



IN THE MATTER OF an application submitted by Atlantic East Affiliates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17c:

1. eliminating from within an existing R6 District a C2-3 District bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway;
2. changing from an R6 District to an R8A District property bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division) and its easterly prolongation, a line 100 feet easterly of Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway; and
3. establishing within the proposed R8A District a C2-4 District bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division) and its easterly prolongation, a line 100 feet easterly of Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated November 28, 2016, and subject to the conditions of CEQR Declaration E-400.

This application for a zoning map amendment was filed by Atlantic East Affiliates LLC (the applicant) on November 14, 2016. The applicant is proposing to change from an R6 zoning district at the southeast corner of Atlantic Avenue and Eastern Parkway (Block 1436, Lot 6 and portion of Lot 11), and an R6/C2-3 zoning district at the southwest corner of Atlantic Avenue and Eastern Parkway (Block 1435, Lots 40, 42, 43, and portion of 36) to an R8A/C2-4 zoning district. This application, in conjunction with the related action (N 170143 ZRK), would facilitate the development of a new 10-story mixed use building, containing approximately 67 affordable dwelling units in the Ocean Hill neighborhood of Community District 16 in Brooklyn.

RELATED ACTION

In addition to the zoning map amendment (C 170142 ZMK) which 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:

N 170143 ZRK	Zoning text amendment to designate a Mandatory Inclusionary Housing area.
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BACKGROUND

The applicant is proposing a zoning map amendment to portions of two blocks on the south side of Atlantic Avenue at its intersection with Eastern Parkway. A portion of the project area contains a development site controlled by the applicant. The total area of the proposed rezoning is 20,000 square feet which consists of six tax lots or portions of lots, including Block 1436, Lots 6 and a portion of 11, and Block 1435, Lots 40, 42, 43, and a portion of 36. Only the proposed development site (Block 1436, Lot 6) is controlled by the applicant.

The entire project area is currently within an R6 zoning district and a C2-3 commercial overlay district is mapped at the southwest corner of Atlantic Avenue and Eastern Parkway. The portion of the project area at the southeast corner of Atlantic Avenue and Eastern Parkway (Block 1436, Lots 6 and a portion of 11) currently has no commercial overlay. The applicant proposes to change the zoning of the entire area to R8A with a C2-4 commercial overlay, including the proposed development site (Block 1436, Lot 6).

R6 districts allow all housing types at a maximum floor area ratio (FAR) of up to 2.43 for residential uses and up to 4.8 FAR for buildings containing community facility uses. R6 is a “height factor” district where residential and community facility uses are permitted with no fixed height limits and building envelopes are regulated by an open space ratio and a sky exposure plane after a maximum base height of 60 feet. Residential development under the optional Quality Housing Program has a maximum FAR of 2.2 on narrow streets (2.42 in Mandatory Inclusionary Housing, or MIH, areas) with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets (3.6 in MIH areas) with a height limit of 85 feet in developments meeting MIH requirements. Off-street parking is required for 70 percent of the dwelling units. This

requirement is lowered to 50 percent of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used.

R8A districts permit residential and community facility uses at a maximum FAR of 6.02 (7.20 in MIH areas) and 6.50, respectively. The bulk regulations for these districts require a base height between 60 and 95 feet and set a maximum building height of 125 feet. In MIH areas, the required base height is between 60 and 105 feet and the maximum building height is 145 feet. The off-street parking requirement is one space per 1000 square feet of commercial use and for health care facilities, and one off-street parking space for 40 percent of the dwelling units.

C2-3 and C2-4 commercial districts allow for local retail uses and commercial development up to 2.0 FAR. C2-3 and C2-4 districts allow Use Groups 1-9 and 14, which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. For general commercial uses, one off-street parking space is required for every 1,000 square feet in C2-4 districts and every 400 square feet in C2-3 districts. Up to 40 spaces may be waived in C2-4 districts, and up to 25 spaces may be waived in C2-3 districts.

The area to be rezoned is currently developed with residential, mixed use commercial and residential, institutional, and auto-related uses. Block 1436, Lot 11 is partially included in the project area east of the development site and contains a five-story residential building with 24 residential units. Block 1435, Lot 43 contains a three-story residential building with three residential units. Block 1435, Lot 42 contains a two-story mixed-use residential commercial building with one residential unit. Block 1435, Lots 36 and 40 contain one-story auto repair businesses.

The development site (Block 1436, Lot 6) is an 8,000-square-foot corner lot with 80 feet of frontage on Atlantic Avenue and 100 feet of frontage on Eastern Parkway. It currently contains a house of worship building for the True Holy Church with an existing FAR of 1.32. The applicant proposes to replace the existing house of worship building on the development site with a new ten-story mixed use residential and community facility building with approximately 50,856 square feet of residential floor area and 6,731 square feet of community facility floor area, in addition to 4,874 square feet of community facility space in the cellar, for a total FAR of 7.2.

The proposed development would contain approximately 67 dwelling units that would be developed as affordable to households at or below 60 percent of the area median income (AMI) under HPD's ELLA program. The ground floor community facility space would be used as a new house of worship for the True Holy Church.

The proposed development would rise to approximately 100 feet with a ground floor ceiling height of 15 feet. The first floor would cover the full lot and there would be a 30-foot-deep outdoor recreation area above the first floor in the southeast corner of the lot. The second through tenth floors would be set back from the southeast corner of the lot and contain only residential uses. The unit mix would include studios, one-, two-, and three-bedroom units.

In addition to the proposed zoning map amendment, the applicant proposes a zoning text amendment to revise Appendix F. The proposed amendment would add the project area to Map 1 of Brooklyn Community District 16 inclusionary housing areas, and would designate the project area as a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2.

The options proposed are described as follows:

- Option 1: 25 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 60 percent AMI, with a minimum of 10 percent of housing to be affordable for households at 40 percent AMI.
- Option 2: 30 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 80 percent AMI.

One block east of the project area is the westernmost boundary of the East New York Rezoning (C 160035 ZMK), which was approved in 2016. Initiated by the Department of City Planning, this action rezoned portions of 190 blocks within East New York and Ocean Hill in order to allow new housing and affordable housing opportunities along major corridors in these areas. Among the changes, this action mapped R8A and equivalent districts along Atlantic Avenue generally between Sheffield Avenue to the west and Euclid Avenue to the east. This action also mapped an R7D equivalent district one block east of the project area.

The surrounding area is characterized by a mix of one- and two-family and multi-family residential buildings, mixed use residential and commercial buildings, commercial uses and

public facilities and institutions. Commercial uses in the area, which are generally local retail, are concentrated on Atlantic Avenue and Eastern Parkway, two major corridors with street widths of 120 and 110 feet, respectively. The built form in the surrounding area consists of two- to three-story rowhouses with some ground floor retail, four- to five-story apartment buildings, and one block west of the project area is the 23-story Atlantic Plaza Towers complex.

The project area is well-served by public transit. The MTA L-line is located four blocks east of the project area at the Atlantic Avenue Station, which connects to Broadway Junction, a major transit hub serving the A, C, J, Z, and L lines. The B12 bus line runs along East New York Avenue, and the B60 bus line runs north-south along Rockaway Avenue.

ENVIRONMENTAL REVIEW

This application (C 170142 ZMK), in conjunction with the application for the related action (N 170143 ZRK), 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 17DCP068K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on November 28, 2016. The Negative Declaration included (E) designations to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-400), as described below:

The (E) designation related to hazardous materials would apply to the following sites:

- **Block 1436, Lot 6 (Projected Development Site 1)**
- **Block 1435, Lots 40, 42, and 43 (Projected Development Site 2)**

The (E) designation text related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With the assignment of the above-referenced (E) designation for hazardous materials, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to air quality would apply to the following properties:

- **Block 1435, Lots 40, 42, and 43 (Projected Development Site 2)**

The (E) designation related to air quality is as follows:

In order to ensure there will be no potential adverse air quality impacts, if auto painting uses continue to operate at the adjacent auto shop (Block 1435, Lot 36), all windows on the proposed development site on Block 1435, Lot 40, 42, and 43, up to a height of 85 feet above local grade must be inoperable. Similarly, air intakes must not be located in these locations.

With the assignment of the above-referenced (E) designation for air quality, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to noise would apply to the following properties:

- **Block 1436, Lot 6 (Projected Development Site 1)**
- **Block 1435, Lots 40, 42, and 43 (Projected Development Site 2)**

The text for the (E) designation related to noise is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 33 dBA window/wall attenuation in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.

With the assignment of the above-referenced (E) designation for noise, the Proposed Actions would not result in significant adverse impacts.

The City Planning Commission has determined that the proposed action will have no significant effect on the environment.

UNIFORM LAND USE REVIEW

This application (C 170142 ZMK) was certified as complete by the Department of City Planning (DCP) on November 28, 2016, and was duly referred to Brooklyn Community Board 16 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 application for the related action (N 170143 ZRK), which was duly referred to Brooklyn Community Board 16 and the Brooklyn Borough President on November 28, 2016, in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 16 held a public hearing on this application (C 170142 ZMK) on January 24, 2017. On that date, by a vote of 25 in favor, 1 opposed, and 1 abstention, the Community Board adopted a recommendation in favor of the application.

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 170142 ZMK) on February 6, 2017, and on March 2, 2017 issued a recommendation to approve the application with the following condition:

1. That in lieu of the proposed R8A zoning district designation, the partial block, west of the Eastern Parkway Extension, shall remain designated as an R6 zoning district.

City Planning Commission Public Hearing

On February 22, 2017 (Calendar No. 6), the CPC scheduled March 8, 2017 for a public hearing on this application (C 170142 ZMK), in conjunction with the related application (N 170143 ZRK). The hearing was duly held on March 8, 2017 (Calendar No. 22). There were four speakers in favor of the application and none in opposition.

The applicant's representative described the overview of the project and the actions requested. A representative from Ridgewood-Bushwick Senior Citizens Council discussed the affordability of the project in relation to the ELLA terms sheet, noting that some units will be reserved for homeless veterans. A representative from Brisa Builders described the local and minority participation in the project and its passive house technology as well as details of the development partnership and the applicant's willingness to commit to a 60-year affordability term. The project

architect described design details and provided additional information about passive house technology.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 170142 ZMK), in conjunction with the related application for a zoning text amendment (N 170143 ZRK), is appropriate.

The requested actions would facilitate the development of a new mixed-use building with ground floor community facility space and approximately 67 affordable dwelling units, which would be affordable to individuals and families earning at or below 60 percent of AMI under HPD's ELLA program. The proposed development would also provide for the redevelopment of the True Holy Church, currently on an underutilized site. The new housing would help address the dire need for more housing in Brooklyn and in the City overall and would be consistent with City objectives for promoting housing production and affordability.

The proposed zoning text amendment would create an MIH area coterminous with the rezoning area, requiring permanent affordability for a portion of the units on the sites. The proposed development would create approximately 16 units of permanently affordable housing with the MIH program.

The proposed zoning changes would be consistent with other nearby zoning districts and would result in new development appropriate for the location. The area proposed to be rezoned is at the intersection of two wide streets, Atlantic Avenue and Eastern Parkway, which are both major thoroughfares in eastern Brooklyn. At this intersection, the height and density permitted by the proposed R8A district are appropriate. The City-initiated East New York Rezoning (C 160035 ZMK), approved in 2016, created R8A, or R8A equivalent, districts along Atlantic Avenue for a length of approximately twenty blocks in East New York, approximately one-half mile east of the proposed rezoning, in addition to creating an R7D equivalent district one block east of the proposed rezoning.

The Commission acknowledges the Borough President's recommendation to remove the portion of the rezoning area west of Eastern Parkway from the rezoning area. The rezoning area west of Eastern Parkway shares all of the characteristics of the proposed development site on the east side of Eastern Parkway that make an R8A district appropriate, including a location at the intersection of two wide streets. The Commission notes that the lots in the rezoning area west of Eastern Parkway are already significantly underbuilt under the existing R6 district and that redevelopment of these smaller lots under the current zoning, either individually or as an assemblage, would displace the current residential units without triggering MIH provisions. Due to the small size of the lots, it would be difficult to achieve the full allowed floor area under the proposed R8A zoning on these properties individually. However, were these lots to be assembled, the Commission believes that, within an R8A district mapped with MIH, the existing residential units could be replaced with a development that would create an estimated 13 to 16 additional permanently affordable housing units. This level of affordability would not be achievable under the existing zoning and would be compatible with the proposed development on the east side of Eastern Parkway. Therefore, the Commission believes that the proposed R8A district on the west side of Eastern Parkway is appropriate.

RESOLUTION

RESOLVED, that 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 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. 17c:

1. eliminating from within an existing R6 District a C2-3 District bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division), Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway;
2. changing from an R6 District to an R8A District property bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division) and its easterly prolongation, a line 100 feet easterly of Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway; and

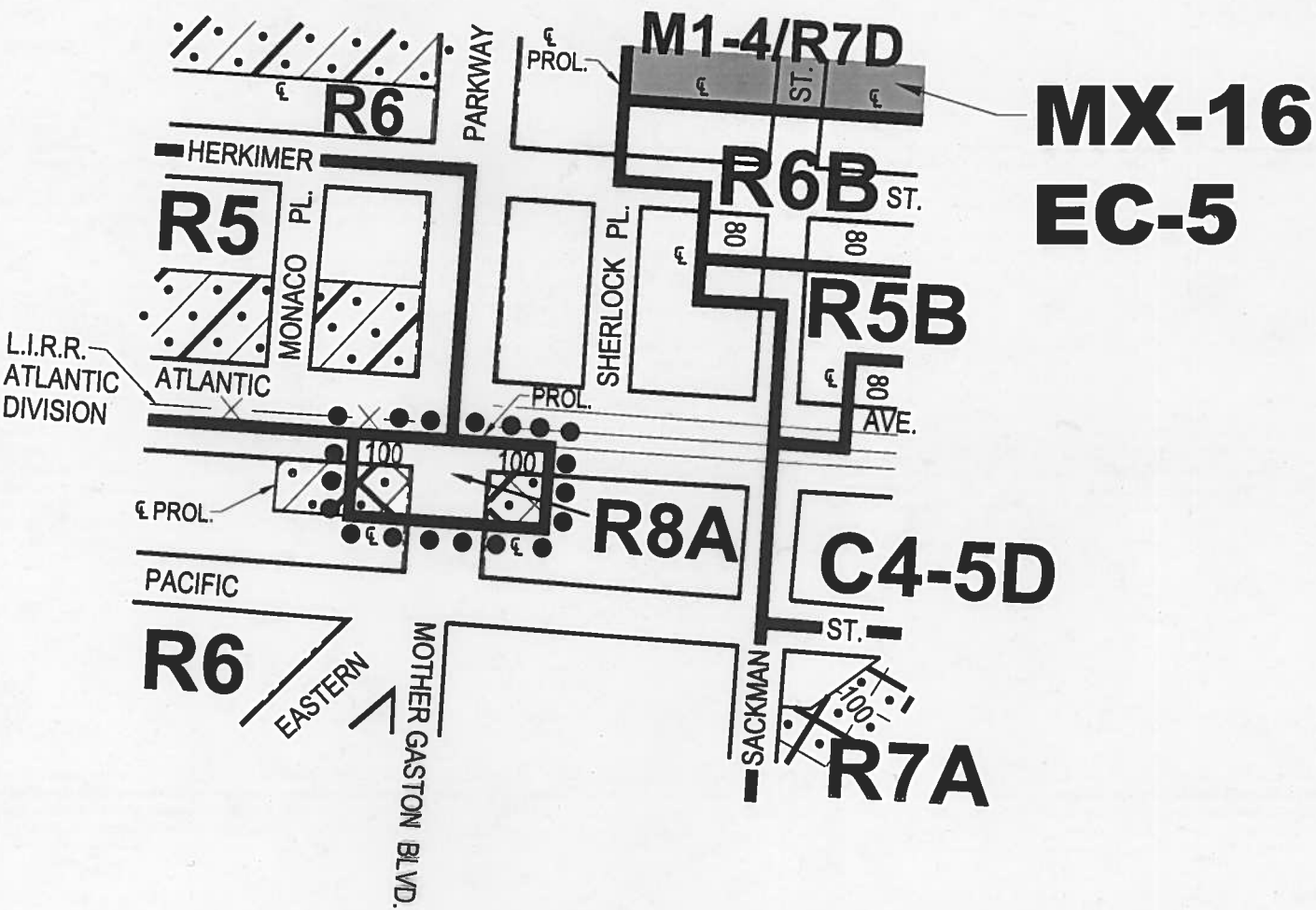
3. establishing within the proposed R8A District a C2-4 District bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Atlantic Division) and its easterly prolongation, a line 100 feet easterly of Eastern Parkway, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Eastern Parkway;

Borough of Brooklyn, Community District 16, as shown on a diagram (for illustrative purposes only) dated November 28, 2016, and subject to the conditions of CEQR Declaration E-400.

The above resolution (C 170142 ZMK), duly adopted by the City Planning Commission on April 5, 2017 (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.

MARISA LAGO, *Chair*

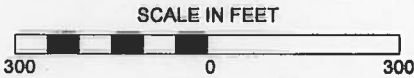
**RAYANN BESSER, ALFRED C. CERULLO, III, IRWIN G. CANTOR, P.E.,
JOSEPH DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISSA ORTIZ,**
Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
17c
BOROUGH OF
BROOKLYN

AY
S. Lenard, Director
Technical Review Division

New York, Certification Date
NOVEMBER 28, 2016



- NOTE:
- Indicates Zoning District Boundary.
 - The area enclosed by the dotted line is proposed to be rezoned by eliminating a C2-3 District from within an existing R6 District, by changing an R6 District to an R8A District, and by establishing a C2-4 District within the proposed R8A District.
 - Indicates a C2-3 District.
 - Indicates a C2-4 District.



Application #:	Project Name:
CEQR Number:	Borough(s): Community District Number(s):
Please use the above application number on all correspondence concerning this application	

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~
 - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote:		Location:	
RECOMMENDATION			
<input type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting			
# In Favor:	# Against:	# Abstaining:	Total members appointed to the board:
Name of CB/BB officer completing this form		Title	Date

Brooklyn Borough President Recommendation
CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
calendaroffice@planning.nyc.gov



INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION

1860 EASTERN PARKWAY – 170142 ZMK AND 170143 ZRK

In the matter of the applications submitted by Atlantic East Affiliates LLC, pursuant to Section 197-c and 201 of the New York City Charter, for zoning map and zoning text amendments for the property bounded by Atlantic Avenue and Pacific Street, on either side of Eastern Parkway Extension, in the Ocean Hill section of Brooklyn Community District 16 (CD 16). The zoning map amendment would eliminate from within the existing R6 district a C2-3 district, change from an R6 district to an R8A district, and establish a C2-4 district overlay, and the zoning text amendment would designate the property a Mandatory Inclusionary Housing (MIH) area. Such amendments would facilitate, in collaboration with True Holy Church, a 10-story mixed-use residential building with 67 affordable housing units. The new building would accommodate the new church space at the cellar and ground floor.

BROOKLYN COMMUNITY DISTRICT NO. 16

BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE

☒ APPROVE WITH
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE

☐ DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

March 2, 2017

DATE

RECOMMENDATION FOR: 1860 EASTERN PARKWAY – 170142 ZMK AND 170143 ZRK

Atlantic East Affiliates LLC, pursuant to Section 197-c and 201 of the New York City Charter, seek zoning map and zoning text amendments for the property bounded by Atlantic Avenue and Pacific Street, on either side of Eastern Parkway Extension, in the Ocean Hill section of Brooklyn Community District 16 (CD 16). The zoning map amendment would eliminate from within the existing R6 district a C2-3 district, change from an R6 district to an R8A district, and establish a C2-4 district overlay, and the zoning text amendment would designate the property a Mandatory Inclusionary Housing (MIH) area. Such amendments would facilitate, in collaboration with True Holy Church, a 10-story, mixed-use residential building with 67 affordable housing units. The new building would accommodate the new church space at the cellar and ground floor.

On February 6, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on these amendments. There were no speakers on this item.

In response to Borough President Adams' inquiry to clarify details with regard to the affordable housing, the applicant stated that this project was designed to be a ground lease, which means the developer would be leasing the property from the church. The regulatory agreement states that the apartments will be affordable for the 60-year term of the lease. At the end of the lease, the property reverts back to the church and a new regulatory agreement would be negotiated.

In response to Borough President Adams' inquiry to clarify the marketing strategies for the tenant selection process, the representative stated that marketing will start out with a financial literacy campaign to ensure the highest community participation. The project provides for 50 percent community preference, inclusive of formerly homeless veterans, and will also include social services onsite for the veterans, administered by Ridgewood Bushwick Senior Citizen's Council (RBSCC).

In response to Borough President Adams' policy of promoting the use of renewable and sustainable energy resources and promoting practices to retain stormwater runoff, the applicant's representative stated this project will be constructed based on Passive House design standards. Such standards result in a building with a reduced carbon footprint, higher energy performance, and 45 percent savings in energy costs for the building overall. The façade of the building will consist of stucco material, which provides a much higher energy performance. Additionally, there are plans for solar panels on the rooftop of the proposed building, as well as water retention through retention tanks on the roof. The project has also received a grant from the New York State Energy Research and Development Authority (NYSERDA) through their multi-family performance program, which will allow the developer to provide the sustainable measures and continue to push the envelope.

In response to Borough President Adams' policy of maximizing job opportunities for Brooklynites and procure supplies locally through the inclusion of Local Business Enterprises (LBE) and Minority- and Women-Owned Business Enterprises (MWBE), the representative stated that part of their team includes an MWBE general contractor, who will also make efforts to ensure that hiring is done locally. The developer will work in partnership with a local development corporation and New York State Chapter of the National Association of Minority Contractors (NYSAMC), of which the developer is also a member, in order to provide an inclusive outreach effort.

Consideration

Brooklyn Community Board 16 (CB 16) approved this application without conditions.

True Holy Church, a fixture in this area since 1952, owns the site, where it occupies a one-story house of worship, approximately 10,550 square feet of floor area, and provides religious services and social programs to the community.

In a joint effort, in conjunction with Brisa Builders Corporation (Brisa), and RBSCC, True Holy Church proposes actions, under the name of Atlantic East Affiliates LLC (AEA), which would rezone portions of two blocks located on the southern side of Atlantic Avenue, 100 feet to the east and west from the intersection of Eastern Parkway, in order to reconstruct and expand its church as well as develop affordable housing.

The proposed rezoning area includes a portion of the lot adjacent to the church, as well as three full lots across the street and a portion of a fourth lot. AEA proposes that MIH Option 1 be utilized for the proposed development site, while allowing the owners of the remaining lots (generally west of the Eastern Parkway Extension) to be included in the proposed rezoning area, in order to have the ability to choose in the future which MIH Option better suits potential development.

The proposed development would contain approximately 6,730 square feet of community facility floor area at the ground level and 4,845 square feet of community facility floor area at the cellar level, to be utilized by the True Holy Church. The entrance to the church would be located along the Atlantic Avenue frontage, and the residential entrance and lobby would be located along the Eastern Parkway frontage. There would also be an additional 1,400 square-foot space for a non-profit tenant on the ground floor in the northwest corner of the building, fronting Atlantic Avenue and Eastern Parkway, with entrances on both streets.

The proposed 67 dwelling units will be affordable at or below 60 percent of area median income (AMI), utilizing the Extremely Low and Low-Income Affordability (ELLA) program, to provide housing for very low- and low-income individuals. The unit distribution would include 17 studios, 25 one-, 16 two- and nine three-bedroom units. As this location is about a block away from a men's shelter, with a high population of veterans who are supported by the church through other programs, 15 percent of the units will be set aside for formerly homeless veterans.

Though the majority of the built form is composed of a mix of low- to mid-rise non-residential buildings as well as two- to four-story residential buildings, Borough President Adams believes that the intersection of Atlantic Avenue with the Eastern Parkway Extension is an appropriate location to permit higher density and building height. In addition, this location is well served by public transit, including options for bus and subway routes. The Atlantic Avenue L train station serving the L 14th Street – Canarsie Local line is located four blocks from the site, and connects to the Broadway Junction, which is a major transit hub serving the A Eighth Avenue Express, C Eighth Avenue Local, J Nassau Street Express, Z Nassau Street Express, and L 14th Street – Canarsie Local lines. The site is located in a Transit Zone; therefore, no parking will be required due to the project's 100 percent affordability.

Brooklyn is one of the fastest growing communities in the New York metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites. The rezoning would be consistent with Mayor Bill de Blasio's goal of achieving 200,000 affordable housing units over the next decade according to Housing New York: A Five-Borough, Ten-Year Plan, through the development of affordable and supportive housing for the city's most vulnerable residents. In addition, the proposed rezoning for the True Holy Church parcel is a result of

Borough President Adams' Faith-Based Development Initiative, which works to harness the power of faith-based institutions in Brooklyn, widely known as the "borough of churches," to help solve the challenge of housing affordability.

Borough President Adams' Faith-Based Development Initiative connects local houses of worship with information and resources to explore opportunities for developing their properties to create affordable housing and other community benefits. True Holy Church is one of many faith-based organizations in the borough that have air rights where affordable housing can be developed.

AEA's development would result in some permanent affordable housing according to MIH as well as units remaining affordable for at least 60 years of the regulatory agreement. It would also provide supportive social services to formerly homeless veterans within the community. There are three shelters to the east of the site that might be able to connect residents to available apartments with the help of such services.

As previously documented, an average daily census of single adults in the New York City Department of Homeless Services (DHS) shelter system was 13,060 in June 2016. This represents an increase of 9.5 percent compared to the average daily census in June 2015. In light of this trend, DHS projects an increase in the single adult shelter census through Fiscal Year 2017 (FY17). In order to transition such population from shelter into permanent housing as successfully as possible, DHS recognizes that the receiving permanent housing providers must provide services to assist formerly homeless single adults exiting the shelter system in remaining stably housed in the community.

Through RBSCC, as a senior service provider founded in 1973, providing services throughout the Ridgewood and Bushwick communities as well as various additional locations in Brooklyn, the development would comply with DHS's vision through a vast array of social services. In order to set aside more units to facilitate transition from shelters and transitional housing, the proposed development would provide an emphasis on studio and one-bedroom apartments as 15 percent of the apartments would be set aside for formerly homeless veterans, including those housed in the three shelters to the east of the site.

As RBSCC has a track record of producing green building inclusive of energy efficiency technologies, it has embraced using the Passive House design standard to develop two 100 percent affordable multi-family buildings in Brooklyn. The trend will continue as the proposed development would integrate sustainable design, including Passive House design standards.

Passive House design uses air sealing, energy recovery, and insulation strategies to improve energy performance and reduce the building's carbon footprint. The proposed development will incorporate insulated walls, sealed windows, thermal solar panels, and other sustainable features to meet the Passive House design standards. The applicant is pursuing tax credits from New York State Homes and Community Renewal (DHCR) to establish this Passive House component.

This development is generally consistent with Borough President Adams' policy regarding sustainable design by following the Passive House design standards and including water retention measures, as well as the provision of infrastructure that would make the building solar ready, should subsequent finances enable the installation of solar panels. Borough President Adams encourages the applicant to coordinate with the Mayor's Office of Sustainability, NYSERDA, and/or the New York Power Authority (NYPA) to further achieve resiliency and sustainability building performance.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that will create

more employment opportunities. According to averaged data from 2008 to 2012, double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, with more than half of our community districts experiencing poverty rates of 25 percent or higher. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses and including those that qualify as LBE and MWBE is central to Borough President Adams' economic development agenda.

The development is represented by a Brooklyn-based contractor who has a track record of securing participation of subcontractors who are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation). As part of AEA, Brisa Builders is a 45-year old minority-owned, Brooklyn-based development and construction firm that has developed and built a number of affordable housing projects, including those financed through the United States Department of Housing and Urban Development (HUD), the New York City Housing Development Corporation (HDC), and the New York City Department of Housing Preservation and Development (HPD), and has an extensive portfolio of projects for the faith-based community.

With all of the above to support rezoning of the True Holy Church site, Borough President Adams still has concerns regarding the extent of the proposed rezoning area, pertaining to the size of the lots across the Eastern Parkway Extension and whether the upzoning would actually produce affordable housing pursuant to MIH.

Extent of the Proposed Rezoning Area

The proposed rezoning area includes three full lots and a portion of a fourth lot across Eastern Parkway that might be considered as desirable development sites at some point subsequent to the rezoning. However, given the size of each individual parcel, there appears to be a reasonable possibility that those sites could be developed for residential housing without the inclusion of floor area pursuant to the MIH program. Therefore, such development would not result in affordable housing, instead displacing occupants of four existing apartments that, given the current state of the neighborhood housing market, are likely paying more affordable rents than would be available in the new construction.

The three lots across the street include: a three-story, 2,500 square-foot lot with three existing residential units; a two-story, 2,500 square-foot lot with commercial use on the ground floor and one residential unit above, and a one-story, 2,992 square-foot lot with an automotive repair shop. The fourth lot across the street consists of a one-story, 7,000 square-foot lot with an automotive repair shop, and will have 20 feet west of the eastern lot line included in the rezoning. According to the Environmental Assessment Statement (EAS), the portion of the affected lot represents approximately 28 percent of the lot, therefore not triggering any potential redevelopment on that site.

Borough President Adams does not concur with the EAS, stating that on their own, the three lots, owned by three separate owners, do not represent potential redevelopments. By including land west of the Eastern Parkway Extension into the adopted rezoning of R8A, there would be nominal incentive to assemble these three lots into one larger lot. According to the EAS, such assemblage has the potential to yield 55 dwelling units, 13 to 16 of which would be affordable, in accordance with either MIH Option 1 or 2.

Borough President Adams is concerned that, subsequent to rezoning, any of the three lots could be developed individually and, due to the small lot sizes, no affordable housing units would be provided for the community or payment would be made into the fund. Simultaneously, this would result in displacement of four households in order to demolish the existing buildings to facilitate new development. According to the New York City Zoning Resolution (ZR) Section 23-154(d)(4), a

single development of no more than 10 residential units or less than 12,500 square feet of residential floor area, on a zoning lot that existed on the effective date of the proposed R8A zoning for the Eastern Parkway Extension at Atlantic Avenue, need not comply with the MIH affordability requirements. The 2,992 square-foot lot could achieve approximately 4.15 floor area ratio (FAR) while avoiding affordability requirements, and the individual lots of 2,500 square feet could achieve nearly 5.0 FAR without being required to provide affordable housing. The corner lot could achieve this floor area in five floors, while the other lots might utilize seven to eight floors.

The existing R6 would maximize residential zoning floor area potential according to Quality Housing wide street regulations that limit the residential FAR to 3.0. The existing zoning provides a reduced development incentive for the displacement of four households without enough certainty that affordable housing would otherwise be provided.

In order to retain these lots as opportunities to provide affordable housing, Borough President Adams believes it is appropriate to withhold the proposed R8A zoning until such time that a developer comes forward with the appropriate assemblage of these lots, preferably with such zoning boundary extended further west to include all four lots as opposed to only a portion of the fourth lot.

Borough President Adams believes that it is appropriate for the City Planning Commission (CPC) or City Council to retain the R6 zoning district designation for the portion of the proposed rezoning on the west side of the Eastern Parkway Extension, in an effort to protect the potential for future provision of affordable housing on those sites.

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 (CPC) and the City Council approve this application with the following condition:

That in lieu of the proposed R8A zoning district designation, the partial block, west of the Eastern Parkway Extension, shall remain designated as an R6 zoning district.