



## **CITY PLANNING COMMISSION**

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October 23, 2013/ Calendar No. 11

N 110179 ZRK

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**IN THE MATTER OF** an application submitted by Forrest Lots, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning APPENDIX F Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts in the Borough of Brooklyn, Community District 4.

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This application for an amendment to the Zoning Resolution was filed by Forrest Lot, LLC, on December 17, 2010. The proposed text amendment will establish a new Inclusionary Housing Areas to incentivize the creation and preservation of affordable housing on five and a half blocks in Community District 4, in the Borough of Brooklyn.

### **RELATED ACTIONS**

In addition to the amendment of the Zoning Resolution, which is the subject of this report (N 110179 ZRK), implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

- C 080322 ZMK**      Zoning map amendment for approximately five and a half blocks in Brooklyn Community District 4 to change the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2;
- C 070250 MMK**      City Map Amendment to re-establish Stanwix Street between Montieth Street and Forest Street, and Noll Street between Stanwix Street and Evergreen Avenue.

## **BACKGROUND**

A full background discussion and description of this project appears in the report on the related application for a zoning map amendment (C 080322 ZMK).

## **ENVIRONMENTAL REVIEW**

This application (N 110179 ZRK) in conjunction with the related applications (C 080322 ZMK, C 070250 MMK), 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 designated CEQR number is 09DCP002K. The lead is the City Planning Commission.

A summary of the environmental review appears in the report on the related application for a zoning map amendment (C 080322 ZMK).

## **PUBLIC REVIEW**

This application (N 110179 ZRK) was duly referred to Brooklyn Community Board 4, and the Brooklyn Borough President on June 3, 2013, in accordance with the procedure for referring non-ULURP matters, in conjunction with the related actions (C 080322 ZMK, C 070250 MMK) which were certified as complete by the Department of City Planning on June 3, 2013 in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Review**

Community Board 4 held a public hearing on this application on June 19, 2013.

On July 29, 2013 Community Board 4 adopted a resolution by a vote of 29 in favor, three opposed with no abstentions recommending approval of the application. However, the Community Board's vote was taken at a meeting that did not meet the public notice requirements of the ULURP rules and was therefore non-complying.

A summary of the vote and recommendations of Community Board 4 appears in the report on the related zoning map amendment application (C 080322 ZMK).

### **Borough President's Review**

This application (N 110179 ZRK), in conjunction with the related applications (C 070250 MMK, C 080322 ZMK), was considered by the Borough President, who issued a recommendation approving the application with conditions on September 4, 2013.

A summary of the Borough President's recommendation appears in the report on the related application for a zoning map amendment (C 080322 ZMK).

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

On August 21, 2013, Cal. No. 6, the Commission scheduled September 11, 2013 for a Public Hearing on this application (N 110179 ZRK). The hearing was duly held on September 11, 2013

(Calendar No. 39), in conjunction with the hearing on the related actions (C 070250 MMK and C 080322 ZMK).

There were a number of speakers, as described in the report on the related application for the zoning map amendment (C 080322 ZMK), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this amendment to the zoning text (N 110179 ZRK) is appropriate.

A full consideration and analysis of the issues and the reasons for approving this application, as modified, appear in the report on the related application for a zoning map amendment (C 080322 ZMK).

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 11, 2013, with respect to this application (CEQR No. 09DCP002K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action to be approved, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A and attached to the lead report (C 080322 ZMK), those mitigation measures that were identified as practicable.
3. No development pursuant to this resolution shall be permitted until the Restrictive Declaration marked as Exhibit A and attached to the lead report (C 080322 ZMK), as same may be modified with any necessary administrative or technical changes, all as acceptable to counsel to the Department is executed, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Kings.

This report of the City Planning Commission, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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 consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, 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

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing Designated Areas# are mapped in #Commercial districts#, the residential district equivalent has instead been specified for each map.

Table of #Inclusionary Housing Designated Areas# by Zoning Map

<b>Zoning Map</b>	<b>Community District</b>	<b>Inclusionary Housing Map</b>
1d	Bronx CD 7	Map 1
3b	Bronx CD 4	Map 1
3c	Bronx CD 6	Maps 1-3
3c	Bronx CD 7	Map 1
3d	Bronx CD 3	Map 1
3d	Bronx CD 6	Maps 2-5
5d	Manhattan CD 7	Map 1
6a	Manhattan CD 9	Map 1, Map 2
6a	Manhattan CD 10	Map 1
6a	Manhattan CD 11	Map 1
6a	Bronx CD 1	Map 1
6a	Bronx CD 4	Map 1
6b	Manhattan CD 10	Map 1
6b	Manhattan CD 11	Map 1
8b	Manhattan CD 4	Map 1
8c	Manhattan CD 4	Map 2
8c	Manhattan CD 7	Map 2
8d	Manhattan CD 4	Map 3, Map 4
8d	Manhattan CD 5	Map 1
8d	Manhattan CD 6	Map 1
8d	Queens CD 2	Map 3
9a	Queens CD 1	Map 1
9b	Queens CD 1	Map 2
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
12a	Manhattan CD 2	Map 1
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
12d	Brooklyn CD 1	Map 2, Map 3

12d	Brooklyn CD 2	Map 1, Map 4
12d	Brooklyn CD 3	Map 3
13a	Brooklyn CD 1	Map 1, Map 2
13b	Brooklyn CD 1	Map 2, Map 4
13b	Brooklyn CD 3	Maps 3-5
13b	Brooklyn CD 4	Map 1
14d	Queens CD 8	Map 1
14d	Queens CD 12	Map 1
16b	Brooklyn CD 7	Map 2
16c	Brooklyn CD 2	Map 1-3
16c	Brooklyn CD 3	Map 1
16c	Brooklyn CD 6	Map 1
16c	Brooklyn CD 8	Map 1
16d	Brooklyn CD 7	Map 1
16d	Brooklyn CD 8	Map 1
16d	Brooklyn CD 14	Map 2
17a	Brooklyn CD 3	Map 1-5
17a	Brooklyn CD 8	Map 1
17b	Brooklyn CD 8	Map 1
17b	Brooklyn CD 14	Map 2
22a	Brooklyn CD 7	Map 2
22c	Brooklyn CD 7	Map 2
22c	Brooklyn CD 14	Maps 1-3
23a	Brooklyn CD 14	Map 2
28d	Brooklyn CD 13	Map 1

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Brooklyn, Community District 4

In the R6A and R7A Districts within the area shown on the following Map 1:  
Map 1.

