

CITY PLANNING COMMISSION

September 1, 2021 / Calendar No. 16

N 200297 ZRK

IN THE MATTER OF an application submitted by Yitzchok Stern, 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 a zoning text amendment was filed by Yitzchok Stern on April 23, 2020.

This application, in conjunction with the related zoning map amendment (C 200296 ZMK) action, would facilitate the development of a new three-story, mixed-use, residential and commercial building located at 1776 48th Street located in the Borough Park neighborhood of Brooklyn, Community District 12.

RELATED ACTION

In addition to the zoning text amendment (N 200297 ZRK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 200296 ZMK Zoning map amendment to change an R5 zoning district to an R6B zoning district and establish a C2-4 commercial overlay.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 200296 ZMK).

ENVIRONMENTAL REVIEW

This application (N 200297 ZRK), in conjunction with the application for the related action (C 200296 ZMK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR)

Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 20DCP108K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 200296 ZMK).

PUBLIC REVIEW

This application (N 200297 ZRK) was duly referred to Brooklyn Community Board 12 and the Brooklyn Borough President on April 5, 2021 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 200296 ZMK), which was certified as complete 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 12 held a public hearing on this application (N 200297 ZRK) and the related application for a zoning map amendment (C 200296 ZMK) on June 8, 2021, and on June 22, 2021, adopted a resolution recommending approval of the application. A summary of the vote and recommendation appears in the report for the related zoning map amendment action (C 200296 ZMK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 200297 ZRK) and the related application for a zoning map amendment (C 200296 ZMK) on June 14, 2021, and on July 20, 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 200296 ZMK).

City Planning Commission Public Hearing

On July 14, 2021 (Calendar No. 4), the City Planning Commission scheduled July 28, 2021, for a public hearing on this application (N 200297 ZRK) and the related actions for a zoning map amendment (C 200296 ZMK). The hearing was duly held on July 28, 2021 (Calendar No. 41). There was one speaker in favor of the application and none in opposition, as described in the report for the related zoning map amendment (C 200296 ZMK).

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 200297 ZRK), in conjunction with the application for the related action (C 200296 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 200296 ZMK).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Negative Declaration was issued on April 5, 2021, with respect to this application (CEQR No. 20DCP108K), 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 and the consideration described in the related report (C 200296 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.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Brooklyn

* * *

Brooklyn Community District 12

Map 4 - [date of adoption]

[PROPOSED MAP]



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

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

Portion of Community District 12, Brooklyn

* * *

The above resolution (N 200297 ZRK), duly adopted by the City Planning Commission on September 1, 2021 (Calendar No. 16), 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 BURNEY, ALFRED C. CERULLO, III, JOSEPH DOUEK,

RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, Commissioners