



## CITY PLANNING COMMISSION

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July 23, 2003/Calendar No. 25

C 020263 ZMK

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**IN THE MATTER OF** an application submitted by The Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No.12d:

1. changing from an M1-1 District to an R6B District property bounded by:
  - a. Concord Street, Gold Street, a line 225 feet southerly of Concord Street, a line midway between Gold Street and Duffield Street, a line 50 feet northerly of Tillary Street, Duffield Street, a line 200 feet northerly of Tillary Street, a line 100 feet westerly of Duffield Street, a line 125 feet southerly of Concord Street, and Duffield Street;
2. changing from an M1-1 District to a C4-3 District property bounded by:
  - a. a line 100 feet northerly of Concord Street, a line 106 feet easterly of Duffield Street, a line 137 feet northerly of Concord Street, Gold Street, Concord Street, and Duffield Street; and
  - b. Concord Street, Duffield Street, a line 125 feet southerly of Concord Street, a line 100 feet westerly of Duffield Street, a line 200 feet northerly of Tillary Street, and Bridge Street; and
3. changing from an M1-1 District to a C6-2 District property bounded by:
  - a. Nassau Street, Duffield Street, a line 100 feet northerly of Concord Street, Bridge Street, a line midway between Chapel Street and Cathedral Place (Fr. James F. Hinchey, C. O. Place), a line 100 feet easterly of Jay Street, Chapel Street, and Jay Street; and
  - b. a line 200 feet northerly of Tillary Street, Duffield Street, a line 50 feet northerly of Tillary Street, a line midway between Gold Street and Duffield Street, a line 225 feet southerly of Concord Street, Gold Street, Concord Street, Prince Street, Tillary Street, and Bridge Street;

as shown on a diagram (for illustrative purposes only) dated March 17, 2003 and subject to the conditions of CEQR Declaration E-117, Borough of Brooklyn, Community District 2.

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The application for an amendment of the Zoning Map was filed by The Department of City Planning on December 12, 2001, for the rezoning of an eight block area from M1-1 to R6B, C4-3 and C6-2 within the Bridge Plaza neighborhood of Community District 2, Brooklyn.

## **BACKGROUND**

The Department of City Planning proposes a zoning map amendment from M1-1 to C6-2, C4-3 and R6B for an eight block area of the Bridge Plaza neighborhood of Community District 2, Brooklyn. The Bridge Plaza rezoning area is bounded by Jay Street to the west, Nassau Street to the north, Tillary Street to the south and Prince Street to the east. The proposed rezoning is in response to a community request to preserve the residential character of the existing neighborhood and provide for limited commercial and residential development.

Bridge Plaza is a community that dates back to the 1840's and was considered part of 'Old Brooklyn,' a district that contained many of the Borough's first settlements. Originally a residential and commercial neighborhood of three- and four-story rowhouses intermixed with commercial activities, the area has continued to survive despite numerous challenges, including the completion of the Manhattan Bridge in 1909 that demolished a large portion of the neighborhood and bisected it with the creation of Flatbush Avenue Extension.

The majority of the existing residential buildings located on Concord and Duffield Streets were erected in the late 1800's and early 1900's. The existing land use of the area is characterized by a mixture of three- and four-story residential buildings, mixed use buildings, commercial and auto related uses and community facilities. The proposed rezoning from M1-1 to R6B, C4-3 and C6-2 would more accurately reflect the existing land uses of the area.

Bridge Plaza is situated between access points to the Manhattan Bridge and the Brooklyn-Queens

Expressway (BQE) and is adjacent to several medium density residential developments, community facilities and open spaces. Residential uses include the (R6 zoned) NYCHA Farragut and Ingersoll Houses to the north and southeast and the (R7-1 zoned) Concord Village to the west. DUMBO (Down Under the Manhattan Bridge Overpass), an emerging mixed-use neighborhood, is located north of the rezoning area on the waterfront. The area to the east of Bridge Plaza contains a community center, Public School No.287 and several strips of city owned open space beneath the BQE. The southern boundary of Bridge Plaza is Tillary Street which is the northern boundary of Downtown Brooklyn and the Special Downtown Brooklyn District (SDBD) which contain the Borough's civic center and Central Business District. Across Tillary Street and east of Flatbush Avenue Extension is a fire house, a police training academy, two loft conversions and an automobile salesroom. The area south of Bridge Plaza and west of Flatbush Avenue Extension contains McLaughlin Park, Public School 287, George Westinghouse Vocational High School, New York City Technical College and 11 Metrotech Center which contains the Emergency Response System Offices.

## **PROPOSED ZONING MAP AMENDMENTS**

There are eight blocks proposed to be rezoned from M1-1 to C6-2, C4-3 and R6B. M1-1 is a light manufacturing district, with an FAR of 1.0. M1-1 districts permit Use Groups 4-14, 16 and 17 which allow manufacturing, commercial and some community facility uses, but prohibits residential uses.

### **M1-1 to R6B**

Portions of three blocks east of Flatbush Avenue Extension between Bridge and Gold streets are proposed to be rezoned from M1-1 to R6B. The proposed R6B district would include portions of Blocks 108, 120 and 121, for a total of 40 lots. This area contains the residential core of Bridge Plaza. The proposed R6B district would contain 26 two- to five-story residences located on Concord and Duffield streets, one mixed-use building, nine vacant lots used for vehicle storage or accessory parking and two one-story warehouses. The area also contains two lots recently sold by EDC to the New York Garden Trust for community garden use.

The proposed R6B district is a medium density residential district with a maximum FAR of 2.0, permitting the development of residential and community facility uses. R6B districts have a minimum base height of 30 feet, a maximum base height of 40 feet, and a height limit of 50 feet. Street walls of new developments would have to line up with adjacent buildings up to 15 feet from the street line. The R6B district would render all existing residentially occupied lots conforming and prohibit new industrial and commercial development.

The ratio of conformance for the lots proposed to be rezoned from M1-1 to R6B would increase from 35 percent to 95 percent. The ratio of compliance for the respective lots would increase from 38 percent to 93 percent.

### **M1-1 to C4-3**

Portions of two blocks on Concord Street and east of Flatbush Avenue Extension are proposed to

be rezoned to C4-3. The proposed C4-3 district would include eleven lots containing five two- and three-story residential buildings with ground floor commercial on Flatbush Avenue Extension, an eight-story loft building containing two high schools, a building supply store with accessory parking, and a four-story office building.

The proposed C4-3 district is a medium density general commercial and residential district with a commercial FAR of 3.4 and a residential FAR of 2.43. C4-3 districts permit commercial, residential and community facility development. The ratio of conformance for the lots proposed to be rezoned from M1-1 to C4-3 will increase from 55 percent to 72 percent. The ratio of compliance for the respective lots would increase from 18 percent to 82 percent.

### **M1-1 to C6-2**

Two portions of Bridge Plaza, both east and west of Flatbush Avenue Extension, are proposed to be rezoned from M1-1 to C6-2. The portion west of Flatbush Avenue Extension, east of Jay Street, north of Tillary Street and south of Nassau Street, contains portions of four blocks and is characterized by a mixture of commercial, residential and community facility uses. This area includes the 12-story Howard Clothes loft building and several other commercial and office uses, a high school, two other community facility uses, five residential buildings, a public parking lot on Jay Street and several small, irregularly shaped, city-owned lots used for parking and open space.

Portions of three blocks east of Flatbush Avenue Extension, south of Concord Street between

Bridge and Prince streets are proposed to be rezoned from M1-1 to C6-2. The proposed C6-2 district includes frontages along Flatbush Avenue Extension and Tillary Street which contain a gas station, a McDonald's restaurant with a drive-thru and adjacent parking, and a one-story warehouse. This portion of the proposed C6-2 district includes the entire block bounded by Gold, Concord, Prince and Tillary Streets, which contains two self storage loft buildings, several auto repair shops and a one story warehouse.

The proposed C6-2 district, a medium density general commercial and residential district, has a commercial FAR of 6.0 and a residential FAR of 6.02 (R8 equivalent). C6-2 districts allow Use Groups 1-12 which permit commercial, residential and community facility uses. The ratio of conformance for the lots proposed to be rezoned from M1-1 to C6-2 will increase from 83 percent to 92 percent. The ratio of compliance for the respective lots would increase from 45 percent to 90 percent.

## **ENVIRONMENTAL REVIEW**

This application (C 020263 ZMK ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 03DCP035K. The lead agency is the City Planning Commission.

It was determined that the proposed action may have a significant effect on the environment, and that an environmental impact statement would be required for the following reason:

The action, as proposed, may result in significant adverse impacts to archaeological resources in the affected area.

A Positive Declaration was issued on January 29, 2003, and distributed, published and filed, together with a Draft Scope of Work for a Draft Environmental Impact Statement (DEIS) and a Notice of Public Scoping Meeting. A scoping meeting was held on February 28, 2003.

Following a ten-day public comment period, a Final Scope of Work was issued on March 14, 2003.

A DEIS was prepared and a Notice of Completion issued on March 14, 2003. Pursuant to the SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on June 18, 2003, in conjunction with the public hearing on the Uniform Land Use Review Procedure (ULURP) item (C 020263 ZMK). The Final Environmental Impact Statement (FEIS) was completed, and a Notice of Completion of the FEIS was issued on July 11, 2003. The Notice of Completion for the FEIS identified the following significant adverse unmitigated impact:

The proposed action could result in significant, adverse unmitigated impacts to archaeological resources. The proposal would not result in significant impacts to architectural resources.

The proposed action may result in new in-ground disturbance which could adversely affect 19<sup>th</sup> century remains. Based on a documentary search of lots within the rezoning area, two projected development sites and two potential development sites may be archaeologically sensitive for 19<sup>th</sup> century remains. Action-induced development on these parcels would be unlikely to disturb archaeological resources, should they exist, within the required 30-foot rear yard portions of the sites. However, development within the remaining portions of the development sites might disturb resources, should they exist in those locations. This would constitute a significant adverse impact.

There is a potential for disturbance of archaeological resources on the two projected development sites and two potential development sites which may be sensitive for nineteenth century archaeological resources. Archaeological resources within the required rear yard portions of development sites could remain undisturbed. However, resources within portions of the development sites where new construction could occur might be disturbed by action-induced development, which would constitute a significant adverse impact. No mitigation measures are feasible, because the sites in question are privately-owned. Private ownership of the land would prevent the City from conducting or requiring a boring program to test for potential archaeological remains, or from mandating the preservation or documentation of such remains, should they exist. These potential significant adverse impacts would therefore be unmitigated.

## **UNIFORM LAND USE REVIEW**

This application (C 020263 ZMK) was certified as complete by the Department of City Planning on March 17, 2003, and was duly referred to Community Board 2 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application on April 30, 2003, and on May 14, 2003, by a vote of 34 to 0 with 1 abstention, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation on May 27, 2003. approving the application

### **City Planning Commission Public Hearing**

On June 4, 2003 (Calendar No. 4), the City Planning Commission scheduled June 18, 2003, for a public hearing on this application (C 020263 ZMK). The hearing was duly held on June 18, 2003 (Calendar No. 8). There were four speakers in favor of the application and none in opposition.

Four Bridge Plaza residents testified that the proposed rezoning would preserve the neighborhood's residential base, encourage future development at appropriate densities and complement the current redevelopment plans for Downtown Brooklyn. The speakers also commended the Department's partnership with neighborhood residents and Community Board 2 in developing this proposal.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map is appropriate.

The proposed zoning map amendments would rezone the eight block area in Bridge Plaza from

M1-1 to R6B, C4-3 and C6-2. Bridge Plaza has been a predominantly residential neighborhood dating back to the 1800's and today the land uses are characterized by a mixture of three- and four-story residential buildings, mixed-use buildings, commercial and auto related uses and community facilities. The proposed rezoning application is in direct response to a longstanding community request to rezone the blocks to more accurately reflect the existing land uses and built context of the area.

The proposed rezoning would allow for appropriate residential and commercial development in scale with the existing land uses within and adjacent to the rezoning area. The proposed R6B district allows for residential development up to 2.0 FAR that would typically yield three- to four-story apartment buildings like those found along Duffield and Concord Streets. The proposed C4-3 and C6-2 districts permit both residential and commercial developments and would allow slightly higher densities that are compatible with the existing mixture of three- to four-story apartment houses and three- to twelve- story loft and office buildings. The proposed rezoning would bring the majority of the existing land uses into conformance and would allow for development on vacant and underdeveloped lots in the area.

The proposed zoning is consistent with the surrounding neighborhood context. The rezoning area is adjacent to several medium density residential developments including the R6 zoned NYCHA Farragut and Ingersoll Houses to the north and southeast and the R7-1 zoned Concord Village to the west. The proposed rezoning would encourage new development on Jay Street, an important connection between Downtown Brooklyn to the south and DUMBO and the waterfront

to the north. Currently, there is an effort underway in Downtown Brooklyn to rezone portions of the Central Business District to encourage higher density commercial and residential development and facilitate continued growth within the SDBD. The proposed rezoning would compliment this effort and recent land use trends by preserving the residential character of the existing neighborhood and allowing for new development at appropriate densities on vacant and underdeveloped lots.

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 11, 2003, with respect to this application (CEQR No. 03DCP035K), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent possible by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.9(c)(3) of the SEQRA regulations; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 12d,

1. changing from an M1-1 District to an R6B District property bounded by:
  - a. Concord Street, Gold Street, a line 225 feet southerly of Concord Street, a line midway between Gold Street and Duffield Street, a line 50 feet northerly of Tillary Street, Duffield Street, a line 200 feet northerly of Tillary Street, a line 100 feet westerly of Duffield Street, a line 125 feet southerly of Concord Street, and Duffield Street;
2. changing from an M1-1 District to a C4-3 District property bounded by:
  - a. a line 100 feet northerly of Concord Street, a line 106 feet easterly of Duffield Street, a line 137 feet northerly of Concord Street, Gold Street, Concord Street, and Duffield Street; and
  - b. Concord Street, Duffield Street, a line 125 feet southerly of Concord Street, a line 100 feet westerly of Duffield Street, a line 200 feet northerly of Tillary Street, and

Bridge Street; and

3. changing from an M1-1 District to a C6-2 District property bounded by:
  - a. Nassau Street, Duffield Street, a line 100 feet northerly of Concord Street, Bridge Street, a line midway between Chapel Street and Cathedral Place (Fr. James F. Hinchey, C. O. Place), a line 100 feet easterly of Jay Street, Chapel Street, and Jay Street; and
  - b. a line 200 feet northerly of Tillary Street, Duffield Street, a line 50 feet northerly of Tillary Street, a line midway between Gold Street and Duffield Street, a line 225 feet southerly of Concord Street, Gold Street, Concord Street, Prince Street, Tillary Street, and Bridge Street; Borough of Brooklyn, Community District 2, as shown on a diagram dated March 17, 2003 (C 020263 ZMK) and which includes the environmental designation E-117.

The above resolution (C 020263 ZMK), duly adopted by the City Planning Commission on July 23, 2003 (Calendar No. 25), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN**, *AICP*, Chair  
**KENNETH J. KNUCKLES**, Esq., Vice-Chairman  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**  
**RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL,**  
**CHRISTOPHER KUI, JOHN MEROLO, KAREN PHILLIPS,**  
**JOSEPH B. ROSE, DOLLY WILLIAMS**, *Commissioners*