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**IN THE MATTER OF** an application submitted by YYY Brooklyn NY, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections, Borough of Brooklyn, Community District 2.

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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) and Article X, Chapter 1, Special Downtown Brooklyn District was filed by YYY Brooklyn NY LLC (the applicant) on May 5, 2017. The amendment would establish a Mandatory Inclusionary Housing (MIH) area, extend the Special Downtown Brooklyn District (SDBD) and expand the SDBD's Flatbush Avenue Extension Height Limitation Area on the northeast corner of Tillary Street and Prince Street (Block 2050, Lots 100, 104, and part of Lot 1) in Brooklyn Community District 2. This application, in conjunction with the application for the related action (C 170400 ZMK), would facilitate a new, approximately 234,000-square-foot development with residential uses and ground floor retail, located at 202-208 Tillary Street and 67-73 Prince Street in the Downtown Brooklyn neighborhood of Community District 2, Brooklyn.

**RELATED ACTION**

In addition to the zoning text amendment (N 170401 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 170400 ZMK**      Zoning map amendment to change a R6 district to a C6-4 district

**BACKGROUND**

A full background discussion and description of this application appears in the report for the related action for a zoning map amendment (C 170400 ZMK).

## **ENVIRONMENTAL REVIEW**

This application (N 170401 ZRK), in conjunction with the application for the related action (C 170400 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 17DCP176K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 170400 ZMK).

## **PUBLIC REVIEW**

This application (N 170401 ZRK) was duly referred to Brooklyn Community Board 2 and the Brooklyn Borough President on June 19, 2017 in accordance with the procedures for non-ULURP matters, along with the application for the related action, (C 170400 ZMK), which was certified as complete by the Department of City Planning on June 19, 2017, and was duly referred to Brooklyn Community Board 2 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**

At the general meeting on June 14, 2017, Brooklyn Community Board 2 unanimously (37-0-0) authorized its Executive Committee to act on the board's behalf while on summer recess. Community Board 2 held a public hearing on this application (N 170401 ZRK) on June 21, 2017. On June 26, 2017, by a vote of eight in favor, one opposed, and with no abstentions, the Executive Committee adopted a recommendation in favor of the application, with a condition. A summary of the vote and recommendation of Community Board 2 appear in the report for the related zoning map amendment action (C 170400 ZMK).

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (N 170401 ZRK) on July 25, 2017, and on August 16, 2017 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 170400 ZMK).

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

On August 7, 2017 (Calendar No. 9), the CPC scheduled August 23, 2017 for a public hearing on this application (N 170401 ZRK), in conjunction with the related application (C 170400 ZMK). The hearing was duly held on August 23, 2017 (Calendar No. 26). There were four speakers in favor of the application and none in opposition, as described in the report for the related application for a zoning map amendment (C 170400 ZMK), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning text amendment (N 170401 ZRK), in conjunction with the related application for a zoning map amendment (C 170400 ZMK), is appropriate.

A full consideration and analysis of issues and the reasons for approving this application appear in the related report for the zoning map amendment (C 170400 ZMK).

### **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 Section 200 of the New York City Charter, that based on the environmental determination and the 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

**ARTICLE X  
SPECIAL PURPOSE DISTRICTS**

**Chapter 1  
Special Downtown Brooklyn District**

\* \* \*

**101-20  
SPECIAL BULK REGULATIONS**

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Within #Mandatory Inclusionary Housing areas#, as shown on the map in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING) shall apply.

\* \* \*




**APPENDIX E**

**Special Downtown Brooklyn District Maps**

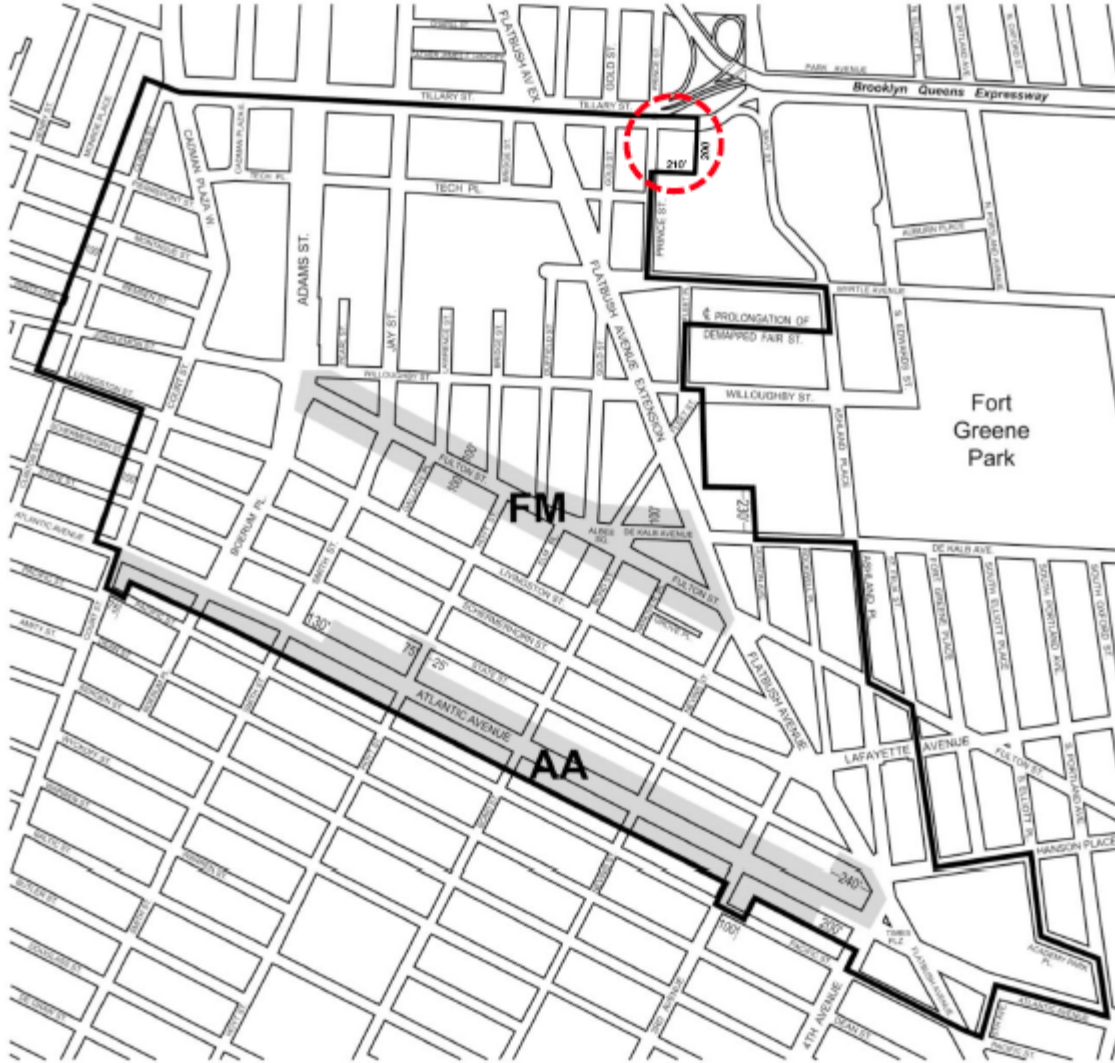
# Map 1. Special Downtown Brooklyn District and Subdistricts




[EXISTING MAP]



-  Special Downtown Brooklyn District
-  AA Atlantic Avenue Subdistrict
-  FM Fulton Mall Subdistrict

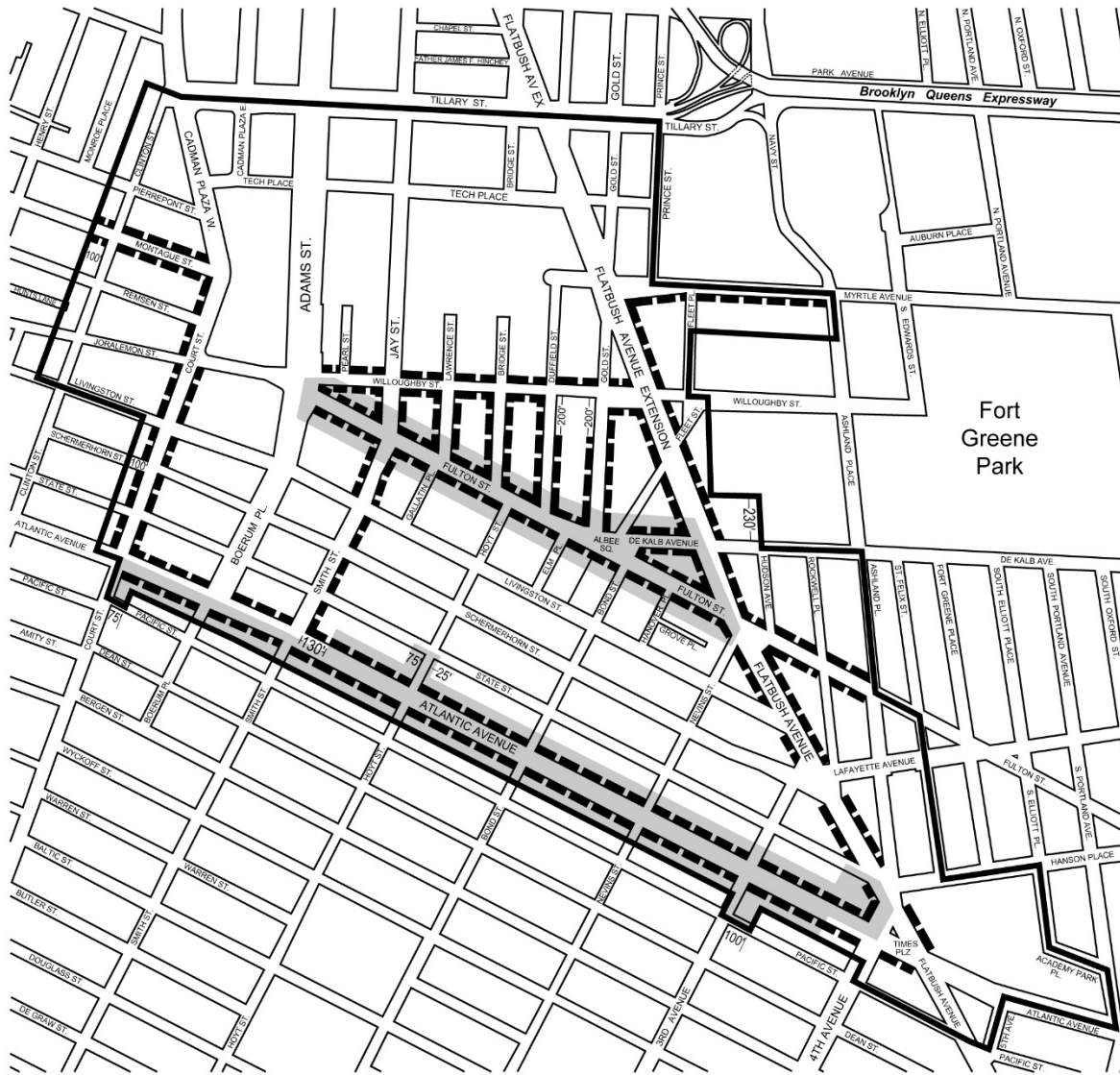
[PROPOSED MAP]



-  Special Downtown Brooklyn District
-  AA Atlantic Avenue Subdistrict
-  FM Fulton Mall Subdistrict

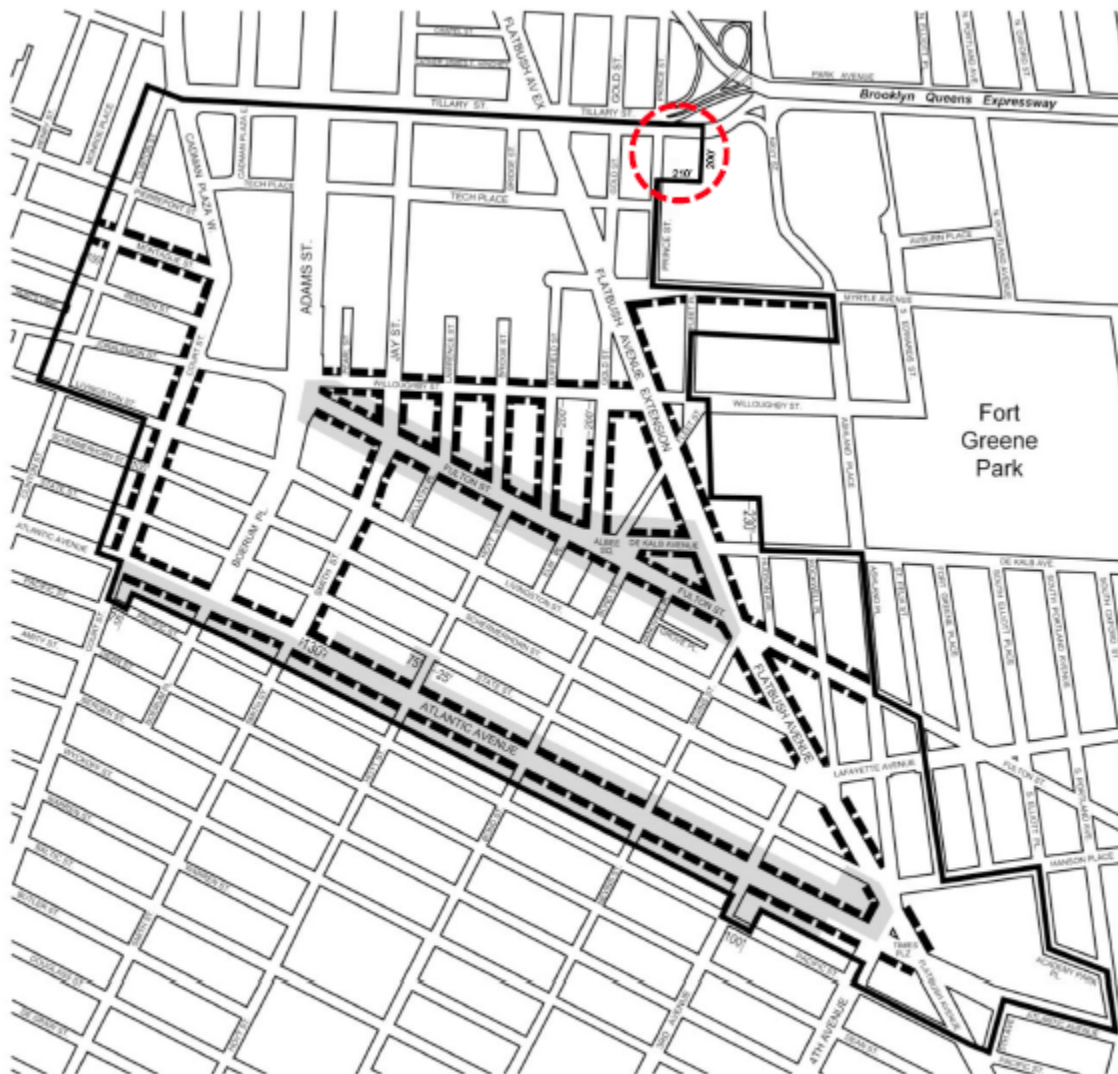
## Map 2. Ground Floor Retail Frontage

[EXISTING MAP]



- Special Downtown Brooklyn District
- - -** Retail Continuity Required
- Subdistricts

[PROPOSED MAP]

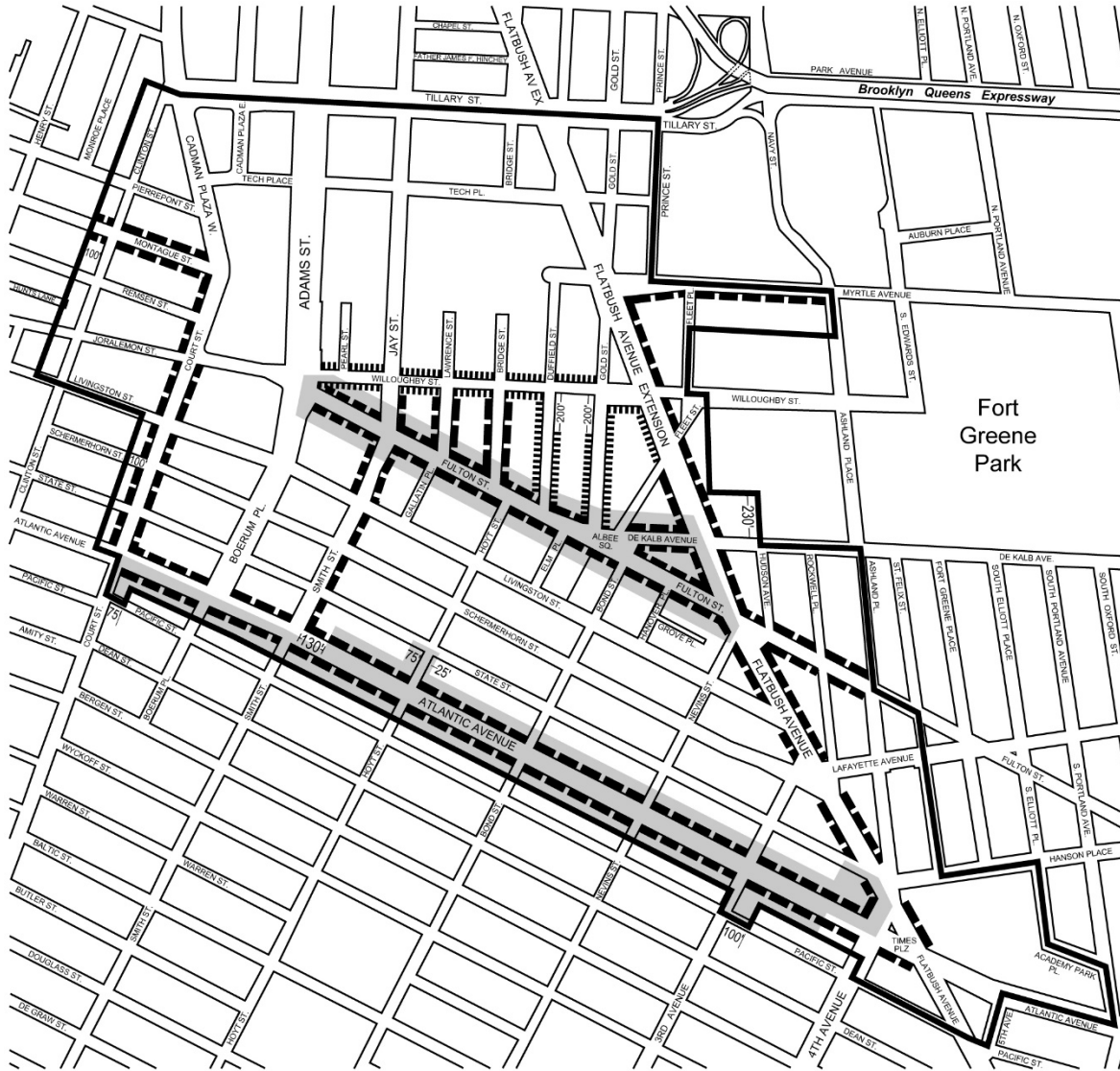


- Special Downtown Brooklyn District
- - - Retail Continuity Required
- Subdistricts



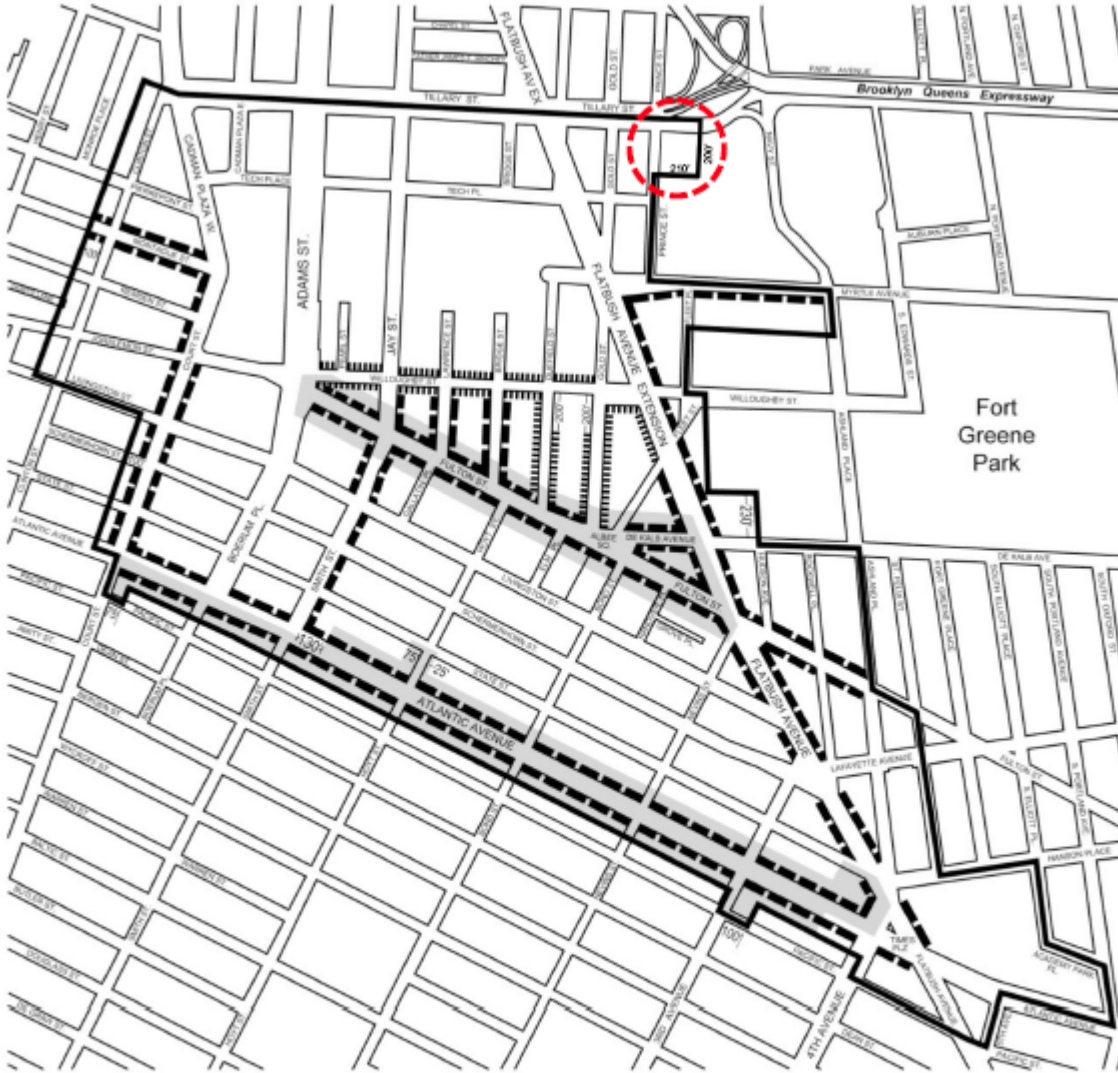
### Map 3. Ground Floor Transparency Requirements

[EXISTING MAP]



- Special Downtown Brooklyn District
- - -** 50% of the Area of the Ground Floor Street Wall to be Glazed
- |||||** 70% of the Area of the Ground Floor Street Wall to be Glazed
- Subdistricts

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - 50% of the Area of the Ground Floor Street Wall to be Glazed
- ..... 70% of the Area of the Ground Floor Street Wall to be Glazed
- Subdistricts

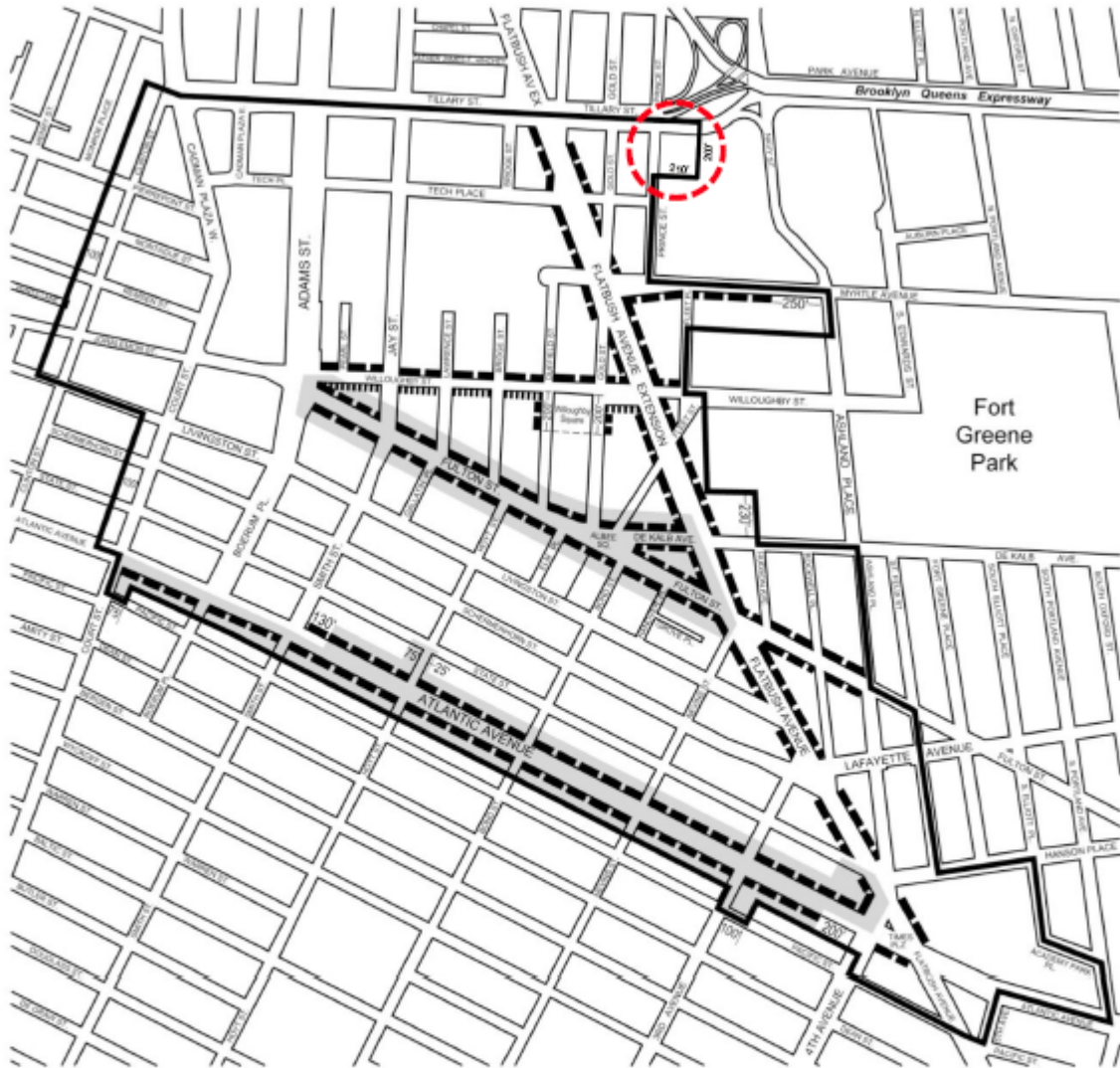
# Map 4. Street Wall Continuity and Mandatory Sidewalk Widening

[EXISTING MAP]



- Special Downtown Brooklyn District
- - -** Street Wall Continuity Required
- - - -** Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- .....** Street Wall Continuity and Sidewalk Widening Required

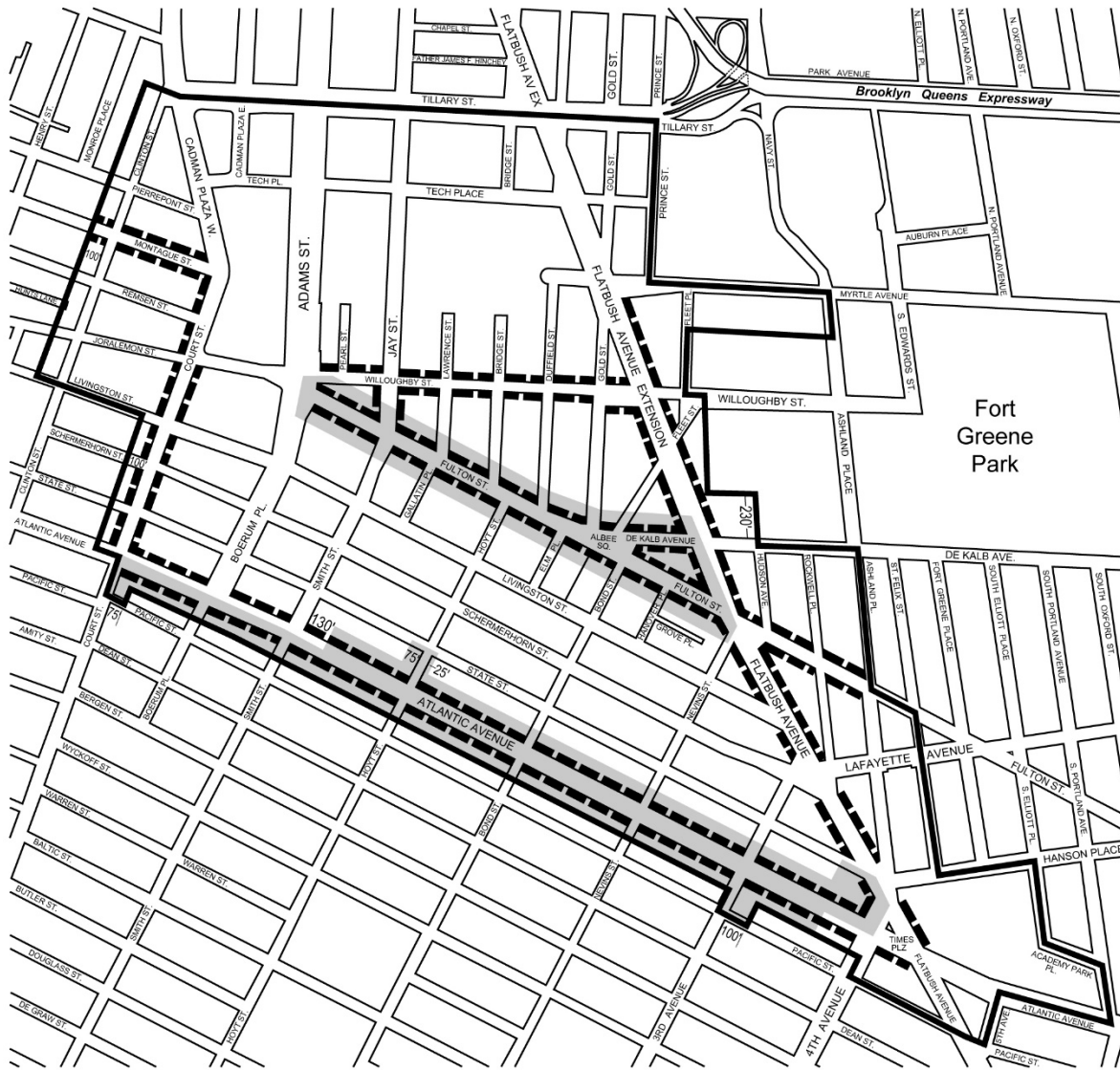
[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - Street Wall Continuity Required
- ▬ Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- ▨ Street Wall Continuity and Sidewalk Widening Required

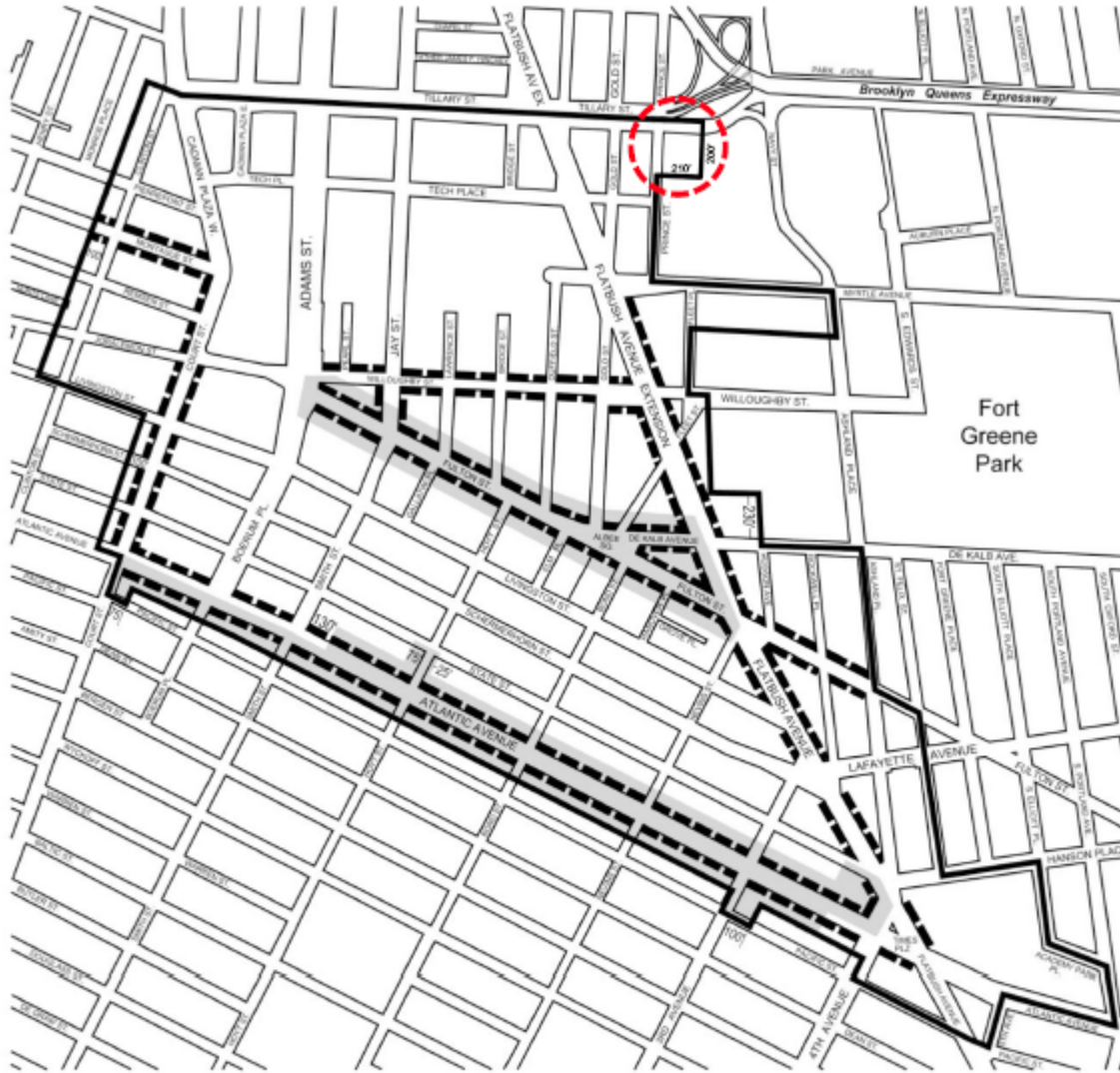
# Map 5. Curb Cut Restrictions

[EXISTING MAP]



- Special Downtown Brooklyn District
- - -** Curb Cut Prohibition
- - - -** Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - -** Curb Cut Prohibition
- - -** Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

## Map 6. Height Limitation Area

[EXISTING MAP]



**—** Special Downtown Brooklyn District

**(A)** Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet

**(B)** Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet

**(C)** Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet

**[Cross-hatch pattern]** Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

[PROPOSED MAP]



— Special Downtown Brooklyn District

- (A)** Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- (B)** Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- (C)** Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- (Cross-hatched)** Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet



# Map 7. Subway Station Improvement Areas

[EXISTING MAP]



- |   |   |  |                          |
|---|---|--|--------------------------|
|   | Special Downtown Brooklyn District        |  | 6th Ave. Line            |
|   | Subway Station                            |  | Broadway-60th St. Line   |
|   | Subway Entrance                           |  | 4th Ave. Line            |
| ① | Court St.-Borough Hall Station            |  | Brighton Line            |
| ② | DeKalb Ave. Station                       |  | Crosstown Line           |
| ③ | Hoyt St. Station                          |  | Culver Line              |
| ④ | Hoyt-Schermerhorn Streets Station         |  | Fulton St. Line          |
| ⑤ | Jay St.-Borough Hall-Lawrence St. Station |  | Montague St. Tunnel Line |
| ⑥ | Nevins St. Station                        |  | Eastern Parkway Line     |
| ⑦ | Atlantic Ave.-Pacific St. Station         |  |                          |

[PROPOSED MAP]



— Special Downtown Brooklyn District

■ Subway Station

● Subway Entrance

① Court St.-Borough Hall Station

② DeKalb Ave. Station

③ Hoyt St. Station

④ Hoyt-Schermerhorn Streets Station

⑤ Jay St.-Borough Hall-Lawrence St. Station

⑥ Nevins St. Station

⑦ Atlantic Ave.-Pacific St. Station

— 6th Ave. Line

— Broadway-60th St. Line

— 4th Ave. Line

— Brighton Line

— Crosstown Line

— Culver Line

— Fulton St. Line

— Montague St. Tunnel Line

— Eastern Parkway Line

\* \* \*

**[THE FOLLOWING APPENDIX F IS THE STAND-ALONE IHda/MIH ONE,  
NOT AN ADDITIONAL APPENDIX IN ARTICLE X, CHAPTER 1]**

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**

\* \* \*

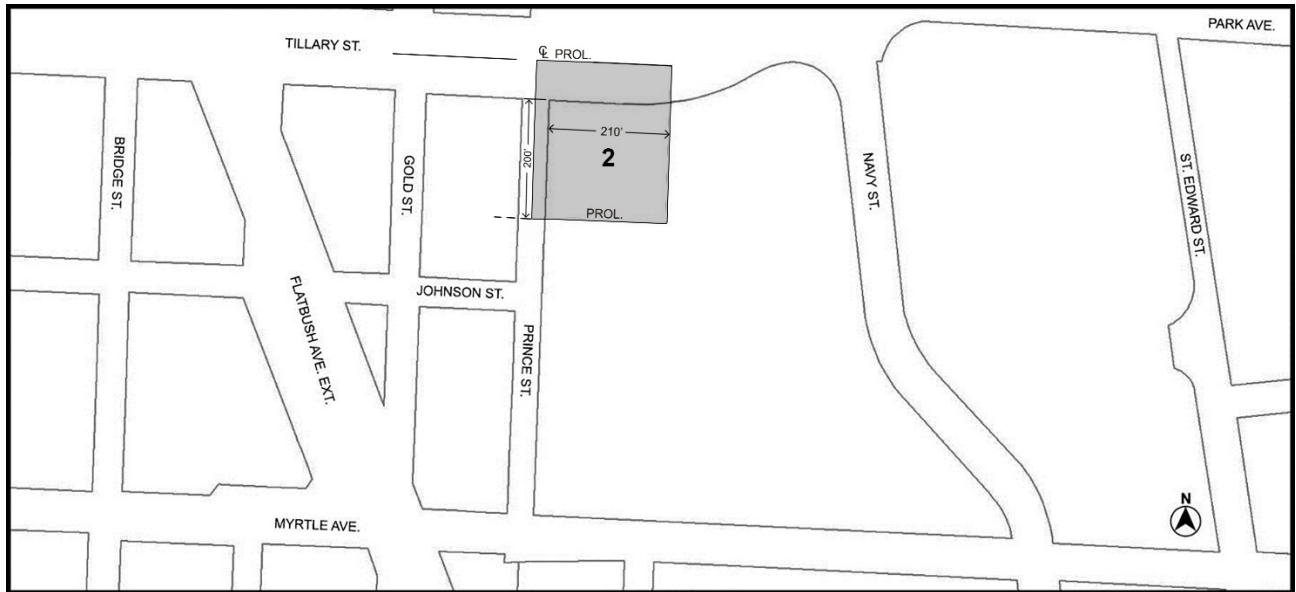
**Brooklyn Community District 2**

\* \* \*

In portions of the #Special Downtown Brooklyn District# and in the C6-4 and C6-6 (R10 equivalent) Districts within the areas shown on the following Map 5:

Map 5 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

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

Portion of Community District 2, Brooklyn

\* \* \*

The above resolution (N 170401 ZRK), duly adopted by the City Planning Commission on September 19, 2017 (Calendar No. 4), 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*  
**RAYANN BESSER, ALFRED C. CERULLO, III,**  
**MICHELLE DE LA UZ, JOSEPH DOUEK, CHERYL COHEN EFFRON,**  
**HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN**, *Commissioners*