002 ZRK), duly adopted by the City Planning Commission on June 7, 2023 (Calendar No. 10), 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. KNUCKES, Esq., *Vice Chairman*
GAIL BENJAMIN, LEILA BOZORG, ALFRED C. CERULLO, III,
ANTHONY W. CROWELL, JOSEPH I. DOUEK, DAVID GOLD, Esq.,
LEAH GOODRIDGE, Esq., RASMIA KIRMANI-FRYE, ORLANDO MARÍN,

JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*