



December 13, 2023 / Calendar No. 18

N 230158 ZRK
CORRECTED¹

IN THE MATTER OF an application submitted by 962 Pacific St, 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.

This application for an amendment to the Zoning Resolution of the City of New York was filed by 962 Pacific Street, LLC on December 21, 2022. This application, in conjunction with the related zoning map amendment (C 230157 ZMK) and CPC Special Permit (C 230159 ZSK), would facilitate the development of a nine-story, 154,000-square-foot mixed use building with 150 residential units, between 38 and 45 of which would be designated as permanently income-restricted, as well as 9,350 square feet of commercial floor area and 8,530 square feet of community facility floor area at 962 Pacific Street in the Crown Heights neighborhood of Community District 8, Brooklyn.

RELATED ACTION

In addition to the zoning text amendment (N 230158 ZRK) that 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:

C 230157 ZMK	Zoning map amendment to change an M1-1 zoning district to an M1-4/R7A (MX-20) zoning district.
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¹ The report (N 230158 ZRK) has been administratively corrected on January 9, 2024.

C 230159 ZSK Special permit pursuant to Section 74-533 of the Zoning Resolution (ZR) to waive residential off-street parking spaces.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 230157 ZMK).

ENVIRONMENTAL REVIEW

This application (N 230158 ZRK), in conjunction with the related applications for zoning map amendment (C 230157 ZMK) and CPC Special Permit (C 230159 ZSK), 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 22DCP078K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 230157 ZMK).

PUBLIC REVIEW

This application (N 230158 ZRK) was duly referred to Brooklyn Community Board 8 and the Brooklyn Borough President on August 2, 2023 in accordance with the procedures for non-ULURP matters, along with the application for the related zoning map amendment (C 230157 ZMK) and CPC Special Permit (C 230159 ZSK), which were 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).

N 230158 ZRK
CORRECTED

Community Board Public Hearing

On September 7, 2023, Brooklyn Community Board 8 held a public hearing on this application (N 230158 ZRK), and by a vote of 29 in favor, three in opposition, and two abstaining, adopted a resolution recommending disapproval of the application with conditions. A summary of the community board's recommendation appears in the report for the related zoning map amendment (C 230157 ZMK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 230158 ZRK) and the related actions for a zoning map amendment (C 230157 ZMK) and CPC Special Permit (C 230159 ZSK) on October 16, 2023, and on November 1, 2023, issued a recommendation to approve the application with conditions. A summary of the borough president's recommendations appears in the report for the related zoning map amendment (C 230157 ZMK).

City Planning Commission Public Hearing

On November 15, 2023 (Calendar No. 10), the City Planning Commission held a public hearing on this application (N 230158 ZRK) in conjunction with the related actions for a zoning map amendment (C 230157 ZMK) and CPC Special Permit (C 230159 ZSK). Nine speakers testified in favor of the application and none in opposition, as described in the report for the related zoning map amendment (C 230157 ZMK), and the hearing was closed.

CONSIDERATION

The City Planning Commission believes this application for a zoning text amendment (N 230158 ZRK), in conjunction with the related applications for a zoning text amendment (C 230157 ZRK) and CPC special permit (C 230159 ZSK), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment (C 230157 ZMK).

RESOLUTION

N 230158 ZRK
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RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on July 21, 2023 with respect to this application (CEQR No. 22DCP078K), 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 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

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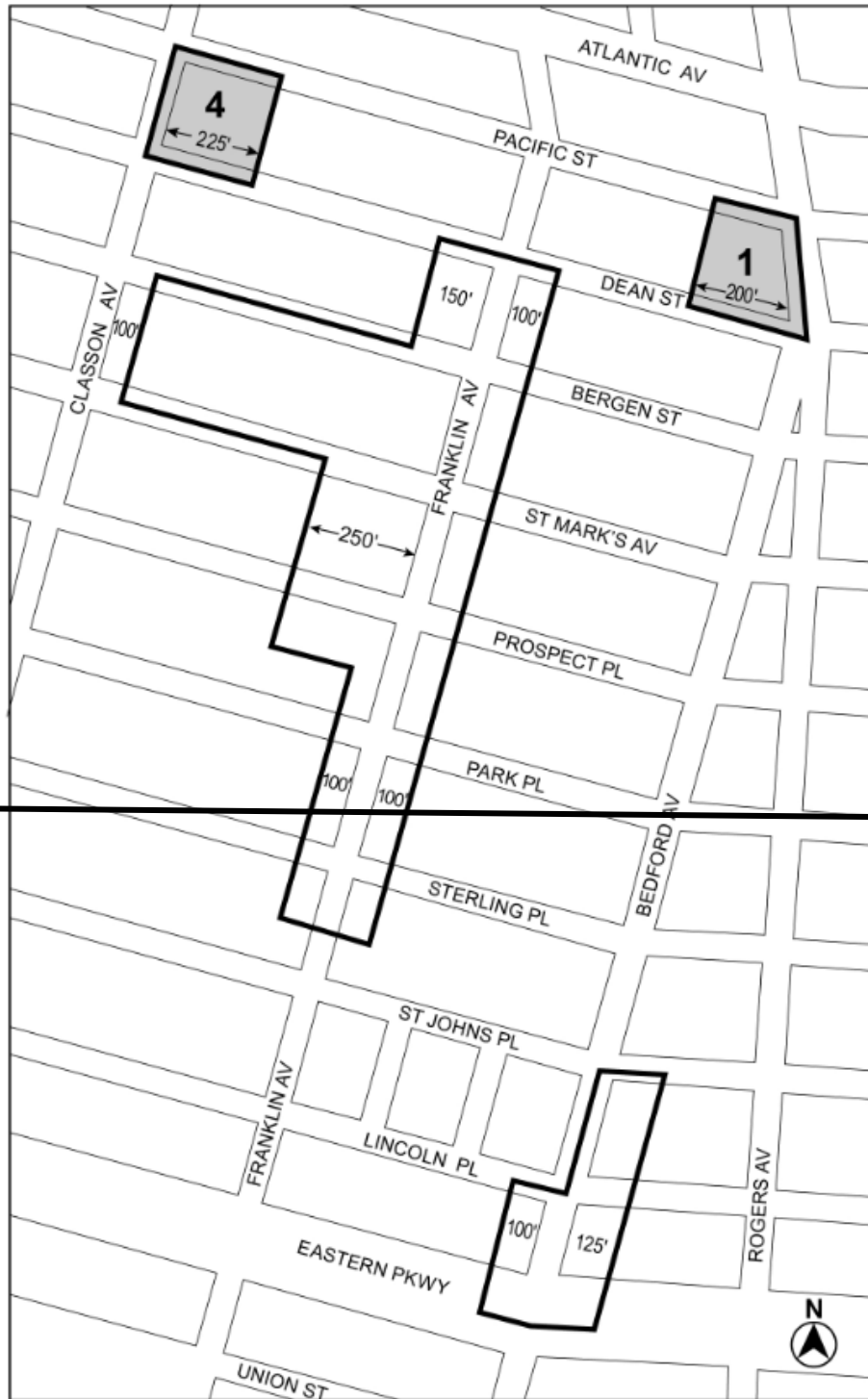
Brooklyn Community District 8

* * *

Map 1 – [date of adoption]²

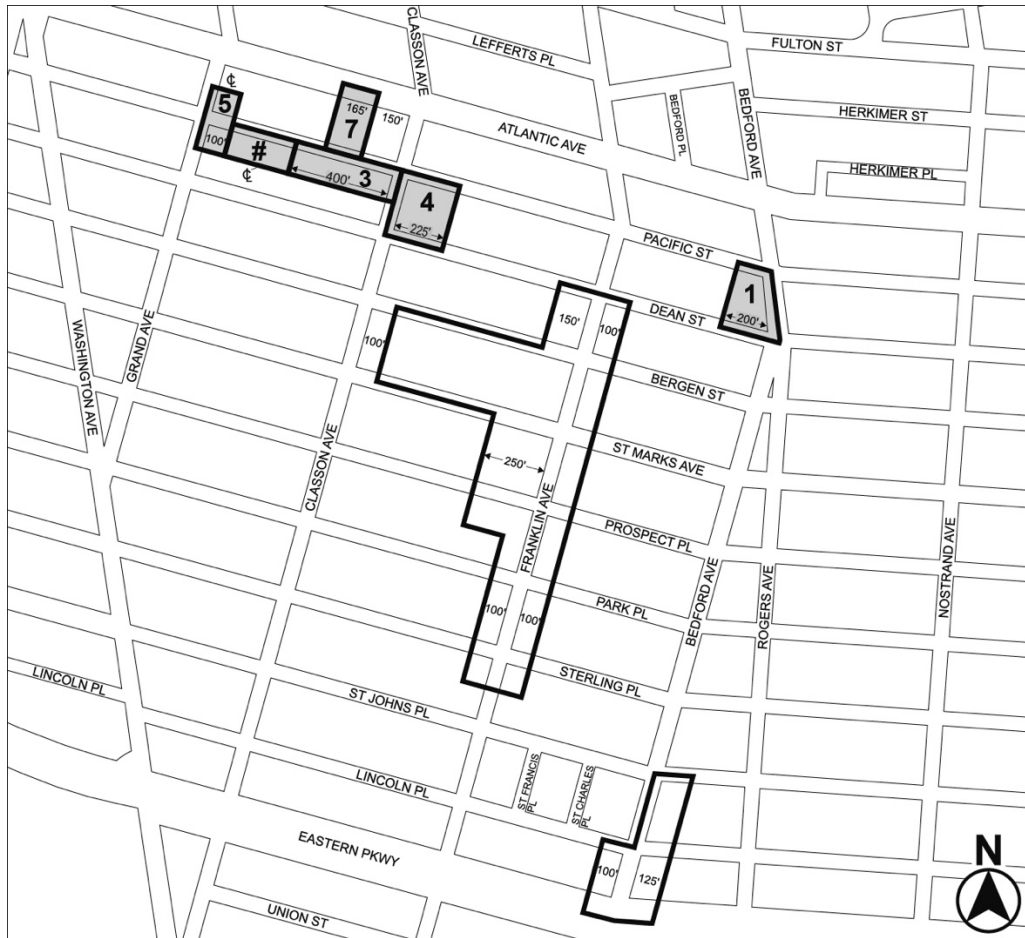
[EXISTING MAP]

² This portion of the CPC report, showing existing MIH maps with a strikethrough (Map 1 and Map 3), in addition to the proposed consolidated map to be created by this ZR text amendment (Map 2), was corrected from the original report. The previous version of this CPC Report did not include a strikethrough in Map 1 and did not include Map 3 at all.



- Inclusionary Housing designated area
 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 Area 1 – 7/20/17 MIH Program Option 1
 Area 4 – 5/8/19 MIH Program Option 1 and Option 2

[PROPOSED MAP]



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

Area 1 — 7/20/17 MIH Program Option 1

Area 3 — 5/8/19 MIH Program Option 1 and Option 2

Area 4 — 5/8/19 MIH Program Option 1 and Option 2

Area 5 — 8/27/20 MIH Program Option 1

Area 7 — 4/28/22 MIH Program Option 1 and Deep Affordability Option

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

Portion of Community District 8, Brooklyn

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Map 3

[EXISTING MAP]



Portion of Community District 8, Brooklyn

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The above resolution (N 230158 ZRK), duly adopted by the City Planning Commission on December 13, 2023 (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.

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DANIEL R. GARODNICK, Esq., *Chair,*

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

**GAIL BENJAMIN, LEILA BOZORG, ALFRED C. CERULLO, III, ANTHONY
CROWELL, Esq., JOSEPH I. DOUEK, DAVID GOLD, Esq., RASMIA KIRMANI-FRYE,
ORLANDO MARÍN, JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners***

LEAH GOODRIDGE, Esq., *Commissioner, VOTING NO*