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**IN THE MATTER OF** an application submitted by NYC Department of Housing Preservation and Development and DTF Atlantic, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17a:

- 1) eliminating a Special Mixed Use District (MX-10) bounded by a line midway between Herkimer Street and Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place;
- 2) changing an M1-1/R7D District to an R8A District property bounded by a line midway between Herkimer Street and Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place; and
- 3) establishing within the proposed R8A District a C2-4 District bounded by a line 100 feet northerly of Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place;

Borough of Brooklyn, Community District 3, as shown on a diagram (for illustrative purposes only) dated November 13, 2018.

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This application for a zoning map amendment (C 190161 ZMK) was filed by the Department of Housing Preservation and Development (HPD) and DTF Atlantic, LLC on October 26, 2018. The applicants are proposing to remove the MX-10 special district zoning, and change the underlying M1-1/R7D zoning districts to R8A and R8A/C2-4 zoning districts within the rezoning area (Block 1557, Lots 1, 2, 3, 4, 23, 26, 28, 31, 32, 33, 34, 35, 36, 37, 38).

Approval of this application would facilitate the development of a new 14-story building containing approximately 235 units of affordable housing plus one superintendent's unit, as well as ground-floor retail and community facility space at 1921 Atlantic Avenue in the Bedford Stuyvesant neighborhood of Brooklyn, Community District 3.

## **RELATED ACTIONS**

In addition to the zoning map amendment that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which

are being considered concurrently with this application:

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|---------------------|---|
| <b>C 190160 HAK</b> | Urban Development Action Area Project (UDAAP) Designation, Project Approval and Disposition of City-Owned Property              |
| <b>N 190162 ZRK</b> | Zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) Area coterminous with the rezoning area |
| <b>C 190163 HUK</b> | First amendment to the Saratoga Square Urban Renewal Plan (URP).  |

## **BACKGROUND**

A description of this application, the surrounding area, and the proposed project is included in the report for the related URP action (C 190163 HUK).

## **ENVIRONMENTAL REVIEW**

The application (C 190161 ZMK) in conjunction with the applications for the related actions (C 190160 HAK, and N 190162 ZRK, C 190163 HUK), 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 18HPD104K. The lead agency is HPD.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on November 9, 2018.

## **UNIFORM LAND USE REVIEW**

This application (C 190161 ZMK) and the applications for related actions (C 190160 HAK, and C 190163 HUK), were certified as complete by the Department of City Planning on November 13, 2018 and duly referred to Brooklyn Community Board 3 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 related application for a zoning text amendment (N 190162 ZRK), which was referred in accordance with the procedures for non-ULURP actions.

### **Community Board Public Hearing**

Brooklyn Community Board 3 held a public hearing on this application (C 190161 ZMK) on January 7, 2019, and on that date, by a vote of 39 in favor, none opposed, and no abstentions, recommended approval of the project.

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on application (C 190161 ZMK) on January 23, 2019, and on February 21, 2019 issued a recommendation to approve with conditions, as described in the report for the related URP action (C 190163 HUK), and the hearing was closed.

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

On February 13, 2019 (Calendar No. 4) the CPC scheduled February 27, 2019 for a public hearing on this application (C 190161 ZMK) and the applications for the related actions (C 190160 HAK, and N 190162 ZRK, C 190163 HUK). The hearing was duly held on February 27, 2019 (Calendar No. 29).

Three speakers testified in favor of the project, and one speaker testified in opposition, as described in the report on the related URP action (C 190163 HUK), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the proposed zoning map amendment (C 190161 ZMK), in conjunction with the related actions (C 190160 HAK, and N 190162 ZRK, C 190163 HUK) is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related URP action (C 190163 HUK).

## **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. 17a:

- 1) eliminating a Special Mixed Use District (MX-10) bounded by a line midway between Herkimer Street and Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place;
- 2) changing an M1-1/R7D District to an R8A District property bounded by a line midway between Herkimer Street and Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place; and
- 3) establishing within the proposed R8A District a C2-4 District bounded by a line 100 feet northerly of Atlantic Avenue, Bancroft Place, the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), and Prescott Place;

Borough of Brooklyn, Community District 3, as shown on a diagram (for illustrative purposes only) dated November 13, 2018.

The above resolution (C 190161 ZMK), duly adopted by the City Planning Commission on March 27, 2019 (Calendar No. 3), 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*

**ALLEN P. CAPPELLI, Esq.**, **ALFRED C. CERULLO, III,**

**MICHELLE R. de la UZ, JOSEPH I. DOUEK,**

**HOPE KNIGHT, ANNA HAYES LEVIN,**

**LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*