# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON ZONING AND FRANCHISES**

**L.U. Nos. 362 through 365**

**(Res. Nos. 831 through 834)**

**By Council Members Salamanca and Moya**

## SUBJECT

**BROOKLYN CB-2 - FOUR APPLICATIONS RELATED TO 809 ATLANTIC AVENUE REZONING**

**C 190071 ZMK (L.U. No. 362)**

City Planning Commission decision approving an application submitted by 550 Clinton Partners, LLC, and 539 Vanderbilt Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. eliminating from within an existing R7A District a C2-4 District bounded by a line 100 feet northerly of Atlantic Avenue, Clinton Avenue, Atlantic Avenue, and Vanderbilt Avenue;
2. changing from an R7A District to an R6A District property bounded by a line 100 feet northerly of Atlantic Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 100 feet northerly (as measured along the street line) from the point of intersection of northerly street line of Atlantic Avenue and the westerly street line of Clinton Avenue, and a line midway between Vanderbilt Avenue and Clinton Avenue;
3. changing from an R6A District to an R9 District property bounded by:
   1. a line perpendicular to the easterly street line of Vanderbilt Avenue distant 135 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the easterly street line of Vanderbilt Avenue, a line midway between Vanderbilt Avenue and Clinton Avenue, a line 100 feet northerly of Atlantic Avenue, and a line 80 feet easterly of Vanderbilt Avenue; and
   2. a line perpendicular to the westerly street line of Clinton Avenue distant 100 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the westerly street line of Clinton Avenue, Clinton Avenue, and a line 100 feet northerly of Atlantic Avenue;
4. changing from an R7A District to an R9 District property bounded by a line perpendicular to the easterly street line of Vanderbilt Avenue distant 135 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the easterly street line of Vanderbilt Avenue, a line 80 feet easterly of Vanderbilt Avenue, a line 100 feet northerly of Atlantic Avenue, a line midway between Vanderbilt Avenue and Clinton Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 100 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the westerly street line of Clinton Avenue, a line 100 feet northerly of Atlantic Avenue, Clinton Avenue, Atlantic Avenue, and Vanderbilt Avenue; and
5. establishing within the proposed R9 District a C2-5 District bounded by a line perpendicular to the easterly street line of Vanderbilt Avenue distant 135 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the easterly street line of Vanderbilt Avenue, a line midway between Vanderbilt Avenue and Clinton Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 100 feet northerly (as measure along the street line) from the point of intersection of the northerly street line of Atlantic Avenue and the westerly street line of Clinton Avenue, Clinton Avenue, Atlantic Avenue, and Vanderbilt Avenue;

as shown on a diagram (for illustrative purposes only) dated September 24, 2018, and subject to the conditions of CEQR Declaration E-499.

**C 190072 ZSK (L.U. No. 363)**

City Planning Commission decision approving an application submitted by 550 Clinton Partners, LLC, and 539 Vanderbilt Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the zoning lot divided by district boundaries regulations of Section 77-02 (Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution) and Section 77-22 (Floor Area Ratio);
2. the lot coverage regulations of Section 23-16 (Special Floor Area and Lot Coverage Provisions for Certain Areas);
3. the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots), Section 33-26 (Minimum Required Rear Yards), and Section 33-29 (Special Provisions Applying along District Boundaries);
4. the tower-on-a-base regulations of Section 23-651(a) (Tower regulations) and Section 23-651(b) (Building base regulations);
5. the inner court regulations of Section 23-851 (Minimum dimensions of inner courts) and the inner recess regulations of Section 23-852 (Inner court recesses); and
6. the minimum distance between legally required windows and lot line regulations of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines)

in connection with a proposed mixed-use development on property located at 550 Clinton Avenue a.k.a. 539 Vanderbilt Avenue (Block 2010, Lots 1, 10, 51, 59, 1001-1010, and 1101-1118), in R6A, R7A and R9/C2-5 Districts.

**C 190073 ZSK (L.U. No. 364)**

City Planning Commission decision approving an application submitted by 550 Clinton Partners, LLC, and 539 Vanderbilt Partners, LLC, 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 waive the required number of accessory off-street parking spaces 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 550 Clinton Avenue a.k.a. 539 Vanderbilt Avenue (Block 2010, Lots 1, 10, 51, 59, 1001-1010, and 1101-1118), in R6A, R7A and R9/C2-5 Districts.

**N 190074 ZRK (L.U. No. 365)**

City Planning Commission decision approving an application submitted by 550 Clinton Partners LLC and 539 Vanderbilt Partners LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area.

## INTENT

To approve amendments to change R7A/C2-4, R7A and R6A districts to an R9/C2-5 district and to change an R7A/C2-4 district to an R6A district, and designate a Mandatory Inclusionary Housing (MIH) Area; approve special permit pursuant to Zoning Resolution (ZR) Section 74-711 to modify the regulation governing transfer of floor area between different zoning districts (ZR 77-02 and 77-22), the lot coverage regulations of Section 23-16, the rear yard regulations of Section 23-52, Section 33-26 and Section 33-29, the tower-on-a-base regulations of Section 23-651(a) and Section 23-651(b), the court regulations of 23-851 and 23-852, the window-to-lot-line regulations of 23-861; and approve special permit pursuant to ZR Section 74-533 to waive residential parking requirements of ZR Section 25-23 to facilitate the development of two new mixed-use buildings on the development site, one 4 stories and one 29 stories, with approximately 204,000 square feet of residential floor area and 33,000 square feet of commercial floor area and fund the restoration of the landmarked Church of St. Luke & St. Matthew at 809 Atlantic Avenue in the Fort Greene/Clinton Hill neighborhood of Brooklyn, Community District 2.

## PUBLIC HEARING

**DATE:** March 6, 2019

**Witnesses in Favor:** Seven **Witnesses Against:** None

## SUBCOMMITTEE RECOMMENDATION

**DATE:** April 2, 2019

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission (“CPC”) on L.U. Nos. 362 through 365.

**In Favor: Against: Abstain:**

Moya None None

Constantinides

Lancman

Levin

Reynoso

Richards

Rivera

Torres

Grodenchik

**COMMITTEE ACTION**

**DATE:** April 3, 2019

The Committee recommends that the Council approve the attached resolutions.

**In Favor: Against: Abstain:**

Salamanca Barron None

Gibson

Constantinides

Deutsch

Kallos

Koo

Lancman

Miller

Reynoso

Richards

Torres

Treyger

Grodenchik

Adams

Diaz, Sr.

Moya

Rivera