



March 6, 2024 / Calendar No. 7

C 230337 ZMK

IN THE MATTER OF an application submitted by Stellar 341 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

1. changing from an existing R6A District to an R7-3 District property bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 4th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue;
2. changing from an R6B District to an R7-3 District property bounded by a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, 10th Street, and a line 100 feet southeasterly of 4th Avenue; and
3. establishing within the proposed R7-3 District a C2-4 District bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue;

Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated October 2, 2023, and subject to the conditions of CEQR Declaration E-730.

This application was filed by Stellar 341 LLC on May 11, 2023. This application, in conjunction with the related actions, would facilitate the development of two new 17- and 19-story mixed-use buildings totaling approximately 245,000 square feet with 305 residential units, 162 of which would be income restricted, and ground floor community facility and retail space at 341 10th Street (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6.

RELATED ACTIONS

In addition to the zoning map amendment (C 230337 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

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| N 230338 ZRK | Zoning text amendment to establish bulk regulations applicable to R7-3 within Mandatory Inclusionary Housing (MIH) areas and establish an MIH area; |
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C 230339 ZSK Zoning special permit to establish a Large Scale General Development (LSGD) and modify bulk regulations;

C 230340 ZSK Zoning special permit to reduce parking requirements in the LSGD.

BACKGROUND

The applicant seeks a zoning map amendment, zoning text amendment, and two special permits to facilitate infill development of two new 17- and 19-story buildings totaling approximately 245,000 square feet, including 305 dwelling units, 162 of which would be income-restricted units, and ground floor commercial and community facility space in the Park Slope neighborhood of Brooklyn, Community District 6.

The project area and development site comprise Block 1010, Lot 26, with a total lot area of approximately 69,000 square feet and is located between 120-foot-wide Fourth Avenue and 80-foot-wide Fifth Avenue, with frontages on 108-foot-wide Ninth Street and 60-foot-wide Tenth Street. The development site features an existing approximately 164,000 square foot (2.38 FAR) 18-story-story multifamily residential building. Metropolitan Transportation Authority (MTA) subway tracks run east-west through the development site, transitioning from elevated to below-grade through a tunnel structure that traverses the lot.

The surrounding area is a mixed-use neighborhood with access to transit and neighborhood services. Fourth and Fifth Avenues and portions of Ninth Street feature mixed-use multi-family residential and commercial buildings with ground floor retail, while midblock side streets are predominately residential in character, with one- and two-family rowhouses. There is a wide variety of local retail and office spaces including restaurants, bars, delis, grocery stores, pharmacies, laundromats, banks, and medical offices. Warehousing, manufacturing, transportation, and utility uses are located to the west of the surrounding area near the Gowanus Canal.

Nearby community facilities include a US Post Office, numerous places of worship, and schools, including Slope Music school and PS 118. A large commercial hospital, New York-Presbyterian Brooklyn Methodist Hospital, is located on a two-block campus located five blocks to the

northeast. The Ennis Playground is located two blocks to the west, the Old Stone House and Washington Park four blocks to the north, and Prospect Park four blocks to the east. There is one individual landmark in the surrounding area: the 271 Ninth Street House (William B. Cronyn House) designated in 1978 (LP-0997).

The surrounding area is located within the Transit Zone and is well served by public transportation, including the F and G subway lines along Ninth Street and the R train along Fourth Avenue. The 4 Av/9 St subway station serving the F, G, and R lines is located directly west of the project area with entrances at Ninth and Tenth streets on Fourth Avenue. This transit access allows for a 15-minute trip to Downtown Brooklyn, a 30-minute trip to Midtown Manhattan, and a 45-minute trip to the beach at Coney Island. Additionally, the B61, B63, and B103 busses provide access to a variety of Brooklyn neighborhoods including Red Hook, Bay Ridge, and Canarsie. There are protected bicycle lanes on Fourth Avenue and Ninth Street, as well as conventional and shared lanes on Fifth Avenue.

The project area was zoned R6 and C4-3 at the time of the adoption of the Zoning Resolution in 1961, with C4-3 mapped to a depth of 200 feet from Fifth Avenue. In 2003, it was included in the Park Slope Rezoning (C 030194(A) ZMK), which covered a 110-block area generally bounded by Union Street to the north, 15th Street to the south, Prospect Park West to the east, and Third and Fourth avenues to the west. This contextual rezoning sought to preserve the historic scale of the brownstone neighborhood while providing increased opportunities for residential and commercial development on Fourth Avenue. As part of the Park Slope Rezoning, the project area was rezoned from R6 to R6B along Tenth Street, from R6 to R6A along Ninth Street, and from a 200-foot deep C4-3 district to a 100-foot deep C4-3A district along Fifth Avenue, while immediately to the west of the project area, Fourth Avenue was rezoned from R6/C2-3 to R8A/C2-4.

In 2011, a Special Enhanced Commercial District (EC) was established along Fourth Avenue (C 110386 ZMK) to ensure the continued development of Fourth Avenue as an active, mixed-use corridor with regulations to promote a vibrant mix of commercial and community facility uses and limit parking and private residential uses on the ground floor of new developments and enlargements. In 2021, Fourth Avenue from Pacific Street to 15th Street was rezoned from an

R8A/C2-4 zoning district to a C4-4D zoning district and the Special Gowanus Mixed-Use District (GSD) as part of the Gowanus Neighborhood Plan (C 210177 ZMK). Along Fourth Avenue, the GSD permits a maximum FAR of 8.5 for residential uses with Mandatory Inclusionary Housing (MIH) (R9A equivalent) and modifies the height and setback regulations to ensure that buildings have a maximum base height of 125 feet and a maximum building height of 175 feet on wide streets. The GSD also requires active ground-floor uses along Fourth Avenue, eliminates the non-residential parking requirement, and reduces the residential accessory parking requirement to 20 percent of market-rate residential units, all with the goal of promoting a more walkable, mixed-use streetscape.

The surrounding area is primarily mapped with R6A, R6A/C1-4, R6A/C2-4, R6B, C4-3A, C4-4D zoning districts, as well as the GSD. In connection with the Gowanus Neighborhood Plan, MIH Options 1 and Deep Affordability are mapped along the Fourth Avenue corridor, including the western portion of the subject block currently zoned C4-4D.

R6A districts are contextual residential districts where Quality Housing bulk regulations are mandatory. R6A districts allow a maximum FAR of 3.0 without inclusionary housing (IH). Buildings must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet, or 75 feet if providing a qualifying ground floor. R6B districts typically produce low-rise, four- to five-story row houses, often with the goal of preserving the scale and streetscape of existing buildings. R6B districts allow a maximum FAR of 2.0 in non-IH housing areas. The base height of buildings before a setback must be between 30 and 40 feet, followed by a maximum building height up to 50 feet, both of which may increase by five feet for buildings providing a qualifying ground floor.

C2-4 districts are commercial overlay districts mapped within residential neighborhoods along streets that serve local retail needs. C2-4 districts allow a range of local-serving commercial retail and service uses, such as grocery stores, restaurants, general stores, barber shops, laundromats and other similar retail and service businesses. When mapped within R6A and R7-3 districts, C2-4 districts allow commercial uses to a maximum of 2.0 FAR, but commercial uses are limited to the first floor in mixed-use buildings.

C4 districts are mapped in regional commercial centers that are located outside of central business districts. C4 districts include specialty and department stores, and theaters and other commercial and office uses that serve multiple neighborhoods. C4-3A districts (R6A equivalent) allow a maximum commercial FAR of 3.0 and require accessory parking (1 per 400 square feet). C4-4D districts (R8A equivalent) allow a maximum commercial FAR of 3.4 and require accessory parking (1 per 1,000 square feet). The C4-4D district mapped along Fourth Avenue in the GSD is mapped as an R9A equivalent. This C4-4D district permits the development of an 8.5 FAR residential building with a maximum building height of 175 feet.

The development site is coterminous with the project area, with frontages on Ninth and Tenth Streets and a total lot area of approximately 69,000 square feet (1.58 acres). The development site is currently improved with an approximately 164,000 square foot (2.38 FAR) 18-story multifamily residential building constructed in approximately 1968 and containing 154 dwelling units, 115 of which are rent-stabilized. Surface and subsurface parking lots surrounding the existing building on the development site contain 115 accessory parking spaces accessed by eight curb cuts. MTA subway tracks run east-west through the project area, transitioning from elevated to below-grade through a tunnel structure that traverses the development site. The western portion of the development site primarily contains the cover to this tunnel structure built in approximately 1912. The outdoor area above the tunnel structure is an unused open space controlled by the applicant, which includes trees, plantings, and benches. Access to the area was closed by prior ownership and remains closed today.

The existing building would remain as part of the redevelopment of the site, while two new buildings would be constructed on space currently occupied by surface parking and an above-ground MTA tunnel. The applicant proposes to develop two new 17- and 19-story infill buildings totaling approximately 245,000 square feet, including 234,000 square feet of residential (305 dwelling units, including 162 income-restricted units), 6,500 square feet (0.09 FAR) of retail, and 4,500 square feet (0.06 FAR) of community facility space. The resulting three-building development would contain a total of approximately 409,500 square feet (5.93 FAR), up to 459 dwelling units, and a total of 39 accessory parking spaces. The new building on Ninth Street would be an approximately 76,000 square foot, 17-story mixed-use commercial and residential

building. The new building on Tenth Street would be an approximately 169,000 square foot, 19-story mixed-use residential and community facility building.

The proposed buildings would be positioned around the MTA tunnel easement, with taller building elements oriented toward Fourth Avenue, Fifth Avenue, and Ninth Street. Ground floor design would provide transparent glazing along street walls and active community facility uses at the Tenth Street frontage and commercial retail uses at the Ninth Street frontage. An elevated privately accessible open space would serve as an amenity for residents and be accessible through all three buildings, as well as stairs on both Ninth and Tenth Streets, and an ADA-accessible ramp at Tenth Street. Rooftop bulkhead structures and mechanical equipment would be screened by a wall on all sides, and visible surfaces of the west facade of the Tenth Street building would be articulated consistently with and clad in the same materials as the adjacent facades along Tenth Street.

The applicant proposes a mix of NYC Department of Housing Preservation and Development (HPD) financing and the MIH Workforce Option to provide income-restricted units. The Ninth Street building would utilize HPD's Senior Affordable Rental Apartments (SARA) and Extremely Low- and Low-Income Affordability (ELLA) programs to develop a 100 percent income-restricted building with incomes up to 50 percent AMI, where approximately 100 units would be reserved for seniors and families making at or below 50 percent AMI. The applicant anticipates using the MIH Workforce Option for the Tenth Street building, providing 143 market-rate and 62 income-restricted units with 11 units at low-income levels (70 percent AMI), 11 units at moderate income levels (90 percent AMI) and 40 units at middle income levels (130 percent AMI).

To facilitate the proposed development, the applicant requests a zoning map amendment, zoning text amendment, and two special permits.

Zoning Map Amendment (C 230337 ZMK)

The applicant proposes to rezone portions of Block 1010, Lot 26 from R6A and R6B zoning districts to R7-3 and R7-3/C2-4 zoning districts. The rezoning area would cover an "L"-shaped portion of the mid-block starting 100 ft northwest of Fifth Avenue and extending 245 feet along

Ninth Street and approximately 500 feet along Tenth Street to a point 100 feet southeast of Fourth Avenue. The C2-4 commercial overlay would be mapped along the 245-foot length of the Ninth Street frontage within the rezoning area.

The proposed R7-3 zoning district is a non-contextual zoning district that permits residential and community facility uses and is mapped in MIH areas where additional design flexibility is warranted, such as along the waterfront, near infrastructure, or on unique sites. Pursuant to the related Zoning Text Amendment (N 230338 ZRK) described below, R7-3 districts within an MIH area would permit a maximum FAR of 6.0. The maximum base height would be 85 feet, and the maximum building height 185 feet. The maximum lot coverage would be 65 percent. Accessory parking would be required for 50 percent of market-rate dwelling units and 15 percent of income-restricted units.

Zoning Text Amendment (N 230338 ZRK)

The applicant proposes a zoning text amendment to establish bulk regulations applicable to R7-3 within MIH areas and to amend Appendix F of the Zoning Resolution (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) for Community District 6 to designate the rezoning area as an MIH area, with Option 1, Option 2, and the Workforce Option.

A zoning text amendment would be required to map the rezoning area with an R7-3 zoning district, as R7-3 zoning districts are currently limited to specific geographies. R7-3 was established in the 1993 Waterfront Zoning Text as a tool for redeveloping underutilized parcels of waterfront land for housing and commercial use and was later expanded in geographic applicability to MX districts, the Special Long Island City Mixed Use District, and the Special St. George District. The proposed text amendment would enable the district to be mapped outside of these areas if located within MIH areas, while establishing the following bulk regulations applicable to R7-3 in MIH areas: a maximum base height of 85 feet, maximum height of 185 feet (18 stories), and maximum FAR for Affordable Residences for Seniors of 6.0. Unless otherwise specified, the floor area, lot coverage, parking regulations, and commercial floor area applicable to R7-2 developments would apply to R7-3 districts.

The proposed MIH area would include MIH Option 1, Option 2, and the Workforce Option. MIH Option 1 requires that a minimum of 25 percent of the residential floor area be designated as affordable to households earning incomes with an average not exceeding 60 percent of area median income (AMI). Option 2 requires that a minimum of 30 percent of the residential floor area be designated as affordable to households earning incomes with an average not exceeding 80 percent AMI. The Workforce Option requires that 30 percent of the residential floor area be designated as affordable to households earning incomes with an average not exceeding 115 percent AMI. The Workforce Option can only be mapped in conjunction with one of the other options and cannot be used in conjunction with public funding.

Zoning Special Permit (C 230339 ZSK)

The applicant requests a zoning special permit pursuant to paragraph (a)(2) of ZR Section 74-743 (Special provisions for bulk modification) to modify the bulk regulations of ZR Section 23-47 (Minimum Required Rear Yards), Section 23-532 (Required rear yard equivalents), and Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) within a LSGD to promote better site planning and urban design around the existing building and the MTA tunnel.

The development site is subject to requirements for a 30-foot rear yard on an interior lot and a 53-foot rear yard equivalent for the through lot with a narrow block width (ZR 23-47 and 23-532). Waiving the rear yard and rear yard equivalent requirements would allow for construction of structural trusses that straddle the MTA tunnel cover in compliance with a permanent easement restricting weight on the tunnel, and the location of buildings adjacent to the MTA tunnel cover, allowing for feasible floor plates and elevator design on narrow portions of the L-shaped lot.

Bulk regulations for R7-3 zoning districts in MIH areas as proposed in the accompanying application for a zoning text amendment (N 230338 ZRK) would require buildings have a maximum base height of 85 feet and an overall maximum height of 185 feet (18 stories). R7-3 districts require a building to set back 15 feet on a narrow street and 10 feet on a wide street. The applicant proposes a series of waivers to the height and setback regulations to facilitate the proposed design. For the Tenth Street building, which is located on a narrow street and

constrained by the MTA tunnel cover, the applicant requests waivers to reduce the required setback from 15 feet to nine feet and increase the base height to 94.75 feet and overall height to 204.75 feet (19 stories). The applicant requests the reduced setback to allow for a feasible elevator design and the height waivers to allow the building's height to be shifted toward Fourth Avenue, with a step-down at the mid-block on Tenth Street. For the Ninth Street building, which is located on a wide street and constrained by the MTA tunnel cover and the existing building, the applicant requests waivers to reduce the required setback from 10 feet to seven feet and increase the base height to 88.74 feet.

Zoning Special Permit (C 230340 ZSK)

The applicant requests to reduce the number of required accessory parking spaces for the existing development from 77 spaces to 39 spaces and to waive all of the required accessory parking spaces (approximately 97 spaces) for the new market rate dwelling units.

ENVIRONMENTAL REVIEW

This application (C 230337 ZMK), in conjunction with the applications for the related actions (N 230338 ZRK, C 230339 ZSK, C 230340 ZSK), 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 23DCP145K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on October 2, 2023. The Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-730). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 230337 ZMK), in conjunction with the related applications (C 230339 ZSK, C 230340 ZSK), was certified as complete by the Department of City Planning on October 2,

2023 and duly referred to Brooklyn Community Board 6 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 230338 ZRK), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 6 held a public hearing on this application (C 230337 ZMK), in conjunction with the related applications (N 230338 ZRK, C 230339 ZSK, C 230340 ZSK) on December 8, 2023. On December 14, 2023, by a vote of 22 in favor, one opposed, and with three abstaining, adopted a resolution recommending disapproval of the application with the following conditions:

- “1. This conditional disapproval translates to approved plans, which would build hundreds of deeply affordable family and senior housing units but skepticism of the developer (Stellar). Due to that skepticism, we insist that this rezoning be tethered to an ironclad Community Benefits Agreement (CBA). A CBA that protects the interest of current tenants and ensures the number of, and the permanent affordability of, new units covered by HPD programs and existing units.
2. Also, while normally we’d vote to remove all parking requirements, we found that this is an area that existing tenants are very concerned about and are skeptical that the parking is underutilized (as Stellar said in their presentation) and feel that Stellar needs to operate in good faith with the tenants and, despite our philosophical opposition, are not recommending waiving of the parking requirement.”

Borough President Recommendation

On December 18, 2023, the Brooklyn Borough President held a public hearing on this application (C 230337 ZMK), in conjunction with the related applications (N 230338 ZRK, C 230339 ZSK, C 230340 ZSK), and issued a recommendation on January 10, 2024 to approve the application with the following conditions:

- “1. Stellar Management enter into a Community Benefits Agreement to monitor timely

repairs and maintenance for the existing building and the delivery of proposed new affordable housing units.

2. MIH Option 4 [Workforce Option] be removed from the application and replaced with MIH Option 1 or 2.”

City Planning Commission Public Hearing

On January 3, 2024 (Calendar No. 3), the City Planning Commission scheduled January 24, 2024 for a public hearing on this application (C 230337 ZMK) and the related applications (N 230338 ZRK, C 230339 ZSK, C 230340 ZSK). The hearing was duly held on January 24, 2024 (Calendar No. 26). Eight speakers testified in favor of the application, and four in opposition.

Speakers testifying in favor of the application included five members of the project team. The applicant’s representative summarized the proposed actions and project. They described the surrounding area and highlighted the development site’s access to transit, location near three wide streets, and proximity to existing twelve-story mixed-use residential buildings on Fourth Avenue as considerations for increasing density at the development site as proposed. They further noted that the Gowanus Neighborhood Plan rezoned the Fourth Avenue corridor, allowing a maximum FAR of 8.5 and maximum building heights of 175 feet immediately adjacent to the project area.

The project architect described the unique conditions of the development site due to the presence of the MTA tunnel and the existing building’s “tower-in-the-parking lot” design, noting that construction of the MTA Culver Line in 1929 created voids in the street wall at Ninth and Tenth Streets that remain today. They described the massing strategy for the proposed development as completing the street wall on Ninth and Tenth Streets, positioning the buildings around the MTA tunnel easement, and positioning the taller building elements toward the Fourth Avenue, Fifth Avenue, and Ninth Street corridors. They further described the proposed heights, bulk waivers, ground floor plans, number and size of units, and building sustainability features, including stormwater detention, all-electric building operations, and elevated open space between buildings on the development site.

The applicant described the affordable housing strategy, utilizing the MIH Workforce Option at the Tenth Street building and HPD SARA or ELLA financing for 100 percent affordable residences for low-income seniors and families at the Ninth Street building. In total, this would result in 53 percent of new units being income-restricted at an average 70 percent AMI. The applicant also stated an intention to utilize Article XI tax incentives to preserve rent-stabilized units within the existing building. Created by Article XI of the New York Private Housing Finance Law, the Article XI Tax Incentive encourages new construction or rehabilitation of affordable housing to be carried out by a Housing Development Fund Corporation (HDFC). Finally, the applicant noted an intention to provide voluntary public access to the proposed elevated open space via stairs on both Ninth and Tenth Streets, as well as an ADA-accessible ramp at Tenth Street, and to partner with a local senior services organization to provide programming for the open space.

The applicant stated that they have conducted outreach to residents of the existing building to understand what improvements they would like to see as part of the proposed development, and that in addition to preserving rent stabilized units through Article XI, improvements to the existing building will include improving lobbies and common spaces, replacing terrace doors, and ensuring that building systems, such as roofs, are in a state of good repair. They further stated that while parking spaces will be decreased, all rent stabilized residents with parking spaces today will maintain those spaces, and that they will continue to coordinate with existing residents to ensure that the open space and amenities are reflective of community feedback. Finally, they noted intent to memorialize these commitments in a community benefits agreement administered by Fifth Avenue Committee.

In addition to the applicant team, three people spoke in favor of the application.

A representative of Fifth Avenue Committee spoke in support of the proposed development, stating that it would create affordable housing, improve existing open space, improve the street walls on Ninth and Tenth streets, and preserve affordable units in the existing building. They affirmed that Fifth Avenue Committee, in collaboration with the existing tenants and the local City Councilmember, intends to administer a community benefits agreement and ensure that it is recorded against the property. In response to a question from the Commission about the

enforceability of community benefits agreements, they cited their organization's experience with such agreements as a tool for upholding community priorities that fall outside of the scope of the Commission's purview.

A representative of 32BJ SEIU, a union representing property service workers, spoke in support of the proposed project, stating that the existing building is a work site for the union's members, and a commitment from the developer would result in five or more prevailing wage jobs associated with the new development.

A representative from Heights and Hills, a local community organization supporting Brooklyn's older adults, provided written testimony in support of the proposed project. They expressed support for the project as it directly addresses the need for new affordable housing in the neighborhood, especially for older adults with onsite supportive services. They shared excitement about utilizing the proposed open space for outdoor programming, which would be available to older residents of the new buildings as well as those from the larger community.

Four members of the public spoke in opposition to the proposed project, expressing concerns about the role of private real estate developers in communities, a need for more affordable housing at deeper levels of affordability, a desire for a greater number of two- and three-bedroom units for families, a call for a ramp at Ninth Street to improve accessibility, and concerns about accountability and enforcement of community benefits agreements.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 230337 ZMK), in conjunction with the related applications for a zoning text amendment (N 230338 ZRK) and special permits (C 230339 ZSK, C 230340 ZSK), is appropriate.

Together, these actions will facilitate the infill development of two new 17- and 19-story buildings totaling approximately 245,000 square feet, including 305 dwelling units, 162 of which would be income-restricted units, 6,500 square feet of commercial retail space, and 4,500 square feet of community facility space.

The Commission notes that this project represents an opportunity for increased density, affordable housing production, and transit-oriented development along a major east-west corridor in a neighborhood with excellent access to services and amenities, and where land use policies have historically restricted development.

The proposed actions will facilitate a development that will use a portion of an underutilized site in a manner consistent with the mixed-use context of the surrounding area with a superior site plan that provides much-needed affordable housing, neighborhood services, community facility amenities, and open space to both current and future residents.

Zoning Map Amendment (C 230337 ZMK)

The Commission believes that the proposed zoning map amendment from R6A and R6B to R7-3 and R7-3/C2-4 zoning districts is appropriate.

The Commission recognizes that the underlying R6A and R6B zoning in the project area were mapped with the intention of preserving the historic character of the surrounding neighborhood, rendering the existing building on the development site non-complying. The current zoning districts allow for maximum FARs of 3.0 in R6A and 2.0 in R6B without IH. The change will allow an increase in residential height and density and the addition of commercial uses within the project area, allowing buildings with a maximum FAR of 6.0 for residential uses with MIH and 2.0 for commercial uses. Establishing a C2-4 overlay along Ninth Street will activate underutilized portions of the development site, improve the development's relationship to the street, and increase opportunities for neighborhood-serving retail and services on this wide, mixed-use corridor, which already features a C2-4 overlay across the street from the development site.

The R7-3 zoning district is a non-contextual zoning district, which is mapped in MIH areas where additional design flexibility is warranted, such as along the waterfront, near infrastructure, or on large, irregularly shaped sites. The Commission believes that the flexibility provided by the R7-3 district is appropriate due to the unique constraints of the development site, including its unique shape and the presence of both MTA infrastructure and an existing residential building that is intended to remain as part of the proposed development.

The Commission believes that the proposed zoning will permit uses and bulk that are consistent with the mixed-use character of the neighborhood. The higher density R7-3 zoning district is appropriate due to the project area's adjacency to other higher-density districts, wide streets, and access to transit and services. Combined with the C2-4 commercial overlay, the new zoning districts will allow a broad range of residential, commercial, and community facility uses and will support the proposed programming of the new and existing buildings.

Zoning Text Amendment (N 230338 ZRK)

The Commission believes that the proposed zoning text amendment, to allow for the mapping of an R7-3 zoning district within MIH areas and to establish regulations to govern the R7-3 zoning district within MIH areas, is appropriate, and is aligned with citywide objectives outlined in *Housing New York* and *Where We Live*, New York City's housing reports that outline goals and strategies to affirmatively further the development of housing. This action will expand the toolkit of zoning districts available for consideration in future zoning map changes to facilitate mixed-income housing development.

The Commission believes that the zoning text amendment to Appendix F to designate an MIH area with Option 1, Option 2, and Workforce Option, as modified, is appropriate.

The project area is currently mapped with R6A and R6B zoning districts and is not currently included in any Voluntary or Mandatory Inclusionary Housing Designated Areas. The amendment to Appendix F, as modified, will create two new MIH areas, requiring permanent, income-restricted housing at 25-30 percent of the residential floor area. The zoning text amendment will support the creation of much needed income-restricted housing in a high-opportunity neighborhood, directly adjacent to a mass-transit station and proximate to central business districts, where housing prices and incomes are significantly higher than the citywide median, market pressures are high, 99 percent of units are not income-restricted, and, with the exception of the recently-approved Gowanus Special District, new affordable housing construction is limited.

The Commission is pleased that the applicant intends to preserve the existing 115 rent stabilized units via the Article XI tax incentive, while building 305 new units across two new buildings of which the applicant is proposing more than 50 percent, or 162 of these new units, would be

income restricted. The applicant has stated they plan on developing the 10th Street Building as the first phase pursuant to the Workforce Option (30 percent of the floor area restricted, on average, to households earning 115 percent of AMI) and developing the 9th Street Building as the second phase pursuant to HPD's SARA and ELLA program (100 percent of the floor area restricted to seniors and households earning up to 50 percent of AMI), exceeding MIH Option 1 (25 percent of the floor area restricted, on average, to households earning 60 percent of AMI). While recognizing that this affordability program exceeds MIH requirements and is beyond the scope of the requested actions, the Commission notes that this affordability program as proposed by the applicant would not comply with MIH requirements because the Workforce Option is not available for developments receiving public funding and multiple new buildings on a single zoning lot within a LSGD would be considered a single development. Therefore, mapping the Workforce Option and utilizing that Option within the first phase of the proposal could preclude public subsidies for the second phase 9th Street Building, potentially limiting the provision of deeper affordability beyond the Workforce Option.

In addition, within the 2016 report approving MIH (N 160051 ZRY), the Commission outlined geographic and market-based considerations for the appropriateness of mapping the Workforce Option, which was created to serve emerging or middle-market areas outside of the Manhattan Core where there was concern that, in the absence of public subsidy, the lower-income requirements of Option 1 and Option 2 could result in less housing created overall. The Commission finds that the surrounding area of Park Slope, where the median home value of \$1.5 million is 2.2 times greater than the citywide median home value of \$660 thousand, is not an emerging or middle-market area in which the Workforce Option may be considered appropriate. Consistent with the report approving MIH, the Commission finds that in areas with strong market pressure such as Park Slope, demand for market-rate housing can reliably cross-subsidize the creation of more deeply affordable housing without the use of public subsidy, and it is appropriate to require the creation of housing opportunities for lower-income households.

While recognizing the unique conditions of this site, including partial construction over a rail line, preservation of existing rent stabilized units, and the applicant's proposed program of providing multi-phased, deeply affordable development subsidized by HPD, and because the Park Slope neighborhood is not considered an emerging or middle-market area, the Commission

believes reducing the boundary of the MIH Area Workforce Option and Option 2 to only the proposed 10th Street building site, and mapping a second MIH Area with only Option 1 on the remainder of the site is appropriate and necessary to facilitate this specific development.

Zoning Special Permit (C 230339 ZSK)

The Commission believes that the special permit pursuant to ZR Section 74-743(a)(2) is appropriate. As part of this special permit, the applicant requests waivers associated with regulations pertaining to the provision of yards and building height and setback. The requested waivers will allow for a more flexible and superior site plan, making construction feasible around the MTA tunnel and improving the relationship between the existing and proposed buildings. The requested rear yard waivers will allow for new buildings to be constructed adjacent to the MTA tunnel cover, the requested setback waivers will allow for feasible elevator design, and the requested height waivers will allow the buildings' height and bulk to be shifted toward wide streets. The Commission finds that the application meets the relevant requirements in order to grant the special permit.

The proposed site plan concentrates the bulk and active uses towards the perimeter of the development site and significant and wide avenues, activating underutilized spaces and knitting together the surrounding area with an active, transparent street wall condition along Ninth and Tenth streets. The Commission believes that the open space contributes to a better site plan, complementing proposed building locations, and providing new and improved open spaces for the current and future residents of the building.

The Commission believes that these waivers will result in a superior site plan that relates to its surroundings while supporting the overall development vision and not overburdening any one portion of the development or surrounding streets. The Commission recognizes that this unique site, which includes the preservation of an existing building and structural trusses spanning an MTA tunnel, requires modifications to the yard, height and setback regulations of the proposed R7-3 zoning district, and deems these modifications appropriate to facilitate a superior site plan.

Zoning Special Permit (C 230340 ZSK)

The Commission believes that the proposed special permit to reduce the number of required accessory residential off-street parking spaces is appropriate given the project's location within the Transit Zone, immediately adjacent to a subway station. This action will allow underutilized surface parking lots to be redeveloped into mixed-use buildings featuring residential, community facility, and commercial space, providing a better site plan for infill development on a constrained site and strengthening the existing walkable, mixed-use character of the surrounding area.

The Commission asserts that the proposed actions will increase housing capacity in a transit-accessible neighborhood with a strong demand to accommodate growth, while providing affordable housing opportunities.

Regarding the community board and borough president's recommendations, the Commission recognizes that the proposed community benefits agreement is beyond the scope of the requested actions.

Regarding the borough president's recommendation to remove the MIH Workforce Option, the Commission affirms that this recommendation is consistent with the appropriate uses of that option as outlined in the Commission report approving MIH.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on October 2, 2023 with respect to this application (CEQR No. 23DCP145K), the City Planning Commission finds that the actions 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 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. 16d:

1. changing from an existing R6A District to an R7-3 District property bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street,

a line 100 feet southeasterly of 4th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue;

2. changing from an R6B District to an R7-3 District property bounded by a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, 10th Street, and a line 100 feet southeasterly of 4th Avenue; and
3. establishing within the proposed R7-3 District a C2-4 District bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue;

Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated October 2, 2023, and subject to the conditions of CEQR Declaration E-730.

The above resolution (C 230337 ZMK), duly adopted by the City Planning Commission on March 6, 2024 (Calendar No. 7), 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

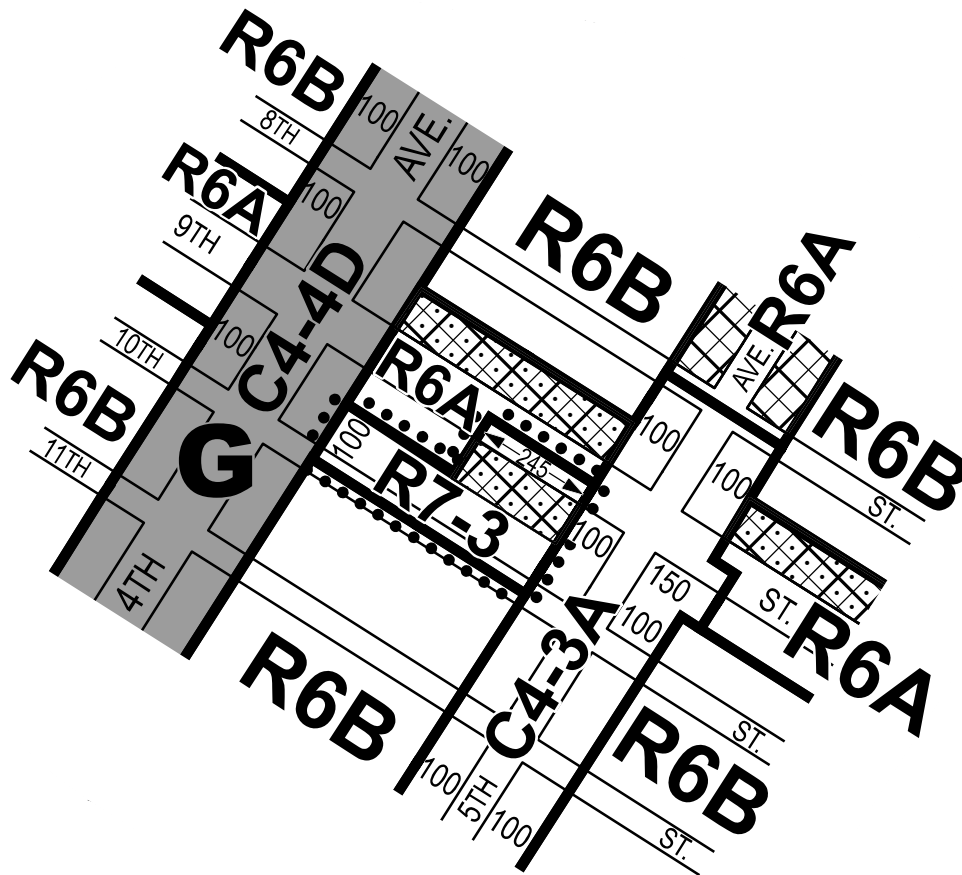
KENNETH J. KNUCKLES, Esq., *Vice Chairman*

GAIL BENJAMIN, ALFRED C. CERULLO, III, ANTHONY CROWELL, Esq.,

JOSEPH I. DOUEK, DAVID GOLD, Esq., LEAH GOODRIDGE, Esq.,

RASMIA KIRMANI-FRYE, ORLANDO MARÍN, JUAN CAMILO OSORIO,

RAJ RAMPERSHAD, *Commissioners*



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

16d
BOROUGH OF
BROOKLYN



New York, Certification Date:
October 2, 2023

S. Lenard
S. Lenard, Director
Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- • • • • The area enclosed by the dotted line is proposed to be rezoned by changing from existing R6A and R6B Districts to an R7-3 District and by establishing within the proposed R7-3 District a C2-4 District.



Indicates a C1-4 District



Indicates a C2-4 District



COMMUNITY/BOROUGH BOARD RECOMMENDATION

| | | | |
|--|--|---|--|
| Project Name: 341 10th Street Rezoning and LSGD Special Permits | | | |
| Applicant: 341 10th Street LLC | | Applicant's Primary Contact: Richard Lobel | |
| Application # C230337ZMK | | Borough: | |
| CEQR Number: 23DCP145K | | Validated Community Districts: K06 | |

Docket Description:

IN THE MATTER OF an application submitted by Stellar 341 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d: 1. changing from an existing R6A District to an R7-3 District property bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 4th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue; 2. changing from an R6B District to an R7-3 District property bounded by a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, 10th Street, and a line 100 feet southeasterly of 4th Avenue; and 3. establishing within the proposed R7-3 District a C2-4 District bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue; Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated October 2, 2023, and subject to the conditions of CEQR Declaration E-730.

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

| | | | |
|--|---------------------|---|---|
| RECOMMENDATION: Conditional Unfavorable | | | |
| # In Favor: 22 | # Against: 1 | # Abstaining: 3 | Total members appointed to the board: 26 |
| Date of Vote: 12/14/2023 12:00 AM | | Vote Location: Van Alen Institute- 303 Bond Street | |

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

| | |
|--|--|
| Date of Public Hearing: 12/8/2023 6:30 PM | |
| Was a quorum present? No | <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> |
| Public Hearing Location: | Van Alen Institute |

CONSIDERATION: This conditional disapproval translates to approved plans, which would build hundreds of deeply affordable family and senior housing units but skepticism of the developer (Stellar). Due to that skepticism, we insist that this rezoning be tethered to an ironclad Community Benefits Agreement (CBA). A CBA that protects the interest of current tenants and ensures the number of, and the permanent affordability of, new units covered by HPD programs and existing units.

Also, while normally we'd vote to remove all parking requirements, we found that this is an area that existing tenants are very concerned about and are skeptical that the parking is underutilized (as Stellar said in their presentation) and feel that Stellar needs to operate in good faith with the tenants and, despite our philosophical opposition, are not recommending waving of the parking requirement.

| | | |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | BK CB6 | Date: 1/18/2024 11:18 AM |
|-----------------------------|--------|--------------------------|



BOROUGH PRESIDENT RECOMMENDATION

| | |
|--|---|
| Project Name: 341 10th Street Rezoning and LSGD Special Permits | |
| Applicant: 341 10th Street LLC | Applicant's Administrator: Richard Lobel |
| Application # C230337ZMK | Borough: Brooklyn |
| CEQR Number: 23DCP145K | Validated Community Districts: K06 |

Docket Description:

IN THE MATTER OF an application submitted by Stellar 341 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d: 1. changing from an existing R6A District to an R7-3 District property bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 4th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue; 2. changing from an R6B District to an R7-3 District property bounded by a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, 10th Street, and a line 100 feet southeasterly of 4th Avenue; and 3. establishing within the proposed R7-3 District a C2-4 District bounded by 9th Street, a line 100 feet northwesterly of 5th Avenue, a line 100 feet northeasterly of 10th Street, and a line 345 feet northwesterly of 5th Avenue; Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated October 2, 2023, and subject to the conditions of CEQR Declaration E-730.

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

RECOMMENDATION: Conditional Favorable

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

CONSIDERATION: Please see attached memo.

| | | |
|-----------------------------|-------|--------------------------|
| Recommendation submitted by | BK BP | Date: 1/10/2024 10:44 AM |
|-----------------------------|-------|--------------------------|



Brooklyn Borough President Antonio Reynoso

Brooklyn Borough Hall
209 Joralemon Street, Brooklyn, NY 11201

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
calendaroffice@planning.nyc.gov

Uniform Land Use Review Procedure (ULURP) Application

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS – C230337ZMK, N230338ZRK, C230339ZSK, C230340ZSK, N230341LDK

IN THE MATTER OF an application submitted by Stellar 341 LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment, zoning text amendment, and special permits to facilitate a 245,296 sq ft mixed use development with 305 residential units and ground floor community facility and retail space at 341 10th Street in the Park Slope neighborhood of Brooklyn, Community District 6.

BROOKLYN COMMUNITY DISTRICT 6

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE
☐ DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

RECOMMENDATION FOR: 341 10TH STREET REZONING AND LSGD SPECIAL PERMITS – C230337ZMK, N230338ZRK, C230339ZSK, C230340ZSK, N230341LDK

The project area is a 69,000-sf site anchored by an 18-story residential tower built in 1968 and surrounded by a garage and surface parking with 115 spaces for private vehicle storage. The project area is currently zoned as R6A and R6B and has 154 residential units, formerly regulated under the Mitchell-Lama program.

The project area directly abuts the MTA's 4 Av-9 St station, which services the F, G, and R trains. The project area is located directly above a tunnel, where the MTA Culver Line (which carries the F and G trains) transitions from below grade to an elevated viaduct. The project area is also near several bus lines along 3rd, 4th, and 5th Avenues and 9th Street, including the B37, B103, B63, and B61. The MTA's Brooklyn Bus Network Redesign proposes to add a B81 service to join the B61 along 9th Street.

The applicant proposes to zoning map amendment from R6A and R6B to R7-3 with a C2-4 commercial overlay; zoning text amendments to establish bulk regulations applicable to R7-3 within Mandatory

Inclusionary Housing (MIH) areas and to map an MIH area; and zoning special permits to reduce parking requirements and establish a Large Scale General Development (LSGD) to modify base heights, overall heights, and setbacks for the new buildings and allow structural trusses that straddle the MTA tunnel on site.

During the certification hearing at the City Planning Commission (CPC), the Department of City Planning (DCP) stated that the Department intends to be using the R7-3 district beyond the special districts currently prescribed in the Zoning Resolution. To that end, several applications currently in the ULURP pipeline include the zoning text amendment to facilitate the wider mapping of this district, and this application is the first to reach public review.

These actions would facilitate the construction of a 245,000 sf mixed use development, with 234,000 sf of residential, 6,500 sf of commercial, and 4,500 sf of community facility uses. The new development would consist of two new mixed used towers—a 17-story tower facing 9th Street and a 19-story tower facing 10th Street.

The 9th Street building is proposed as a 100% income-restricted mixed-use tower financed through the Department of Housing Preservation and Development's (HPD) SARA and ELLA programs and includes approximately 100 dwelling units with units restricted to seniors and families with incomes up to 50% Area Median Income (AMI). The 10th Street building is proposed to have approximately 205 dwelling units, with 62 income-restricted units through MIH Option 4 (also known as "Workforce"). The existing building on the southeast corner of the site will remain and will be partially re-regulated as rent-stabilized housing through Article XI, which is a tax exemption approved by City Council and requires at least two-thirds of the units to be affordable.

The proposal includes an open space between the towers, accessible by a ramp from 10th Street and a staircase from 9th Street. The proposal would preserve 39 parking spaces, a reduction from the existing 115 spaces. The proposal is seeking to waive the parking requirement for the new towers. During their presentation, the applicant stated that the existing parking lot has a 50% utilization rate. Tenants from the existing building submitted testimony contesting that this estimate is too low.

The Borough President held a public hearing on this application on Monday, December 18th. Eight individuals testified on this item at the hearing. The Borough President received written testimony from 12 individuals, including a signed petition in opposition to the project and Stellar Management's performance as a property manager. During the hearing, the applicant presented two letters of support from community-based organizations and a packet of signed letters from tenants declaring satisfaction with buildings managed by Stellar.

Community Board Position

Community Board 6 voted to conditionally disapprove this application on December 13, 2023, with the condition that the developer enters into a Community Benefits Agreement (CBA) to protect the interests of current tenants and ensure the affordability of new affordable units covered by HPD programs and the units in the existing building.

Approval Rationale

Borough President Reynoso believes the applicant's proposed zoning districts of R7-3 and C2-4 overlay are appropriate to facilitate additional residential density and activating the street front with community facility and retail uses along 9th and 10th Streets. The Borough President believes that the proposed height is appropriate given the context with the existing building, the proximity to transit at the 4 Av-9 St Station and nearby bus routes, and presence along 9th Street, which is 108 feet wide.

The Borough President believes the Large Scale General Development Special Permits are appropriate to facilitate the construction of structural trusses to straddle the MTA tunnel and provide predictability in

building height and bulk. Building around the MTA tunnel in a safe, responsible manner is a necessity, and zoning should not restrict essential engineering measures that ensure the integrity of both the train tunnel and the new towers. The applicant inquired with the MTA about reserving an easement for accessibility upgrades per the Zoning for Accessibility Program and received a determination that an easement was not needed at this site.

Transit-oriented development and preserving 100% affordable housing are priorities in the Borough President's Comprehensive Plan for Brooklyn. This proposal is in alignment with the Plan's Housing Growth & Parking Demand Management framework and specific recommendations such as supporting transit-oriented development (Obj. 2.2), pursuing a parking waiver to maximize housing unit production (Rec. 2.2.4), including deeper affordability than required through MIH (Rec. 2.1.2), preserving affordable housing (Rec. 2.3.1), and adding density in areas where housing production is lagging (Rec. 2.1.1.b). Since 2014, the census tracts on the western edge of Prospect Park have lost housing units (see "Housing Unit Change," p. 69) as brownstones have been converted from multi-family to single-family homes. Fewer housing units and skyrocketing rents mean fewer opportunities for people to live within a feasible walking distance of Prospect Park. The proposed towers would add 100 units of affordable and senior housing within a 15-minute walk and help establish a precedent that a short walk to Prospect Park is not limited to the wealthy or those who got their foot in the door decades ago.

While the Borough President was discouraged that the existing building was removed from the Mitchell-Lama program, the proposal is re-regulating the units through Article XI and as such is in alignment with Rec. 2.3.1 of the Comprehensive Plan. The Borough President does not approve of mapping MIH Option 4, and requests that the City Planning Commission and City Council remove Option 4 from the application.

Active streetscapes and lively open spaces are also a priority in the Comprehensive Plan for Brooklyn. In addition to providing a publicly accessible open space, this proposal reduces the total number of curb cuts on site from eight to two, and would add community facility and retail spaces along areas that are currently either surface parking or underused. This proposal is in alignment with the Plan's Healthy Streets & Environment framework and specific recommendations relating to providing open space and improving access to existing open space (Rec. 4.2.4).

The Borough President believes that the proposed parking is appropriate. The project area directly abuts three train lines and is an excellent case for transit-oriented development. Most residents in the surrounding area commute to work by transit (see "Commute to Work by Transit," p. 91), few commute by driving ("Commute to Work by Driving," p. 92), and between 42% - 62% of households report having no vehicles available ("Households with no Vehicles Available," p. 94). Total vehicle miles traveled in the area is also very low, suggesting that vehicles are not often used for non-commuting trips either ("Vehicle Miles Traveled," p.93). However, the Borough President recognizes that some current residents already have a vehicle and use the existing parking. As such, preserving some of the existing spaces for continued use is appropriate.

The Borough President is concerned about Stellar Management's record as a property manager at this site. Current residents raised significant concerns about delinquent repairs and maintenance in the rent-stabilized units in particular. Discriminatory treatment of rent-stabilized housing is unacceptable. The Borough President echoes Community Board 6's condition that Stellar Management enter into a Community Benefits Agreement to monitor timely repairs and maintenance of the existing building, and delivery of all proposed new and preserved affordable housing units.

Ultimately, this application highlights a core weakness of the Uniform Land Use Review Procedure (ULURP). During the Borough President's public hearing, many current residents of the building testified that Stellar Management does not "deserve" to build and subsequently reap the benefits of new housing.

Given the allegations, complaints filed, and reporting of mismanagement both at this site and others operated by Stellar across the city, this well may be true. Unfortunately, ULURP is designed to be reactive rather than proactive. A citywide comprehensive planning process would allow the public to plan transit-oriented development as suggested here in Park Slope based on land use rationale rather than the initiative of individual applications. In this recommendation, the Borough President has referenced his own Comprehensive Plan for Brooklyn to demonstrate how such a process could look. Given this site's strong suitability for transit-oriented development and the complicated technical aspects of building above the MTA tunnel, the Borough President recommends approval of this application with the conditions that Stellar Management be held accountable to deliver sorely needed repairs and the proposed affordable housing.

Recommendation

Be it resolved that the Brooklyn Borough President, pursuant to Sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve this application with the conditions that:

- 1) Stellar Management enter into a Community Benefits Agreement to monitor timely repairs and maintenance for the existing building and the delivery of proposed new affordable housing units.
- 2) MIH Option 4 be removed from the application and replaced with MIH Option 1 or 2.



BROOKLYN BOROUGH PRESIDENT

January 10, 2024

DATE