



## E-mail/ Fax transmittal

<b>TO</b> Community District 12 Distribution	<b>FROM</b> Borough President Marty Markowitz
<b>DATE</b> February 26, 2010	<b>CONTACT</b> Kevin Parris, <b>Land Use &amp; Community Coordinator</b> Phone: (718) 802-3856 E-Mail: <a href="mailto:kparris@brooklynbp.nyc.gov">kparris@brooklynbp.nyc.gov</a>
<b>RE:</b> 4802-4812 18 <sup>th</sup> Avenue <b>ULURP Recommendation</b> <b>070520 ZMK</b>	<b>NO. PAGES, INCLUDING COVER</b> <b>4</b>

Attached is the recommendation report for ULURP application 070520 ZMK.

If you have any questions, please contact Kevin Parris at (718) 802-3856.

### Distribution

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# Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
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 applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: 070520 ZMK

4802-4812 18<sup>th</sup> Avenue

In the matter of an application submitted by Jom Tob Gluck pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C1-3 District bounded by 48<sup>th</sup> Street, 18<sup>th</sup> Avenue, 49<sup>th</sup> Street and a line 100 feet northwesterly of 18<sup>th</sup> Avenue to allow for neighborhood retail development.

COMMUNITY DISTRICT NO. 12

BOROUGH OF BROOKLYN

## RECOMMENDATION

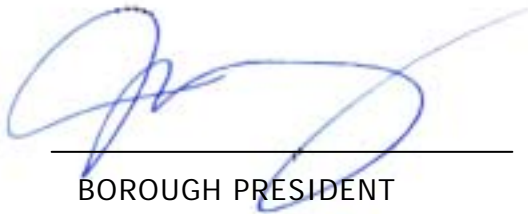
APPROVE

DISAPPROVE

APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

Recommendation report to follow

  
\_\_\_\_\_  
BOROUGH PRESIDENT

February 26, 2010

\_\_\_\_\_  
DATE

# **RECOMMENDATION FOR THE PROPOSED ZONING MAP CHANGE FOR COMMERCIAL DEVELOPMENT 070520 ZMK**

## **PUBLIC HEARING**

The applicant disclosed that there is no commitment for a bank to be located at this site, though documentation was provided from a bank representative acknowledging the site was ideal for such purposes. A number of other retail options were discussed as possible alternatives to a bank. The applicant also noted that constructing a residential building would not be financially viable due to the non-residential nature of 18<sup>th</sup> Avenue.

Several members of the community testified in opposition to this application, noting that the addition of a bank is not needed. Concern was expressed about locating an ATM, fearing that it might expose the community to crime. Additionally, those who testified believed that bringing another bank will decrease the availability of on-street parking due to bank employees and customers using these spots. Generally, community members felt that given the context of the location, residential development should be pursued by the developer.

## **CONSIDERATION**

Community Board 12 voted to disapprove this application.

The borough president generally supports efforts that facilitate the creation or growth of businesses that serve Brooklyn residents.

The borough president believes that adding a commercial overlay might facilitate local neighborhood stores to further support retail along this corridor. He acknowledges that a bank or other type of non-retail use, such as offices that would be permitted by introducing a commercial overlay district, might rely on patrons from beyond the immediate area, thus bringing more cars to an area where parking is scarce.

In order to address community concerns regarding parking for a bank or other related uses, the borough president believes that if such uses are to be permitted, parking should be accommodated on the site. The borough president believes that it is possible to include seven spaces at street level by raising the banking floor above street grade as a means to accommodate a parking area. In addition, concerns regarding the presence of an ATM could be addressed by orienting the ATM towards 18<sup>th</sup> Avenue or including it in the street-level parking area.

In regards to the possibility for residential development of the site, the borough president expects that the commercial overlay being sought would also improve the feasibility of this and/or community use development. This is due to the fact that introducing a commercial overlay district removes the double front yard regulation for corner lots in the residential district. Mandating a yard under existing zoning compromises development of residential or community facility uses because it restricts the flexibility of placing the building on the lot.

**RECOMMENDATION**

Be it resolved that the Brooklyn Borough President, pursuant to section 197-c of the New York City Charter, recommends the approval of this application by the City Planning Commission and City Council subject to the conditions that:

- Should the development contain banks or business, professional and/or government offices, the developer should provide parking – with the entrance/exit located on 18<sup>th</sup> Avenue.
- Should a bank be included in the development, the ATM must be oriented to either 18<sup>th</sup> Avenue or within the parking area.