Acknowledgements

This study was created as part of the The Fund for the City of New York’s Community Planning Fellowship. A big thanks to Michael Levine for the time, expertise and leadership he brings to this program.

Community Board 9 District Manager Pearl Miles provided a wealth of guidance and background information for this study, and infinite patience while it was being completed. Michael Cetera, Chair of CB9’s Land Use Committee, also provided background information and helped determine areas of focus for the study. Ed Fanning, Chair of CB9 Transportation Committee, provided data and feedback regarding the Propect Lefferts Garden R7-1 district.

Richard Bearak, Director of Land Use for the Brooklyn Borough President’s Office, graciously suggested approaches for the mapping and analysis. Winston Von Engel of the Department of City Planning’s Brooklyn office also helped give shape to the project.

Mapping and analysis were conducted using Map PLUTO data ver. 3.2 provided by the NYC Department of City Planning. All maps, unless otherwise noted, were created by the author using ArcGIS software at Pratt Institute.

Design concept inspired by Elisabetta DiStefano, Brooklyn Navy Yard Report.

Image Credits:

Page 2  Demolition of Ebbets Field, 1960
Photo: New York Daily News

Streetview photographs: Google
Title page photographs: Ben Dodd

Page 27  Ebbets Field Apartments
Photo: http://nycin60.wordpress.com

Page 32  Downstate Biotechnology Center
Photo: NYCEDC
Introduction
Description of the Study Area

This report analyzes the current zoning within Brooklyn Community District 9 (CD9), which includes the neighborhoods of Crown Heights South, Prospect Lefferts Gardens and Wingate. CD9 is bounded by Eastern Parkway in the north and Clarkson Avenue in the south, Prospect Park in the west to Rochester Avenue, East New York Avenue and Utica Avenue in the east.

Land Use
The district consists of primarily low-rise residential housing types ranging from single family detached homes to multifamily apartment buildings. An estimated 60% (4,082) of homes in CD9 were built in or prior to 1925. About 20% of these historic homes fall within the Prospect Lefferts Gardens Historic District. Residential sidestreets intersect with mixed-use corridors like Franklin, Flatbush and Nostrand Avenues, which typically consist of storefront small businesses and houses of worship on the ground level with apartments on the upper floors. Only about 5% of land in CD9 is used for strictly commercial or manufacturing purposes.

Public and community facility uses account for 20% of land in CD9 (shown in blue in Figure 1), compared to just 6% in Brooklyn as a whole. The district is home to 26 public elementary and secondary schools with a combined enrollment of over 14,000 students in 2012, as well as 15 private/parochial schools which enrolled over 4,000 elementary and secondary school students. Medgar Evers College, part of the CUNY system, enrolled nearly 7,000 college students in 2012.

Numerous institutions in CD9 also provide medical, mental health, disability, and chemical dependency services. Kings County Hospital Center (451 Clarkson Ave.) and Kingsbrook Jewish Medical Center (585 Schenectady Ave.) are the two largest hospitals with a combined capacity of over 1,000 beds. Kingsboro Psychiatric Center and Kings County Hospital Center are major inpatient mental health providers with a combined capacity of 400 beds.
Demographic & Socioeconomic Characteristics

According to DCP’s Population Division, the total population of CD9 fell 11% in 2010 to 98,429, down from 104,014 in 2000. Overall, CD9 residents skew younger, with the age 20-29 population comprising the largest segment, followed closely by the male population under 10.¹

The Black share of the population in CD9 stood at 70% in 2012, down from 78% in 1990, but still a significantly higher share than in Brooklyn (32%) and the city as a whole (23%). Likewise, the share of White, Hispanic and Asian residents in CD9 is significantly lower than in Brooklyn and NYC overall (See Figures 2 and 3).

U.S. Census data indicates that more than 53,000 residents (43%) of CD9 are foreign born, with over 37,000 originating from Caribbean islands like Haiti, Jamaica and Trinidad and Tobago. Caribbean-born residents represent 70% of the foreign born population and 30% of the total population.²

---

¹ U.S. Census Bureau, 2008-2012 American Community Survey
² U.S. Census Bureau, 2007-2011 American Community Survey 5-Year Estimates
Background

As the city’s population has grown over the last decade, Brooklyn’s real estate prices have soared, and affordable housing options, for low- and middle-income households, have become scarce. Rent controlled apartments and Mitchell Lama buildings continue to be lost as landlords and owners raise rents or opt out. Most new housing development caters to wealthier households, while only a small percentage of affordable units are produced through tax incentives and density bonuses, but only in areas where the highest market-rate rents can be demanded to support these subsidized units.

As neighborhoods grappled with growth over the last ten years, the Bloomberg Administration rezoned large sections of the City (See Figure 5). Central Brooklyn was no exception. Area rezonings under Mayor Bloomberg include:

- Park Slope, 2003
- South Park Slope, 2005
- East Windsor Terrace, 2009
- Flatbush, 2009
- Crown Heights West, 2013

Concern among some residents of CD9 has grown as the warming real estate market has increased the threat of both luxury and out-of-scale high-rise development. Many worry that rising rents and unscrupulous landlords may displace residents, disrupting the social fabric of the neighborhood. Another concern shared by many families in the district is the incompatibility between current zoning designations and the existing housing stock, which in some cases, has prevented incremental expansion of homes to accommodate growing families.
In response to these concerns, Community Board 9 (CB9) requested that the Department of City Planning (DCP) conduct a zoning study of the perimeter of Prospect Park. At the time of the first request in 2008, the city lacked the necessary resources to begin such a study. The second request, this time for a district-wide study, was made in April 2014.

One month prior to the most recent request, Community Board 9 hosted a Community Listening Session at the Brooklyn Botanic Garden to allow residents to voice their zoning-related concerns. Following a brief presentation on current zoning in the district, residents signed up to speak based on their location in the district. Representatives of the Department of City Planning were on hand to hear residents' comments. Notes from the evening were compiled and formed the basis of a resolution that was formally adopted by CB9 at the Board's March monthly meeting and sent to the DCP. The text of the resolution is included in the Appendix on page 37.

Purpose

With the likelihood high that the Department of City Planning will begin a zoning study in CD9 in the near future, this preliminary study is intended as an introduction to current zoning in the district that can serve as a resource for Community Board members and residents of CD9 if a rezoning does indeed occur. Although this report briefly addresses the commercial and manufacturing districts in CD9, the core of the analysis focuses on the residential districts. Because analysis is the primary objective of this study, rather than offer specific proposals for zoning modifications, the report presents major findings and notes items that warrant consideration by the Community Board going forward.
Zoning Overview

Community District 9 is predominantly residential in character, with the exception of a few small commercial and manufacturing districts as seen in figure 6. Fully 96% of land is currently zoned for residential use, compared to 55% in Brooklyn as a whole (See Figure 7). Commercial districts comprise roughly 3% of land, and manufacturing less than 1%. Although the western edge of the district borders Prospect Park, park land within the district is extremely rare (0.6%) compared to 31.6% in Brooklyn as a whole.

Recent Zoning Changes in CD9

In 1991, a small portion (5%) of CD9—the area bounded by Eastern Parkway, Franklin Avenue, Sullivan Place and Washington Avenue—underwent a contextual rezoning. This modification resulted in new medium and higher density contextual districts (R6A and R8A), shown in blue in Figure 9.

More recently, in May 2014, a privately initiated amendment to the zoning map, pursuant to Sections 197-c and 201 of the New York City Charter, was approved by the City Planning Commission. The amendment (1) changes a small area at the intersection of Empire Boulevard and Brooklyn Avenue that was previously zoned R5 and R7-1 to R7A, bringing existing apartment buildings into compliance with zoning, and (2) removes commercial overlays where commercial uses did not and should not exist. Figure 8 shows the newly adopted changes to the zoning map. Note: The maps contained in this report were made prior to the amendment’s approval, and thus do not reflect the modification.
FIGURE 9: Current Zoning In CD9, 2013

C1-3 overlay (except where labeled otherwise)

Created by Ben Dick on 7/15/14 at Pratt Institute for Community Board 9 - Brooklyn
Data: NYC Dept. of City Planning PLUTO

N

0 0.2 0.4 0.6 0.8
Miles
Residential Districts
Residential zoning districts mapped in CD9 include lower density R2, R4, and R5 districts, medium density R6, R6A and R7-1 districts and one higher density R8A district. R6 and R7-1 zoning will be a focus of this study both because these designations encompass 64% of all residential land in CD9, and because they have the potential to produce higher density development. Because the R6A and R8A districts were modified relatively recently, they will not be addressed in this study. Figure 11 illustrates building types that are typical within each residential zoning district, with CD9's districts highlighted in color.
R2

Three R2 districts constitute 8% of residential land in Community District 9. The largest R2 district comprises the eight blocks bordered by Flatbush Avenue in the east, Rogers Avenue in the west, Lincoln Road in the north and Fenimore Street in the south. This district is coterminous with the Prospect Lefferts Gardens Historic District, which was designated in 1979. Most of the homes in this district are two- or three-story rowhouses. The second R2 district is mapped south of Union Street and north of Montgomery Street between New York and Kingston Avenues. The final and smallest R2 district is along Crown Street between Bedford and Rogers Avenues.

Findings:
- 87% of R2-zoned lots measure 30' or less, falling short of the minimum lot width under R2 zoning of 40 feet. Similarly, 89% of lots are smaller than the minimum lot size of 3,800 square feet.
- 97% of R2 properties (848 zoning lots) exceed the maximum FAR of 0.5
- With the exception of just a few blocks, the predominant housing type in all three R2 districts is two- and three-story rowhouses (See photos in Figure 13). Rowhouses constitute attached buildings, which are non-conforming under R2 zoning.

For Consideration:
- In places where homes are detached (Lincoln Road, Maple Street and President Street), R2 zoning, if kept in place, would effectively serve as a form of protection against future non-contextual development.
- For homeowners in R2 districts seeking to expand existing homes, the R2X district mapped within the Special Ocean Parkway District may provide a precedent for zoning changes that allow modest expansions without altering the character of the neighborhood. The R2X allows homes to extend 10 feet into the rear yard and an increase in FAR from 0.5 to 0.85.
- In two- to three-story rowhouse blocks in R2 districts, the R5B designation may be more suitable, helping ensure all future development conforms to the predominant row house form. R5B zoning calls for maximum building heights of 33 feet (roughly 3 stories) and allows a maximum FAR of 1.35, whereas R2 allows only 0.5 FAR.

### TABLE 12

<table>
<thead>
<tr>
<th>LOT WIDTH (ft)</th>
<th>LOT AREA (sq ft)</th>
<th>FAR</th>
<th>FRONT YARD (ft)</th>
<th>REAR YARD (ft)</th>
<th>SIDE YARDS (ft)</th>
<th>BUILDING HEIGHT (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>3,800</td>
<td>0.5</td>
<td>15</td>
<td>30</td>
<td>2</td>
<td>13 x 5</td>
</tr>
</tbody>
</table>

The R2 zoning designation allows for single-family detached homes with minimum 40-foot lot widths. The maximum floor area ratio in R2 is 0.5 and building heights are controlled by sky exposure plane. Residential development under R2 zoning is limited to exclusively detached homes. Two required side yards of at least 5 feet must measure a combined 13 feet. Front yards are required to measure 15 feet and rear yards 30 feet. R2 regulations require a minimum lot width of 40 feet and minimum lot area of 3,800 sq. (Zoning Handbook)
FIGURE 13  Building Heights in R2 Districts, 2013

Created 3/05/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO
R4

A single R4 district is mapped across 9% of residential land in CD9. Its border is Union Street in the north, Utica Avenue in the east, Crown Street in the south, and Kingston Avenue in the west, with two arms extending past Kingston to Brooklyn Avenue and Kingston Avenue.

Findings:
- 88% of R4-zoned lots measure 30' or less (The minimum lot width designated for R4 is 40')
- More than half (52%) of buildings exceed the maximum lot coverage of 45%
- R4 properties are considerably overbuilt with 74% of properties exceeding the maximum FAR of 0.9 (with attic allowance)

Figure 15 shows a mix of attached, detached and semi-detached homes with three floors or less, as well as four-story multi-family apartment buildings. In terms of height, most homes in this district conform to the R4 building height requirements (See Figure 14). Only three apartment buildings exceed 4 stories.

However, when considering the Floor Area Ratio (FAR), the R4 designation becomes more problematic. The gross built FAR (total building area / total lot area) across R2 districts amounts to 1.5 out of a maximum 0.75-0.9. This overbuilt FAR represents 1.6 million square feet, which cannot be attributed to simply a few larger buildings. The vast majority of individual properties (74%) exceed the maximum FAR of 0.9, and more than half (52%) currently exceed the maximum lot coverage of 45%. By the standards of the R4 designation, this district is considerably overbuilt.

For Consideration:
The findings listed above indicate a significant mismatch between the current R4 designation and the existing housing stock.
Three R5 districts are mapped over 14% of residential land in CD9. The westernmost district is located south of Empire Boulevard and north of Lincoln Road between Washington Avenue and Rogers Avenue. The centermost R5 district is located north of Empire Boulevard and south of Crown Street between Albany and New York Avenues. The final R5 district is located in the southeast portion of the Community District south of Winthrop Avenue and north of Clarkson Avenue between New York Avenue and Utica Avenue. This district contains various large-scale community facilities and public institutions including Kings County Hospital and Kingsboro Psychiatric Center.

**Findings:**
Because of the concentration of large scale community facilities shown at the bottom of Figure 17, the frontage weighted average building height across the three R5 districts is 3.3 floors. In actuality, 80% of all R5 buildings are only two floors. The R5 designation is mostly compatible with the existing housing stock in terms of both height and FAR. The gross built FAR of 1.37 is only slightly higher than the maximum FAR of 1.25, with 33% of R5 properties currently exceeding the maximum FAR of 1.25.

**For Consideration:**
- For rowhouse blocks, (c.f. the block south of Empire Blvd between Rogers and Bedford Avenues), RSB contextual zoning may be a more fitting designation, allowing slightly higher FAR of 1.35. For more on RSB, visit http://www.nyc.gov/html/dcp/html/zone/zon2f.shtml

---

1 Portions of this district are included in the Prospect Lefferts Gardens Historic District.
2 A recent amendment to the zoning map changed a small section of this R5 district at Brooklyn Avenue and Empire Boulevard to an R7A district with C2-f commercial overlays.
R6

Two R6 districts are mapped over 45% of residential land in CD9. A northern district is located south of Eastern Parkway and north of Empire Boulevard between Franklin Avenue and New York Avenue. An arm of this district also extends from New York Avenue to Utica Avenue along Eastern Parkway. Another R6 district is mapped over much of the southern portion of CD9 within the area generally bounded by Fenimore Street and Lefferts Avenue in the north, Schenectady Avenue and East 49th Street in the east, Winthrop Street and Clarkson Ave in the south, and Flatbush Ave. and Rogers Avenue in the west.

Findings:

Building Height

The current housing stock in R6 districts consists of a mix of detached, semi-detached and attached homes as well as low-rise multi-family apartment buildings. The average building height in both R6 districts, weighted by lot frontage, is 2.8 floors. Out of 3,041 total buildings, only six exceed six stories, the tallest being 20 stories (NYCHA’s Reid Apartments), followed by 16 stories, 11 stories (2) and 7 stories. Fully 97% (3,048 of 3,041) of existing buildings are four stories or less, and more than two-thirds (67%) are two floors or less. Approximately 90 buildings (3%) stand between five- and six-stories, mostly apartments and public facilities and institutions (See Figure 19).

Though relatively few tall buildings currently exist in R6 districts, those that do contrast sharply with the surrounding community, and demonstrate the effects that height factor zoning regulations (See Figure 18) have had since first introduced in the 1961 Zoning Resolution. While the contextual Quality Housing regulations offer developers additional FAR on wide streets, they remain optional, meaning that taller, out of scale buildings are more economical if large lots can be assembled.

<table>
<thead>
<tr>
<th>Height Factor</th>
<th>Open Space Ratio</th>
<th>Governs by</th>
<th>Required Parking (MIN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.78-2.43</td>
<td>27.5-37.5</td>
<td>sky exposure plane</td>
<td>70% (dwelling units)</td>
</tr>
<tr>
<td>Quality Housing</td>
<td>Narrow Street</td>
<td>2.43</td>
<td>80% 60% 70 ft 50%</td>
</tr>
<tr>
<td>R6</td>
<td>Wide Street</td>
<td>3.0</td>
<td>80% 60% 65 ft</td>
</tr>
</tbody>
</table>

R6 zoning provides two sets of bulk regulations: Height Factor regulations, which often produce tall buildings set back from the street, and Quality Housing regulations, which produce high lot coverage buildings set at or near the street. The floor area ratio (FAR) in R6 height factor districts ranges from 0.78 (for a single story building) to 2.43 at a typical height of 13 stories. The open space ratio ranges from 27.5 to 37.5. Generally the more open space, the taller the building. There are no height limits for height factor buildings although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off street parking is required for 70% of a building’s dwelling units, or it can be waived if five or fewer spaces are required. R6 Quality Housing regulations permit greater FAR (and therefore more apartments) than would be permitted under height factor regulations for buildings on or within 100 feet of a wide street.
Vacant Lots
Although CD9 currently has relatively few vacant properties, nearly half (47%) are located within R6 zoning districts. The largest of these lots at 490 Lefferts Avenue measures 8,800 ft², which is not likely to attract a height factor building. (A 17,800 ft² lot in the same block recently produced a 7-story apartment building). The second largest vacant lot at 6,465 ft² is being developed under Quality Housing regulations into a six-story apartment building, according to filings made with the Department of Buildings.
Floor Area

CD9’s R6 districts have a gross built FAR of 1.52 out of a maximum 2.43/3.0, and represent the most underbuilt of all residential districts in CD9. Figure 20 shows the spatial distribution of underbuilt lots in CD9. Lots with built FAR of less than 50% (shown in green and teal) can be considered significantly underbuilt. This is especially the case with large lots that front wide streets (highlighted in yellow), which provide additional FAR under Quality Housing regulations.

Many of CD9’s public facilities and institutions fall into the category of underbuilt, and could potentially accommodate new development or expansions near existing facilities. For example, Medgar Evers College (80 Crown Street) has a built FAR of 0.81 out of a maximum 4.8 (for community facilities). St. Ignatius Catholic Church (267 Rogers Avenue) is currently being replaced by a five-story 250-unit apartment building (denoted in black in Figure 20).

For Consideration:

Three additional underbuilt sites warrant careful consideration by Community Board 9 as rezoning discussions move forward:

1. The Sanitation Garage at 356 Winthrop Street (or 690 New York Avenue). This facility has been repeatedly identified by C9 as unsuitable at its current location and inadequate for its purposes (See District Needs Statement). With a built FAR of 0.9 out of a maximum 4.8, the one-story garage is also significantly underbuilt under current zoning. This city-owned property could better serve the community and borough—and at a significantly higher density—if its use was more compatible with the adjacent medical and newly built research facilities.

2. The Bedford-Union Armory at 1555 Bedford Avenue. The armory is owned by New York State, and was the subject of a NYU study commissioned by the Borough President in 2012, and subsequent request for proposals by the NYC Economic Development Corporation. The NYU study proposed several scenarios for utilizing the armory’s drill hall and head house for community purposes. It also recommended up-zoning the site to R7-1 so that the adjoining parking facility could be replaced with four hundred new residential units which would generate revenue for repurposing and operation of the community center housed in the armory. The study correctly acknowledges the significant development potential of the armory site. At nearly 122,000 ft², and a built FAR of 0.96 out of a maximum 4.8, the facility is significantly underbuilt. Likewise, the parking facilities east of the armory present a viable site for new development. However, the proposed upzoning to R7-1 seems incongruent with the concerns of the community and unlikely, as the report suggests, to “match the zoning on the site with the surrounding neighborhood context.” Most of the buildings in the immediate vicinity are four- to six-story multifamily apartments with high lot coverage, whereas the report proposes high-rise buildings set back from the street (see Figure 21). The proposed upzoning to R7-1 also fails to consider whether the current R6 zoning designation is itself suitable with

FIGURE 21
Rendering of Armory Site Residential Scenario
the current housing stock. A contextual designation like R7A with FAR of 4.0 or R6A would produce buildings with higher lot coverage closer to the scale of the neighborhood. The maximum FAR would drop to 3.0 under R6A and to 2.0 under R6B.

3. **Split R6/C8-2 zoning lots along Empire Boulevard.** Figure 22 shows zoning lots between Empire Boulevard and Sullivan Place that fall within two separate zoning districts. The southern portions along Empire Boulevard are zoned C8-2, while the northern portion of these same lots along Sullivan Place are zoned R6 with a C1-3 overlay. According to the Zoning Resolution (Article VII, Chapter 7), when zoning lots are split, "zoning regulations for each district must be applied separately for each portion of the lot." The result, in this case, is that residential and commercial regulations may be applied along Sullivan Place, while only commercial is permitted along Empire Boulevard.

![FIGURE 22 Split zoning lots on Empire Blvd.](image)

C8-2 is a commercial designation with FAR of 2.0, which provides for automotive and other heavy commercial services, typically automobile showrooms, repair shops, warehouses and car washes. Where Empire Boulevard intersects with Flatbush Avenue, the prevalence of auto-related uses and fast food establishments—which tend to have low lot coverage buildings set back from the street to accommodate parking draws heavy traffic, which creates an invisible barrier between Prospect Park and the surrounding community. Approaching this area from the east, a mix of residential and commercial buildings line Empire Boulevard, forming a consistent street wall and defined space for pedestrians. Crossing Rogers Avenue, gas stations and warehouses, and storage facilities start to appear. Many of these businesses cater to drivers, leaving sidewalks blocked and less accessible by foot. Between McKeever Place and Ocean Avenue, as the park approaches, drive-thru lanes and parking lots abound, creating an open and undefined space, with virtually no street wall to speak of. This area demonstrates how single use zoning can both discourage and diminish street life. The existing C8-2 zoning has effectively created an automotive business district where the neighborhood meets Prospect Park and the Brooklyn Botanic Garden, making access to these amenities very challenging for non-motorists.
It is recommended that Community Board 9 request this corridor be included in the city’s rezoning study. This area is easily accessible to the B, Q and S subway lines at Prospect Park, making it a suitable area for mixed-use (commercial and residential) zoning. Mixed-use zoning often encourages apartment buildings with retail and other light commercial uses on the ground floor, which could provide opportunities for new business development. Mixed-use building would also help establish more regular patterns of foot traffic in the area, which would help improve safety and increase sales for local businesses. Modified zoning could also encourage buildings set closer to the street (as found along other sections of the Boulevard to the east), making this corridor a more protected and welcoming gateway to and from Prospect Park for non-motorists. Finally, rezoning this area for medium to higher density mixed-use could provide a height transition from the towering Ebbets Field apartment complex into the surrounding lower density neighborhoods (see Figure 29 on page 31).

However, the contrast between low rise and high rise buildings in the area may elevate sensitivity to all new development. Therefore, the hard work of building consensus among local residents and business owners will be crucial. What building heights would residents find acceptable? What percentage of new units will be affordable for low- and middle-income residents? What kind of retail would be preferred?

Recent traffic calming improvements implemented by the NYC Department of Transportation attempted to address congestion and create safer streets for pedestrians and cyclists along Empire Boulevard. In some parts of the district these measures were highly effective (See Figure 23). However, street improvements can only address a portion of the problems. Zoning changes, carried out thoughtfully, could make the western portion of Empire Boulevard a safer, more accessible and more attractive place within the community.
R7-1

Three R7-1 districts are mapped in CD9, encompassing 19% of all residential land. The largest R7-1 district stretches eastward from Nostrand Avenue to Rochester Avenue. It generally extends two or three blocks north of Lefferts Avenue, except in the west where it extends northward as far as Crown Street between Rogers and Nostrand Avenues, and in the east, where it extends northward to Eastern Parkway between Utica and Rochester Avenues. The second of the R7-1 districts (Prospect Park South) is bounded by Ocean Avenue in the west, Empire Boulevard in the north, Flatbush Avenue in the east, and Parkside Avenue in the south. The smallest of the R7-1 districts is mapped in the western half of the block bounded by Nostrand Avenue, President Street, New York Avenue and Carroll Street.

Findings:

Building Height

Housing across the three R7-1 districts varies from two- and three-story single-family attached and detached homes to 5- and 6-story multifamily apartment buildings. Only eleven buildings reach higher than 6 stories. The four tallest buildings—Ebets Field Apartments (1720 Bedford Avenue), Patio Gardens 1 & 2 (580 & 590 Flatbush Ave) and Crown Gardens (1185 Carroll Street) reach 25, 16, 16 and 15 stories respectively. After these four, the tallest building drops to nine stories. And the average building height when weighted by lot frontage is 3.9 floors, suggesting a preponderance of low-density housing in a medium-density zoning district.
Floor Area

To further illuminate this zoning mismatch, FAR calculations across all R7-1 districts indicate a gross built FAR of 2.6 out of a maximum 3.44/4.0. In Figure 26, buildings shown in pink and red currently utilize 50% or less of the maximum allowable FAR. A comparison of building heights in Figure 25 with FAR density in Figure 26 reveals that many five- and six-story apartment buildings are currently underbuilt by at least 50%. Even 15-story Crown Gardens with 240 units, has a built FAR of 2.39 out of a maximum 3.44.

R7-1 zoning grants community facilities a generous FAR of 4.8 that is often undervalued by existing facilities. Were a contextual rezoning to occur (c.e. R7-1 to R7A or R7B), these property owners would see a significant reduction in FAR, from 4.8 to 4.0 and 3.0 respectively.
Vacant Lots
Less than two percent of all R7-1 properties (19 out of 1,145) are currently vacant. The combined lot area of these 19 lots is little more than two acres, yet accounts for 26 percent of all vacant residential land in CD9. Even with vacant land in low supply, the real estate industry in recent years has begun to recognize the potential of CD9’s underbuilt R7-1 districts. A new residential development at 33 Lincoln Road will utilize two of the largest vacant lots (See photo in Figure 26). Once completed, it will reduce the amount of vacant R7-1 land by almost one third, from 91,000 to 64,952 square feet. The Plex, a 98-unit building at 958 Nostrand Avenue opened in 2011, offering luxury rental apartments (see figure 27). Hudson Companies is currently developing a 23-story, 250-unit apartment building at 626 Flatbush Avenue (See rendering in Figure 26), drawing the ire of many local homeowners in Prospect Lefferts Gardens. R7-1 zoning permits such development as of right.

Protecting Existing Character
The Prospect Lefferts Garden R7-1 district has been the subject of recent debate around high-rise development, and a contextual rezoning of this area is long overdue. But the Community Board should consider other R7-1 areas as well. For example, Nostrand Avenue and Eastern Parkway both contain small R7-1 districts. R7-1 Height Factor regulations could lead to taller out of scale buildings in these areas of the neighborhood. In the recent Crown Heights West rezoning R7-1 zones along Eastern Parkway was changed to R7A, which may be appropriate in CD9 as well.

Affordable Housing & Inclusionary Zoning
Inclusionary zoning (IZ) is a very limited tool within NYC’s zoning code that incentivizes affordable housing development in designated areas by providing density bonuses (additional FAR) to developers who agree to reserve 20% of units in their buildings for low- and moderate-income families. As it currently stands in New York, IZ is an optional program. However, the mayor’s recently released “Housing New York” plan proposes a mandatory inclusionary housing program, which would "require a portion of the new housing developed to be permanently affordable to low- or moderate-income households." Whether the program remains optional or becomes mandatory, CB9 should identify areas where major developments are likely to occur to propose as inclusionary housing zones. R6 and R7-1 districts are a good starting point because they allow higher densities, and would therefore produce the highest number of affordable units. For more on how affordability is defined, and how current housing policies could be strengthened, see the 2013 report, Real Affordability published by Association for Neighborhood & Housing Development.
Commercial Districts & Overlays
Currently, 2.6% of land in CD9 is zoned for commercial use, which is similar proportionally to Brooklyn as a whole. CD9 contains three heavy commercial C8-2 districts (on W. Empire Blvd, N. Bedford Ave and S. Utica Ave), and one medium density C4-3 district (N. Utica Ave). C1-3 and C2-3 overlays are mapped along Empire Boulevard, Flatbush Avenue, Franklin Avenue, Rogers Avenue, Nostrand Avenue, Kingston Avenue, Troy Avenue and Utica Avenue.

C8-2 heavy commercial districts are intended to bridge commercial and manufacturing uses, and thus, all residential uses are prohibited. Empire Boulevard and Utica Avenue in CD9 are prototypical C8-2 districts, each containing fast food restaurants, auto repair shops, warehouses and self-storage (See Figure 28). Because many of these businesses require parking lots and drive thru lanes, low lot coverage buildings set back from the street are common. As in many other auto-heavy corridors in the city, these design features contribute to an unwelcoming and unsafe streetscape for pedestrians and cyclists.

As noted earlier, traffic calming efforts were implemented in 2009 by the DOT to address some of the dangerous intersections on Empire Boulevard between Utica and Flatbush Avenues. However, in areas where C8-2 zoning occurs, problems persist. A fully improved streetscape will require zoning changes that allow for greater density and diversity of uses. For more on Empire Boulevard, see page 24.

For Consideration:
- Many of the commercial overlays in CD9 extend further into residential areas than necessary. These sections could be removed to better match zoning to the current land use, as was done in the Crown Heights West rezoning.
- CB9 should consider whether heavy commercial uses and auto-oriented businesses are desired along Empire Boulevard. C8-2 zoning, because it prohibits residential uses, may not be suitable for such an area, which borders a major park and offers convenient access to transit. Introducing residential zoning in combination with a lighter commercial designation may be more congruent with similar areas that border the park.
Manufacturing Districts
Manufacturing zones, shown in Figure 9, represent a small fraction of land in CD9, 1% as compared to 11% in Brooklyn as a whole. But these zones nevertheless warrant careful consideration when zoning changes are being discussed. The Pratt Center for Community Development estimates that since 2001, over 40 million square feet of industrial space have been lost to a series of aggressive rezonings by the City. These rezonings represent an irreversible loss, as conversion to residential use significantly increases the market value of properties, and often precludes the designation of new manufacturing zones.

In CD9, for example, a commercial laundry business and a spice importer and manufacturer both operate within a residential zone on the east side of Franklin Avenue, one just north of Montgomery Street and the other just south. However, in a rezoning of this area in 1991, although the spice importer had been operating at the site since 1955, no M or even C designation was mapped over these properties. Instead, the two businesses now operate in a contextual R6A zone.

Ultimately, this loss of industrial land through rezoning increases the cost of operating manufacturing businesses in the five boroughs, and at a time when manufacturing jobs pay higher wages than service and retail jobs (See Figure 30). It is recommended that Community Board 9 protect its manufacturing land (and jobs) and seek to help manufacturing businesses in the district to grow.

The Advanced Biotechnology Park at SUNY Downstate Medical Center (760 Parkside Ave) is one example of how manufacturing zoning districts can be used to help spark growth in emerging manufacturing sectors. The Advanced Biotechnology Park is located in one of CD9’s two M1-1 zones, and serves as an incubator for start-up and early stage biotechnology companies. These newly birthed companies, as they outgrow the ABP incubator space, could benefit from close proximity to this research hub, and could potentially relocate within the surrounding M1-1 districts, if they are preserved.

When considering MX mixed-use zoning to replace M-zones,

'The current "MX" zoning designation technically accommodates a mix of uses, but because it permits as-of-right conversion from manufacturing to other uses, it often leads to rapid residential conversion. One strategy for protecting industrial land is through a "stable, mixed-use Innovation District, [which] would require that a percentage of the space in each building or the district as a whole be dedicated to manufacturing." 4

---

3 Future of Industrial Brooklyn, Pratt Center

4 Building a Vibrant Manufacturing Sector, Pratt Center
Methodology

FAR Analysis
Maximum floor area ratios (FAR) vary in R6 and R7-1 districts based on street widths—properties facing or lying within 100 feet of a wide street are afforded additional density under Quality Housing regulations—but this variability is not reflected in the PLUTO data. To improve the precision of the FAR analysis in this study, street measurements were analyzed using maps at the Topographic Bureau at Brooklyn Borough Hall. Streets measuring 75 feet or more were marked on a map. Then, using the PLUTO data, R6 and R7-1 properties were sorted into narrow and wide street datasets using their street address, and block and lot numbers. FAR data was adjusted within each dataset, and then joined to the original PLUTO dataset as a new column in ArcGIS.

Building Height
To account for the effect of larger buildings on the overall perception of height within residential districts, the average building height was weighted by lot frontage using the following formula:

\[
\text{Sum} (\text{NF} \times \text{LF}) / \text{Sum} (\text{LF})
\]

Where:
- NF = No. of Floors
- LF = Lot Frontage
Sources


Brooklyn CD9 Profile (2000 and 2010), NYC Department of City Planning.

Building a Vibrant Manufacturing Sector (Issue Brief). The Pratt Center for Community Development.


Community Board 9 District Needs Statement (2013), Community Board 9

The Future of Industrial Neighborhoods in 21st Century Brooklyn (Briefing Book), April 2014, The Pratt Center for Community Development.

Flatbush Rezoning and Text Amendments, NYC Department of City Planning.


Real Affordability, (2013) Association for Neighborhood and Housing Development

What is Zoning? Guidebook (2013), Center for Urban Pedagogy

FIGURE 31
Distribution of CD9 Population by Age-Sex
RESOLUTION FROM COMMUNITY BOARD 9
CALLING UPON THE NYC DEPT OF CITY PLANNING
TO IMMEDIATELY BEGIN A STUDY OF THE LAND USE AND ZONING
ISSUES RAISED AT THE LISTENING FORUM HELD ON
MONDAY, MARCH 17TH 2014

WHEREAS Community District 9 is comprised of the distinct neighborhoods of South Otrum Heights, northern parts of Flatbush, Prospect Lefferts Gardens, and Wingate; and is bordered by the historic landmarks of Prospect Park and Eastern Parkway;

WHEREAS Community District 9 boasts such prestigious cultural institutions as the Brooklyn Museum, the Brooklyn Botanic Garden, the Brooklyn Public Library, and such notable medical institutions as Kings County Hospital Center, a number one Trauma Center; SUNY Health Science Center, Kingsboro Psychiatric Center, and Kingsbrook Jewish Medical Center; and

WHEREAS Community District 9 is a unique blend of people of American, Caribbean, European, Asian and Hispanic descent; and families have thrived in Community District 9 for generations living along our tree-lined streets and enjoying the beauty and nuances of the neighborhoods; and

WHEREAS the existing zoning designations and prevailing land uses does not provide nor address all the needs of the community; and

WHEREAS Community Board 9 held a forum at the Brooklyn Botanic Garden on March 17th, 2014, where residents of the community expressed various concerns; a summary of which is as follows:

1) Preserve the existing character of the neighborhood
   a) Prevent/limit out of context (i.e. high-rise) development in the district
   b) Make provision for incremental expansion of homes in R2 and R4 districts

2) Adjust current zoning designations to conform to prevailing uses and densities
   a) Residential zoning designations mapped in Community District 9 often do not match the type of housing that exists

3) Create opportunities for affordable housing development

BE IT THEREFORE RESOLVED that NYC Community Board 9, Brooklyn, calls upon the NYC Department of City Planning to immediately begin a study of this district to address the issues raised in the foregoing summary.

BE IT FURTHER RESOLVED that Community Board 9 stands ready to work with the Department of City Planning to spearhead public hearings to gather additional input from the community as we seek to address the critical concerns express by the constituency.

Adopted this 25th day of March, 2014
Building Heights in R2 Districts 2013

Semi-attached homes on Crown Street

Rowhouses on Rutland Rd.

Detached Homes on President Street

Row houses on Carroll St

Semi-detached Homes on Crown Street

Building Height

1-2 Floors

3 Floors

More than 3 Floors

Created 3/05/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO
Building Heights in R6 Districts 2013

Created 3/05/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO
Available FAR in R6 Districts 2013

CB9 BROOKLYN - REZONING STUDY

Street width of 75' or greater

BUILT FAR | MAXIMUM ALLOWABLE FAR
----------|----------------------
≤ 1.5     | 3.0                  
≤ 1.2     | 2.43                 
> 50%     | 2.43-3.0

Created 4/30/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO

0 0.275 0.55 1.1 Miles
NORTH
Building Heights in R7-1 Districts 2013
Available FAR in R7-1 Districts 2013

Street width of 75' or greater

<table>
<thead>
<tr>
<th>BUILT FAR</th>
<th>MAXIMUM ALLOWABLE FAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 2.0</td>
<td>4.0</td>
</tr>
<tr>
<td>≤ 1.72</td>
<td>3.44</td>
</tr>
<tr>
<td>&gt; 50%</td>
<td>2.41 - 3.0</td>
</tr>
</tbody>
</table>

Created 4/30/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO
Wide Streets in CD9, 2014

Created 4/30/2014 by Ben Dodd at Pratt Institute for Brooklyn Community Board 9
Sources: DCP PLUTO