



Legislation Details (With Text)

File #: Res 2098-2013 **Version:** * **Name:** LU 962 - Zoning, Relating to the development of parkland, Brooklyn (N 140046 ZRK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 12/19/2013

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 140046 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks) and Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn), relating to the development of parkland in Community District 1, Borough of Brooklyn (L.U. No. 962).

Sponsors: Leroy G. Comrie, Jr., Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 12-19-13

Date	Ver.	Action By	Action	Result
12/19/2013	*	Committee on Land Use	Approved by Committee	
12/19/2013	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 2098

Resolution approving the decision of the City Planning Commission on Application No. N 140046 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks) and Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn), relating to the development of parkland in Community District 1, Borough of Brooklyn (L.U. No. 962).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, to facilitate the construction of an approximately 647,851 square foot mixed-use development with public waterfront esplanade along the Newtown Creek in Greenpoint at 77 Commercial Street, (Application No. N 140046 ZRK), Community District 1, Borough of Brooklyn (the "Application");

WHEREAS, the application is related to Applications C 140047 ZSK (L.U. No. 961), a Special Permit by the City Planning Commission pursuant to Section 62-836 to modify the height and setback requirements of Section 62-341 (Developments on land and platforms) and Section 62-354 (Special height and setback regulations) and N 140048 ZAK (L.U. No. 963), an Authorization by the City Planning Commission pursuant to Section 62-822(a) to modify the location, area, and dimension requirements of Section 62-50 for waterfront public access areas and visual corridors;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 2013;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the revised negative declaration(CEQR No. 14DCP010K), issued on November 6, 2013 (the “Revised Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140046 ZRK, incorporated by reference herein, the Council approves the Decision.

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

- Matter in underline is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter within # # is defined in Section 12-10;
- * * * indicates where unchanged text appears in the Zoning Resolution

Article 1
Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10
ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND
INCORPORATION OF MAPS

* * *

11-13
Public Parks

District designations indicated on #zoning maps# do not apply to #public parks#, except as set forth in Section

105-91 (Special District Designation on Public Parks) and in paragraph (c) of Section 62-351 (Special floor area regulations). In the event that a #public park# or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks and Recreation, no building permit shall be issued, nor shall any #use# be permitted on such former #public park# or portion thereof, until a zoning amendment designating a zoning district therefore has been adopted by the City Planning Commission and has become effective after submission to the City Council in accordance with the provisions of Section 71-10 (PROCEDURE FOR AMENDMENTS).

* * *

Article IV
Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-35
Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# in #Inclusionary Housing designated areas# in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351
Special floor area regulations

* * *

(c) Special regulations for Parcel 5e within Waterfront Access Plan BK-1

On Parcel 4 within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential floor area# based on the #residential floor area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). Floor space within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on December 19, 2013, on file in this office.

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City Clerk, Clerk of The Council