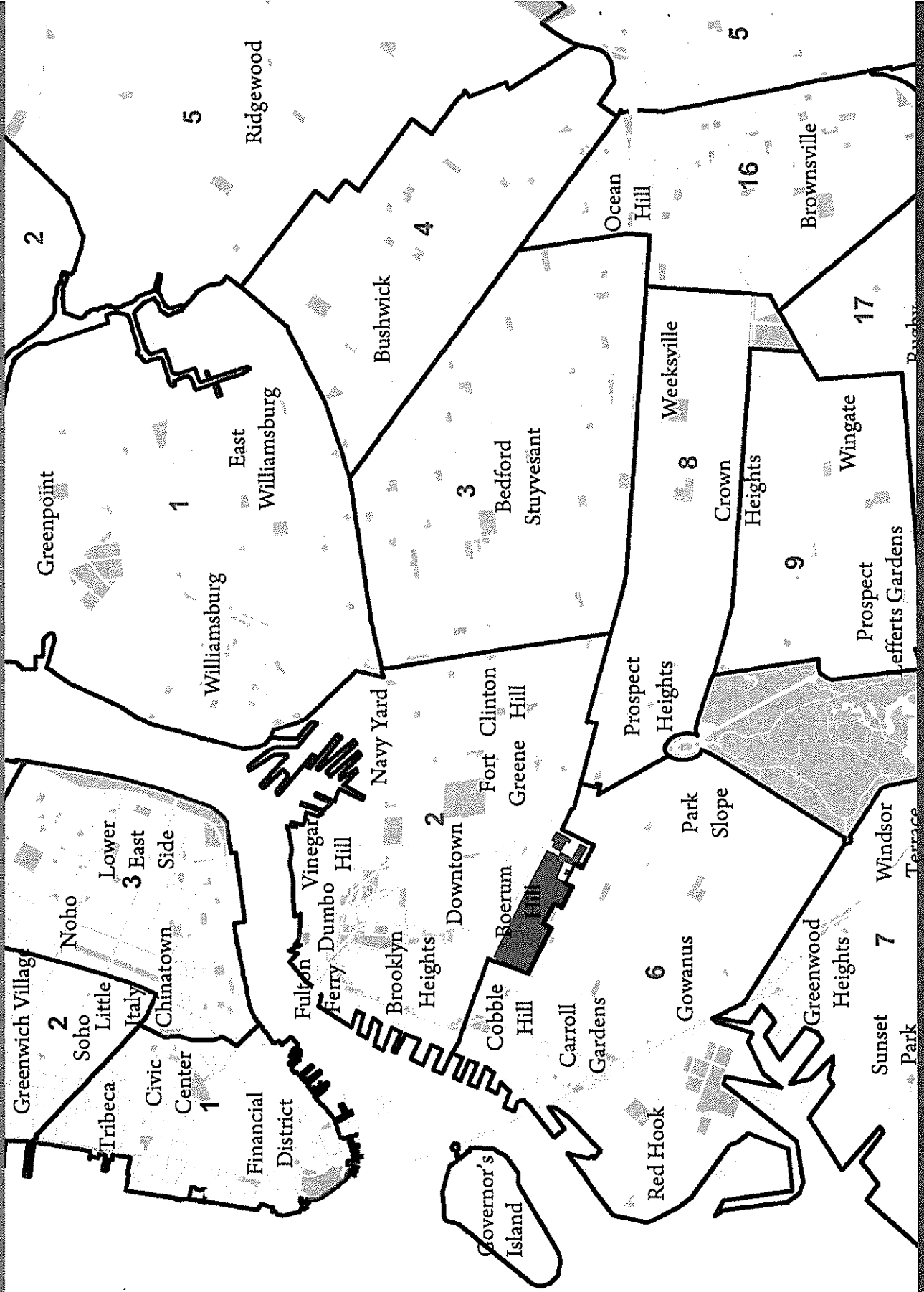


# BOERUM HILL REZONING

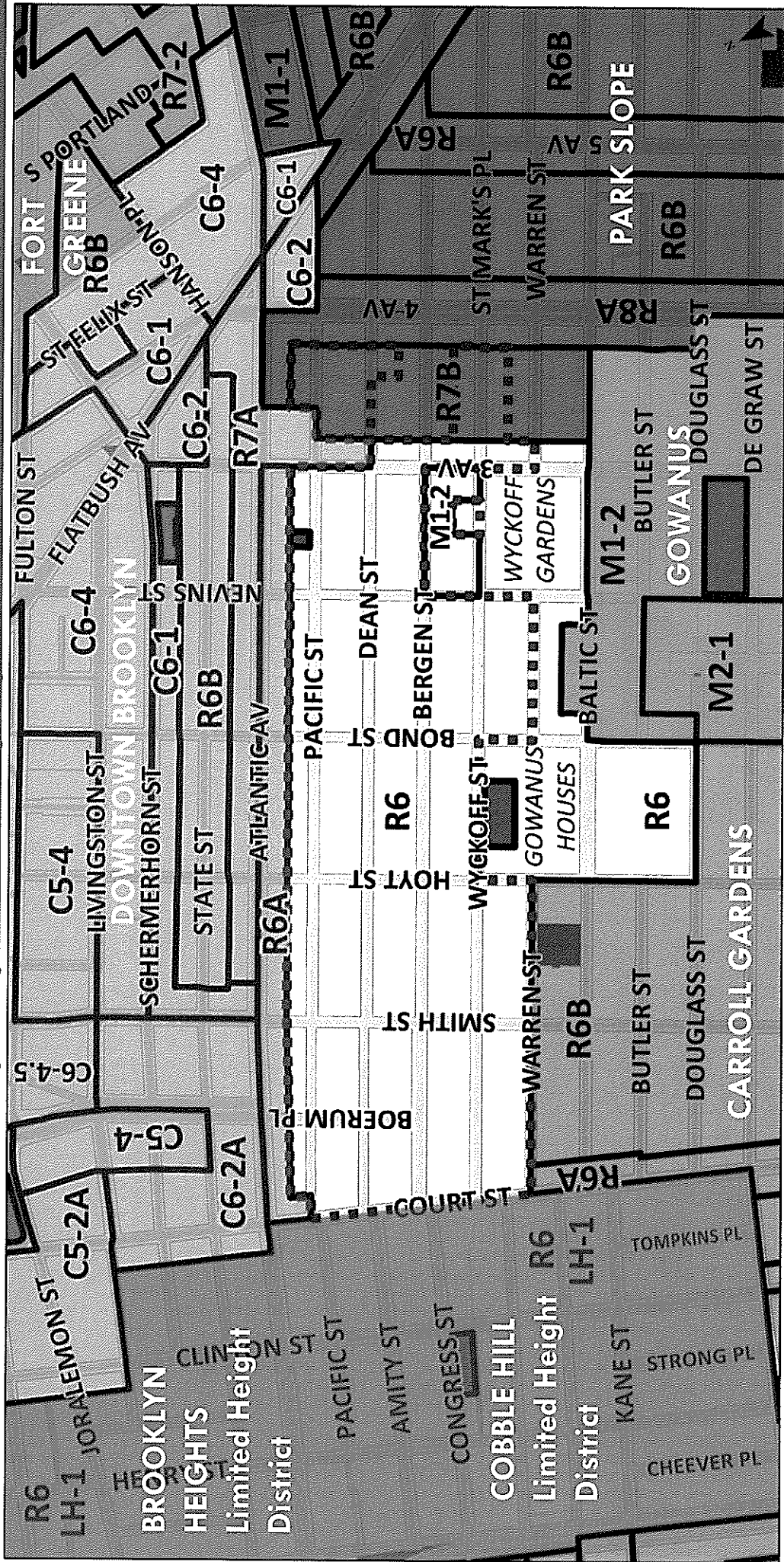


# LOCATION



# LOCATION

Surrounding areas have height limits or have been recently studied



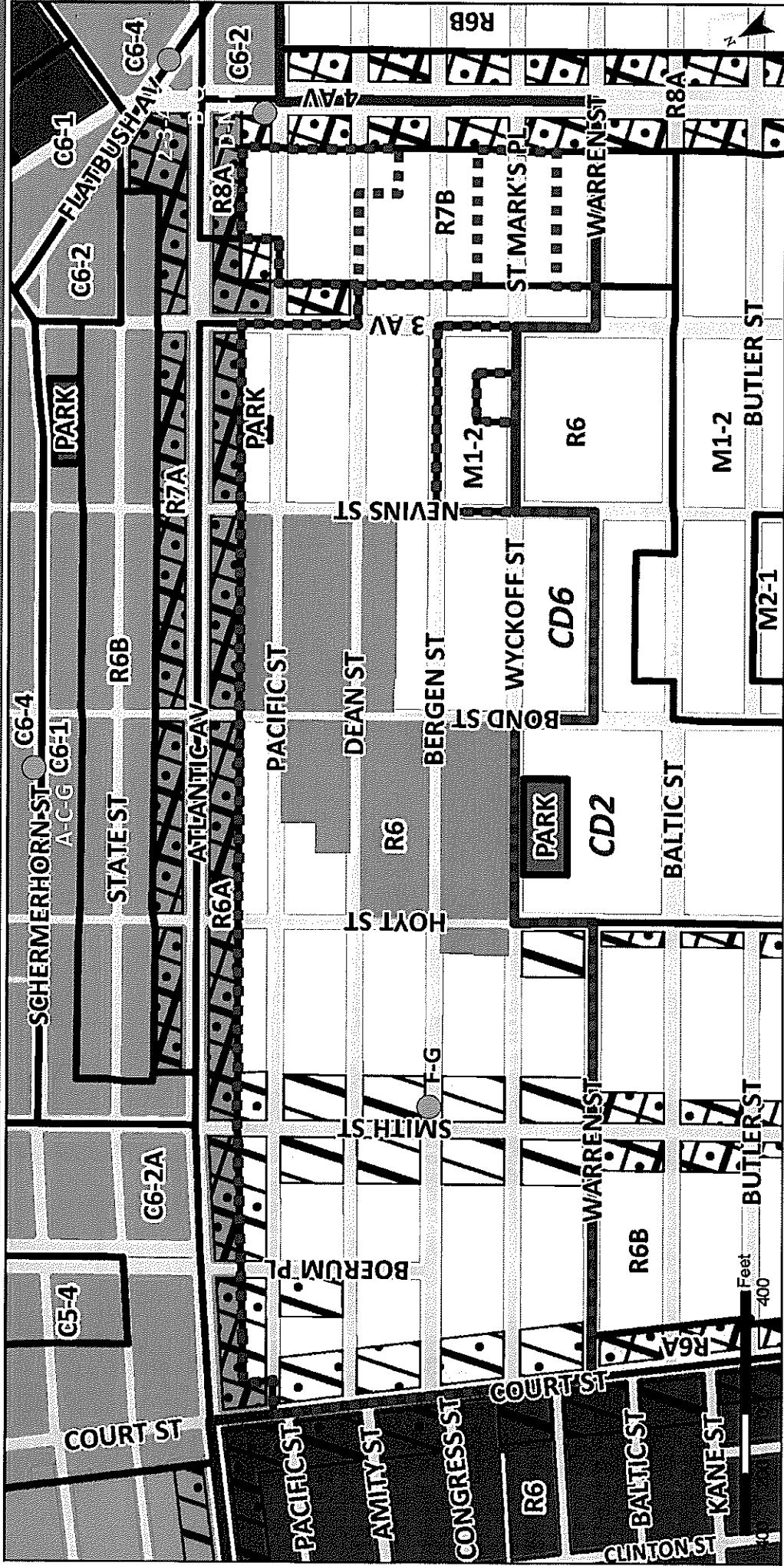


## REZONING OBJECTIVES

- Respond to the community's request for contextual zoning that applies height limits throughout the rezoning area.
- Match new zoning to existing built character and land uses.
- Allow for appropriate development.
- Support commercial corridors along Court and Smith streets.

# REZONING AREA

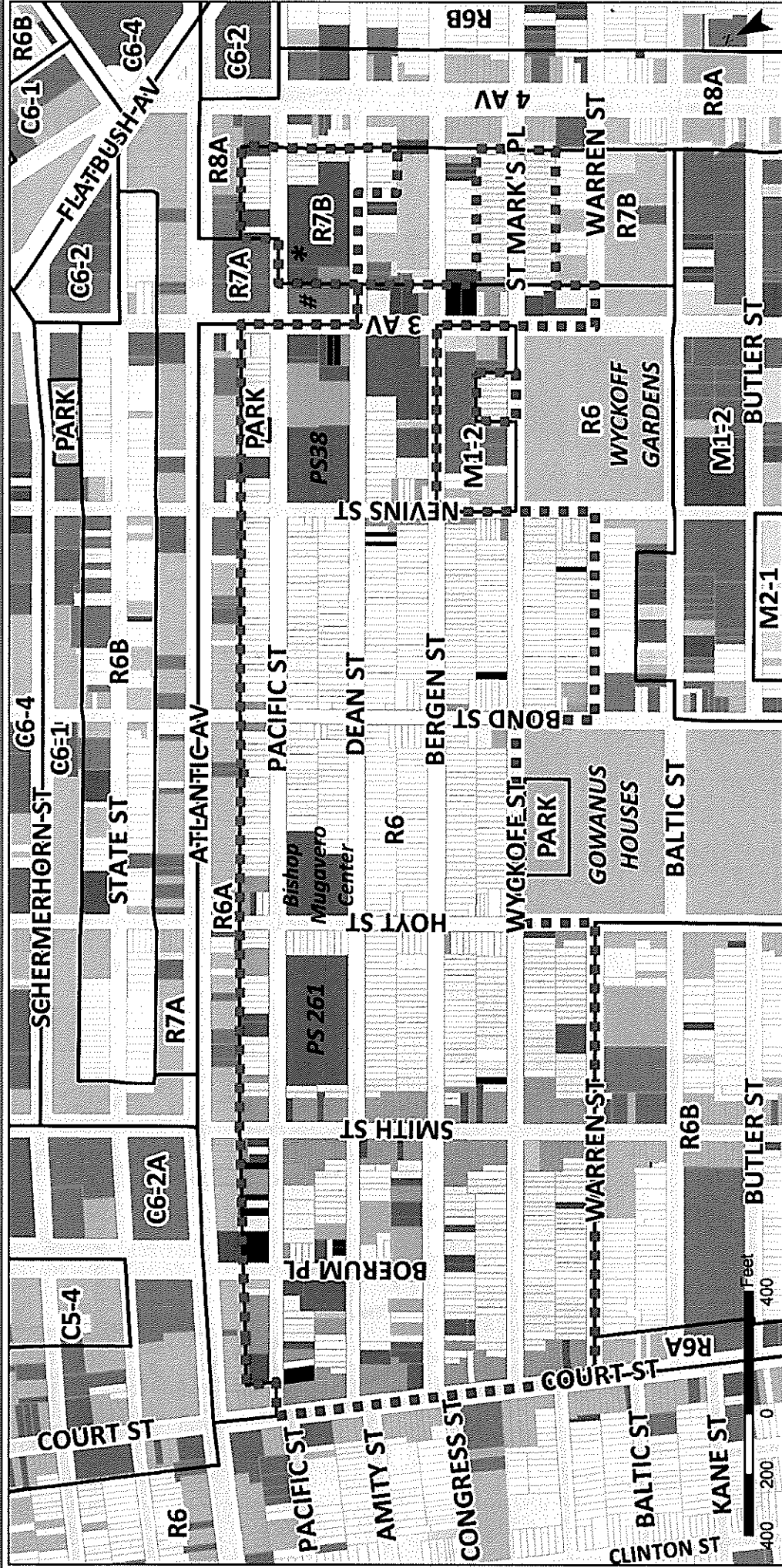
- R6 and R7B Districts in Boerum Hill/Community District 2
- Includes the Boerum Hill Historic District



Rezoning Area  
 Community District Boundary  
 Downtown Brooklyn Special District  
 Boerum Hill Historic District  
 Brooklyn Academy of Music  
 Brooklyn Heights Historic District  
 Cobble Hill Historic District  
 C1-3  
 C2-3  
 C1-4  
 C2-4  
 Subway Stations

# EXISTING ZONING AND LAND USES

- Mostly residential
- Mix of uses along Court, Smith, Pacific and Bergen Streets and 3<sup>rd</sup> Avenue

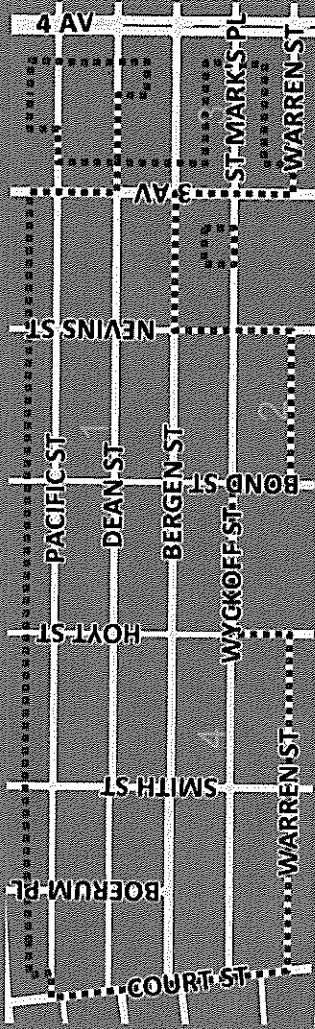


Rezoning Area  
 One & Two Family Buildings  
 Multifamily Walkup Buildings  
 Multifamily Elevator Buildings  
 Mixed Commercial/Residential Buildings  
 Commercial/Office Buildings  
 Industrial/Manufacturing  
 Transportation/Utility  
 Public Facilities & Institutions  
 Open Space  
 Parking Facilities  
 Vacant Land  
 All Others or No Data

\*Brooklyn High School of the Arts  
 # MS 447 The Math and Science  
 Exploratory School

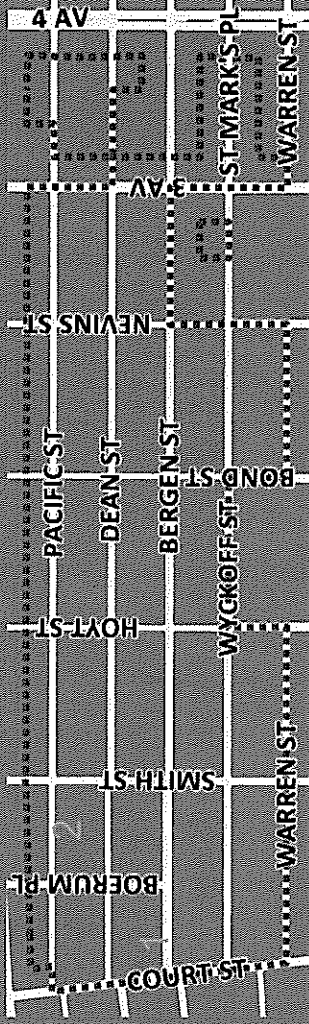
# EXISTING CHARACTER

## Strong rowhouse character



# EXISTING CHARACTER

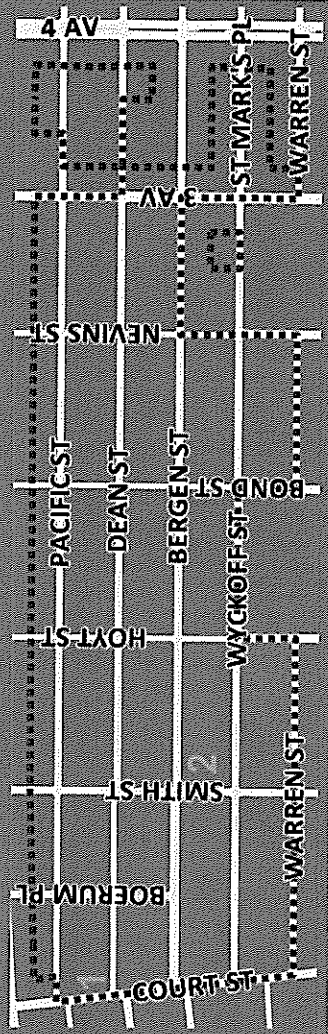
**Strong rowhouse character with some areas having a mixed character**



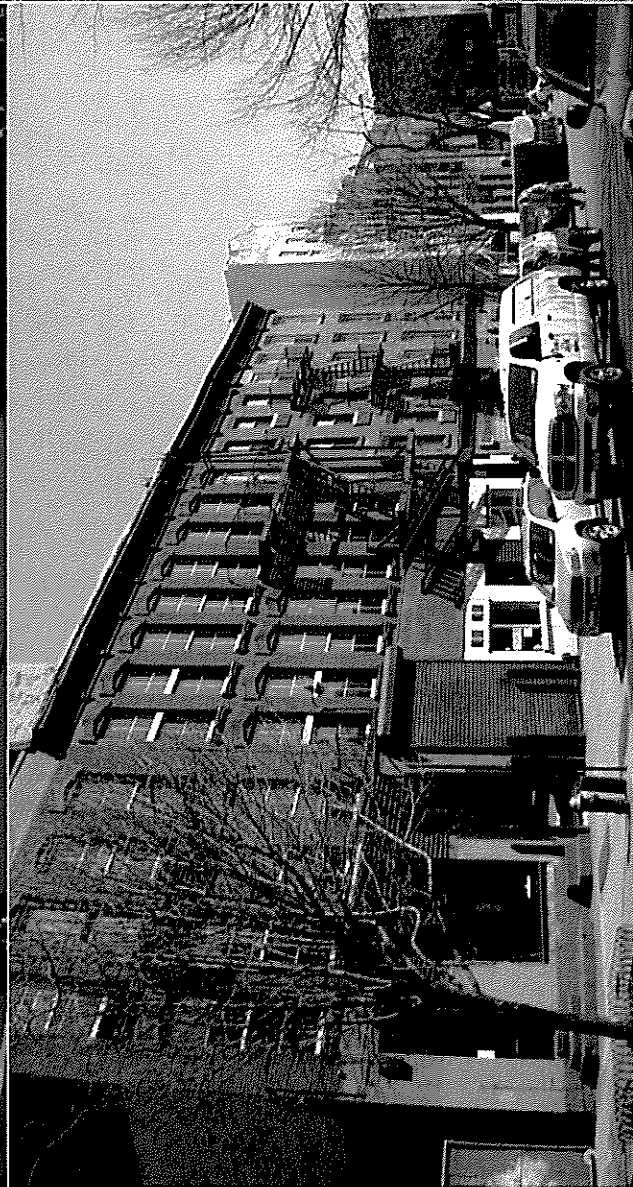
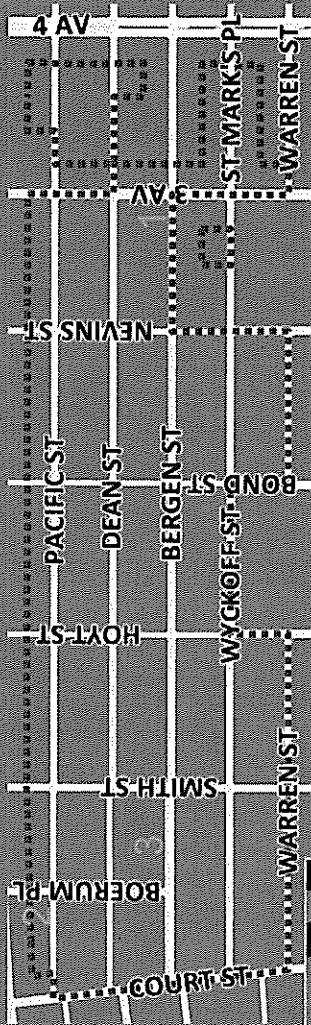


# EXISTING CHARACTER

## Lively retail along Court and Smith streets



**EXISTING CHARACTER**  
**Mix of uses along Pacific and Bergen**  
**streets and 3<sup>rd</sup> Avenue**

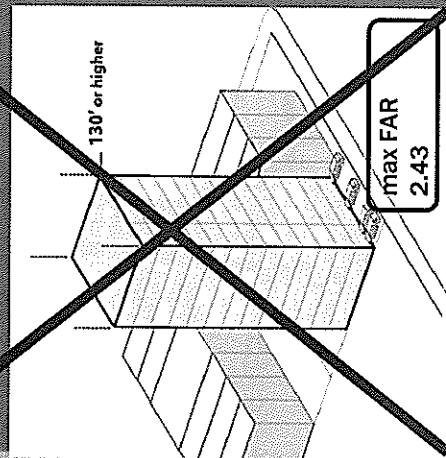


# PROPOSED ZONING

- Map contextual zoning districts with height and density limits appropriate to the existing character

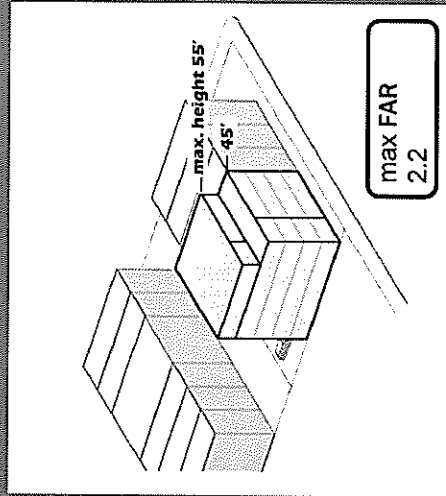
## ~~R6 Height Factor~~

~~Available Everywhere~~



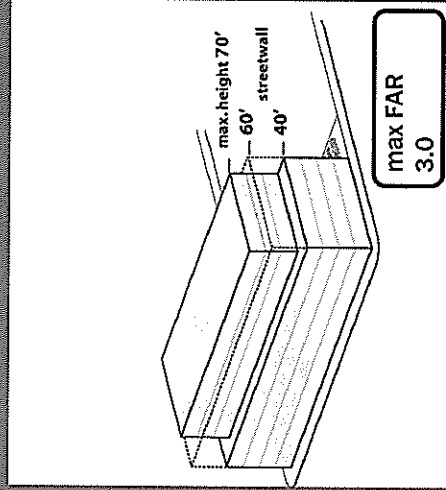
## R6 Quality Housing

Available on Narrow Streets



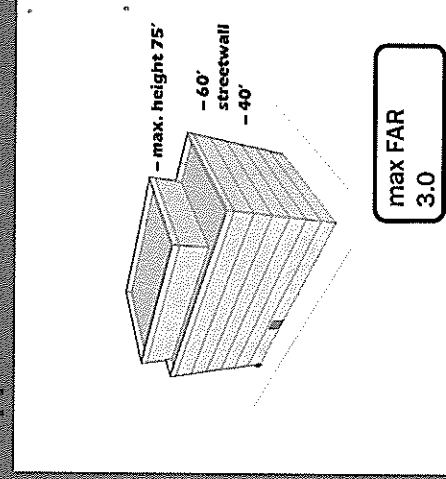
## R6 Quality Housing

Available on Wide Streets



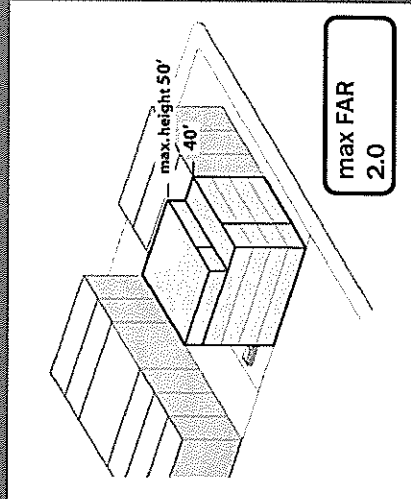
## R7B

Mapped between 3<sup>rd</sup> & 4<sup>th</sup>



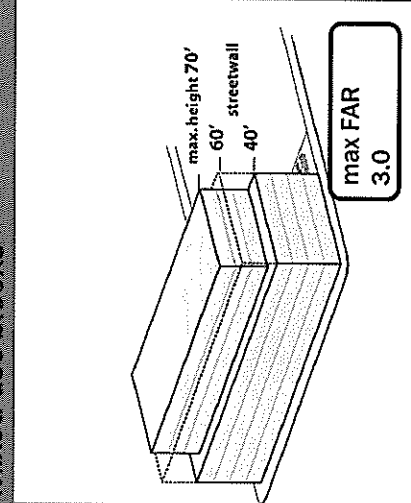
## R6B

Proposed for lower scale rowhouse blocks



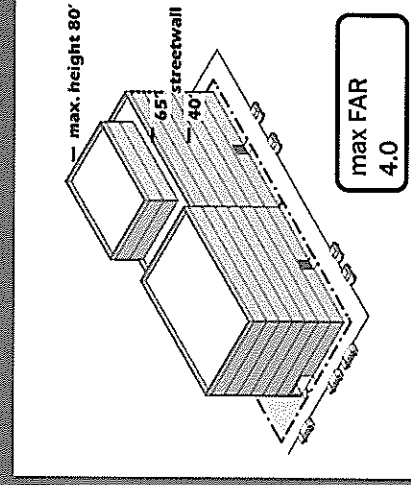
## R6A

Proposed for denser areas and mixed-use blocks



## R7A

Proposed for 3<sup>rd</sup> Avenue

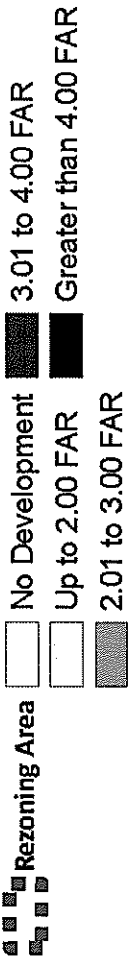
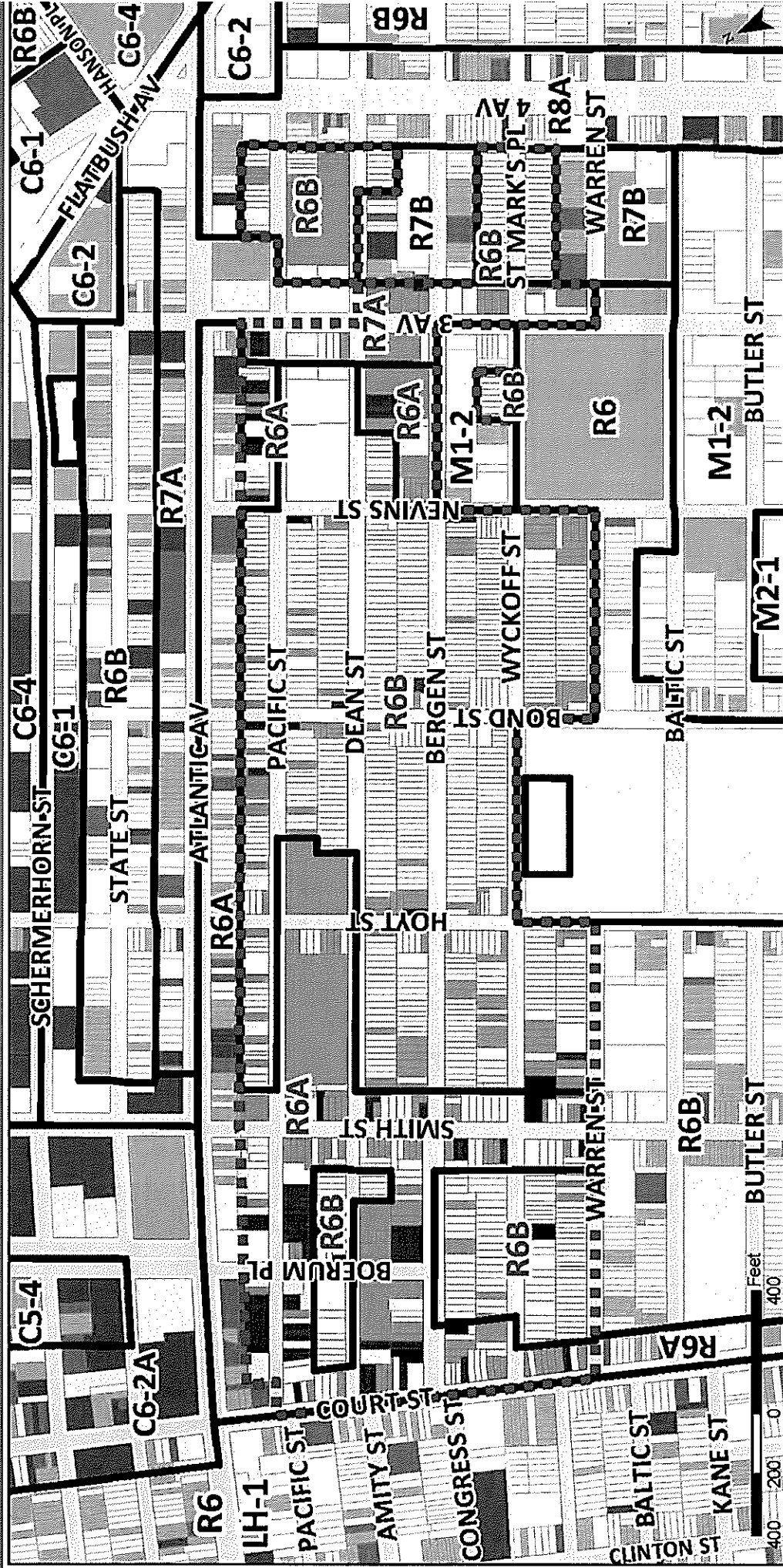


Existing Zoning

Proposed Zoning

# PROPOSED ZONING

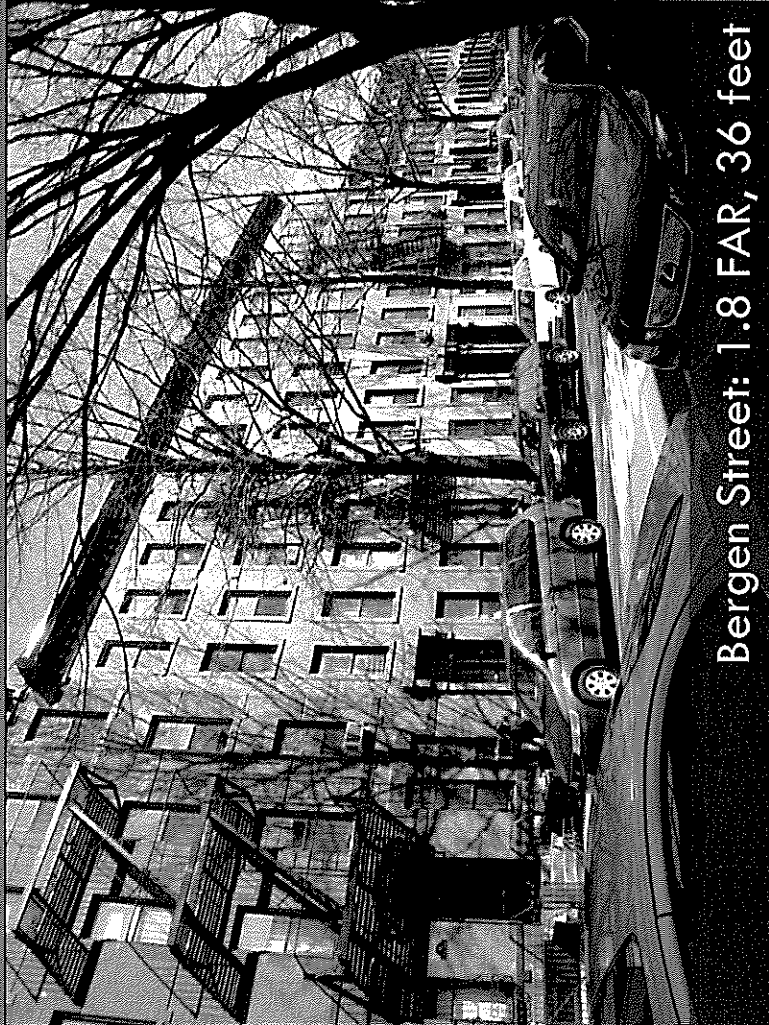
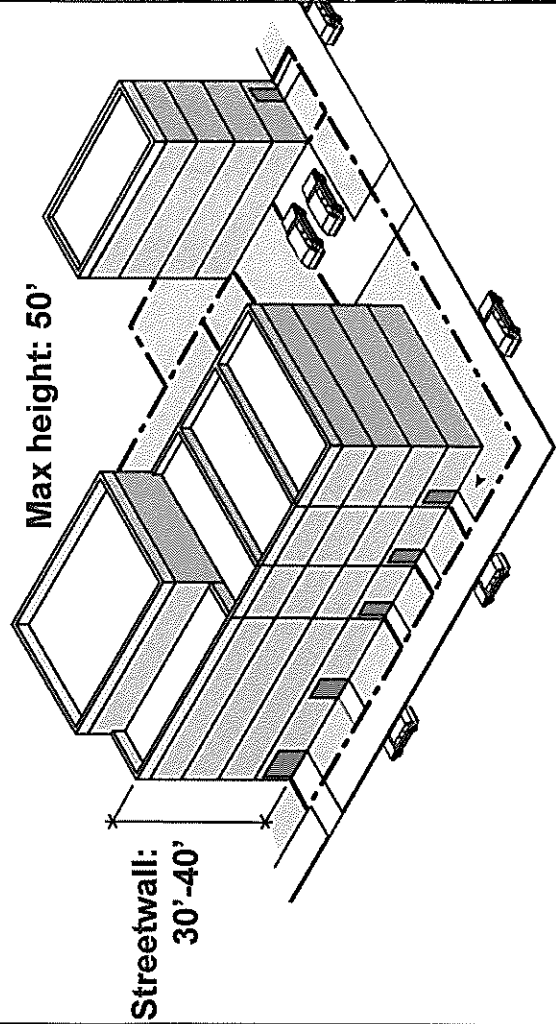
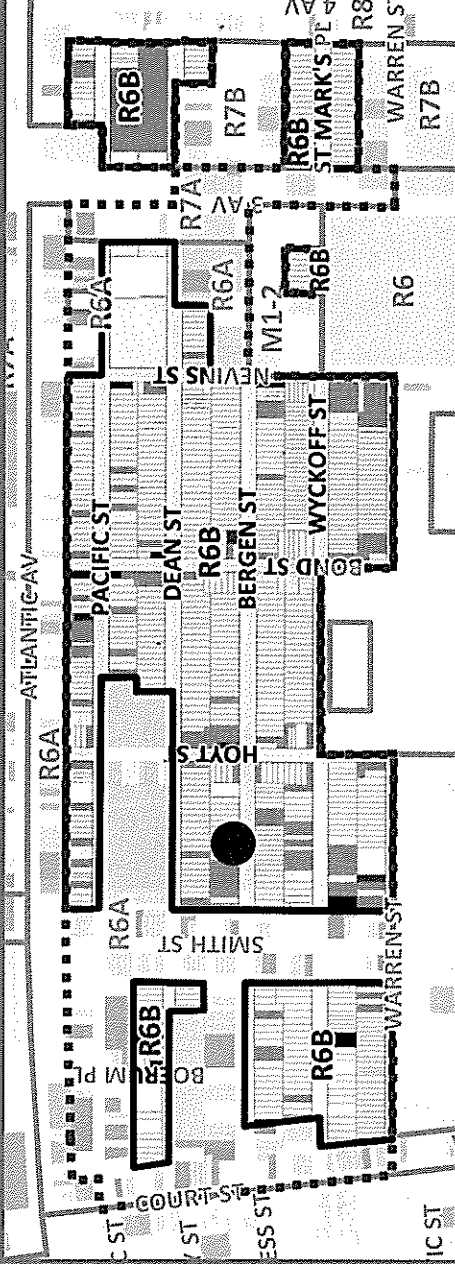
- Map contextual districts with height and density limits appropriate to the existing character



# PROPOSED ZONING – R6B

Proposed for approximately 67% of the Study Area

- Max. FAR: 2.0
- Min./Max. Base Height: 30' / 40'
- Max. Height: 50' after setback
- Must line up with street wall
- No curb cuts on narrow lots
- Parking required for 50% of units, waived if < 5 spaces required

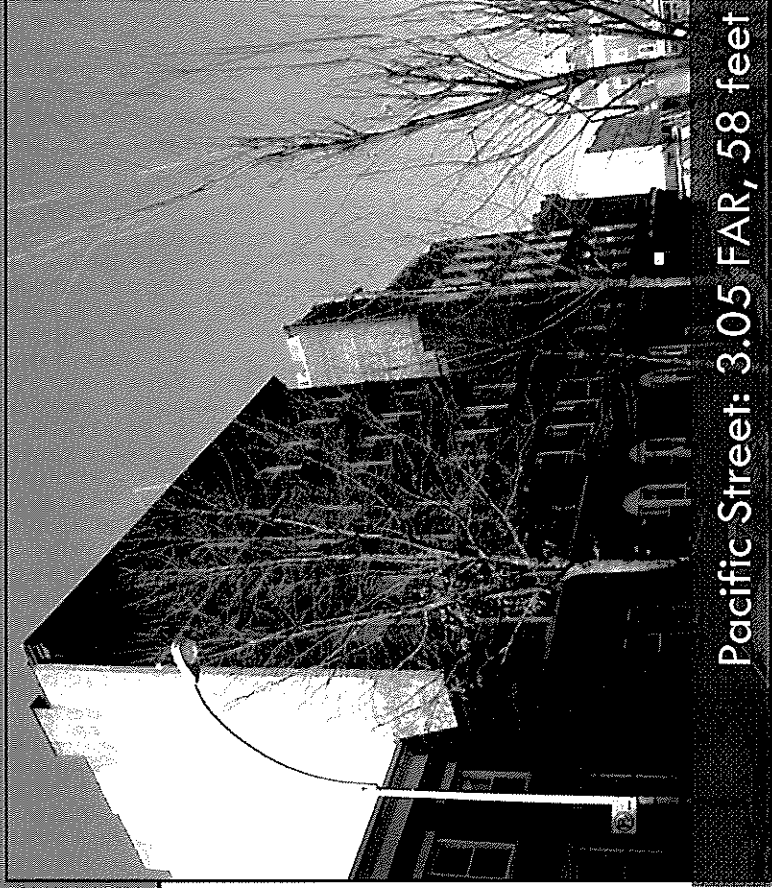
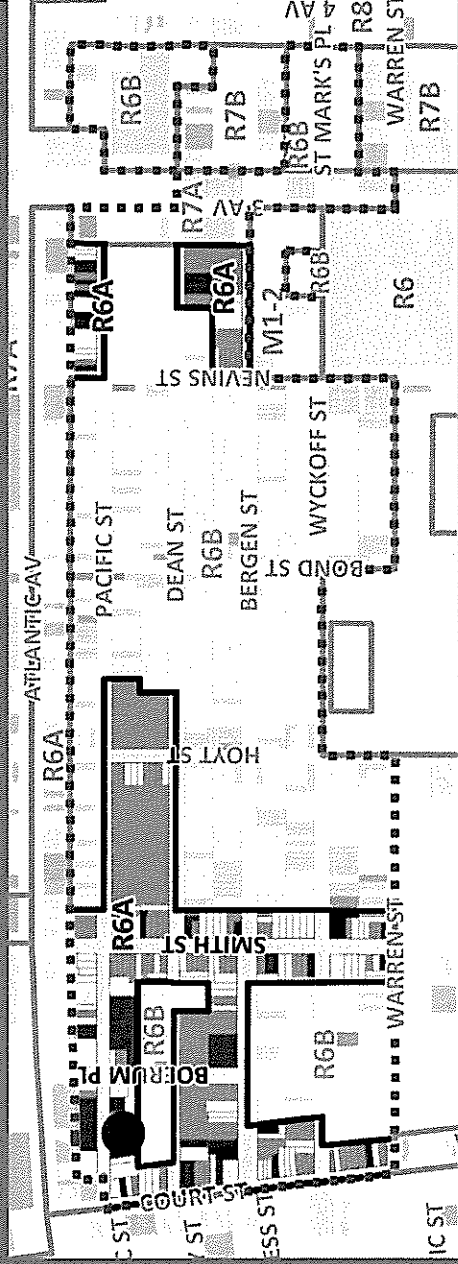


Bergen Street: 1.8 FAR, 36 feet

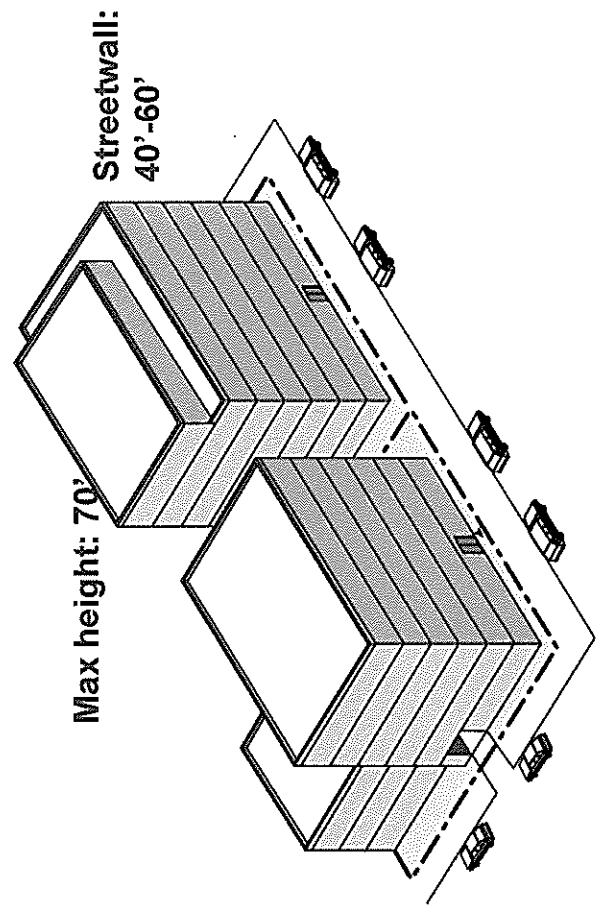
# PROPOSED ZONING – R6A

## Proposed on mixed-use corridors and areas with mixed character

- Max. FAR: 3.0
- Min./Max. Base Height: 40'/60'
- Max. Height: 70' after setback
- Must line up with street wall
- No curb cuts on narrow lots
- Parking required for 50% of units, waived if < 5 spaces required

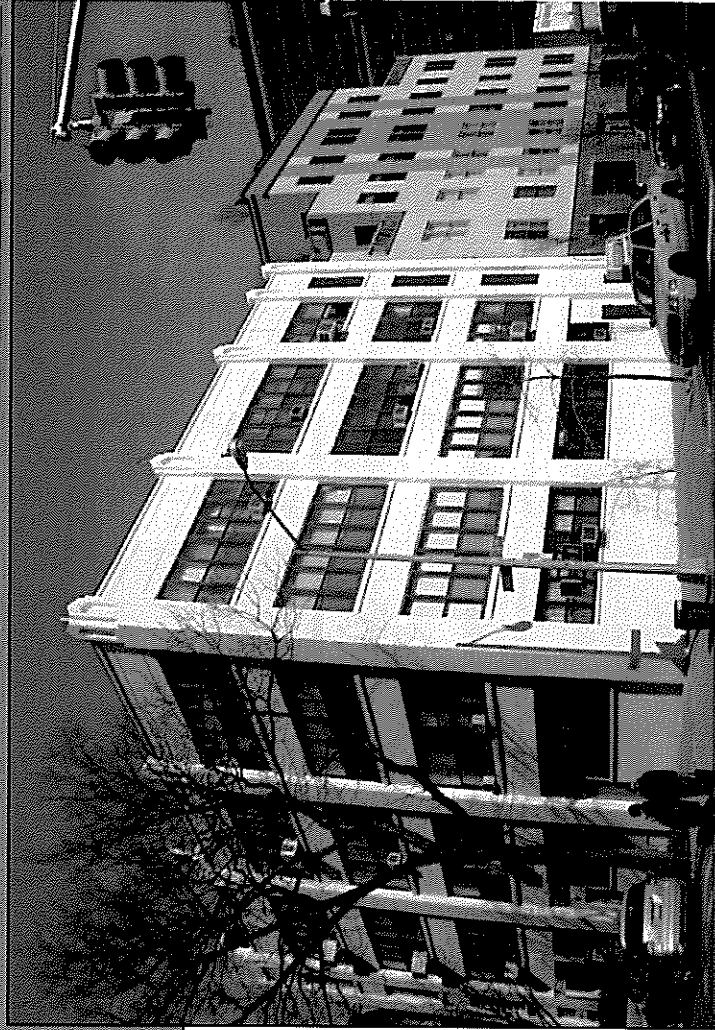
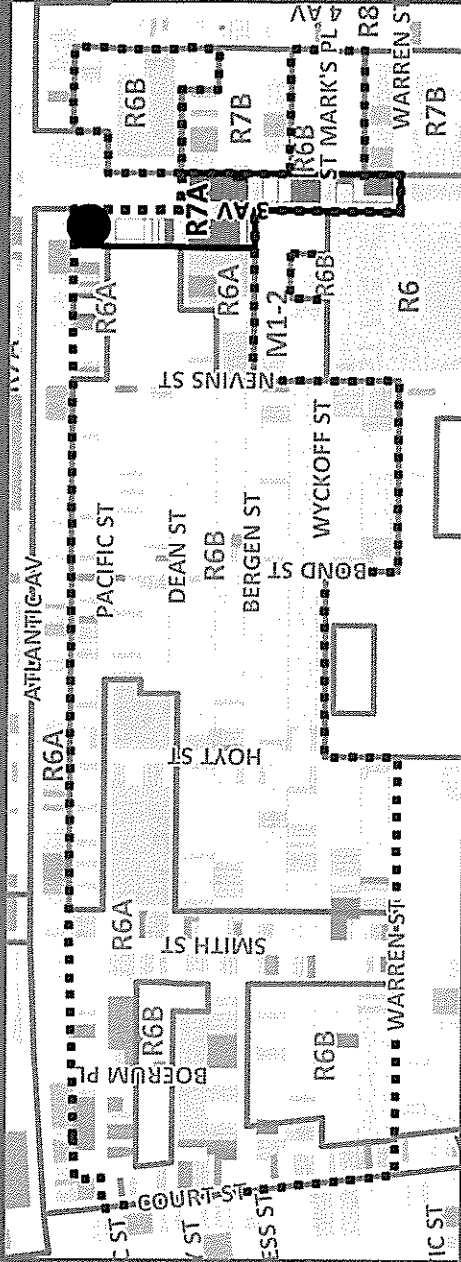


Pacific Street: 3.05 FAR, 58 feet

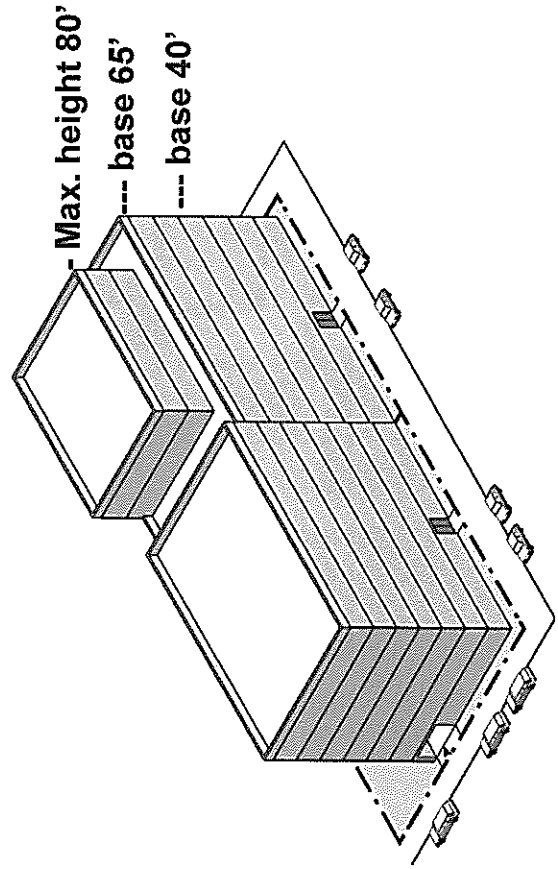


# PROPOSED ZONING – R7A Proposed for 3rd Avenue

- Max. FAR: 4.0
- Min./Max. Base Height: 40' / 65'
- Max. Height: 80' after setback
- Must line up with street wall
- No curb cuts on narrow lots
- Parking required for 50% of units, waived if < 5 spaces required

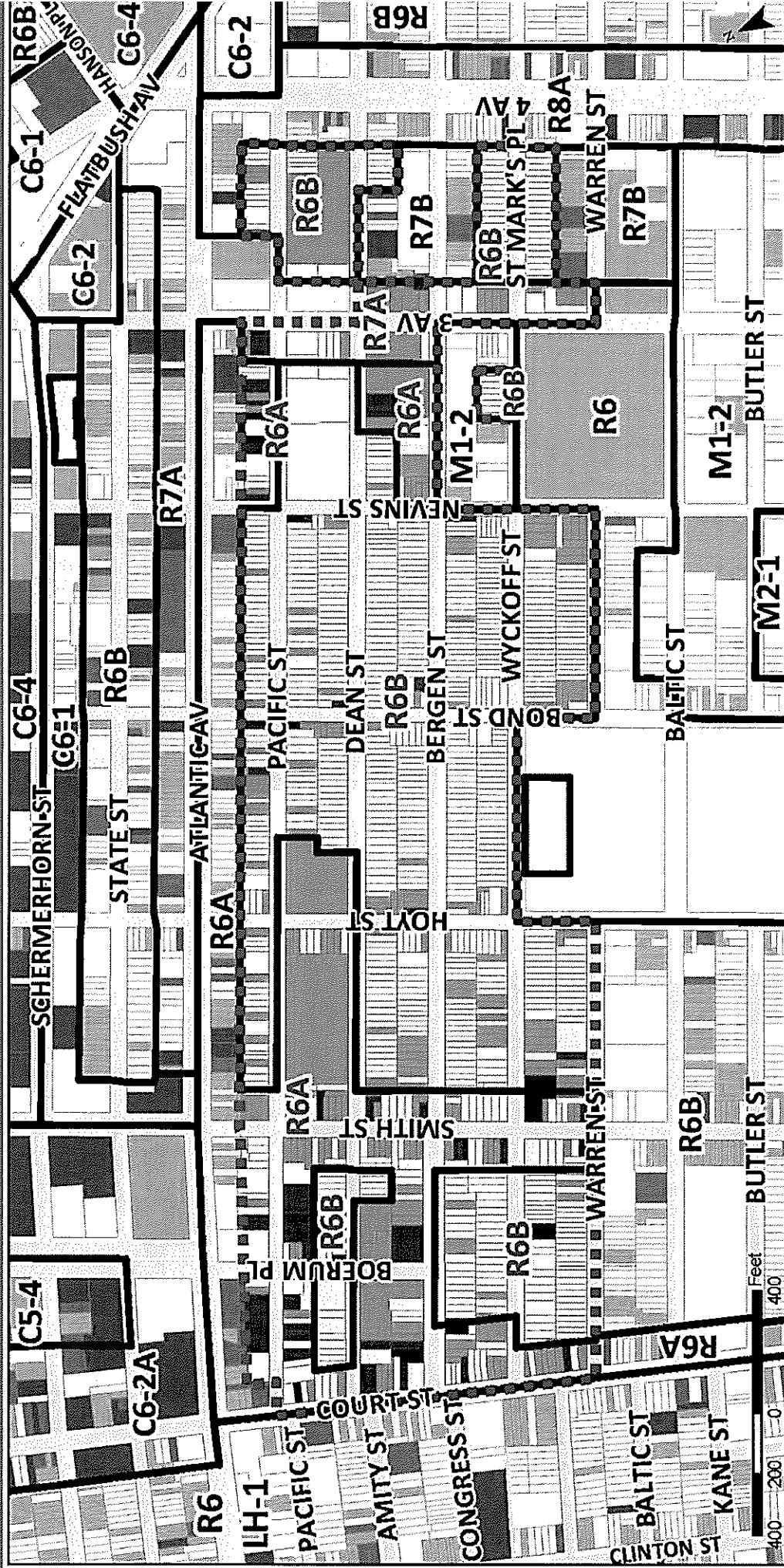


3rd Ave. and Pacific St.: 3.13 FAR, 47 feet



# PROPOSED ZONING

- Map contextual districts with height and density limits appropriate to the existing character



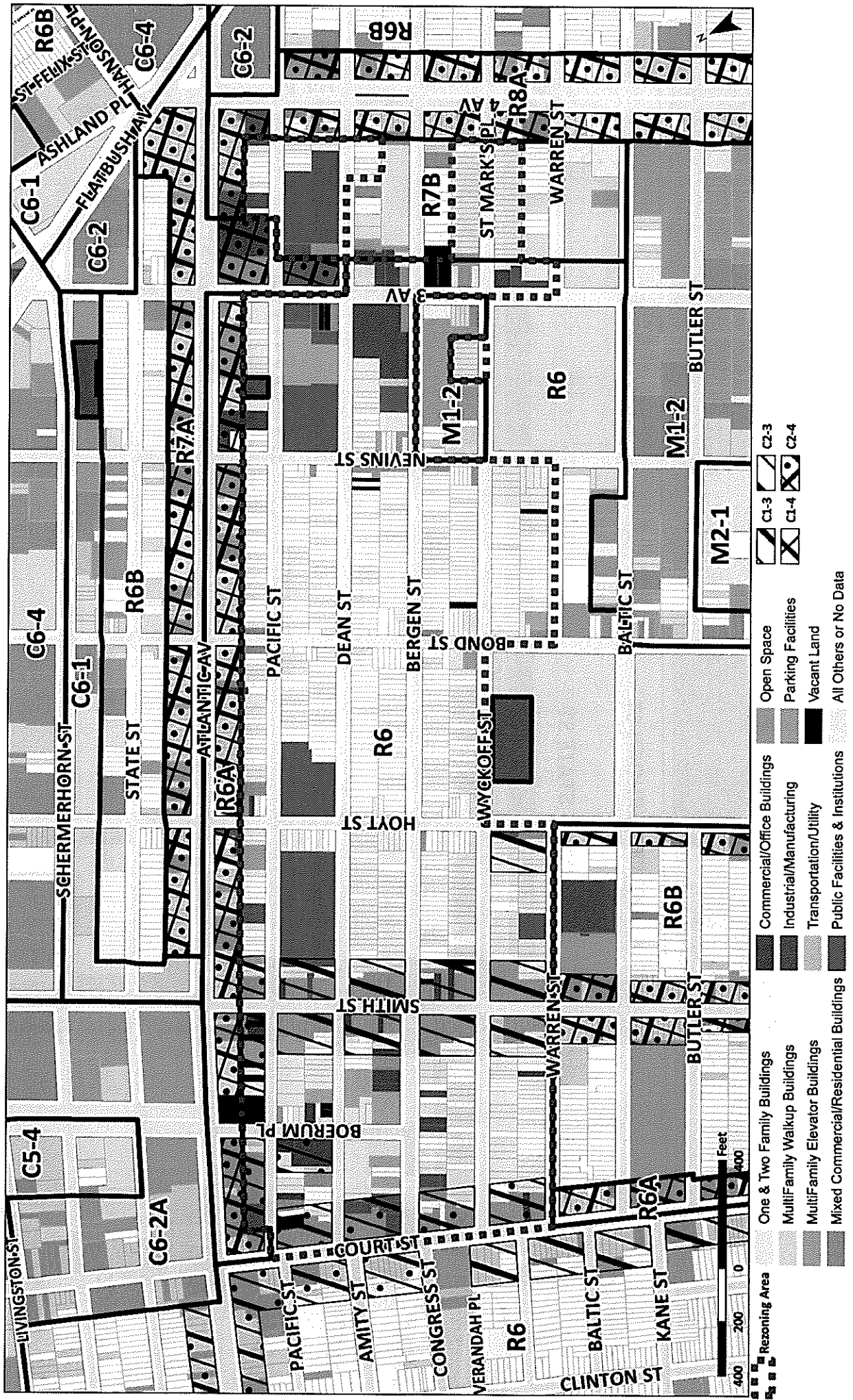
Rezoning Area  
 No Development 3.01 to 4.00 FAR  
 Up to 2.00 FAR  
 Greater than 4.00 FAR  
 2.01 to 3.00 FAR

Feet  
0 200 400

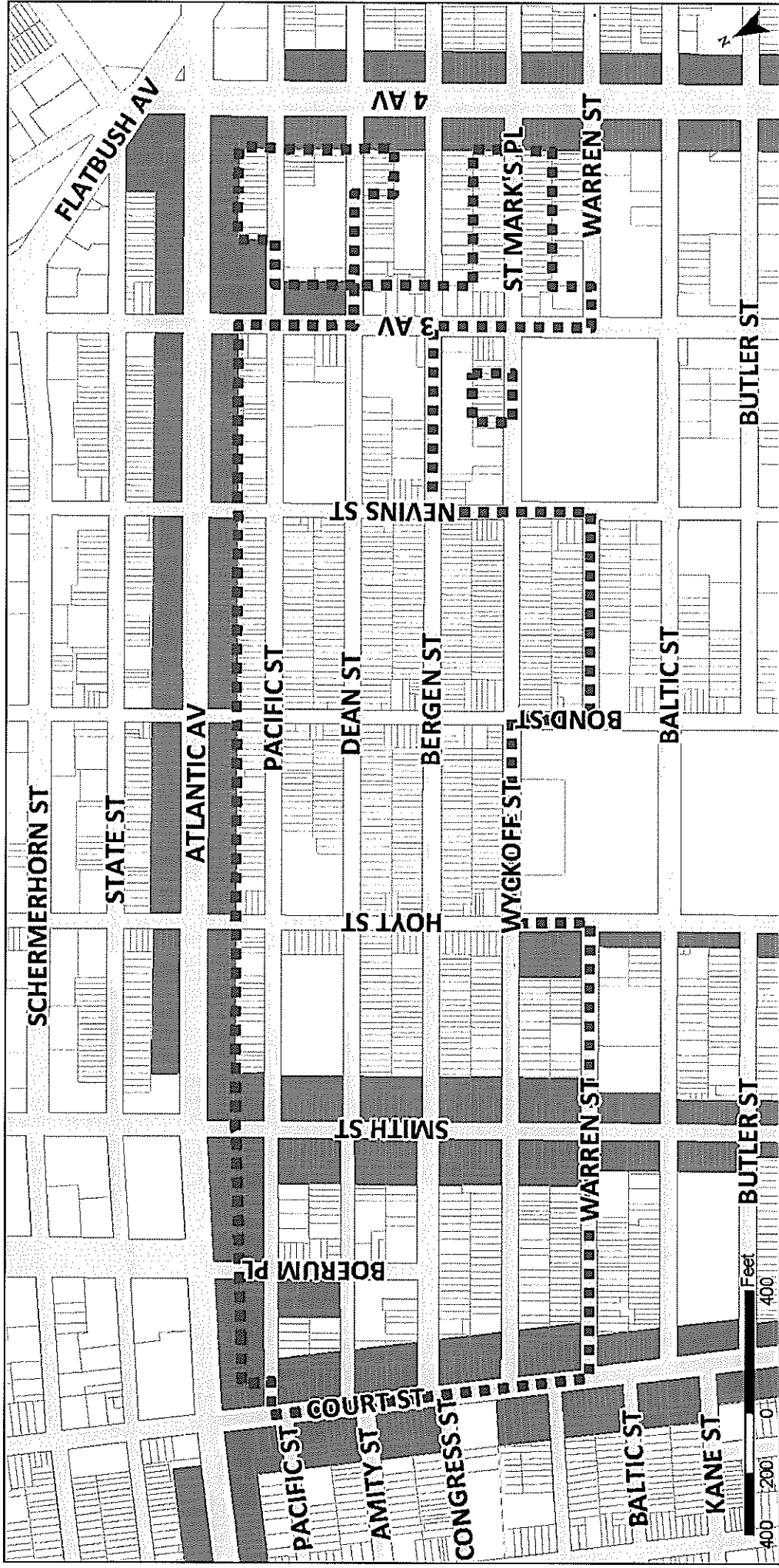


# EXISTING COMMERCIAL OVERLAYS

- C2-3 along Court and Pacific streets; C1-3 along Smith and Hoyt streets



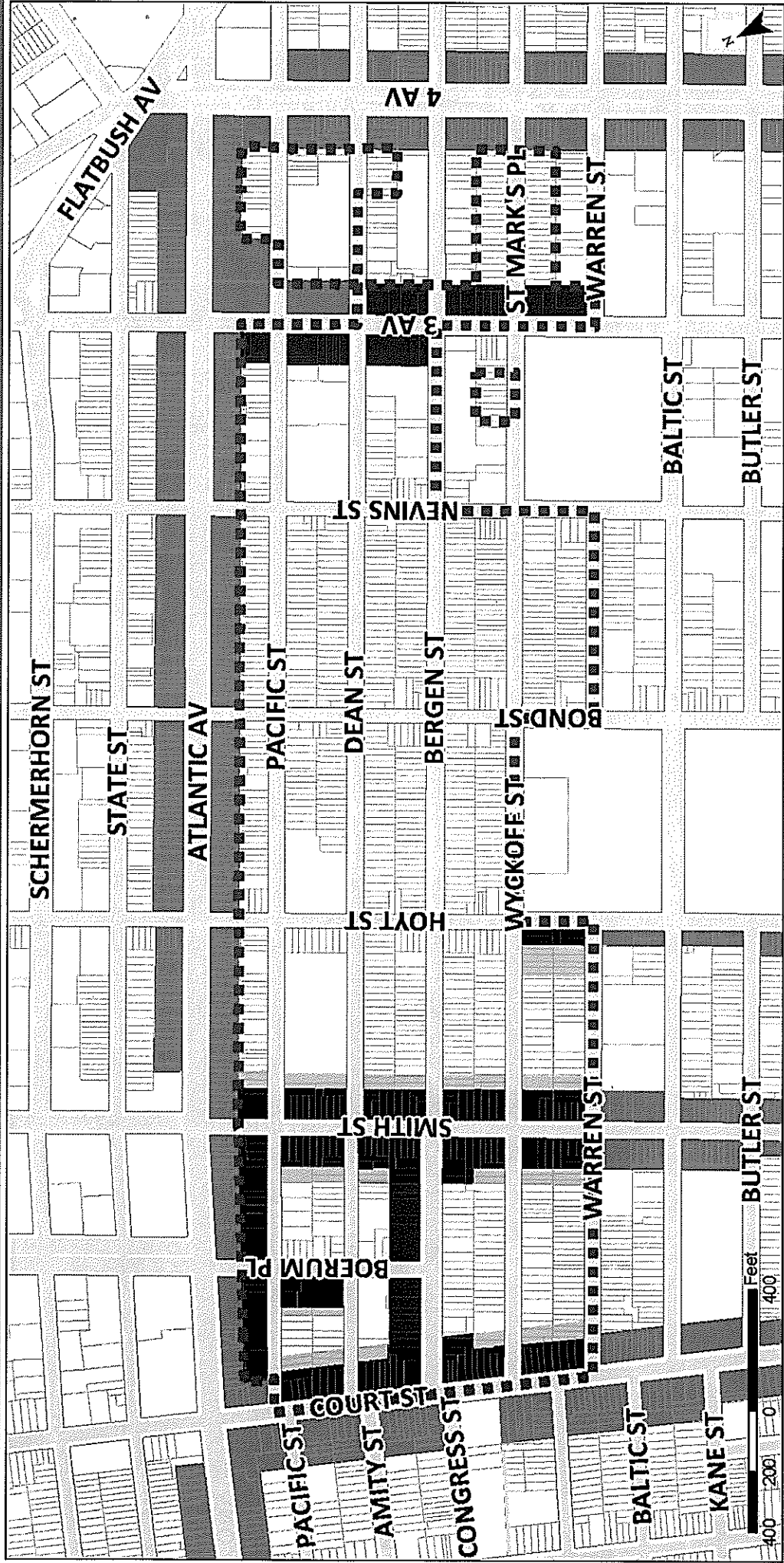
# EXISTING COMMERCIAL OVERLAYS



-  Rezoning Area
-  Commercial Overlays

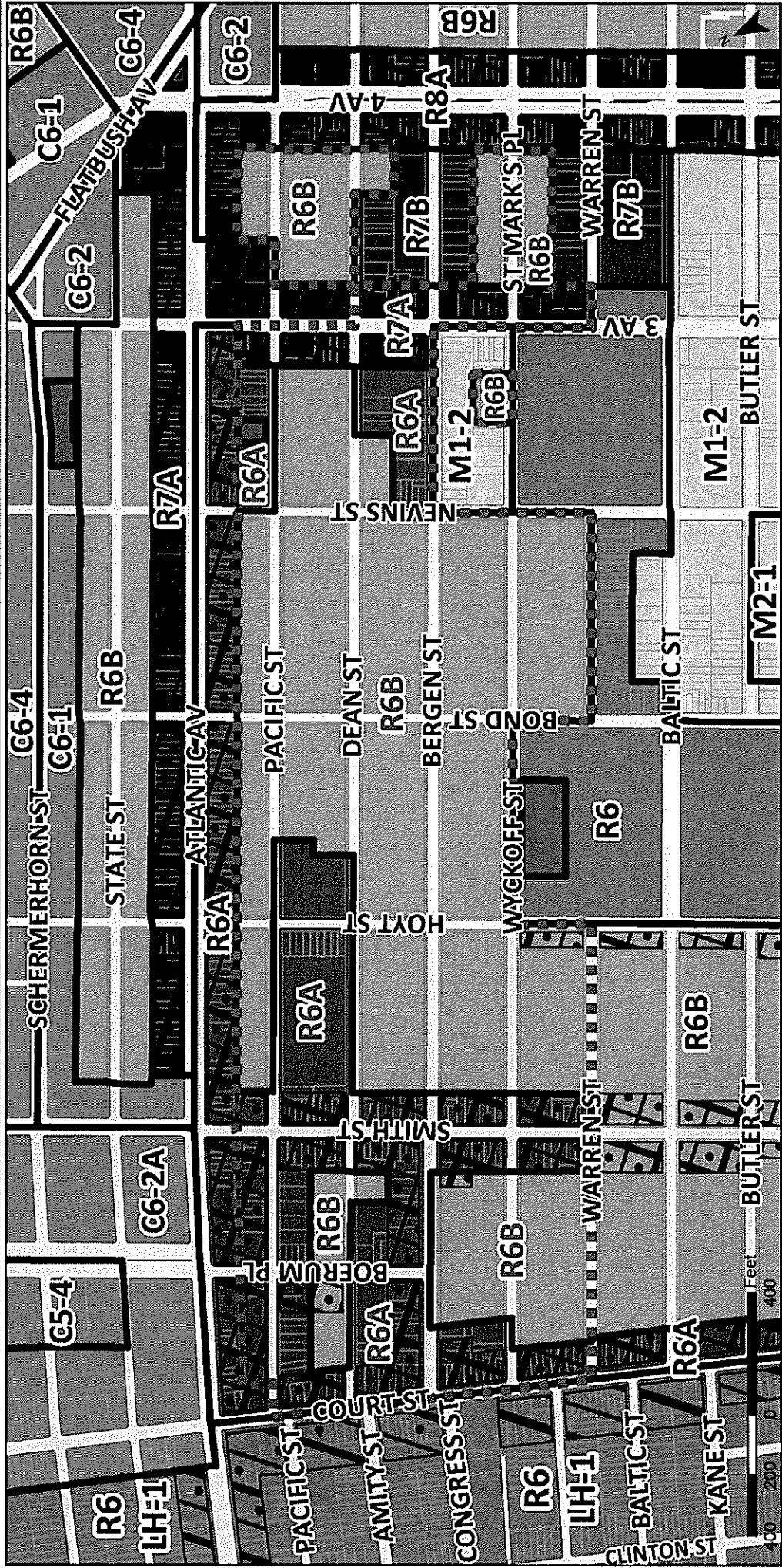
# PROPOSED COMMERCIAL OVERLAYS

- Add overlays to mixed-use sections of Bergen Street and 3<sup>rd</sup> Avenue
- Change all overlays to C2-4
- Trim back from residential side streets



# PROPOSED ZONING

- Map contextual districts with height limits reflecting existing character
- Map commercial overlays on mixed use corridors



WRITTEN TESTIMONY OF RANDALL MINOR IN SUPPORT OF LU 0460-2011 (C 110235 ZSM)

THIS IS AN APPLICATION FOR A SPECIAL PERMIT PURSUANT TO SECTION 74-781 OF THE ZONING RESOLUTION TO PERMIT THE USE OF A PORTION OF THE GROUND FLOOR (APPROXIMATELY 1300 SF) AND CELLAR (APPROXIMATELY 500 SF) (THE "PREMISES") OF THE 5-STORY BUILDING LOCATED AT 38-40 GRAND STREET TO USE GROUP 6 USE. THE PREMISES IS ON THE NORTH SIDE OF GRAND STREET BETWEEN WEST BROADWAY AND THOMPSON STREET IN AN M1-5B DISTRICT IN SoHo. IN ACCORDANCE WITH SECTION 74-781, THE APPLICANT ENGAGED A BROKER THAT ADVERTISED THE AVAILABILITY OF THE PREMISES FOR RENT IN LOCAL AND CITYWIDE NEWSPAPERS. THE APPLICANT ALSO INFORMED CITYWIDE AND LOCAL INDUSTRY GROUPS OF THE PREMISES' AVAILABILITY. NO OFFERS WERE MADE FOR A CONFORMING USE.

THE COMMUNITY BOARD RECOMMENDED THAT THE APPLICATION BE DENIED UNLESS THE APPLICANT AGREED TO A RESTRICTION AGAINST EATING AND DRINKING ESTABLISHMENTS; NO OBJECTIONS WERE EXPRESSED WITH REGARD TO OTHER USE GROUP 6 USES. THE BOROUGH PRESIDENT RECOMMENDED THAT THE APPLICATION BE APPROVED AND THE CITY PLANNING COMMISSION APPROVED THE APPLICATION.

LAST WEEK, THE APPLICANT MET WITH COUNCIL MEMBER CHIN TO RESOLVE THE COMMUNITY BOARD'S CONCERNS AND AGREED TO THE FOLLOWING:

(1) ALL RESTAURANT LEASES FOR THE PREMISES WILL CONTAIN COVENANTS THAT WILL PROHIBIT THE OPERATION OF THE RESTAURANT IN A MANNER THAT RESULTS IN VIOLATION OF APPLICABLE NOISE STANDARDS ENFORCED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. IF SUCH A TENANT BECOMES A CHRONIC VIOLATOR OF THE COVENANTS, THE LANDLORD WILL COMMENCE LITIGATION TO CORRECT THE CONDITION, AND MAY, AMONG OTHER THINGS, SEEK TO TERMINATE THE LEASE AND EVICT THE TENANT.

(2) NO ALCOHOLIC BEVERAGES WILL BE SERVED IN THE PREMISES, EXCEPT IN CONJUNCTION WITH THE OPERATION OF A TABLE-SERVICE RESTAURANT WITH AT LEAST A FULL DINNER MENU.

(3) IF THE PREMISES IS USED AS A RESTAURANT, THE RESTAURANT OPERATOR WILL WORK WITH THE COMMUNITY TO ESTABLISH STANDARDS AND METHODS OF OPERATION THAT WILL MINIMIZE ADVERSE NOISE, ODOR AND TRAFFIC IMPACTS ON COMMUNITY RESIDENTS.

A COPY OF THE LETTER EXECUTED BY THE APPLICANT IS ENCLOSED. ARE THERE ANY QUESTIONS?

**30-40 ASSOCIATES CORP.**  
515 GREENWICH STREET, SUITE 201  
NEW YORK, NEW YORK 10013

September 6, 2011

Hon. Margaret S. Chin  
Member, New York City Council  
250 Broadway, Suite 1804  
New York, NY 10007

Re: 38-40 Grand Street (the "Building")  
Manhattan Block 476, Lot 88

Dear Council Member Chin:

Thank you for meeting with me on Thursday to discuss the pending special permit application (C 110235 ZSM) to allow Use Group 6 use in the ground floor and cellar of the Building (the "Premises"). As the principal of the entity that owns the Property, I am writing this letter to memorialize the commitments I made to you in our meeting in furtherance of my goal of operating the Premises in a way that serves the needs of the community and produces a reasonable return. As I told you in our meeting, my first preference is to have "dry goods" uses in the Premises that provide services to the community and I will continue my efforts to find such uses. However, in the event I am unsuccessful in finding an appropriate tenant and wish to rent the space for restaurant use, I commit as follows:

(1) All restaurant leases for the Premises will contain covenants that will prohibit the operation of the restaurant in a manner that results in violation of applicable noise standards enforced by the Department of Environmental Protection. If such a tenant becomes a chronic violator of the covenants, the landlord will commence litigation to correct the condition, and may, among other things, seek to terminate the lease and evict the tenant.

(2) No alcoholic beverages will be served in the Premises, except in conjunction with the operation of a table-service restaurant with at least a full dinner menu.

(3) If the Premises is used as a restaurant, the restaurant operator will work with the community to establish standards and methods of operation that will minimize adverse noise, odor and traffic impacts on community residents.

As someone with a vested personal and economic interest in this neighborhood, I agree not to lease the Premises for use as a tavern, lounge/nightclub or cabaret.

Sincerely,

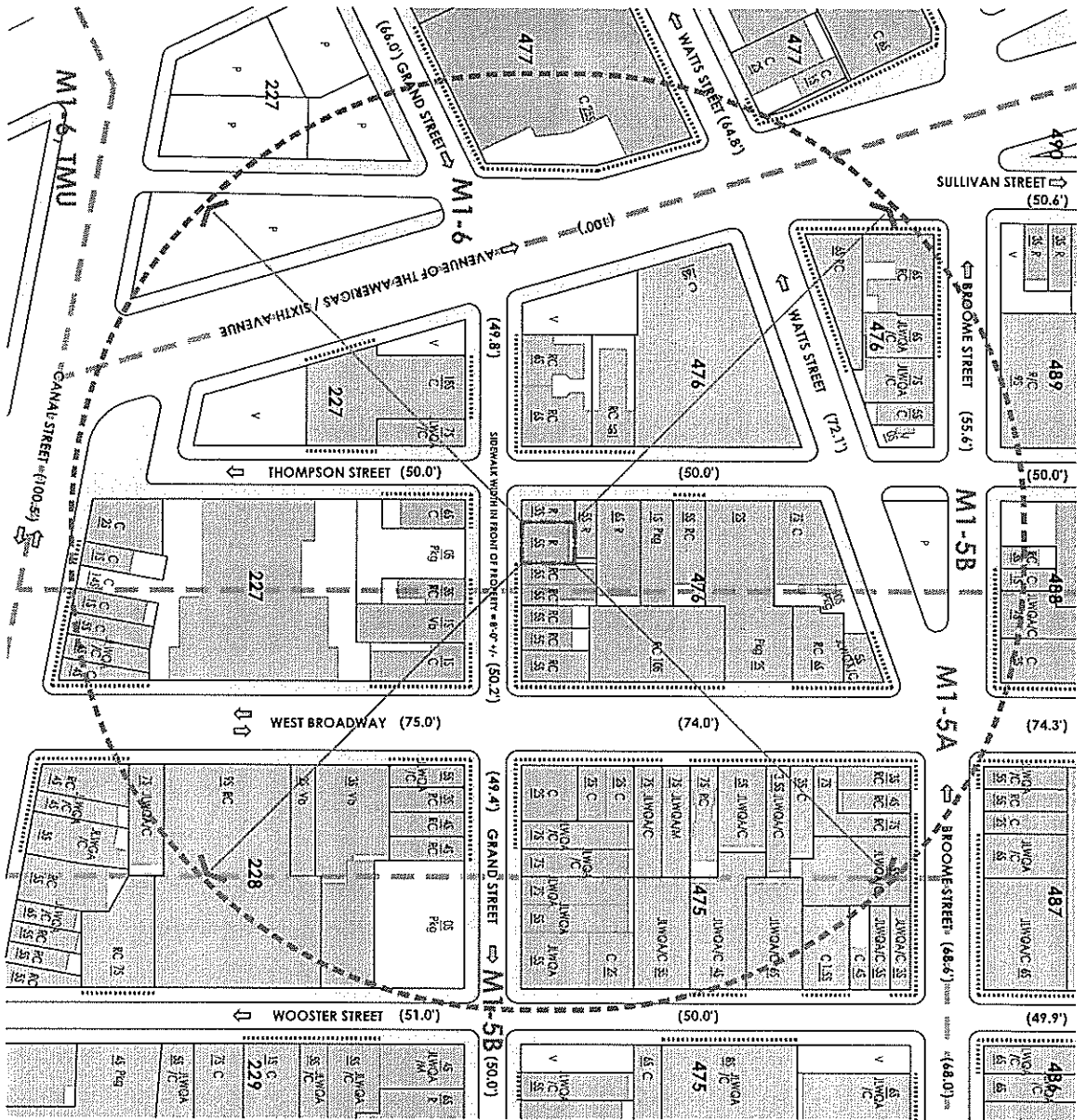
30-40 ASSOCIATES CORP. (owner of the Property)

By:

  
Name: Antonio Vendome  
Title: Principal/Owner

cc: Deirdre A. Carson, Esq.  
Randall Minor, Esq.  
Matthew Viggiano

**400-FOOT AREA MAP**  
SCALE 1" = 100'-0"



- DRAWING KEYS**
- Applicant's Property
  - 400-foot Radius
  - Tax Lot Boundary
  - Tax Block Number
  - Building Footprint
  - Number of Stores
  - Street Width
  - Street Direction
  - Sidewalk
  - Existing Zoning
  - Existing Zoning Line
- M1-5B**
- Joint Living Work Quarters for Artists
  - Mixed Use - Residential & Commercial
  - Mixed Use - Commercial & Manufacturing
  - Mixed Use - Commercial & Joint Living Work Quarters for Artists
  - Mixed Use - Manufacturing & Joint Living Work Quarters for Artists
  - Parking Facility/Lot
  - Open Space/ Park
  - Vacant Building
  - Vacant Lot
- Primary Ground Floor Usages**
- Use Group 6

**38-40 GRAND STREET**  
APPLICATION TO CITY PLANNING COMMISSION FOR SPECIAL PERMIT PURSUANT TO Z. R. 74-781

38 GRAND STREET, NEW YORK, NY 10013

**400-FOOT AREA MAP**

**PARARCHITECTS**  
801 BROADWAY, SUITE 201, NEW YORK, NY 10003  
TEL: 212-333-8800

**A-002.00**

DATE: 02/23/2011  
DRAWN BY: AS  
CHECKED BY: AS







**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. L.O. 460 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

(PLEASE PRINT)

Name: Deirdre Carson

Address: Greenberg Training LP 200 Park Avenue

I represent: 30-40 Associates

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

(PLEASE PRINT)

Name: Randall Minor

Address: Greenberg Training LP 200 Park Avenue

I represent: 30-40 Associates

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 456 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DWIGHT SMITH

Address: 88 MACKOFF ST, BKLN 11201

I represent: BDERUM HILL ASSN

Address: BKLN, 11201

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 44 451 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/2011

(PLEASE PRINT)

Name: NICK HOCKENS, JAY SEGAL, ROBERT A. ZORN

Address: 200 PARK AVENUE NY NY 10166

I represent: R.A. REAL ESTATE INC. (APPLICANT)

Address: 200 PARK AVE. NY NY 10166

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 44 451 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ROBERT A ZORN

Address: 200 PARK AVE NY NY 10166

I represent: RA REAL ESTATE INC. (APPLICANT)

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 44 451 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JAY SEGAL

Address: 200 PARK AVE NY NY 10166

I represent: RA REAL ESTATE INC. (APPLICANT)

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

LV 457

I intend to appear and speak on Int. No. LV 457 Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: RICHARD LOBEL

Address: SHELDON LOBEL PC 18 E 41 NY NY

I represent: APPLICANT - CENTURY 21

Address: 22 CORTLAND ST

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 457 Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: BETTY COHEN

Address: 630 Ave I - Bklyn NY

I represent: Century 21 Dept Store

Address: 22 Cortlandt St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Wilson Tsao

Address: 70 7th S.

I represent: Super Needle Inc

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LU 451 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

Name: Melinda Katz (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: applicant

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 456 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

Name: PURNIMA KAPUR (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: DEPARTMENT OF CITY PLANNING

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 456 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

Name: LISH WHITSON (PLEASE PRINT)

Address: 16 COURT STREET, SUITE 705, BROOKLYN

I represent: DEPT. OF CITY PLANNING

Address: 22 READE STREET

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/6/11

(PLEASE PRINT)

Name: Natalie Musumeci

Address: 212 Carroll Street

I represent: NY City Watch

Address: 2000 Bedford Avenue

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 456 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9-5-11

(PLEASE PRINT)

Name: Howard Kolins

Address: 110 Hoyt St Brooklyn NY 11217

I represent: Boerum Hill Association

Address: 260 128th St 11201

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

444

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 444

in favor  in opposition

Date: 9/6/11

(PLEASE PRINT)

Name: Michael Kelly

Address: 136 Waverly Rd Scarsdale, NY

I represent: Urban Rustic LLC

Address: 318 Grand St BKlyn, NY

Please complete this card and return to the Sergeant-at-Arms