



COUNCIL OF THE CITY OF NEW YORK

CALENDAR
OF
THE LAND USE COMMITTEE
FOR THE WEEK OF JUNE 21 - JUNE 25, 2010

LEROY G. COMRIE, *Chair*, Land Use Committee

MARK WEPRIN, *Chair*, Subcommittee on Zoning and Franchises

BRAD LANDER, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

STEPHEN LEVIN, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Chambers, City Hall, New York City, New York 10007, commencing at **10:00 a.m. on Monday, June 21, 2010:**

L.U. No. 130 DOMINO SUGAR

BROOKLYN CB - 1

C 100185 ZMK

Application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12c and 1 2d:

1. changing from an M3 -1 District to an R6 District property bounded by South 3rd Street, a line 100 feet northwesterly of Wythe Avenue, South 4th Street and Kent Avenue;
2. changing from an M3-1 District to an R8 District property bounded by the northwesterly centerline prolongation of South 1st Street, Kent Avenue, the northwesterly centerline prolongation of South 2nd Street, a line 235 feet northwesterly of Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, Kent Avenue, South 5th Street and its northwesterly centerline prolongation, and the U.S. Pierhead Line;
3. changing from an M3-1 District to a C6-2 District property bound by:
 - a. Grand Street and its northwesterly centerline prolongation, Kent Avenue, the northwesterly centerline prolongation of South 1st Street, and the U.S. Pierhead Line; and
 - b. the northwesterly centerline prolongation of South 2nd Street, Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, and a line 235 feet northwesterly of Kent Avenue;
4. establishing within a proposed R6₁ District a C2-4 District bounded by South

3rd Street, a line 100 feet northwesterly of Wythe Avenue, South 4th Street and Kent Avenue; and

5. establishing within a proposed R8 District a C2-4 District bounded by the northwesterly centerline prolongation of South 1st Street, Kent Avenue, the northwesterly centerline prolongation of South 2nd Street, a line 235 feet northwesterly of Kent Avenue, the northwesterly centerline prolongation of South 3rd Street, Kent Avenue, South 5th Street and its northwesterly centerline prolongation, and the U.S. Pierhead Line;

as shown on a diagram (for illustrative purposes only) dated January 4, 2010.

**L.U. No. 131
DOMINO SUGAR**

BROOKLYN CB - 1

C 100186 ZRK

Application submitted by Refinery LLC, Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 23-953 (Special floor area compensation provisions in specified areas), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), Section 62-352 (Inclusionary Housing), Section 52-83 (Non-Conforming Advertising Signs), and Appendix F (Inclusionary Housing Designated Areas) relating to the Inclusionary Housing Program and advertising signs on landmark buildings that are part of general large scale.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and subsequently amended, is further amended as follows:

23-953

Special floor area compensation provisions in specified areas

* * *

(b) Special provisions apply to #compensated zoning lots#:

- (1) Within R6, R7-3, and R8 Districts and equivalent #Commercial Districts on #waterfront blocks# in #Inclusionary Housing designated areas# ~~Waterfront Access Plan BK 1 and R7-3 Districts~~ within Community district 1, Borough of Brooklyn, as set forth in Section 62-352.

62-35

Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# ~~in~~ #Inclusionary Housing designated areas# ~~R7-3 Districts~~ in

Community District 1, Borough of Brooklyn, ~~and within Waterfront Access Plan BK 1,~~ the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

* * *

62-352

Inclusionary Housing

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in ~~R7-3 Districts~~ #Inclusionary Housing designated areas# on #waterfront blocks# in Community District 1, Borough of Brooklyn, ~~and in R6 and R8 Districts within Waterfront Access Plan BK 1,~~ as modified in this Section.

* * *

APPENDIX F

INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#.

* * *

Brooklyn, Community District 1

In Waterfront Access Plan BK-1, as set forth in ~~Section 62-352~~, and in the R6, R6A, R6B, R7A, ~~and R7-3~~ and R8 Districts within the areas shown on the following Maps 1, 2 and 3:

* * *

Map 2 (3/06/06)



EXISTING (TO BE DELETED)
Portion Of Community District 1, Brooklyn

Map 2 (x/xx/xx)



PROPOSED
Portion of Community District 1, Brooklyn

* * *

ARTICLE V

Non-Conforming Uses and Non-Complying Buildings

* * *

52-83

Non-Conforming Advertising Signs

In all #Manufacturing Districts#, or in C1, C2, C4, C5-4, C6, C7 or C8 Districts, except as otherwise provided in Sections 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) or 42-55, any #non-conforming advertising sign# except a #flashing sign# may be structurally altered, reconstructed or replaced in the same location and position, provided that such structural alteration, reconstruction or replacement does not result in:

- (a) the creation of a new #non-conformity# or an increase in the degree of #non-conformity# of such #sign#;
- (b) an increase in the #surface area# of such #sign#; or
- (c) an increase in the degree of illumination of such #sign#.

However, in Community District 1 in the Borough of Brooklyn, a #non-conforming advertising sign# may be structurally altered, reconstructed or replaced in a different location, and may create a new #non-conformity# or #non-compliance#, or an increase in the degree of #nonconformity# or non-#compliance#, provided such #sign# is reconstructed pursuant to a Certificate of Appropriateness from the Landmarks Preservation Commission, is located on a landmark #building# that is part of a #general large scale development#, and there is no increase in the #surface area# or degree of illumination of such #sign#. Furthermore, the discontinuance provisions of Section 52-6 1 shall not apply to such #sign# provided such #sign# is reconstructed on the landmark #building# prior to the issuance of a temporary certificate of occupancy for any #use# within such #building#.

No #sign# that exceeds or is otherwise in violation of any illumination standard established by rule of the Department of Buildings shall be #non-conforming# as to such illumination standard one year after such rule becomes effective.

To the extent that such structural alteration, reconstruction or replacement of #non-conforming advertising signs# is permitted under the provisions of this Section, the provisions of the following Sections are modified:

Section 52-22 (Structural Alterations)

Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

L.U. No. 132
DOMINO SUGAR

BROOKLYN CB - 1

C 100187 ZSK

Application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution as modified:

1. Section 74-743(a)(1) - to allow the distribution of floor area within the general large scale development without regard for zoning lot lines; and
2. Section 74-743(a)(2) - to modify the requirements of Section 23-532 (Required rear yard equivalents), 23-711 (Standard minimum distance between buildings), 23-852 (Inner court recesses), 23-863 (Minimum distance between legally required windows and any wall in an inner court), 62-332 (Rear yards and waterfront yards) and 62-341 (Developments on land and platforms),

to facilitate a mixed use development on property bounded by Grand Street and its northwesterly prolongation, Kent Avenue, South 3rd Street, a line 100 feet westerly of Wythe Avenue, South 4th Street, Kent Avenue, South 5th Street and its northwesterly prolongation, and the U.S. Pierhead Line (Block 2414, Lot 1 and Block 2428, Lot 1), in R6/C2-4, R8/C2-4 and C6-2 Districts, within a General Large-Scale Development.

**L.U. No. 133
DOMINO SUGAR**

BROOKLYN CB - 1

C 100188 ZSK

Application submitted by The Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to allow residential and non-residential uses to be arranged on the same floor of adjacent building segments without regard for the regulations set forth in Section 32-42 (Location within Buildings) to facilitate the construction of a mixed use development on property located at 264-350 & 317-329 Kent Avenue, (Block 2414, Lot 1 and Block 2428 Lot 1), in a general large-scale development, Borough of Brooklyn, Community District 1, as modified.

