



# Bedford-Stuyvesant South Rezoning - **Approved!**

## Introduction

### Update October 29, 2007:

On October 29, 2007 the City Council adopted the Bedford-Stuyvesant South zoning changes as proposed (see [the CPC Reports](#)). The zoning changes are now in effect.

At the request of Community Board 3, local civic groups, and elected officials, the Department of City Planning (DCP) proposes a zoning map amendment and a zoning text amendment for an approximately 206 block area in the southern half of the Bedford-Stuyvesant neighborhood of Community District 3, Brooklyn. The rezoning area is generally bounded by Lafayette Avenue and Quincy Street to the north, Classon Avenue to the west, Saratoga Avenue and Broadway to the east, and Atlantic Avenue to the south.

The proposed rezoning aims to preserve neighborhood scale and character, maintain opportunities for mid-rise apartment building construction along appropriate corridors, and allow for residential growth with incentives for affordable housing along the Fulton Street transit and retail corridor.



**Bedford - Stuyvesant South Rezoning Area**

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### Typical Development



**Fulton Street Commercial Corridor:**  
Fulton Street looking west from Albany Avenue



**Historic Brownstone Neighborhood:**  
Brownstones, apartment houses and a church line Putnam Avenue between Stuyvesant Avenue and Malcolm X Boulevard

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### Existing Zoning

#### **Neighborhood Character**

Bedford-Stuyvesant is a predominantly residential neighborhood, well-known for its historic three – four story brownstones with small front yards and stoops, churches, and institutions. With the completion of the Fulton Street elevated line and the Brooklyn Bridge in the late 1880s, Bedford-Stuyvesant developed as a middle class community for those commuting to jobs in Downtown Brooklyn and Manhattan. Brownstones and larger brick and terracotta apartment buildings were constructed for the neighborhood's many prosperous residents.

After the completion of the A subway line below Fulton Street in the 1930s, many middle class African-Americans began to move to Bedford-Stuyvesant, creating one of New York's oldest middle class African American communities. Following World War II, Bedford-Stuyvesant suffered a period of decline resulting in many vacant lots, underutilized sites, and a sizable amount of city-owned property. In response, local community organizations emerged to help facilitate the rebuilding of Bedford-Stuyvesant into the vibrant community it once was. One of the best-known of these civic groups is the Bedford-Stuyvesant Restoration Corporation, the first community development corporation in the United States, located in the heart of Bedford-Stuyvesant on Fulton Street. It was formed in 1967 with the help of Senators Robert F. Kennedy and Jacob K. Javits and has served as an example for other communities throughout the country.



Land Use Map

[View Larger Image](#)

In the 1960s and 1970s public redevelopment initiatives resulted in the construction of numerous public and publicly assisted housing developments mainly along Gates Avenue and along Fulton Street. Most recently, in 1992, the City approved the Saratoga Square Urban Renewal Area at the community district's eastern boundary with Ocean Hill-Brownsville. This resulted in approximately 1,350 units through the rehabilitation of vacant city-owned buildings and the construction of new home-ownership housing.

In 1971, the Landmarks Preservation Commission designated the Stuyvesant Heights Historic District, located in the southern central section of Bedford-Stuyvesant. The historic district encompasses 13 blocks of brownstones, apartment houses, and churches that are representative of the diverse architectural styles of late 19th and early 20th century New York City.

#### **Existing Character**



**Brownstone Residential Districts:**  
MacDonough Street between Patchen and Ralph Avenues



**Stuyvesant Heights Historic District:**  
MacDonough Street between Tompkins and Throop Avenues

Today Bedford-Stuyvesant is experiencing renewed private reinvestment and is being developed with new stores and restaurants and private, market-rate housing. However, the new construction, with curb cuts and large parking pads in the front yards and buildings set back from the street line, is out of character with the existing historic brownstone building form. The proposed rezoning would protect the existing historic neighborhood scale and character while maintaining opportunities for new apartment building construction along streets that now are developed with mid-rise apartment buildings and allowing for residential growth with incentives for affordable housing along the Fulton Street

transit and retail corridor.

Present-day Bedford-Stuyvesant is characterized by a variety of residential building types including brownstones, mid-rise and high-rise apartment buildings. The neighborhood's primary commercial corridors, Fulton Street to the south and Broadway to the east, are supplemented by smaller-scale commercial activity on the north and south avenues. Bedford-Stuyvesant is very well-served by public transportation, with the A and C trains running along Fulton Street, the J and Z trains along Broadway, and the G train along Lafayette Avenue, as well as several bus routes throughout the neighborhood. There is also a Long Island Rail Road station located at Nostrand and Atlantic Avenues.



New business on Fulton Street between Classon and Franklin Avenues



Subway station at Franklin Avenue and Fulton Street



**Risley Dent Towers:** Fulton Street between Marcus Garvey Boulevard and Lewis Avenue



**Apartment Buildings on North-South Avenues:** Renaissance Apartments on Nostrand Avenue between Hancock and Halsey Streets



**NYCHA Public Housing:** Brevoort Houses on Fulton Street between Patchen and Ralph Avenues



**North-South Avenues:** Ralph Avenue between Madison Street and Putnam Avenues



**Boys' High School:** Marcy Avenue between Putnam Avenue and Madison Street



**Interfaith Medical Center:** Albany Avenue between Herkimer Street and Atlantic Avenue



**Bedford-Stuyvesant Restoration Plaza:** Fulton Street between New York and Brooklyn Avenues



**Underbuilt Commercial Buildings:** Nostrand Avenue south of Fulton Street



**Vacant Lots:** Monroe Street between Bedford and Nostrand Avenues



**Out-of-Context Development:** Herkimer Street between Albany and Kingston Avenues



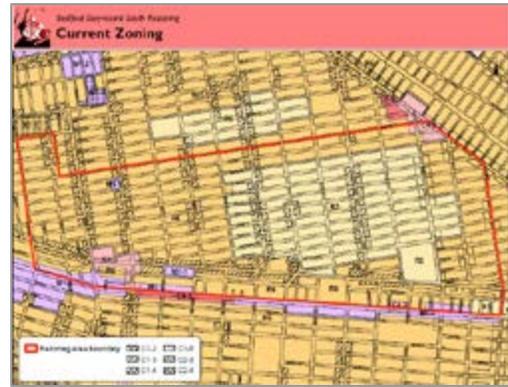
**Out-of-Context Development:** Madison Street between Stuyvesant Street and Malcolm X Boulevard

## Existing Zoning

Currently, the rezoning area is predominately zoned **R5** and **R6** with **C1-3**, **C1-4**, and **C2-3** commercial overlays generally on Fulton Street and some of the north/south avenues. There are some commercial and manufacturing districts along Fulton Street and Atlantic Avenue. Most zoning designations within the rezoning area have been in place without change since the New York City Zoning Resolution was adopted in 1961.

### R5

An **R5** zoning district, which is currently mapped over approximately 30 percent (61 blocks) of the rezoning area, is located in the center of the rezoning area. It includes the Stuyvesant Heights Historic District, roughly bounded by Throop Avenue to the west, Monroe Street to the north, Ralph and Howard Avenues to the east, and Fulton, Chauncey, Bainbridge, and Decatur Streets to the south. **R5** is a residential zoning district which permits all housing types with a 40-foot height limit and a maximum *Floor Area Ratio (FAR)* of 1.25. **R5** regulations allow an FAR of 1.65 on blocks that are predominantly built up to encourage infill construction, but any building utilizing *infill zoning* cannot exceed a height of 33 feet and must have an 18 foot front yard. *Community facilities*, such as hospitals, schools, churches and medical offices are permitted with a maximum FAR of 2.0 with no height limit. Off-street parking is required for a minimum of 85 percent of the dwelling units in standard **R5** districts and a minimum of 66 percent of the dwelling units in **R5** Infill.



Current Zoning Map

[View Larger Image](#)

### R6

Approximately 68 percent (140 blocks) of the rezoning area is zoned **R6**. **R6** is a *height factor* district with no height limits and which permits *tower* construction on large lots. The maximum FAR in **R6** is 2.43 for residential buildings and 4.8 for community facilities. The optional *Quality Housing program* permits an FAR of 2.2 on *narrow streets* and 3.0 on *wide streets* but limits building heights to 55 feet and 70 feet, respectively. Off-street parking is required for a minimum of 70 percent of the dwelling units and a minimum of 50 percent of the dwelling units when the Quality Housing program is utilized.

### C4-3

There are two areas zoned **C4-3** in the southern half of Bedford-Stuyvesant. One is to the west along Fulton Street, generally bounded by Bedford Avenue to the east, Halsey and Macon Streets to the north, Nostrand Avenue to the west, and Herkimer Street and Atlantic Avenue to the south. The other was mapped in 2003 as proposed in an application by the Department of Housing Preservation and Development to foster retail development to the east along Atlantic Avenue between Suydam Place and Buffalo Avenue. The **C4-3** district regulations permit commercial buildings up to an FAR of 3.4, residential buildings with a maximum FAR of 2.43, and community facilities with a maximum FAR of 4.8. Typical commercial uses in **C4-3** districts are department stores, theaters, and other commercial offices that serve a larger region than just the local neighborhood. The **C4-3** district has no height limits.

### M1-1

**M1-1** zoning is mapped in five areas:

- a block on Fulton Street between New York Avenue and Brooklyn Avenue which contains the Bedford-Stuyvesant Restoration Plaza, a retail and office center;
- a block front along Nostrand Avenue between Gates Avenue and Monroe Street, which contains a residential building;
- an area along Atlantic Avenue between Brooklyn and Nostrand Avenues, which contains a mixture of residential and industrial buildings and vacant land;
- an area along Atlantic Avenue between Kane Place and Howard Avenue, which contains a mixture of industrial buildings and vacant land; and
- an area along Atlantic Avenue between Nostrand and Classon Avenues, which contains auto-related uses, a post office and a few residential buildings.

The **M1-1** district permits light manufacturing and commercial uses up to 1.0 FAR and certain community facility uses up to an FAR of 2.4 with no height limit.

### **Commercial Overlays**

There are [\*commercial overlays\*](#) permitting local commercial retail uses along the north/south avenues and along Fulton Street. The **C1** commercial overlays allow small-scale retail and service shops needed in residential neighborhoods and are generally along Franklin, Nostrand, Tompkins, Lewis, Howard, Ralph and Saratoga Avenues and Marcus Garvey and Malcolm X Boulevards. The **C2** overlays allow a slightly broader range of service uses, such as funeral homes and repair services, and are along Fulton Street and on Bedford Avenue.

**C1** and **C2** districts have a maximum commercial FAR of 1.0 when mapped in **R5** districts, and a maximum commercial FAR of 2.0 when mapped in **R6** districts. **C1-3** and **C2-3** are typically mapped at a depth of 150 feet from the street line.

## Bedford-Stuyvesant South Rezoning - **Approved!**

### Proposed Zoning

Recent changes have triggered the community's desire for this zoning study:

- land use changes made as part of an amendment to the Fulton Park Urban Renewal Plan, approved in 2003;
- the large increase in new commercial and residential construction in Bedford-Stuyvesant that has, in some cases, resulted in new developments that are out of character with the surrounding neighborhood context, such as front yard parking pads, curb cuts and deep front yards which are permitted under the current **R5** and **R6** zoning.

The proposed zoning map changes and zoning text amendments would:

- Preserve neighborhood scale and character through [contextual zoning districts](#) with height limits throughout the rezoning area;
- Reinforce the north/south avenues as corridors for apartment buildings with ground floor commercial uses;
- Allow for residential growth and facilitate affordable housing along the Fulton Street retail and transit corridor;
- Require active ground floor uses on Fulton Street;
- Facilitate development of vacant parcels;
- Protect the residential character of lots adjacent to retail corridors; and
- Recognize and preserve existing commercial retail uses.

 [View the zoning comparison chart.](#)

### **Description of the Proposal**

#### **Zoning Map Changes**

##### **Proposed R5B:** R5, R6 to R5B

Approximately six percent (12 full and partial blocks) of the rezoning area would be rezoned to **R5B**. These areas, where two- and three-story row houses predominate are:

- four blocks generally bounded by Halsey Street to the north, Ralph Avenue to the west, Bainbridge Street to the south, and Howard Avenue to east;
- three blocks generally bounded by Herkimer Street to the north, Howard Avenue to the west, Atlantic Avenue to the south, and Saratoga to the east; and;
- three blocks generally bounded by Herkimer Street to the north, Troy Avenue to the west, Atlantic Avenue to the south, and Schenectady Avenue to the east.



**Proposed Zoning Map**

 [View Larger Image](#)

**R5B** districts typically produce three-story row houses and allow an FAR of 1.35 for residential uses and 2.0 for community facility uses, with a maximum [street wall](#) height of 30 feet and a maximum [building height](#) of 33 feet. Infill zoning is not applicable in R5B. Front yard parking and curb cuts are prohibited on all [zoning lots](#) less than 40 feet wide. When parking is required, on-site spaces must be provided for two-thirds of the dwelling units.

##### **Proposed R6B:** R5, R6 to R6B

Over 92 percent (190 full and partial blocks) of the rezoning area would be rezoned to **R6B**.

This proposed designation would protect the three- and four- story brownstone and rowhouse scale and character of Bedford-Stuyvesant's residential core.

**R6B** districts allow a maximum FAR of 2.0 for all permitted uses and limit overall building heights to 50 feet and street wall heights to 40 feet. New development in the proposed **R6B** district would be required to line up with adjacent structures to maintain the existing street wall characteristics. New multifamily residences in **R6B** districts must provide one off-street parking space for 50 percent of the dwelling units. The proposed **R6B** regulations would allow for limited expansion of existing buildings consistent with new investment in the area, as well as provide for opportunities for appropriately scaled new development on vacant sites.

**Proposed R6A:** R5, R6, M1-1 to R6A

Approximately 60 percent (122 full and partial blocks) of the rezoning area would be rezoned to **R6A**. An **R6A** designation is proposed for lot frontages along the majority of north/south avenues leading to Fulton Street, as well portions of Gates Avenue and Herkimer Street. These avenues already contain large apartment buildings as well as some vacant land and vacant buildings. These blocks are currently zoned **R5** and **R6** with either a commercial overlay of **C1-3** or **C2-3**. In addition, this **R6A** district together with a proposed **C2-4** overlay district would include the current **M1-1** zoning district along Nostrand Avenue between Gates Avenue and Monroe Street thereby making the existing residential and commercial uses conforming under the proposed zoning.

**R6A** has a maximum FAR of 3.0 for residential and community facility uses. Above a base height of 40 to 60 feet, the building must setback to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet. New structures in **R6A** districts are required to line up with adjacent structures to maintain the streetwall. Off-street parking is required for 50 percent of the units, but is not allowed in the front of the building. In **R6A** districts, the Quality Housing Program is mandatory.

**Proposed R7D:** R6 to R7D

An **R7D** zoning district is proposed for all or parts of 20 blocks along Fulton Street and on Atlantic Avenue between Kane Place and Howard Avenue. Fulton Street is a major transit corridor near stations of the A, C, and G subway lines as well as the Long Island Rail Road. Fulton Street is developed with a mix of one-story commercial buildings, mixed residential and commercial buildings, as well as a number of large parcels of vacant city-owned land.

**R7D** is a proposed new residential district with an FAR of up to 4.2. The Inclusionary Housing program would be applicable in the proposed **R7D** district in Bedford-Stuyvesant. By using this program, developers could receive a 33 percent floor area bonus, up to 5.6 FAR, if 20 percent of the floor area is made affordable to low-income households either on-site or off-site. In the **R7D** district the maximum building base height is between 60 and 85 feet, above which the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. New buildings in **R7D** districts would be required to line up with adjacent structures to maintain the street wall. In addition, where there are commercial overlays mapped within the **R7D** district, active ground floor uses, such as retail uses, commercial services, and community facilities would be required. Off-street parking would be required for at least 50 percent of the dwelling units.

**Proposed C4-5D:** C4-3, M1-1 to C4-5D

A **C4-5D** district is proposed for all or parts of eight blocks along Fulton Street between Bedford and Brooklyn Avenues and Nostrand Avenue between Macon Street and Atlantic Avenue. This district would encompass the existing **C4-3** district on Fulton Street, as well as one block of a **M1-1** zoning district that currently contains the Bedford Stuyvesant Restoration Plaza.

**C4-5D** is a proposed new commercial district, which would permit residential, commercial, and community facility buildings, has a commercial and community facility FAR of 4.0 and a maximum residential FAR of 4.2. A residential FAR of 5.6 could be achieved if the Inclusionary Housing program (which would be applicable in **C4-5D** districts in Bedford-Stuyvesant) is utilized.

**Proposed M1-1/R7D:** M1-1 to M1-1/R7D

Five partial blocks generally bounded by Kane Place and Howard Avenue would be rezoned from an **M1-1** district to a new Special *Mixed Use District* (MX-10), **M1-1/R7**. This district would reflect the current mixed use character of the area while allowing both manufacturing and residential uses. In order to allow for affordable housing development, new residential buildings would be able to apply the Inclusionary Housing program as described above.

**Commercial Overlays:** C1-3, C1-4, C2-3 to C2-4

The proposed rezoning would also change most existing **C1-3**, **C1-4**, and **C2-3** commercial overlays to **C2-4** and reduce overlay depths from 150 feet to 100 feet. This would allow a wider range of local uses and prevent commercial uses from encroaching on the residential side streets. **C2** districts also permit a slightly wider range of uses, *use groups* 7-9, and 14 in **C2**, in addition to use groups 1-6 permitted in **C1**. Parking requirements in **C2-4** districts decreases from one space per 300 square feet of floor area to one per 1000 square feet.

New C2-4 overlays would be added where there are existing commercial uses and overlays would be removed entirely on blocks where little or no commercial uses currently exist.

**Zoning Text Changes**

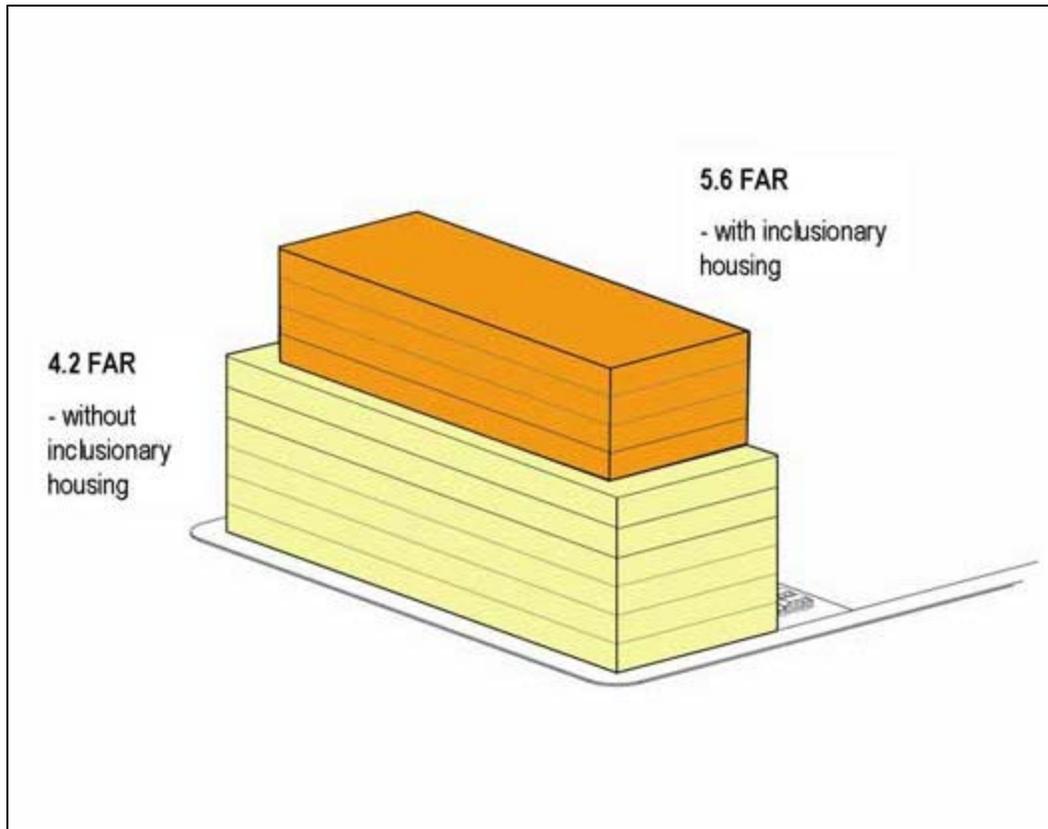
**New Contextual Zoning Districts-R7D/C4-5D**

The rezoning proposal also includes an amendment to the Zoning Resolution to establish new **R7D** and **C4-5D** zoning districts to allow for medium density residential development. The two new zoning districts, which could subsequently be mapped in other parts of the city, would allow slightly more residential density and height than the current **R7A** district but less than the current **R8A** district. The **R7A** district has a FAR of 4.0 with a height limit of 80 feet. The **R8A** district has an FAR of 6.02, with a maximum height limit of 120 feet. The proposed **R7D** district has a base residential **FAR** of 4.2 and height limit of 100 feet.

The proposed **C4-5D** district and C2 overlays mapped within the proposed **R7D** district would require that all ground floor uses be non-residential, such as retail establishments, offices and community facilities. This new ground floor use requirement would be established in Section 32-434 of the Zoning Resolution. This would ensure that new development in these districts would have active ground floor uses.

**Inclusionary Housing Program**

The zoning text is also being amended to allow the inclusionary housing program to be applicable in **R7D** and **C4-5D** districts in Bedford-Stuyvesant. Under the Inclusionary Housing program, developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations of the **R7D** and **C4-5D** districts. Affordable units can be provided either on the same site as the development earning the bonus, or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same community district or within a half-mile of the bonused development. Available City, State, and Federal housing finance programs may be used to finance affordable units. The combination of a zoning bonus with housing programs establishes an incentive for the development and preservation of affordable housing in Bedford-Stuyvesant.



**Inclusionary Housing Massing**

**Special Mixed Use District- (MX-10)**

In addition, the proposed text amendment would establish a new Special Howard and Atlantic Avenues Mixed Use District, to preserve and allow for manufacturing uses and residential development.

## Bedford-Stuyvesant South Rezoning - **Approved!**

### Public Review

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On May 7, 2007 the Department of City Planning certified the [Uniform Land Use Review \(ULURP\)](#) application (C 070447 ZMK) for the Bedford-Stuyvesant South rezoning and referred the related non-ULURP text amendment (N 070448 ZRY) to begin the formal public review process.

Milestone	Date
Department of City Planning Certification	May 7, 2007
Community Board 3 Approval (with conditions)	July 12, 2007
Brooklyn Borough President Approval	July 31, 2007
City Planning Commission Approval ( <a href="#">Read the CPC Reports.</a> )	September 5, 2007
City Council Approval	October 29, 2007

For more information, contact the Brooklyn Office of the Department of City Planning at (718) 780-8280.

## Related Notes

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-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (\*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.