



BROOKLYN COMMUNITY BOARD 9

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RESOLUTION ON THE LAND USE APPLICATION FOR 962-972 FRANKLIN AVENUE REZONING (ULURP Number [C230356ZMK](#))

WHEREAS, the application for 962-972 Franklin Avenue (ULURP Number C230356ZMK) was filed on May 30, 2023 and certified for public review by the City Planning Commission on May 13, 2024; and

WHEREAS, CB9 conducted a public hearing on June 18, 2024 on the 962-972 Franklin Avenue application with a quorum in accordance with the Uniform Land Use Review Procedure; and

WHEREAS, Brooklyn Community Board 9 (CB9) through its ULURP, Parks/Recreation/Cultural Affairs and other committees conducted reviews of the application; and

WHEREAS, shadow studies conducted as part of the Draft Environmental Impact Statement (DEIS) have indicated the potential for significant adverse effects on portions of the community district including the Brooklyn Botanic Garden (BBG) and the Jackie Robinson Playground; and

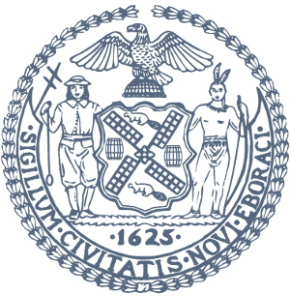
WHEREAS, there are serious concerns on the effects this development would have on the Brooklyn Botanic Garden, the Jackie Robinson playground, local infrastructure, service delivery and quality of life; and

WHEREAS, the large influx of market rate housing in the district has the potential to create upward pressure on current housing stock rental pricing; and

WHEREAS, the affordable housing options proposed by the developer are insufficient given a significant portion of the community district falls below the proposed income bands; and

WHEREAS, at the April 9, 2024, meeting of the CB9 ULURP/Land Use committee, the applicant presented an alternative proposal to step back building massing to reduce shadows on the Brooklyn Botanic Garden; and

WHEREAS, at the April 9, 2024, meeting of the CB9 ULURP/Land Use committee, the applicant also presented a mitigation to upgrade lighting and refurbish playground amenities and replace the handball court with a dog run; and



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WHEREAS, at the April 9, 2024, meeting of the CB9 ULURP/Land Use committee, the applicant declined a proposal to include 60% AMI units in exchange for a smaller density and height increase; and

WHEREAS, at the June 18, 2024, public hearing, the BBG testified that the applicant's proposed massings were unacceptable as they would still cast shadows on the Garden up to 2 hours per day; and

WHEREAS, CB9 previously considered an application for 960 Franklin Avenue (ULURP Number C200187ZSK) which was filed on April 30, 2020 and certified for public review by the City Planning Commission on February 4, 2020; and

WHEREAS, similar concerns were identified concerning effects on the Brooklyn Botanic Garden, Medgar the Jackie Robinson playground, and local infrastructure; and

WHEREAS, the project is grossly inconsistent with current zoning with significant adverse effects to existing resources identified; and

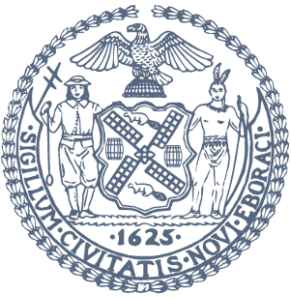
WHEREAS, there has been a consistent pattern of the applicant not meeting with the Board and local stakeholders to incorporate community concerns into a revised application prior to filing,

WHEREAS, the 1991 zoning of the district previously contemplated the issue of height restrictions of buildings in close proximity to the BBG; and

THEREFORE, it is **RESOLVED**, that the recommendation of Brooklyn Community Board 9 is to **DISAPPROVE** the application for 962-972 Franklin Avenue (ULURP # C230356ZMK) without modifications/conditions; and

It is **ALSO RESOLVED** that the 1991 zoning of the district previously contemplated the issue of height restrictions for the protection of the BBG and should be sustained; and

It is **ALSO RESOLVED** that similar to the previous application for 960 Franklin Avenue the magnitude of the proposed project is grossly inconsistent with the character of the neighborhood, the applicant has not acted sufficiently to address community concerns, and the adverse impacts outweigh the nominal increase of affordable housing stock proposed in the project; and



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It is **FURTHER RESOLVED** that any proposed modifications to the application after certification should not be considered as part of this ULURP review as the Board has not been provided sufficient documentation to substantiate or refute any claims made in revised presentations; and

It is **FURTHER RESOLVED** and the recommendation of Brooklyn Community Board 9 is that the Brooklyn Borough President, the Borough Board, the City Planning Commission (CPC), the City Council, and the Mayor should **DISAPPROVE** the application without modifications/conditions.

ADOPTED: JUNE 24, 2024