# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON ZONING AND FRANCHISES**

**L.U. Nos. 20 through 22**

**(Res. Nos. 143 through 145)**

**By Council Members Salamanca and Riley**

## SUBJECT

**BROOKLYN CB-8 – THREE APPLICATIONS RELATED TO 1034-1042 ATLANTIC**

 **AVENUE REZONING**

**C 210386 ZMK (L.U. No. 20)**

 City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M1-1 District to an R7A District property bounded by a line midway between Atlantic Avenue and Pacific Street, Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;
2. changing from an M1-1 District to a C6-3A District property bounded by the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 315 feet northwesterly of Classon Avenue; and
3. establishing within the proposed R7A District a C2-4 District bounded by a line midway between Atlantic Avenue and Pacific Street, Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;

as shown on a diagram (for illustrative purposes only) dated September 20, 2021, and subject to the conditions of CEQR Declaration E-637.

**N 210387 ZRK (L.U. No. 21)**

 City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

**C 210379 ZSK (L.U. No. 22)**

 City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the required number of accessory off-street parking spaces to 20 for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1034 -1042 Atlantic Avenue (Block 1125, Lots 29 and 33) in R7A/C2-4 and C6-3A Districts.

## INTENT

 To approve the amendment to rezone the project area from an M1-1 zoning district to C6-3A and R7A/C2-4 zoning districts; amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area and amend street wall regulations; and grant an approval of the special permit pursuant to Zoning Resolution (ZR) Section 74-533 to reduce required residential off-street parking to facilitate the construction of a 17-story mixed use development containing 210 dwelling units, 52 to 63 of which would be permanently affordable, along with commercial and community facility space, at 1034-1042 Atlantic Avenue in the Crown Heights neighborhood of Brooklyn, Community District 8.

## PUBLIC HEARING

 **DATE:** March 8, 2022

 **Witnesses in Favor:** Six **Witnesses Against:** Twelve

## SUBCOMMITTEE RECOMMENDATION

 **DATE:** April 12, 2022

 The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. No. 22; and approve with modifications the decisions of the City Planning Commission on L.U. Nos. 20 and 21.

**In Favor: Against: Abstain:**

Riley None None

Moya

Louis

Abreu

Bottcher

Hanks

Schulman

Carr

**COMMITTEE ACTION**

 **DATE:** April 12, 2022

 The Committee recommends that the Council approve the attached resolutions.

**In Favor: Against: Abstain:**

Salamanca None None

Moya

Rivera

Louis

Riley

Brooks-Powers

Bottcher

Hanks

Kagan

Krishnan

Sanchez

Borelli

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

 The City Planning Commission filed a letter dated \_\_\_\_\_\_\_\_\_, 2022, with the Council on \_\_\_\_\_\_\_\_\_\_\_\_, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.