

CITY COUNCIL
LAND USE DIVISION

2019 MAR 12 A 8:50



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2019 MAR 12 A 9:29

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

March 11, 2019

City Council
City Hall
New York, NY 10007

Re: 570 Fulton Street
ULURP Nos.- N 180457 ZRK
Related Applications: C 180459 ZMK; C 180458 ZSK
Borough of Brooklyn

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated March 7, 2019, from the City Council regarding the proposed modification to the above-referenced application submitted by 570 Fulton Street Property LLC and One Flatbush Avenue Property LLC for zoning map and text amendments, and a special permit.

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on March 11, 2019 has determined that the City Council's proposed modification raises no land use or environmental issues requiring further review.

Very truly yours,

A handwritten signature in blue ink that reads "Marisa Lago".

Marisa Lago
Chair

cc: W. Von Engel; D. DeCerbo; S. Amron; J. Merani; J. Gaylard; A. Grande

Marisa Lago, Chair
City Planning Commission
120 Broadway 31st Fl - New York, NY 10271
(212) 720 3200
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THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
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RAJU MANN
DIRECTOR

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RMANN@COUNCIL.NYC.GOV

March 7, 2019

Honorable Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Application No.: N 180457 ZRK (L.U. No. 335)
Related Application Nos.: C 180458 ZSK (L.U. No. 336), C 180459 ZMK (L.U. No. 337)

570 Fulton Street

Dear Chair Lago:

On March 7, 2019 the Land Use Committee of the City Council, by a vote 14-1-0 for Application N **180457 ZRK** recommended modifications of the City Planning Commission's decision in the above-referenced matter.

Pursuant to Section 197-d(d) of the City Charter and Section 11.70 of the Rules of the Council, I hereby file the proposed modifications with the Commission:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council
- * * * indicates where unchanged text appears in the Zoning Resolution

* * *

ARTICLE X
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Downtown Brooklyn District

* * *

101-20
SPECIAL BULK REGULATIONS

* * *

101-21
Special Floor Area and Lot Coverage Regulations

R7-1 C6-1 C6-4.5 C6-6 C6-9

* * *

(e) In C6-9 Districts

In C6-9 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.0, and no #commercial# or #community facility floor area# bonuses shall be permitted. In addition, #residential floor area ratio# may be increased only pursuant to the applicable provisions of Section 23-154 (Inclusionary Housing), and no other #residential floor area# bonuses shall be permitted.

However, in the C6-9 Districts bounded by Flatbush Avenue, State Street, 3rd Avenue and Schermerhorn Street, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 12.0, and the maximum #residential floor area ratio# shall be 9.0. No #floor area# bonuses shall be permitted. However, on a #zoning lot# with a minimum #lot area# of 50,000 square feet improved with public #schools# containing at least 100,000 square feet of floor space #developed# pursuant to an agreement with the New York City Educational Construction Fund, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 15.0, and the maximum #residential floor area ratio# shall be 12.0. Up to 46,050 square feet of floor space within such public #schools# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot# In addition, any #building# containing #residences# may be #developed# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. In such instances, the #bulk# regulations of this Chapter shall

* * *

101-80
SPECIAL PERMITS

* * *

101-82

Modification of Bulk Regulations for Certain Buildings on Irregular Sites

In C6-9 Districts within the #Special Downtown Brooklyn District#, mapped after [date of adoption], for #developments# or #enlargements# on irregular sites, the City Planning Commission may modify underlying #bulk# regulations, other than #floor area ratio#, provided that no Use Group 5 #use# shall be permitted in any portion of the #building# receiving such modifications, and:

- (a) there are physical conditions, including irregularity, narrowness or shallowness of lot shape or size that create practical difficulties in complying with the #bulk# regulations and would adversely affect the #building# configuration or site plan;
- (b) the practical difficulties of developing on the #zoning lot# have not been created by the owner or by a predecessor in title;
- (c) the proposed modifications are limited to the minimum needed to relieve such difficulties;
- (d) the proposed modifications will not unduly obstruct access of light and air to adjoining properties or #streets#; and
- (e) the proposed scale and placement of the #development# or #enlargement# relates harmoniously with the surrounding area.


The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area and to improve the quality of the site configuration.

* * *

Honorable Marisa Lago, Chair
Application No.: N 180457 ZRK (L.U. No. 335)
March 7, 2019
Page 4 of 4

Please feel free to contact me at (212) 482-5185 if you or your staff have any questions in this regard.

Sincerely,


.....
Julie Lubin, Esq.
General Counsel

JL:mcs

RECEIVED BY: Mark Lauer

DATE: 3/8/2019

TIME: 10:00 AM

- C: Members, City Planning Commission
- Raju Mann, Director, Land Use Division
- Amy Levitan, Deputy Director
- Jeff Campagna, Deputy General Counsel
- Angelina Martinez-Rubio, Deputy General Counsel
- Arthur Huh, Assistant General Counsel
- Brian Paul, Project Manager
- Anita Laremont, Esq., DCP
- Danielle J. DeCerbo, DCP
- File