



IN THE MATTER OF an application submitted by SUW 4 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 12.

This application for an amendment of the Zoning Resolution of the City of New York concerning modifications to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) was filed by SUW 4 LLC on April 11, 2019, to establish a Mandatory Inclusionary Housing (MIH) area on Block 5515, Lots 43, 44, 45 and 46. This application, in conjunction with the related zoning map amendment (C 190377 ZMK), would facilitate a nine-story, 48,000-square-foot mixed-use development with residential, commercial and community facility uses at 5914-5920 Bay Parkway in the Mapleton neighborhood of Brooklyn, Community District 12.

RELATED ACTIONS

In addition to the zoning text amendment (N 190378 ZRK) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

C 190377 ZMK Zoning map amendment to rezone an R5 district to R6/C2-4 district

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 190377 ZMK).

ENVIRONMENTAL REVIEW

This application (N 190378 ZRK), in conjunction with the application for the related action (C 190377 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 1978. The lead is the City Planning Commission. The designated CEQR number is 19DCP208K

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on November 12, 2019.

UNIFORM LAND USE REVIEW

In response to the COVID-19 pandemic, the Mayor issued Emergency Executive Order No. 100 on March 16, 2020 that suspended certain time requirements relating to the Uniform Land Use Review Procedure (ULURP) and other land use processes as of March 12, 2020. The suspension included portions of sections 195, 197-c and 197-d of the New York City Charter, as well as sections of the Administrative Code and the Rules of the City of New York, pertaining to time limitations. The CPC ceased meeting immediately after issuance of the Executive Order until August 3, 2020, when the regular schedule of meetings was resumed. The ULURP time requirements suspended by Emergency Executive Order No. 100 are expected to begin running by September 14, 2020.

This application (N 190378 ZRK) was duly referred to Brooklyn Community Board 12 and the Brooklyn Borough President on October 15, 2019 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 190377 ZMK), which was certified as complete by the Department of City Planning on November 12, 2019 and was duly referred to Brooklyn Community Board 12 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 12 held a public hearing on this application (N 190378 ZRK) on January 23, 2020 and, on January 28, 2020, by a vote of 29 in favor, one opposed and none abstaining recommended approval with the condition that the applicant provide additional parking spaces.

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application on January 29, 2020 and, on February 19, 2020, recommended approval with the conditions. A summary of the Borough President's recommendation appears in the report for the related zoning map amendment action (C 190377 ZMK).

City Planning Commission Public Hearing

On February 19, 2020 (Calendar No. 2), the CPC scheduled March 4, 2020 for a public hearing on this application (N 190378 ZRK), in conjunction with the related application (C 190377 ZMK). The hearing was duly held on March 4, 2020 (Calendar No. 16).

Two speakers testified in favor of the application and none in opposition, as described in the report for the related zoning map amendment action (C 190377 ZMK), and the hearing was closed.

CONSIDERATION

The CPC believes that this application for a zoning text amendment (N 190378 ZRK), in conjunction with the application for the related action (C 190377 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 190377 ZMK).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on November 12, 2019 with respect to this application (CEQR

No. 19DCP208K), 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 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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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BROOKLYN

* * *

Brooklyn Community District 12

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Map 2- [date of adoption]



 Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

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

Portion of Community District 12, Brooklyn

The above resolution (N 190378 ZRK), duly adopted by the City Planning Commission on August 19, 2020 (Calendar No. 12), 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.

MARISA LAGO, *Chair*

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

**DAVID J. BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO III,
MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT,
ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD**
Commissioners

**5914 Bay Parkway
Community District 12, Brooklyn
10/1/18
Zoning Map 22d**

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Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
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**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

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Brooklyn

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Brooklyn Community District 12

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 Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

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

Portion of Community District 12, Brooklyn

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