



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

## E-MAIL TRANSMITTAL

Community Board 15 Distribution <b>TO</b>	Borough President Marty Markowitz <b>FROM</b>
NOVEMBER 10, 2005  <b>DATE</b>	<b>Judd Schechtman, Land Use Specialist</b> Phone: (718) 802-3856 E-Mail: jschechtman@brooklynbp.nyc.gov <b>CONTACT</b>
ULURP Recommendation <b>060129 ZMK</b> <b>RE:</b>	<b>9</b> <b>NO. PAGES, INCLUDING COVER</b>

Attached is the recommendation report for ULURP application **060129 ZMK**, the Homecrest Rezoning.

If you have any questions, please call (718) 802-3856.

### Distribution

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# Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

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FAX # (212) 720-3356

## 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 applicants representatives as indicated on the Notice of Certification.

APPLICATION # **060129 ZMK**

COMMUNITY DISTRICT NO. **15**

BOROUGH OF BROOKLYN

## RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE

## EXPLANATION OF RECOMMENDATION – MODIFICATIONS/CONDITIONS

- RECOMMENDATION ATTACHED
- RECOMMENDATION TO FOLLOW



BOROUGH PRESIDENT

November 10, 2005

DATE

## ATTACHMENT

### CONSIDERATION

The Brooklyn Borough President supports this application for the contextual downzoning of Homecrest.

The Borough President's policy supports rezoning actions that are consistent with the community's needs and infrastructural capacity to handle development. He supports rezoning initiatives that preserve the character and scale of Brooklyn's neighborhoods where appropriate.

This proposal represents yet another milestone in ongoing efforts to respond to the need to preserve our Brooklyn neighborhoods. The quality-of-life for residents living on these residential blocks in Homecrest known for their charming, low-rise, detached housing is being compromised by bulky out-of-scale development. The Borough President believes that Department of City Planning (DCP) has developed a rezoning proposal that respects the built environment and will preserve the neighborhood for generations to come, while providing opportunities to develop housing along appropriate streets.

There are many individuals and organizations that have been instrumental in addressing this problem including Council Member Michael Nelson; State Senators Carl Kruger and Marty Golden, Community Board 15; its Chair Jerry O'Shea and District Manager Ben Akselrod; the Department of City Planning (DCP) and its Chair, Amanda Burden; as well as the residents of Homecrest.

The Borough President understands the need for growth in Brooklyn's supply of housing, but believes that development that we do allow should be smart growth. Intelligent growth is respectful of the history and character of Brooklyn's communities and allows neighborhoods to grow without compromising existing character.

The Department of City Planning's proposal to upzone major streets including Kings Highway and Ocean Avenue is an example of such growth. The proposal will encourage housing production and curtail the proliferation of community facilities for medical purposes. Areas that are situated near subways stations and bus transit corridors are suitable places for such development. The width of those streets and mass transit access support the increase in the number of multi-family developments along these corridors.

While development has its benefits, it is essential that construction not infringe on the quality-of-life of existing residents. It is crucial that these residents be allowed to live without constant solicitation from developers and realtors. As construction activity is rarely welcomed by its immediate neighbors, best efforts should be made by all concerned to minimize potential adverse impacts.

The Borough President has specific recommendations with regard to the DCP proposal:

#### CONEY ISLAND AVENUE (C8-2 to R7A/C2-3)

*The Borough President recommends the two blocks of Coney Island Avenue between Avenue P and Avenue R not be rezoned from C8-2 to R7A/C2-3. The blocks should remain C8-2.*

The Borough President believes that Coney Island Avenue should be treated separately and in its entirety. A piecemeal rezoning neglects looking at the area proposed to be rezoned as a coherent block, as the western side would remain C8-2 north of Kings Highway and R5 to the south

The C8-2 district proposed to be rezoned is the as-of-right zoning category for automotive uses. These services are essential to the community, and a study should be undertaken to determine the

effects of displacement of such businesses. The services they provide the neighborhood are critical, and a determination should be made as to where such uses will be able to relocate.

DCP should conduct a comprehensive study and collaborate with Community Boards 7, 12, 13, 14 and 15 to develop a comprehensive vision for Coney Island Avenue.

#### QUENTIN ROAD AND EAST 19<sup>TH</sup> STREET

*The Borough President recommends that Quentin Road between East 18<sup>th</sup> and East 19<sup>th</sup> Street and East 19<sup>th</sup> Street between Quentin Road and Avenue R be zoned R5B.*

DCP proposes that the both sides of East 19<sup>th</sup> Street north of Avenue R, including the west side of Quentin Road, be rezoned for detached and semi-detached development pursuant to R4-1 zoning. While such a zoning district largely mirrors the type of buildings along the block, the homes are literally wedged between apartment buildings. The Borough President believes that it is more fitting to extend the proposed R5B district east from East 18<sup>th</sup> Street.

This would allow properties on Quentin Road and East 19<sup>th</sup> Street to be enlarged or redeveloped as attached housing. For the houses on Quentin Road, DCP should explore additional options that would be within scope.

#### OCEAN AVENUE

*Retain the R6 zoning designation in the proposed R7A and R4-1 districts on Ocean Avenue between 100 feet south of Avenue S and Avenue U, and the east side of Ocean Avenue between Avenue U and 330 feet south of Avenue U.*

*Designate as an R4 district the proposed R4-1 district on Ocean Avenue between 330 feet south of Avenue U and Avenue V.*

DCP proposes that the east side of Ocean Avenue between Avenue S and Avenue V be designated R7A while the west side is designated R4-1 to preserve the existing detached homes.

Not too long ago between Avenue S and Avenue T there were 13 detached houses framed by an apartment building at Avenue S and a religious property at Avenue T. According to documentation submitted to the Borough President and a site inspection, four homes were demolished recently; of the remaining nine houses, seven are either in contract for sale to a developer or the owner has stated a preference to sell.

The number of detached homes remaining on the east side proposed to be zoned R4-1 is equal to the number that remain on the side that DCP proposes to be rezoned R7A. Only one house remains on the northern half of the block on the east side of Avenue U. This building is wedged between a medical building and a construction site for a multi-family building that will likely vest with existing R6 zoning.

Because of the pace of redevelopment that has occurred since he first heard concerns from residents along Ocean Avenue, the Borough President believes that the most appropriate course is to continue to allow Ocean Avenue to be redeveloped as it is currently zoned.

The Borough President believes that the most equitable and logical course of action is to retain R6 zoning south of Avenue S for both sides of Ocean Avenue to Avenue U.

South of Avenue U, the Borough President recommends that the east side of Ocean Avenue be kept R6 for the northern half of the block, with the remainder made part of the adjacent R4 district.

## SUBSEQUENT REZONINGS

### Parking

*Amend the zoning text for R7A and C4-4A districts to require one parking space per dwelling unit.*

While the Borough President supports upzoning to accommodate housing production in buildings that are respectful of neighborhood context, the zoning districts proposed do not require adequate parking for areas of the borough with high car ownership rates.

Such areas are already facing experiencing difficulty with accommodating the demand for on-street parking.

The proposed R7A and C4-4A zoning districts only require parking for fifty percent of the units, resulting in far fewer spaces than are demanded.

Therefore, the Borough President calls on DCP to draft a zoning text amendment for R7A and C4-4A districts in Community District 15 that amends the parking requirement from one for every two dwellings to one space for each dwelling unit and eliminates the waiver of otherwise required parking.

### Kings Highway Retail

*Implement a zoning text change requiring ground-floor retail on Kings Highway.*

The proposed rezoning of Kings Highway between Coney Island Avenue and Ocean Avenue from C4-2 to C4-4A increases the incentive to develop housing.

This section of Kings Highway is a major retail center and provides an essential service to area residents. The Borough President is concerned that neither the existing nor proposed zoning district requires retail use at the ground floor.

While Kings Highway developed as a retail corridor without such requirements, and although the Borough President is aware that developers typically construct mixed-use buildings in existing C4-4A districts in other areas of the city, he is concerned that developers active in this part of Brooklyn are less experienced with development of mixed-retail/residential development.

He is concerned that without requirements to mandate retail use for the ground floor developers might opt to construct entirely residential condominium developments. Any loss of retail frontage along Kings Highway could be detrimental for the entire corridor.

DCP should immediately draft a zoning text change to require retail frontage along Kings Highway prior to the redevelopment of any of the properties.

### Residential Streets

*Investigate designating the proposed R4-1 districts R5A.*

The Borough President believes that DCP should investigate claims made that the proposed rezoning of R6 to R4-1 is overly restrictive for families seeking to accommodate additional living/sleeping rooms for larger family sizes.

The additional floor area that R5A districts permit would benefit families in semi-detached and attached homes.

Though the floor area restrictions of the R4-1 district might be addressed through approval of the special permit to enlarge small homes under the jurisdiction of the Board of Standards and Appeals, this process is time consuming and might be beyond the financial means of certain households. Therefore, the Borough President urges DCP to investigate this issue promptly and proceed with required follow-up actions.

#### Affordable Housing

*Make the Affordable Housing Floor Area Incentives in R7A and C4-4A districts applicable in this application.*

The Borough President firmly believes that developers should provide housing for those who are being priced out of Brooklyn, especially vulnerable populations such as seniors.

The Borough President has been supportive of the use of the affordable housing floor area bonus, established as a component of recent rezonings in the Chelsea and Clinton districts of Manhattan, and Greenpoint/Williamsburg and Fourth Avenue in South Park Slope. The Borough President believes that there is not enough availability of affordable housing units in the Homecrest area. In addition, Homecrest has an ever growing elderly population, many in need of housing that is less of a rent burden.

He believes that plans to grow the residential housing stock of a neighborhood are deficient when they do not increase or preserve the supply of affordable housing. DCP should make applicable the affordable housing floor area incentives for the R7A and C4-4A districts. Further, such text should contain additional text amendments to encourage development of affordable housing for senior citizens in multi-family developments.

#### Other neighborhoods in Community District 15

The Borough President applauds that this section of the Homecrest community will realize the zoning changes it has long requested. He remains deeply concerned that the remainder of Homecrest south of Avenue S as well as Sheepshead Bay, Gerritsen Beach and other neighborhoods of Community District 15 still are in need similar protections. The Borough President urges DCP to develop zoning proposals that restrict multi-family developments along the side streets, making use of contextual districts such as R3A, R3-1, C3A, R4A, R4-1 and R5A detached and semi-detached districts.

#### Landscaping

*Implement requirements that would mandate landscaping along Kings Highway east of Ocean Avenue and along Ocean Avenue for all residential developments.*

These sections of Ocean Avenue and Kings Highway to the east of Ocean Avenue have been defined by a significant number of trees and landscaped front lawns.

Although some of the single-family detached homes are being lost in these areas, the greenery should not vanish as new development fills in Ocean Avenue. Landscaping has contributed to a large number of grand boulevards in this city. Ocean, Eastern, Pelham and Mosholu Parkways, as well as Park Avenue, Broadway and the Grand Concourse should set an example for what can be achieved on Ocean Avenue and Kings Highway.

The Kings Highway service road median between Ocean and Nostrand Avenues should be treated in a manner consistent with Park Avenue and upper Broadway in Manhattan or Ocean and Eastern Parkways in Brooklyn. Buildings should be lined with shrubs, hedges and flowers in a landscaped ribbon either within a front yard setback or mandated planting area adjoining the building within the public right-of-way. The Borough President urges the City to analyze and implement means to provide

landscaping along Kings Highway (east of Ocean Avenue) and Ocean Avenue for all residential developments.

## RECOMMENDATION

- 1) Be it resolved, that the President of the Borough of Brooklyn, pursuant to section 197-c of the New York City Charter, and based upon the consideration described in this report, recommends approval of this application by the City Planning Commission and/or the City Council subject to the condition that:

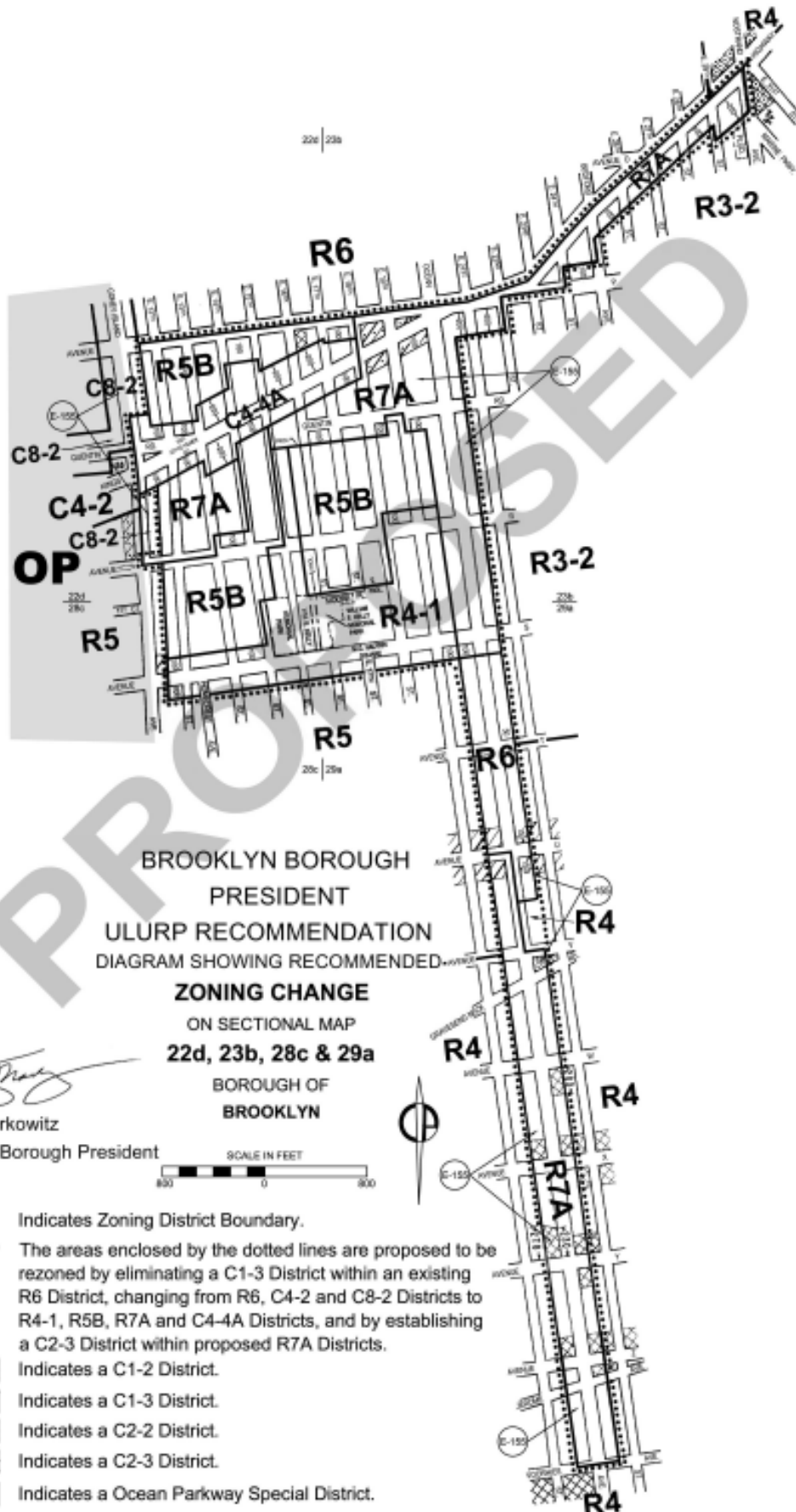
the City Planning Commission and City Council modify the zoning map amendments as follows:

- a) That for Coney Island Avenue, the proposed R7A district remain as a C8-2 zoning district.
- b) That for Quentin Road between East 18<sup>th</sup> and East 19<sup>th</sup> Street and for East 19<sup>th</sup> Street between Quentin Road and Avenue R, the proposed R4-1 district be zoned R5B.
- c) That for Ocean Avenue between 100 feet south of Avenue S and Avenue U, and for the east side of Ocean Avenue between Avenue U and 330 feet south of Avenue U, the proposed R7A and R4-1 districts remain R6.
- d) That for Ocean Avenue between 330 feet south of Avenue U and Avenue V, the proposed R4-1 be zoned R4.

Be it further resolved that the Borough President calls on:

- 1) The Department of City Planning to initiate and expedite zoning text and map amendments that:
  - a) For R7A and C4-4A districts in Community District 15, amend the residential parking requirements from one space for every two dwelling units to one space for each dwelling unit in any development containing multi-family housing and eliminate the option to otherwise waive parking;
  - b) Requires ground floor retail use for all developments fronting Kings Highway between Coney Island Avenue and Ocean Avenue;
  - c) Rezone to an R5A district the remaining areas proposed to be rezoned as R4-1 districts;
  - d) Make applicable the affordable housing floor area incentives for the R7A and C4-4A districts mapped in Community District 15 with additional text amendments encouraging development of affordable housing for senior citizens;
  - e) Plan for the rezoning of Coney Island Avenue in consultation with Community Boards 7, 12, 13, 14 and 15 and the Brooklyn Borough Board;
  - f) For the remainder of CB 15, rezone to promote preservation of detached and semi-detached housing and provide opportunities for smart growth







- 2) The City to analyze and implement means to provide landscaping along Kings Highway (east of Ocean Avenue) and Ocean Avenue for all residential developments.



**BROOKLYN BOROUGH**  
**PRESIDENT**  
**ULRP RECOMMENDATION**  
 DIAGRAM SHOWING RECOMMENDED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**22d, 23b, 28c & 29a**  
 BOROUGH OF  
**BROOKLYN**

  
 Marty Markowitz  
 Brooklyn Borough President



- NOTE:**
- Indicates Zoning District Boundary.
  - The areas enclosed by the dotted lines are proposed to be rezoned by eliminating a C1-3 District within an existing R6 District, changing from R6, C4-2 and C8-2 Districts to R4-1, R5B, R7A and C4-4A Districts, and by establishing a C2-3 District within proposed R7A Districts.
  -  Indicates a C1-2 District.
  -  Indicates a C1-3 District.
  -  Indicates a C2-2 District.
  -  Indicates a C2-3 District.
  -  **OP** Indicates a Ocean Parkway Special District.
  -  **E** Indicates a City Environmental Quality Review Declaration, refer to C.E.Q.R. sheet.