



## **CITY PLANNING COMMISSION**

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December 15, 2021 / Calendar No. 13

N 210286 ZRK

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**IN THE MATTER OF** an application submitted by ENY Community Residences 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, in the Borough of Brooklyn, Community District 5.

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This application for a zoning text amendment was filed by ENY Community Residences LLC on February 2, 2021 to establish a Mandatory Inclusionary Housing (MIH) area on a portion of Block 3865. This application, in conjunction with the related action (C 210285 ZMK), would facilitate the development of a new nine-story 103,000-square-foot mixed-use building containing 119 affordable dwelling units and approximately 13,000 square feet of commercial floor area located at 749 Van Sinderen Avenue in the East New York neighborhood of Brooklyn, Community District 5.

### **RELATED ACTIONS**

In addition to the zoning text amendment 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 210285 ZMK**      Zoning map amendment to change an M1-1 zoning district to a C4-4L zoning district.

### **BACKGROUND**

A full background discussion and description of this project appears in the report for the related zoning map amendment action (C 210285 ZMK).

### **ENVIRONMENTAL REVIEW**

The application (N 210286 ZRK), in conjunction with the application for the related action (C 210285 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 City Planning Commission. The designated CEQR number is 21DCP147K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 210285 ZMK).

## **PUBLIC REVIEW**

This application (N 210286 ZRK) was duly referred to Brooklyn Community Board 5 and the Brooklyn Borough president in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 210285 ZMK), which was certified as completed by the Department of City Planning and duly referred in accordance with Title 62 of the Rules of the city of New York, Section 2-02(b).

### **Community Board Public Hearing**

Brooklyn Community Board 5 did not hold a public hearing on the application (N 210286 ZRK) and the related action (C 210285 ZMK).

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on the application (N 210286 ZRK), on October 6, 2021, and, on October 10, 2021, 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 amendment action (C 210285 ZMK).

### **City Planning Commission Public Hearing**

On November 3, 2021 (Calendar No. 3), the City Planning Commission scheduled November 17, 2021 for a public hearing on this application (N 210286 ZRK) in conjunction with the application for the related action (C 210285 ZMK). The hearing was duly held on November 17, 2021 (Calendar No. 25). There were a number of speakers, as described in the report for the related zoning map amendment (C 210285 ZMK), and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application (N 210286 ZRK) for a zoning text amendment, in conjunction with the application for the related action (C 210285 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 210285 ZMK).

**RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendment to the Zoning Resolution and related zoning map amendment thereto be appropriate, adopts the following resolution:

**RESOLVED**, that having considered the Environmental Assessment Statement (EAS), for which a Conditional Negative Declaration was issued on November 6, 2021 with respect to this application (CEQR No. 21DCP147K), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination, consideration, and findings described in the related report (C 210285 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**

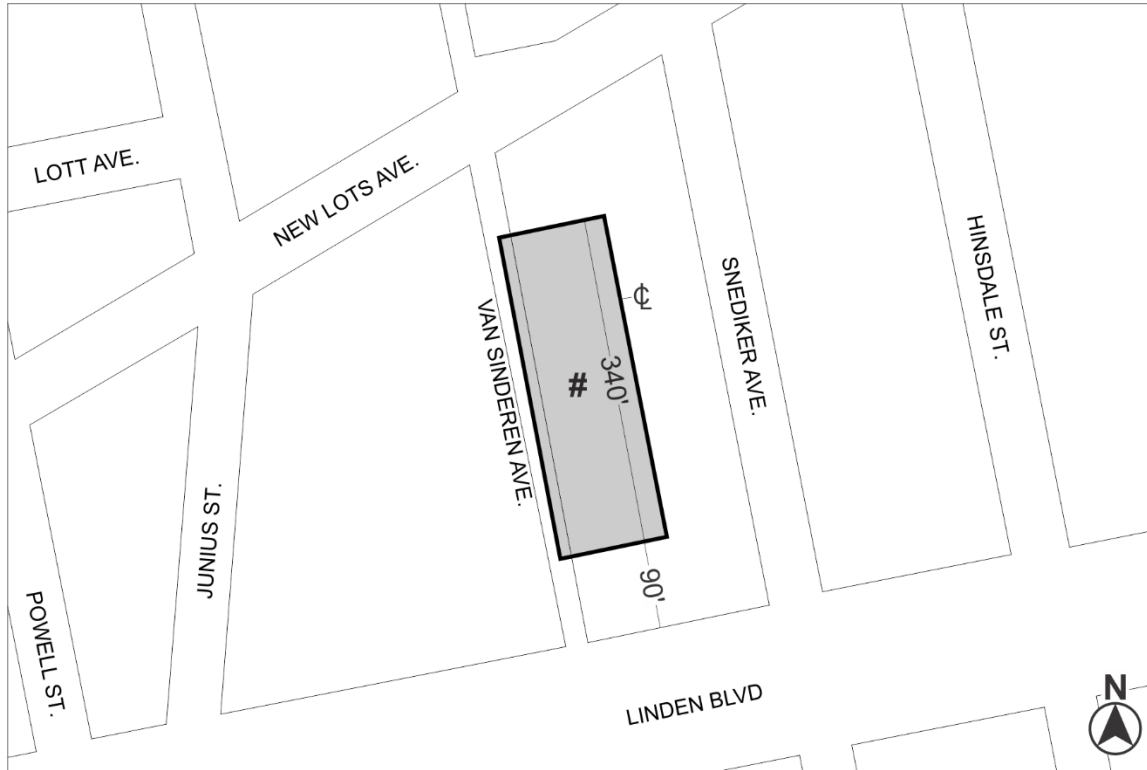
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**Brooklyn Community District 5**

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Map 2 - [December 15, 2021]

[PROPOSED MAP]



 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 5, Brooklyn

The above resolution (N 210286 ZRK), duly adopted by the City Planning Commission on December 15, 2021 (Calendar No. 13), 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.

**ANITA LAREMONT, Chair**

**KENNETH J. KNUCKLES, ESQ.,** *Vice Chairman*  
**DAVID J. BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,**  
**JOSEPH DOUEK, RICHARD W. EADDY, , ANNA HAYES LEVIN,**  
**ORLANDO MARIN, RAJ RAMPERSHAD,** *Commissioners*