

Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, New York 11225
ULURP/Land Use Committee Meeting Minutes

April 9, 2024
Middle School 61
400 Empire Boulevard

Attendance (Board Members): Suki Cheong, Committee Chair; Rabbi Yaacov Behrman; Beverly Newsome

Attendance (Community Resident Members): Nichola Cox; Tom Thomas

Absent (Board Members): Patricia Moses

Absent (Committee Members): John Craver; Esteban Giron

Guests: Dion Ashman; Karen Austin; Nathalie AvJoon; Yohance Barton; Fred Baptiste, CB9 Chair; Alicia Boyd; Renee Cassell; Karl Cohen; Todd Dale; Anthony Dixon; Robert Harris; Kwesi James; Wayne Lewis; Barbara Lindsay; Veronica Linton; Hila Lyons; Estelle Miles; Steven Nalvansky; Michelle Pesca; Mike Pesca; David Rosenberg; Curtis Quow; Noel Senior; T.V. Thomas; Daniel Volsky; William Wallace IV; Kian Wayman; Charles Williams; John Woefling; Jay Yamamoto

CB9 Staff: Mia N. Hilton, Assistant District Manager

I. Call to Order at 7:16pm

II. BSA Cal. No. 2022-78-BZ Application

- a. Current vacant corner lot at 1512 Union Street (Corner of Albany Avenue)
- b. Prior structure demolished at the request of HPD due to derelict nature
- c. Current congregation seeking home space after renting in the neighborhood for multiple years - has 160 households, would not have enough room for all programmatic needs including separate prayer rooms for men and women under existing R4 zoning.
- d. Seeks increase in allowable maximum height from 35 ft to 45 ft; however proposed height is same as adjacent pre-war building
- e. Seeks increase in allowable max community facility space from FAR 2.0 to FAR 2.73; 11,558 sf to 15,765 sf
- f. Variance request to change current zoning rules on a single site usually based on
 - i. Unique site conditions resulting in hardship to applicant.
 - ii. BSA will grant only the minimum change required to give applicant relief
 - iii. Basis of this variance request is RLUIPA Federal statute – religious institutions that cannot meet programmatic needs under current zoning

- g. **CB9 votes to approve with condition** that BSA ask DOB to ensure that adjacent rent stabilized apartment building, 1516 Albany Avenue, has foundation and façade protected from damage during construction, especially since proposal includes significant cellar component. **6 in favor, 0 abstain, 0 oppose**

III.962-972 Franklin Avenue Rezoning Application

- a. Requesting a zoning amendment from R6A to R8A MIH/C2-4
- b. 14 story tower (970 Franklin Avenue)
 - i. Increase in maximum FAR for residential uses from 3.0 to 7.2 with Mandatory Inclusionary Housing.
 - ii. 475 rental units
 - 1. 75% market rate (356)
 - 2. 25% workforce/affordable (119)
 - 3. Financing from AFL-CIO housing trust fund, union construction promised, also supported by Local 32BJ

Affordability Chart			
AMI	Income Limit	Rent Limit	Units Available
40%	\$39,560 (Indv.) \$50,840 (Fam. Of 3)	\$848 (Studio) \$1,271 (2 Bedroom)	48
60%	\$59,340 (Indv.) \$76,260 (Fam. Of 3)	\$1,272 (Indv.) \$1,906 (2 Bedroom)	48
130%	\$128,570 (Indv.) \$165,230 (Fam. Of 3)	\$2,756 (Indv.) \$4,130 (2 Bedroom)	23

- c. Community is concerned that 130% AMI units are too expensive for current residents – what about units for those between \$77k - \$120k income
- d. Seeking special permit to reduce required parking spaces from 50% to 20% of non-income restricted apartments
 - i. Developer says area is well served by transit; no need for parking.
 - ii. Community concerned about residents from the building taking up street parking on surrounding blocks if there is insufficient parking
- e. Shadow massing
 - i. Jackie Robinson playground would be shadowed
 - 1. Developer offers to upgrade lighting and refurbish playground amenities as mitigation
 - 2. Handball court would be replaced by dog run
- f. Proposal to step back building massing to reduce shadows on BBG
 - i. New massing would result in over an hour of summer shadows on BBG
 - ii. BBG will conduct their own study on new massing
- g. Additional project information can be found at www.970franklin.com

- h. Developers are not willing to include 60% AMI units in exchange for a smaller density and height increase; they only want to add below market rate units if they can increase the market rate floor area of the as of right building.

IV. Other business

- a. Hawthorne Street - Concerned residents from Hawthorne are seeking assistance with an as-of-right development
 - i. Proposed building is grossly out of character with current homes
 - ii. New owner has threatened to turn the building into shelter site if community opposes his design
 - iii. Seeking assistance from CB9 and Elected officials - why do we give developers the right to put up such buildings?
- b. Empire Boulevard
 - i. Community Member Alica Boyd, called for CB9 to call the local elected officials to meet with the community to ensure the preservation of Empire Boulevard from development. Noting that if the 73-99 Empire upzoning is eventually approved it will cause a ripple effect of redevelopment on the Blvd.
 - ii. Community members believe that tall buildings and shadows have no place in a low-rise community
 - iii. District office will draft correspondence to invite elected officials to the next ULURP meeting by the close of the business week

V. Adjournment

- a. Meeting adjourned at 9:30pm