



CITY PLANNING COMMISSION

March 20, 2024 / Calendar No. 17

N 230324 ZRK

IN THE MATTER OF an application submitted by the Agudist Council of Greater New York 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 in the Borough of Brooklyn, Community District 14.

This application for a zoning text amendment was filed by the Agudist Council of Greater New York Inc. on April 24, 2023. This application, in conjunction with the related action (C 230323 ZMK), would facilitate the construction of a new nine-story residential building containing 42 dwelling units, eleven of which would be permanently income-restricted, at 817 Avenue H in the Kensington/Midwood neighborhood of Brooklyn, Community District 14.

RELATED ACTION

In addition to the zoning text amendment (N 230324 ZRK) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 230323 ZMK Zoning map amendment to change an R5/C1-3 zoning district to an R7A district along with a C2-4 commercial overlay.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment action (C 230323 ZMK).

ENVIRONMENTAL REVIEW

This application (N 230324 ZRK), in conjunction with the application for the related action (C 230323 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 is 23DCP094K.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on October 30, 2023. A full description of the environmental review is included in the report for the related zoning map amendment action (C 230323 ZMK).

PUBLIC REVIEW

This application (N 230324 ZRK), was referred to Community Board 14 and the Brooklyn Borough President on November 1, 2023, in accordance with the procedures for non-ULURP matters, in conjunction with the application for the related action (C 230323 ZMK), which was certified as complete by the Department of City Planning, and was 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 14 held a public hearing on this application for a zoning text amendment (N 230324 ZRK) and the related action (C 230323 ZMK) on December 5, 2023, and on December 18, 2023, by a vote of 35 in favor, none opposed, and three abstaining, adopted a resolution recommending approval of the application with conditions. A summary of the Community Board's recommendation appears in the report for the related zoning map amendment action (C 230323 ZMK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 230324 ZRK) and the related action for a zoning map amendment (C 230323 ZMK) on January 16, 2024, and on January 29, 2024, issued a recommendation to approve the application with conditions. A summary of the Borough President's recommendation appears in the report for the related zoning map amendments action (C 230323 ZMK).

City Planning Commission Public Hearing

On February 7, 2024 (Calendar No. 10), the City Planning Commission scheduled February 21, 2024 for a public hearing on this application (N 230324 ZRK) and the related zoning map amendment (C 230323 ZMK). The hearing was duly held on February 21, 2024 (Calendar No.

23). One speaker testified in support of the application and two in opposition, as described in the report for the related zoning map amendment action (C 230323 ZMK), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 230324 ZRK), in conjunction with the application for the related action (C 230323 ZMK) 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 action (C 230323 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 201 of the New York City Charter, that based on the environmental determination and the consideration described in the related report (C 230323 ZMK), 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 14

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PROPOSED MAP

Map 6 – [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 14, Brooklyn

* * *

The above resolution (N 230324 ZRK), duly adopted by the City Planning Commission on March 20, 2024 (Calendar No. 23), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the

requirements of Section 197-d of the New York City Charter.

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