



**BROOKLYN COMMUNITY BOARD 14**  
**FLATBUSH–MIDWOOD COMMUNITY DISTRICT**  
810 East 16th Street  
Brooklyn, New York 11230

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**ANTONIO REYNOSO**  
*Borough President*

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*Chair*

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*District Manager*

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*Chairman Emeritus*

July 3, 2024

Daniel Garodnick  
Director, Department of City Planning  
Chair, City Planning Commission  
120 Broadway  
31st Floor  
New York, NY 10271

Dear Chair Garodnick,

New York City is a city of neighborhoods. The housing in our neighborhoods vary from densely packed high-rises to sprawling Victorian houses, from brownstones and limestones to public housing campuses. There are homes on the shores, above stores and increasingly in neighborhoods that used to be manufacturing hubs. The people who live in these neighborhoods hail from a rich, diverse, and storied canvas of backgrounds, cultures, and more. This tapestry of people and experiences is what makes New York City, this city of neighborhoods, so great. The neighborhoods also have a range of topographies – some are along the waterfront, others high up on hills, two boroughs are on a large island, two are islands of their own and one is on the mainland.

Clearly this is not a one-size-fits all city. Different neighborhoods have different needs. City policies impact various neighborhoods differently. The perspective, insights, lived experiences and voices of local community members are key to shaping policies that work best for diverse populations in diverse neighborhoods.

The agency that the New York City Charter empowers to ensure that hyper-local insights are considered in the formulation of programs and policies are Community Boards. Under-resourcing, undervaluing and underutilizing community boards results in outcomes that have more unintended consequences, are less efficient and frankly, less democratic.

In the meantime, the members of CB14 have conditionally approved 12 out of the 15 proposals as reflected in the worksheet, which demonstrates their general support for many of the intended goals of the amendments. However, the proposals that were not supported were deeply flawed and the conditions are not casual suggestions. Further, the overall recommendation of the board is contingent on all the conditions within the proposal. As such, while Brooklyn Community Board 14 members voted to approve COY Housing Opportunity with conditions, this decision should not be read in any way as support for how this process has been undertaken. Moreover, the robust sets of conditions to the individual components of the plan demonstrates these initiatives require a substantial amount of work to achieve what we feel are complete, cohesive zoning requirements that will serve the needs of our district, and all New Yorkers. The full board voted on comments pertaining to the timing of certification and time allotted for consideration as well as DCP's lack of district level environmental assessments.

Specifically, “the Department of City Planning has once again held back details of a proposal and certified at a time that coincides with New York City Charter directed summer recess for (volunteer) community boards. The opportunity for local public input becomes abbreviated and rushed. We object to the timing and the time limits of the City of Yes for Housing Opportunity zoning text amendment.” And “within DCP’s own language is an admission that a city level of analysis for an environmental impact statement leaves impacts at the local level unknowable. We believe that potential impacts could exacerbate several chronic flooding conditions. We oppose the plan until district level data are gathered, shared and considered.”

Note that when DCP certified COY HO on April 29th, CB14 had already set its May calendar. Therefore, CB14 had to hold a public hearing on June 11th. Its June board meeting had been postponed to the 17<sup>th</sup>. The Board then had to hold a Special Committee of the Whole meeting on June 25th to meet the July 8th deadline imposed by DCP. As per the NYC Charter, Community Boards do not meet during the summer. Giving CB14 such a short deadline for its nearly 50 volunteer members to consider the thoughts, hopes, and concerns of roughly 165,000 residents for a 700+ page document whose impacts cannot be accurately predicted was unreasonable. To demand that 58 other community boards do the same within the same short deadline for over 8 million residents is unjust.

The practical implications for the lack of time and local data means that we do not have a clear sense of how aspects of COY for Housing Opportunity will interface with other components. DCP representatives were unable to answer how quality housing applied to small and shared housing. In addition, information regarding the application of the District Fixes proposal was represented by DCP representatives erroneously. Members of our community were able to identify this egregious misrepresentation of facts and when presented to DCP representatives at the Committee of the Whole meeting, they were flummoxed, tried to stick to the original definitions, finally reached someone with more direct knowledge at DCP, and corrected the original statement. This necessitated renewed debate which significantly changed the previously approved conditions to effectively return the proposal back to the definition originally presented by DCP (i.e. to limit 1.0 FAR to CB14’s currently defined Special Permit area pursuant to Section 73-622 of the zoning resolution).

Importantly, we have not even scratched the surface as to how the combination of all three COY zoning text amendments will cooperatively impact our district. We will attempt to attain a consultant and will be happy to share the results with DCP in order to further plans that reflect the needs of our district.

The board has entrusted the CPC to listen closely to community members working and living in the variety of neighborhoods in NYC that will be forever changed. Value the wisdom that comes from experience and expertise. Don’t allow good ideas to fall victim to bad plans.

Once again, this board has granted DCP a lot of faith. Do not make us regret this decision.

Sincerely,



Karl-Henry Cesar  
Chair

cc: Hon. Rita Joseph, 40<sup>th</sup> NYC Council District  
Hon. Farah Louis, 45<sup>th</sup> NYC Council District  
Hon. Kalman Yeger, 44<sup>th</sup> NYC Council District  
Hon. Inna Vernikov, 48<sup>th</sup> NYC Council District  
Hon. Shahana Hanif, 39<sup>th</sup> NYC Council District



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Recommendations – City of Yes for Housing Opportunity  
July 3, 2024

**ITEM 1 – Transit Oriented Development**

Allow 3-5 story apartment buildings on \*large lots, that are on wide streets (75') or corners and within .5 miles of subway or rail stations.

***Do Not Approve with conditions. Full Board Vote: 32-8-0***

Disapprove Transit Oriented Development unless the following conditions are met: the Victorian Flatbush neighborhoods involved in the 2009 rezoning, including West Midwood Neighborhood Association, Ditmas Park West Association, Beverley Square West Association, the Caton Park Association, and South Midwood Resident Association are carved out for a sufficient amount of time to engage in a meaningful public process in which they can come to a decision that makes sense for their communities.

**ITEM 2 – Accessory Dwelling Units**

Permit as-of-right accessory dwelling units such as detached backyard residential units, garage conversions, and basement apartments all up to 800 square feet.

***Approve with conditions. Full Board Vote: 35-2-2***

Approve with the conditions that 1) potential basement ADUs require substantiation that the location has not flooded in the past four years and 2) require a public process for converting or building ADUs rather than allowing ADUs to be as-of-right.

**ITEM 3 – District Fixes**

Adjust requirements to allow .1-.25 additional FAR; decrease minimum lot sizes, reduce rear yard requirements from 30 to 20 feet; reduce side yard requirements to 5 feet; increase heights from current 21 to 25 feet and current 25 to 35 feet.

***Approve with conditions. \*Committee of the Whole Vote: 10-6-1***

Approve with the condition that District Fixes are only applied to CB14's current Special Permit District (as per 73-622).

**\*Note:** For clarity in CB14's records please note that the board voted on this item at its June 17th board meeting based on incorrect information provided by DCP at the Board's June 11th public hearing. The resulting recommendation was to be approved with a set of conditions. However, upon receipt of accurate information, specifically that the 1.0 FAR allowance would pertain throughout the district, the board revisited the item at the June 25th Committee of the Whole meeting. The final recommendation is:

**ITEM 4 – Town Center Zoning**

Allow mixed use buildings on commercial streets in low-density areas such that two-four stories of residential units could be added to commercial ground floor buildings.

*Approve with conditions. Full Board Vote: 31-3-6*

Approve with the condition that the FRESH zoning text amendment of 2021 will be preserved.

**ITEM 5– Lift Parking Mandates**

Eliminate mandatory parking requirements for new buildings. (Parking allowed but not required.)

*Approve. Full Board Vote: 20-16-1*

**ITEM 6– Universal Affordability Preference**

In medium and high-density areas, allow an additional 20% of space as long as all of it is affordable at 60% (household of 1 - \$65,220; of 2- \$74,580; of 3 - \$83,880; of 4 - \$93,180; of 5 - \$100,620) or supportive housing.

*Approve with conditions. Committee of the Whole Vote: 14-1-1*

Approve with the condition that the city will explore the expansion of vouchers for deeper affordability.

**ITEM 7 – Convert Non-residential Buildings to Housing**

In buildings constructed before 1991 (either 1961 or 1977), conversion of commercial to residential use including supportive housing, dorms or shared housing with common amenities.

*Approve. Committee of the Whole Vote: 14-0-0*

**ITEM 8– Small and Shared Housing**

Allow housing with shared kitchens or other shared facilities. This includes buildings with only studios, as well as homes with private bedrooms and shared facilities. Decrease “dwelling factor units.”

*Do Not Approve with conditions. Committee of the Whole Vote: 10-5-1*

Disapprove due to the absence of HPD and DOB guidelines.

**ITEM 9 — Campus Infill**

Allow housing to be built on the unused space of campuses with multiple buildings. (Campus: over 1.5 acres or a site with control of an entire block.)

*Do Not Approve with conditions. Committee of the Whole Vote: 11-5-1*

Do not approve due to a lack of meaningful dialog with affected neighborhoods unless there is a public input process for applications.

**ITEM 10 — New Zoning Districts**

Create new Residence Districts that can be mapped in central areas in compliance with State requirements.

*Approve. Committee of the Whole Vote: 15-0-2*

**ITEM 11 — Update Mandatory Inclusionary Housing**

Allow the deep affordability level to be used on its own as an option.

*Approve. Committee of the Whole Vote: 17-0-0*

**ITEM 12 — Sliver Law**

Allow narrow lots to achieve underlying (Quality Housing) heights in R7-10 districts.

*Approve. Committee of the Whole Vote: 16-0-1*

**ITEM 13 — Quality Housing Amenity Changes**

Extend benefits in this program to all multifamily buildings and add incentive for family-sized apartments, trash storage and disposal, and shared amenities (laundry, mail rooms, office space).

*Approve. Committee of the Whole Vote: 16-0-1*

**ITEM 14 — Landmark Transferable Development Rights**

Make it easier for landmarks to sell unused development rights by expanding transfer radius and simplifying procedure.

*Approve. Committee of the Whole Vote: 9-3-3*

**ITEM 15 — Railroad Right of Way**

Simplify permissions for development involving former railroad rights of way.

*Approve. Committee of the Whole Vote: 10-1-4*