A GUIDE TO

ATLANTIC AVENUE

ZONING REGULATIONS

THE ATLANTIC AVENUE ASSOCIATION
LOCAL DEVELOPMENT CORP.
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A HISTORY OF THE AVENUE

Atlantic Avenue has a long history as a commercial street, dating back to the Civil War. During the period of 1860-1864, shipping activity along the Brooklyn waterfront became an important part of the lifeline that supported troops far to the south with war supplies. As a result, Atlantic Avenue soon emerged as the center of shipping related commerce, making business highly profitable for its numerous merchants.

Many of the buildings along Atlantic Avenue and in the surrounding neighborhoods of Brooklyn Heights, Cobble Hill and Boerum Hill are the architectural heritage of this prosperous era. These include the 19th century commercial buildings with ground floor storefronts, which were built with large expanses of glass to display the wide assortment of merchandise available to pedestrians passing by.
THE CREATION OF A SPECIAL ZONING DISTRICT

To protect the architectural integrity of this historic area, the communities of Brooklyn Heights, Cobble Hill and Boerum Hill, as well as the portion of Atlantic Avenue between Hicks Street and Court Street, were designated as Historic Districts by the Landmarks Preservation Commission.

The section of Atlantic Avenue between Court Street and Flatbush Avenue, however, was not included in this designation. Although it contained numerous buildings with architectural merit, many of these were in disrepair or were unoccupied. A Landmarks designation would have meant that all renovation and new construction would have to be done according to strict guidelines of authentic restoration, and this would have seriously hampered the redevelopment of this part of the Avenue.

What was needed was a compromise solution and in 1972, through the combined efforts of the Office of the Mayor, the Office of Downtown Brooklyn Development, and the N. Y. C. Department of City Planning, it was determined that Atlantic Avenue between Court Street and Flatbush Avenue should be established as a Special Zoning District, with regulations specifically designed to protect the special character of the area in a way that would promote economic growth. These regulations aim to preserve the street's historic buildings through the conservation of original architectural features and compatible, yet affordable, renovation. They also insure that the Avenue's low-scale, neighborhood quality is retained by requiring that new construction be consistent with existing structures and that ground floor spaces be used for suitable commercial purposes. In addition, the regulations seek to enhance the visual appearance of the street by imposing certain restrictions on signage.

THE ADVANTAGES OF SPECIAL ZONING DISTRICT REGULATIONS

Conserving the distinctive architecture, scale and character of a community benefits everyone who comes in contact with it. Whether they live, work, or shop there, a neighborhood that maintains a sense of its history and unique quality gives people the feeling of being someplace "special".

In addition, architectural conservation has definite economic advantages. For the property owner, it raises property values by making the neighborhood more desirable. For the merchant, it stimulates business by creating an attractive street that invites customers. For these reasons it is in the best interest of property owners and merchants alike to follow the Special Zoning regulations.

THE PURPOSE OF THIS GUIDE

This guide is an aid to understanding the Special Zoning District Resolution. It highlights and clarifies those regulations which are most often needed, and provides information on how to apply them. It also offers additional recommendations to advance the conservation effort. It should not be used as a substitute for the zoning regulations themselves, but as help in finding your way through them. For more complete information consult the Zoning Resolution (see pages 21 through 28).
**HOW TO USE THIS GUIDE**

1. Identify your building/storefront type. (See the descriptions below and map on page 4.)

2. Look up the work you plan to do in the OVERVIEW OF THE ZONING REGULATIONS. (See the Table of Contents.)

3. Check the Zoning Resolution itself (page 21). The numbers in parentheses will refer you to the sections that apply.

**BUILDING / STOREFRONT TYPES**

- **Specified Buildings**
  Selected buildings built before 1900 which have upper facades with original architectural features and storefronts on the ground floor. (Shown on map on page 4 and in Appendix A on page 28.)

- **Specified Storefronts**
  Selected storefronts which are in specified buildings and have original architectural features. (Shown on map on page 4 and in Appendix B on page 28.)

- **Other Existing Buildings**
  All existing buildings not shown on the map on page 4 or in Appendix A on page 28.

- **New Buildings**
  Any new buildings to be constructed.

**IF YOU NEED ASSISTANCE, CONTACT THE ATLANTIC AVENUE ASSOCIATION / LDC AT 718/875-8993**
OVERVIEW OF THE ZONING REGULATIONS

USE RESTRICTIONS

All Building/Storefront Types (104-03)

- Automotive service facilities or gas stations are not permitted.
- Public parking garages and parking lots are allowed only if a special permit is granted by the City Council.
- Storefronts cannot be occupied by moving or storage uses.
- Banks, loan offices, business or professional offices cannot occupy more than 50 linear feet of frontage.
- Any new building on a lot of more than 3,500 sq.ft. (except a community facility) must have at least half the ground floor devoted to an appropriate commercial use.

DEMOLITION PROHIBITIONS

All Building/Storefront Types (104-08 & 064)

- Unless it is declared unsafe by the N.Y.C. Department of Buildings, no building can be demolished until a permit for new construction on the site is obtained and financing is secured.
- No specified storefront can be demolished unless required by the Department of Buildings.

NOTE: THE NUMBERS IN PARENTHESES REFER TO THE CORRESPONDING SECTIONS OF THE ZONING RESOLUTION ITSELF.
FRONT WALLS

Specified Buildings (104-061)

*If the wall is being replaced or repaired...*

- The wall height and setback must match the original.
- At least 35% of the wall area at each upper story must be windows. (See the section on windows, page 11, for specific regulations.)
- At least the same area of the ground floor wall must be devoted to a storefront as in the original.
- Materials used must match the original. (Exception: Stone can be replaced with other materials that imitate the original appearance).
- Wall finishes and colors must be of an approved type (see page 19).

Other Existing & New Buildings (104-052, 062 & 063)

*If the wall is being replaced or newly built...*

- Walls must be built to the street line, and be at least 16'-0" high without any setbacks.
- At least 35% of the wall area at each upper story must be windows. (See the section on windows, page 11, for specific regulations.)
- At least 45% of the ground floor wall not occupied by storefronots must be glass.

**Recommendations:**

- Materials used for replacement or new walls should match the materials used in specified buildings.
- Wall finishes and colors should be consistent with the approved types (see page 19).

NOTE: THE NUMBERS IN PARENTHESES REFER TO THE CORRESPONDING SECTIONS IN THE ZONING RESOLUTION ITSELF.
CORNICES

Specified Buildings (104-061)

- No existing cornice can be removed unless required by the Department of Buildings.
- If a cornice must be removed, it must be replaced by a new cornice which has the same height, length and projection beyond the wall surface as the original.
- Cornices must be finished in an approved color (see page 19).

Recommendations

- Replacement cornices should have details which look as much like the original as possible.

Other Existing Buildings

Recommendations

- No existing cornice should be removed unless required by the Department of Buildings.
- If a cornice must be removed, it should be replaced by a new one which matches the original as closely as possible.
- Cornices should be finished in an approved color (see page 19).

New Buildings

Recommendations

- New buildings should have cornices which match the profile and character of those on adjacent buildings.

WINDOWS

Specified Buildings (104-061 & 063)

- In replacement walls, windows must make up at least 35% of each upper story and have stone or precast lintels and sills.
- Existing window openings cannot be reduced in size or partially sealed.
- Window trim must be finished in an approved color (see page 19).
**Recommendations**

- New or replacement windows should match the size, style, number of lites and material of the building's original windows.
- New or replacement lintels and sills should match the proportions of the originals.
- Storm windows should conform to the shape and color of the permanent window.

**Other Existing & New Buildings (104-062 & 063)**

- At least 35% of a replacement or new wall area of each upper story must be windows.
- Window trim must be finished in an approved color (see page 19).

**Recommendations**

- Original window openings should not be reduced in size or blocked up.
- New or replacement windows should match the size, style, number of lites and material of the original window.
- Existing lintels and sills should be maintained.
- New windows should include lintels and sills with the same proportions as those in specified buildings.
- Storm windows should conform to the shape and color of the permanent window.

**Upper Story Entry Doors**

**Specified, Other Existing & New Buildings**

**Recommendations**

- In Specified & Other Buildings, the proportion, style, and material of replacement doors and transoms should match the originals.
- Doors and transoms in new buildings should be in keeping with the character of those in Specified Buildings.
- Doors and transoms should be finished in an approved color (see page 19).
DEMOLITION & RECONSTRUCTION

Specified Storefronts (104-064)
- No storefront may be demolished unless required by the Department of Buildings.
- If a storefront must be demolished, it must be replaced.
- Any repair or reconstruction must retain or restore the original design.

Specified & Other Existing Buildings
- Any alteration or reconstruction of a storefront must comply with the provisions of regulation 104-064, outlined below.

AREA

Specified Storefronts & Specified Buildings (104-064a)
- Any reconstructed or new storefront must occupy the same area as the original.

Other Existing & New Buildings (104-064a)
- New storefronts must occupy the entire area of the front wall that is devoted to commercial use.

MATERIALS & FINISHES

Specified Storefronts (104-064)
- The materials used for repair or reconstruction of a storefront must match the original materials.
- Storefronts must be finished in approved colors (see page 19).

NOTE: THE NUMBERS IN PARENTHESES REFER TO THE CORRESPONDING SECTIONS OF THE ZONING RESOLUTION ITSELF.
STOREFRONTS

Specified, Other Existing & New Buildings (104-064f)
- Storefronts must be finished in approved colors (see page 19).

Recommendations
- Materials for new or replacement storefronts should match or be compatible with those used in specified storefronts.

GLAZING

Specified Storefronts (104-064)
- Replacement show windows, transoms, and doors must retain the same proportions as the originals and cannot be divided into smaller sections.

Specified, Other Existing & New Buildings (104-064b)
- At least 50% of a new storefront must be glass, in the form of show windows, transoms, and doors.
- The show window sill height cannot be higher than 2'-6" and the top of the show window cannot be lower than 10'-0".

ENTRANCE DOORS

Specified Storefronts (104-064)
- Replacement doors must be located in the same position in the storefront as the original (e.g. centered, recessed, etc.).
- Replacement doors must be the same size and have the same proportion of glass as the original.
- Replacement doors must be made of the same material as the original and must be finished in an approved color (see page 19).

Specified, Other Existing & New Buildings (104-064c)
- New or replacement doors must be recessed at least 2 feet from the front surface of the show windows.
- New or replacement doors must be at least 50% glass.
- All doors must be finished in an approved color (see page 19).

CORNICES

Specified Storefronts (104-064)
- No existing cornice can be removed unless required by the Department of Buildings.
- If a cornice must be removed, it must be replaced with a new cornice which matches the original in design and materials.
- Cornices must be finished in an approved color (see page 19).

Specified Buildings (104-064d)
- No existing cornice can be removed unless required by the Department of Buildings.
- A cornice that must be removed must be replaced with a new cornice which has the same height, length, and projection beyond the wall surface as the original.
- If the cornice was previously removed, any new storefront must include either a cornice or a fascia at least 2 feet high and the full length of the storefront.
- Cornices or fascias must be finished in an approved color (see page 19).

Other Existing Buildings (104-064d)
- No existing cornice can be removed unless required by the Department of Buildings.
- A cornice that must be removed must be replaced with a new cornice which has the same height, length, and projection beyond the wall surface as the original.

NOTE: THE NUMBERS IN PARENTHESES REFER TO THE CORRESPONDING SECTIONS OF THE ZONING RESOLUTION ITSELF.
Recommendations

- Replacement cornices should match the original in profile and details as closely as possible.

Security Gates

All Building/Storefront Types (104-064e)

- No part of a security gate grille, housing, or mechanism can project more than 10 inches beyond the surface of the show windows.

Recommendations

- Security gates should be installed on the inside of the store, behind the show windows, wherever possible.
- Gate housings installed on the outside of the store should be concealed by reverse-mounting them or building them into the cornice if a new one is being constructed.
- Security gates should be of an open mesh type, not solid.
- Any exposed security gate housings, guide rails or solid slats should be painted an approved color to match the storefront (see page 19).

Awnings & Canopies

All Building/Storefront Types (104-064g)

- An awning or canopy cannot be installed so that it covers a storefront's cornice.

Recommendations

- Awnings and canopies should fit the storefront area between the storefront columns.
- Retractable or roll-up awnings are preferable to fixed ones.
- Awnings and canopies should be covered with fabric, not metal.
- The colors of awnings and canopies should complement the colors of the building and sign and should be subtle, not gaudy.
QUANTITY

All Building/Storefront Types (104-042 & 044)
- Each business is allowed only one sign.
- If a window graphic has letters larger than 3" high it is counted as a sign.

PLACEMENT

All Building/Storefront Types (104-045)
- A sign cannot obscure a cornice. (Exception: Individual letters can be mounted on the cornice as long as they don’t obscure it.)
- No sign can extend above the parapet wall or roof of a building.
- All signs for ground floor businesses must be located within a band which extends the full width of the building. This band cannot be lower than 8 feet or higher than the bottom of the window sills of the story above (to a maximum of 16 feet above curb level).
- All signs for upper story businesses must be located between the window lintels of that story and the bottom of the window sills of the story above (to a maximum of 25 feet above curb level).
- If more than one business occupy the same floor, their signs must be the same height and must be mounted or painted on a common sign panel.

Recommendations
- Sign panels should not cover show windows or transom glass.

NOTE: THE NUMBERS IN PARENTHESES REFER TO THE CORRESPONDING SECTIONS OF THE ZONING RESOLUTION ITSELF.
SIZE

All Building/Storefront Types (104-042, 043 & 044)

- Non-illuminated signs cannot exceed the width of the building, be more than 3 feet high, or be more than a 150 square feet in area.
- Illuminated signs cannot exceed the width of the building, be more than 2 1/2 feet high, be more than 50 square feet in area or project more than 10 inches.
- Window graphics may not take up more than 20% of the area of the window.

Recommendations

- Letters should be readable from across the street but should not take up more than 65% of the sign panel.

MATERIALS & COLORS

All Building/Storefront Types (104-046)

- Signs must be made of an opaque material which is not glossy or reflective.
- Background colors must be black, navy blue, dark green, maroon or bronze.
- A glossy translucent material can be used for the individual letters in an internally lit sign box.

Recommendations

- Flashing signs should not be used.

MESSAGE

All Building/Storefront Types

Recommendations

- A sign’s message should be kept simple, limited to the business’ name and main product or service.
**WALL FINISHES**

**New Brick** must be red or dark brown, unglazed, and can have normal variation in color.

**Existing Brick** must either be cleaned and left unfinished, or must be painted one of the colors listed below.

**Stucco** must have a smooth trowelled finish and must be painted one of the colors listed below.

**Stone** must either be left natural or painted one of the colors listed below.

**Paint Colors** [Note: Paints used for walls should have a flat or low lustre finish.]

- **White**
- **Limestone** - similar to Benjamin Moore's MoorGard HC 108
- **Brownstone** - similar to Benjamin Moore's MoorGard 1237
- **Red Brick** - similar to Benjamin Moore's MoorGard 042
- **Green** - similar to Benjamin Moore's MoorGard 497
- **Blue** - similar to Benjamin Moore's MoorGard 1679
- **Light Yellow** - similar to Benjamin Moore's MoorGard "Colonial Yellow"
- **Dark Yellow** - Similar to Benjamin Moore's MoorGard 196

**TRIM FINISHES**

For store fronts, cornices, window sash, shutters, or trim:

**Wood** must be painted one or more of the colors listed below.

**Metal** must be painted one or more of the colors listed below.

**Paint Colors** [Note: Paints used for trim should have a semi or soft gloss finish.]

- **White**
- **Cream** - similar to Benjamin Moore's MoorGlo 304
- **Dark Red** - similar to Benjamin Moore’s MoorGlo “Cottage Red 22”
- **Ochre** - similar to Benjamin Moore’s MoorGlo 259
- **Dark Blue** - similar to Benjamin Moore’s MoorGlo 805
- **Dark Green** - similar to Benjamin Moore’s MoorGlo 602
- **Dark Brown** - similar to Benjamin Moore’s MoorGlo "Manor Brown 60"
ENFORCEMENT

The Special Zoning District Resolution is enforced by the Department of Buildings.

All work on existing or new buildings must be approved by the Department of Buildings and the Department makes on-site inspections to ensure that all regulations are complied with.

In addition to imposing severe fines, the Department of Buildings has the power to require the costly demolition and rebuilding of any work that does not conform to the zoning regulations.

CONCLUSION

The goal of the Special District Zoning Resolution is to preserve the special qualities of Atlantic Avenue and promote its economic growth. This goal can only be achieved through the cooperation of all members of the Atlantic Avenue community.

If you have any questions or need assistance, the Atlantic Avenue Association/LDC is here to help you. Just call 718/875-8993.

Let's work together toward the continued revitalization of our avenue.
The
Special Zoning District
Resolution
The establishment of the Special Atlantic Avenue District is a proud achievement reflecting cooperative planning between the City and the community.

In 1972 the Office of the Mayor, the Office of Downtown Brooklyn Development, and the Brooklyn Department of City Planning conducted an in depth survey and produced a profile of Atlantic Avenue which revealed that under a veil of exterior decay existed an Atlantic Avenue with the potential for economic regeneration, the vitality of a strong social fabric, and an architecture meriting preservation. The study concluded that in order to achieve this potential Atlantic Avenue needed design and development controls to influence the direction of growth. With the community's agreement these controls and guidelines were incorporated into a zoning text and Atlantic Avenue was given status as a Special Zoning District.

Now the Special Atlantic Avenue District is a reality. The technical responsibility for enforcing the guidelines of the zoning text is the Department of Buildings, but an informed and concerned community is also vital to make sure the area develops in the best possible way and to prevent further abuse and defacement of Atlantic Avenue.

The tool of Special Zoning is in the community's hands; properly used, Atlantic Avenue can become a model of desirable, progressive and positive urban development.

John E. Zuccotti
Chairman

[NOTE: John E. Zuccotti was the Chairman of the City Planning Commission at the time this Zoning Resolution was adopted.]
Chapter 4 Special Atlantic Avenue District

104-00
General Purposes

The Special Atlantic Avenue District established in this resolution is designed to promote and protect public health, safety, welfare and amenity. These general goals include among others, the following purposes:
(a) To protect the existing scale and form of development on Atlantic Avenue, characterized by three- and four-story attached buildings with shops, built in the 19th century;
(b) To preserve and enhance street life by maintaining a mix of residential and commercial uses, encouraging a variety of retail and service uses while limiting automotive service uses;
(c) To protect desirable architectural features of certain buildings by establishing design guidelines for renovation or alteration;
(d) To encourage design of new development which is in character with the area;
(e) To improve visual amenity by establishing special sign regulations;
(f) To promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby to protect the City's tax revenues.

104-01
Definitions

Special Atlantic Avenue District (repeated from Section 12-10)

The Special Atlantic Avenue District is a special purpose district designated by the letters "AA" in which regulations set forth in Article X, Chapter 4 apply to all zoning lots. The Special Atlantic Avenue District appears on the zoning maps superimposed on other districts, and its regulations supplement and modify those of the districts on which it is superimposed.

Specified Building Type

Any building within the Special District erected prior to 1900 and which:
(a) Has a front wall for the full width of the zoning lot for a height of from two to five stories;
(b) Has a front wall of brick or stone, erected coincident with or within five feet of the street line, with windows at each story and a cornice at the parapet level;
(c) Has a storefront at the basement or ground floor.

A list of the buildings within the Special District which conform to the definition of Specified building type appears in Appendix A.

Specified Storefront Type

Any storefront which is part of a building of the Specified building type and which:
(a) Has show windows projecting beyond the front wall of the building, occupying a total area of at least 35 square feet, and having a sill height of not more than 3'-0" and a total height of not less than 8'-0", measured from curb level;
(b) Has a projecting cornice above the storefront for its full width.

A list of buildings within the Special District having storefronts which conform to the definition of Specified storefront type appears in Appendix B.

104-02
General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect.

104-021
Action by the Board of Estimate

The resolution of approval by the City Planning Commission, together with a copy of the application for a special permit, shall be filed with the Secretary of the Board of Estimate, and the Board of Estimate shall act upon such resolution in accordance with the provisions of Section 200 of the New York City Charter.

104-022
Requirements for applications

An application to the City Planning Commission for the grant of a special permit under the provisions of this Chapter shall include a site plan showing the location and proposed use of all buildings or other structures on the site; the location of all vehicular entrances and exits and off-street parking spaces; and such other information as may be required by the City Planning Commission.

104-023
Relationship to public improvement projects

In all cases the Commission shall deny a special permit application whenever the development will interfere with a public improvement project (including highways, public buildings or facilities; redevelopment of renewal projects, or rights-of-way for sewers, transit, or other public facilities) which is approved by or pending before the Board of Estimate, the City Planning Commission, or the Site Selection Board as determined from the calendar of each such agency issued prior to the date of the public hearing on the application for a special permit.

[NOTE: The "Board of Estimate" referred to in this Zoning Resolution no longer exists. Its authority has been assumed by the City Council.]
Special Use Provisions

In order to preserve the commercial character of the area, certain use regulations of the underlying districts are modified as set forth in this Section.

Restricted uses

The following uses are not permitted within the Special District:

- Automotive service stations

Automotive service establishments in Use Groups 7D, 8C and 12 D, including public parking garages or public parking lots.

However, the City Planning Commission, after public notice and hearing and subject to action by the Board of Estimate may grant a special permit for public parking garages or public parking lots with a capacity of not more than 100 spaces provided that the regulations set forth in Section 36-53 (Location of Access to the Street), Section 36-55 (Surfacing), and Section 104-073 (Screening) are met and that no roof parking is permitted. The Commission may permit floor space on one or more stories and up to a height of 23 feet above curb level to be exempted from the definition of floor area set forth in Section 12-0 (Definitions). As a condition of permitting such use, the Commission shall make the following findings:

(a) That such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.

(b) That such use had adequate reservoir space at the vehicular entrance to accommodate a minimum of 10 automobiles or 20 per cent of the spaces so provided, whichever amount is less.

(c) That, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.

Restrictions on frontage and location

No bank, loan office, business or professional office, or individual use in Use Groups 9 and 11 shall occupy more than 50 feet of linear frontage on Atlantic Avenue.

Moving and storage uses in Use Group 7 are permitted on the ground floor of a building only if such use is located at least 50 feet from the front wall of the building in which the use is located.

Minimum commercial requirement

Any new development or enlargement on a zoning lot of 3,500 square feet or more shall have a minimum of 50 per cent of the ground floor area of the building devoted to permitted commercial uses in Use Groups 6, 7, 9 or 10. This requirement shall not apply to any new development or enlargement occupied entirely by community facility uses.

Sign Regulations

In order to enhance the visual quality of the Special District, the following additional regulations shall apply to all signs within the Special District.

Total surface area of signs

The total surface area and number of all permitted signs, including non-illuminated and illuminated signs, shall not exceed the limitations set forth for non-illuminated signs in Section 104-042 (Area of non-illuminated signs).

Area of non-illuminated signs

The total surface area (in square feet) of non-illuminated signs on a zoning lot shall not exceed three times the street frontage of the zoning lot (in feet), and in no event shall exceed 150 square feet for interior or through lots or 150 square feet on each frontage for corner lots. Each commercial establishment shall be permitted not more than one sign. The vertical dimension of any sign shall not exceed 3'-0".

Area of illuminated signs

The total surface area (in square feet) of illuminated signs on a zoning lot shall not exceed two times the street frontage of the zoning lot (in feet), and in no event shall exceed 50 square feet for interior or through lots or 50 square feet on each frontage for corner lots. The vertical dimension on any illuminated sign shall not exceed 2'-6" nor shall illuminated signs project more than 10 inches from the surface to which they are affixed.

Permanent window graphics

Permanent window graphics may not occupy more than 20 per cent of the total area of the window in which they are displayed. If such a permanent window graphic has letters more than 3 inches high it shall count as a sign.

Location of signs

If more than one commercial establishment is located on the same floor of a building, the signs accessory to all such establishments shall be of equal height and mounted or painted on a common sign board. All signs or common sign boards shall be located as follows:

(a) If accessory to uses on ground floor of a building, the sign or common sign board shall be located within a band extending the full length of the street wall, which band shall have a lower limit of 8'-0" above the ground floor and an upper limit coincident with the bottom of the lowest sill on the second floor, but in no event more than 16'-0" above curb level.
(b) If accessory to uses on the upper floor of a building, the sign or common sign board shall be located between the highest window lintel of the floor on which the use is located and the lowest window sill of the floor above, but in no case more than 25 feet above curb level.

(c) No sign may be located so as to obscure any cornice, except that a non-illuminated sign may be attached to a cornice if such sign consists of individual letters, emblems or figures mounted on open metal mesh attached to the cornice and finished to match the cornice, providing that the cornice remain visible.

(d) No sign or common sign board shall extend above the parapet wall or roof of the building on which it is displayed.

104-046
Sign materials and colors

Signs may be fabricated of any opaque material which does not have a glossy or reflective surface, except that glossy translucent material may be used.

(a) In areas where the intent is to imitate or replace glass, as in transoms, or

(b) for individual letters in internally-lit illuminated signs.

Background colors for signs or common sign boards shall be limited to black, navy blue, dark green, maroon or bronze.

104-05
Modification of Bulk Regulations

104-051
Floor area and lot coverage regulations

For any development or enlargement within the Special District, the maximum permitted floor area ratio for a residential, commercial or community facility building or portions of a mixed building devoted to such uses shall not exceed the following:

<table>
<thead>
<tr>
<th>Use</th>
<th>Floor Area Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial building or commercial portion of a mixed building</td>
<td>2.00</td>
</tr>
<tr>
<td>Community facility building or community facility portion of a mixed building</td>
<td>4.80</td>
</tr>
<tr>
<td>Residential building or residential portion of a mixed building: R6 or equivalent commercial district</td>
<td>2.43</td>
</tr>
<tr>
<td>R7 or equivalent commercial district</td>
<td>3.44</td>
</tr>
</tbody>
</table>

The maximum floor area in a mixed building shall be the maximum floor area permitted for either the commercial portion of such building, or the community facility portion of such building, or the residential portion of such building as set forth in this Section, whichever permits the greatest amount of floor area.

Any development or enlargement containing residential uses shall provide a minimum of 33 per cent of the lot area of the zoning lot as usable, landscaped open space for the use of the residential tenants. The residential portion of the building may occupy the remaining portion of the zoning lot, subject to the regulation of Section 24-30 (Yard Regulations) and Section 33-20 (Yard Regulations). The open space shall be located either at ground level or on the roof of the non-residential portion of the development; it shall include sitting areas and areas suitably surfaced for walking and recreational activities. When mechanical equipment is located at the same elevation as the open space all such mechanical equipment and emissions and noise therefrom shall be screened and buffered with no intake or exhaust facing directly into the open space.

104-052
Height and setback

The front wall of any new development within the Special District shall:

(a) Be coincident with the street line for a minimum height above curb level of 16 feet and a maximum height above curb level of (i) 50 feet if the development is located in an R6 or C2-3 district; and (ii) 60 feet if the development is located in a C6-1 district.

(b) Have a minimum setback of 20 feet above the maximum height set forth in (a). At this setback distance the height of the wall shall be governed by the height and setback regulations of the underlying districts.

104-06
Special Provisions

104-061
Special provisions for certain existing buildings

Any alteration, incidental alteration or minor work (including any change, addition to or removal from the parts or materials of a building, including finishes) done to the front wall of any building of the specified building type shall comply with the following standards:

(a) Alteration or reconstruction of storefronts shall comply with the provisions of Section 104-064 (Special provisions for storefronts).

(b) Front walls which are replaced shall be erected to the same height and at the same location as the original wall. Replacement or repair of front walls shall be done with the same material as the original wall, except that stone may be replaced by another material finished in such a manner as to match the appearance of the original wall. Finishes and colors of front walls shall be of an approved type, as indicated in Appendix C.

(c) Front walls which are replaced shall have windows at each floor, the area of which shall comply with the provisions of Section 104-063 (Special provisions for new development and enlargement). Such windows shall have stone or precast lintels and sills having a minimum height of 6 inches and extending at least 4 inches beyond the window opening on either side. Existing window openings above the ground floor may not be reduced in size, but may be completely sealed if the window area provisions of Section 104-063 (Special provisions for new development and enlargement) are met. Such openings shall be completely sealed.
with masonry recessed at least 2 inches behind the wall and finished to match the wall. New windows shall be double-hung, fixed or casement sash finished in an approved manner, as indicated in Appendix D.

(d) No existing cornice shall be removed unless required by the Department of Buildings. A cornice which must be removed shall be replaced by a new cornice having the same height, length and projection beyond the surface of the wall and finished in an approved color, as indicated in Appendix D.

104-062
Special provisions for other existing buildings

Any alteration, incidental alteration or minor work done to the front wall of any building not of the specified building type shall comply with the following standards:

(a) Alteration or replacement of storefronts shall comply with the provisions of Section 104-064 (Special provisions for storefronts).

(b) Alteration or replacement of front walls shall comply with the provisions of Section 104-052 (Height and setback) and Section 104-063 (Special provisions for new development and enlargement).

104-063
Special provisions for new development and enlargement

The front wall of any new development or enlargement shall be built to comply with the following standards:

(a) The front wall shall extend along the full length of the Atlantic Avenue street line. It may be interrupted at the ground level by entrances or exits for off-street parking or loading spaces permitted under the provisions of Section 104-031 (Restricted uses).

Front wall recesses are permitted for architectural purposes provided that the aggregate length at the level of any story does not exceed 25 percent of the length of the front wall where such recesses are permitted. The depth of such recesses shall not exceed 3 feet. No recesses are permitted within 20 feet of the intersections of two street lines forming an angle of 100 degrees or less.

(b) Windows or glazed doors shall occupy at least 45 percent of that area of the ground floor wall not occupied by storefronts (for the purpose of calculation the heights of the ground floor wall shall be measured between curb level and the ground floor ceiling).

(c) Windows shall occupy at least 35 percent of the wall area at the level of any story above the ground floor (for the purposes of calculation the wall height at any story shall be measured between the floor and ceiling of that story).

(d) Window and door framing trim shall be finished in an approved color as indicated in Appendix D.

104-064
Special provisions for storefronts

No storefront of the specified storefront type shall be demolished unless its demolition is required by the Department of Buildings. Reconstruction or repair of storefronts of the specified storefront type shall be done in such a manner as to retain or restore the original design and materials, except that plate glass may be replaced by transparent plastic. Such storefronts shall be finished in an approved manner, as indicated in Appendix D.

New storefronts installed in any existing or new building shall comply with the following standards:

(a) A storefront installed in a building of the specified building type shall occupy at least the same area of the front wall as the original storefront. A storefront installed in any other building shall occupy the entire frontage of the front wall devoted to commercial uses.

(b) A minimum of 50 percent of the storefront area shall be glazed with transparent materials and may include show windows, glazed transoms or glazed portions of doors. The storefront area shall be measured horizontally between the outermost framing elements and vertically between curb level and the bottom of any cornice or fascia. Show windows shall have a sill height of not more than 2'-6" above curb level and a total height of not less than 10'-0" above curb level.

(c) Storefront entrance doors shall be set back a minimum of 2'-0" behind the vertical surface of the show windows. A minimum of 50 percent of the door area shall be transparent glazed.

(d) In the case of existing buildings, no existing cornice above a storefront shall be demolished unless required by the Department of Buildings. A cornice which is removed shall be replaced by a cornice having the same length, height and projection beyond the surface of the front wall. In any building of the specified building type where the original cornice above the storefront has been previously removed, any new storefront shall incorporate a cornice or fascia extending the full length of the storefront and having a minimum height of 2'-0".

(e) If rolling security doors or grilles are installed, they shall be integrated into the storefront in such a manner that no part of the door or grille or its enclosure or operating mechanism projects more than 10 inches beyond the surface of the show windows.

(f) All framing elements, trim elements, doors etc. of the storefront shall be finished in an approved manner as indicated in Appendix D.

(g) Any awning or canopy attached to a building with a storefront which incorporates a cornice shall be attached in such a manner as not to obscure or cover the cornice.

104-065
Mandatory tree planting provisions

All new developments within the Special District shall provide and maintain trees of not less than 4-inch caliper at the time of planting on sidewalks for the entire length of the street frontage of the zoning lot. These trees shall be planted at maximum intervals of 25 feet and at a distance from the curb consistent with existing tree plantings. These trees shall be provided with metal guards in accordance with Highway Department guidelines.
104-071
Accessory off-street parking

No accessory off-street parking facilities are required for any residential or commercial development or enlargement or portion thereof within the Special District. In no case shall the number of permitted accessory off-street parking spaces for residential use exceed 40 percent of the number of dwelling units. All accessory parking spaces shall be designed and operated exclusively for the long term storage of the private passenger motor vehicle used by the occupants of such residences. In no such case shall curb cuts for vehicular access be located on Atlantic Avenue or on a street within 50 feet of its intersection with the street line of Atlantic Avenue. No off-site accessory off-street parking facilities for any use shall be permitted within the Special District.

The parking requirements set forth in Section 25-31 or 36-21 shall not apply to any development or enlargement for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a street in conformity with the provisions of this section.

104-072
Accessory off-street loading

Curb cuts for vehicular access to accessory off-street loading berths shall not be located on Atlantic Avenue or on a street within 50 feet of its intersection with the street line of Atlantic Avenue. However, the Commissioner may by authorization, permit a curb cut on Atlantic Avenue provided that:

1. such curb cut is a relocation of an existing curb cut on the zoning lot, and
2. such curb cut will not unduly inhibit surface traffic and pedestrian flow along Atlantic Avenue.

The loading berth requirements of Section 25-72 or 36-62 shall not apply to any development or enlargement for which the Commissioner of Buildings has certified that there is no way to provide the required loading berths with access to a street in conformity with the provisions of this section.

All accessory off-street loading berths shall be enclosed within a building.

104-073
Screening

Any permitted accessory off-street parking area regardless of size or location shall be screened from all adjoining zoning lots and streets by screening which complies with the provisions of Section 36-56 (Screening) and which in the case of a wall or barrier or uniformly painted fence is finished in an approved color as indicated in Appendix D. Any off-street parking or loading facilities on zoning lots developed prior to the effective date of this Chapter shall be brought into compliance with the provisions of this section within 12 months of the effective date of this Chapter.

104-08
Special Provisions for Demolition of Buildings

Except in the case of buildings which are unsafe and the demolition of which is required pursuant to the provisions of Chapter 26, Title C, Part I, Article 8 of the New York City Administrative Code, no demolition permit shall be issued by the Department of Buildings for any development or enlargement within the Special District until:

(a) the owner of the property has obtained a building permit for the new development or enlargement, and
(b) the owner shall have presented evidence of having a commitment from a domestic bank, insurance company, or real estate investment for construction financing, which shall be in the form of a letter trust.

Appendix A

Buildings conforming to the "Specified Building Type"

The following is a list of addresses of buildings within the Special District which conform to the definition of "Specified Building Type" contained in Section 102-01.

Block 176
Atlantic Avenue (NS): 305, 311, 313, 315, 317, 321, 323, 325, 327, 329
Block 177
Hoyt St. (ES): 75, 77
Block 178
Atlantic Avenue (NS): 405, 407, 409
Block 179
Atlantic Avenue (NS): 455, 457, 477, 479, 481, 483, 485, 487, 491, 495, 497, 499, 501
3rd Avenue (ES): 31-31A
Block 180
Atlantic Avenue (NS): 565, 567, 569, 571, 573
Times Plaza: 2, 6, 8, 10, 12
Flatbush Avenue: 112, 114, 116, 118, 122
Block 181
Atlantic Avenue (SS): 214, 220, 228, 232, 234
Block 182
Atlantic Avenue (SS): 294, 296, 298, 300, 302, 304-6, 308, 320, 322, 324, 326, 334, 336, 338, 340
Block 183
Block 184
Atlantic Avenue (SS): 404, 406, 408, 410, 412, 414, 416, 418, 420, 426, 442, 444, 446, 448, 450
Block 185
Atlantic Avenue (SS): 490, 492, 514
Block 186
Atlantic Avenue (SS): 558, 560
Block 278
Atlantic Avenue (SS): 278, 290
Court Street (ES): 141, 143, 145

[NOTE: In error, Appendixes A & B have the addresses for blocks 181 & 278 reversed. See the map on page 4 for the correct address locations.]
Appendix B

Storefronts conforming to the "Specified Storefront Type"

The following is a list of addresses of buildings within the Special District which contain storefronts conforming to the definition of "Specified Storefront Type" contained in Section 102-01.

Block 177
Atlantic Avenue (NS): 371, 375, 377, 377A
Hoyt Street (ES): 75, 77

Block 178
Atlantic Avenue (NS): 405, 407, 409

Block 179
Atlantic Avenue (NS): 483, 501 (easterly of 2 storefronts)

Block 181
Atlantic Avenue (SS): 232
Block 182
Atlantic Avenue (SS): 302 (westerly of 2 storefronts), 322, 340

Block 183

Block 184
Atlantic Avenue (SS): 404, 406, 408, 410, 412, 416, 420, 426

Block 185
Atlantic Avenue (SS): 492

Block 278
Atlantic Avenue (SS): 278

Appendix C

Permitted Wall Finishes (for Street Walls)

Brick: New brick shall be red or dark brown, unglazed, with normal variation in color permitted. Existing brick shall either be cleaned and left unfinished or painted one of the colors listed below.

Stucco: Stucco shall have a smooth trowelled finish and shall be painted one of the colors listed below.

Stone: Stone shall be left natural or painted one of the colors listed below.

Paint Colors
Paints shall be limited to the colors listed. Specific brands of paint are listed only as examples of proper colors; paints of any manufacture may be used if they match the sample paints in hue and intensity.

White
Limestone—similar to Luminall "S226 Limestone" or Moorgard "16-14 Limestone Gray"
Brownstone—similar to Luminall "S227 Brownstone" or Dutch Boy "17-34 Rustic Brown"
Red Brick—similar to Moortone "026-21 Red Brick" or Luminall "S210 Brick Red"
Green—similar to Lucite "1300c Live Oak Green", Moorgard "103 45 Provincial Sage" or Dutch Boy "17-86 Lexington Green"
Blue—similar to Moorgard "8-72 Newport Blue"
Light Yellow—similar to Lucite "1317c Colonial Gold" or Moorgard "103 10 Colonial Yellow"
Dark Yellow—similar to Lucite "1319c Salem Gold", Moorgard "18-16 Salem Gold" or Dutch Boy "17-48 Golden Eagle"

Appendix D

Permitted Trim Finishes (for storefronts, cornices, window sash, shutters, or trim)

Wood: All wood should be painted one or more of the colors listed below.

Metal: All metal should be painted one or more of the colors listed below, except that aluminum may have a dark bronze or black duranodic finish.

Paint Colors
Paints shall be limited to the colors listed, and should be of the semi-gloss low lustre variety. Specific brands of paint are listed only as examples of proper colors; paints of any manufacture may be used if they match the sample paints in hue and intensity.

White
Cream—similar to Red Devil "24 Bone White" or Moorgard "103 18 Ivory"
Dark Red—similar to Red Devil "29 Red" or Lucite "1807c Autumn Red"
Ochre—similar to Lucite "1804c Antique Gold" or Moorgard "103 13 Harvest Gold"
Dark Blue—similar to Lucite "1805c Mansion Blue" or Red Devil "20 Empire Blue"
Dark Green—similar to Lucite "1803c Raven Green", Red Devil "25 Wintergreen" or Moorgard "103 44 Forest Green"
Dark Brown—similar to Lucite "1808c Nutmeg", Moorgard "103 69 Manor Brown" or Red Devil "14 Walnut"

[NOTE: In error, Appendixes A & B have the addresses for blocks 181 & 278 reversed. See the map on page 4 for the correct address locations. Many of the paints listed in Appendixes C & D are no longer available. See Wall & Trim Finishes on page 19 for updated paint lists.]
The Atlantic Avenue Association Local Development Corporation (AAA/LDC) has a long history in Downtown Brooklyn. The AAA/LDC’s origins are rooted in the Atlantic Avenue Committee of the Downtown Brooklyn Development Association. Formed in 1974, the Committee focused revitalization efforts on that portion of Atlantic Avenue which runs from Flatbush Avenue to the East River. The Committee’s primary activity was the Atlantic Antic street festival until 1986, when the Committee became incorporated as a Local Development Corporation and expanded its scope of activities.

While it continues to produce the Atlantic Antic, which has become one of NYC’s major cultural attractions, the AAA/LDC now provides multi-level community services to Atlantic Avenue businesses and residents.

The AAA/LDC strives to bolster historic preservation, economic development, neighborhood revitalization and cultural enrichment, and has implemented an array of programs to address these concerns. Assistance from the NYC Department of Business Services, Borough President Howard Golden, as well as private support, has enabled the AAA/LDC to embark on an expanded community agenda.

Overall AAA/LDC efforts since its inception have resulted in direct financial assistance to target area merchants for capital improvement projects, which in turn created dozens of employment opportunities. The Atlantic Avenue Lighting Project has placed period street lamps on the Avenue, making the area safer and more attractive to shoppers. The Revolving Loan Program assists merchants seeking to beautify their shops or make capital improvements. The Summer Youth Employment Program provides vitally needed jobs for young people in the community. The Anti-Crime Project includes forums, property ID, and free security surveys. A promotional program of the AAA/LDC provides Holiday Lights that span the entire target area from Thanksgiving to New Year’s Day. Other AAA/LDC efforts include a Culture/Recreation program which further assists youth, and publications such as Atlantic-Ave-News, Antique & Restaurant Guide, Community Handbook, and the newly-published Atlantic Avenue Zoning Guide.

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