



## Legislation Text

File #: Res 1284-2016, Version: \*

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1284

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160029 ZRK, for an amendment of the Zoning Resolution of the City of New York, modifying X, Chapter 1 (Special Downtown Brooklyn District) to add a C6-6 District and update its bulk and envelope regulations, and modifying Appendix F (Inclusionary Housing Designated Areas) to add a Mandatory Inclusionary Housing Area to the proposed project area, in Community District 2, Borough of Brooklyn (L.U. No. 474).**

**By Council Members Greenfield and Richards**

WHEREAS, the City Planning Commission filed with the Council on September 19, 2016 its decision dated September 7, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 385 Gold Property Investors IIA, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, to modify X, Chapter 1 (Special Downtown Brooklyn District) to add a C6-6 District and update its bulk and envelope regulations, and modifying Appendix F (Inclusionary Housing Designated Areas) to add a Mandatory Inclusionary Housing Area to the proposed project area, (Application No. N 160029 ZRK), Community District 2, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications C 160030 ZMK (L.U. No. 472), a zoning map amendment to rezone a C6-1 District and portion of a C6-4 District to a C6-6 District within the Special Downtown Brooklyn District; and C 160054 MMK (L.U. No. 473), an amendment to the City Map by the NYC Department of Housing Preservation and Development and the NYC Economic Development Corporation to eliminate, discontinue, and close a portion of Flatbush Avenue Extension at its intersection with Gold Street;

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 October 5, 2016;

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, including the negative declaration (CEQR No. 15DME003K) issued on April 29, 2016 (the "Negative Declaration");

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as

set forth in the 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 the report, N 160029 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

Matter in double strikeout is deleted by the City Council;

Matter in double-underline is added by the City Council

## 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

\* \* \*

#### (d) In C6-6 Districts

In C6-6 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.015.00, and the maximum #residential floor area ratio# shall be 9.0. No #floor area# bonuses shall be permitted.

\* \* \*

#### 101-222 Standard height and setback regulations

C2-4/R7-1 C6-1 C6-4.5 C6-6

In the districts indicated, except C6-1A Districts, a #building or other structure# shall not exceed the applicable maximum #building# height set forth in the table in this Section. Furthermore, any portion of a #building or other structure# that exceeds the applicable maximum base height shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS  
IN C2-4/R7-1, C6-1, AND C6-4.5 AND C6-6 DISTRICTS

District	Maximum Base Height		Maximum #Building# Height	
	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#
* * *	* * *	* * *	* * *	* * *
C6-4.5 C6-6	125	150	250	250

**101-223  
Tower regulations**

C5-4 C6-1 C6-4 C6-6

In the districts indicated, except C6-1A Districts, the provisions of this Section shall apply as an alternative to the provision of Section 101-222 (Standard height and setback regulations).

\* \* \*

(b) Setback requirements for #commercial# or #community facility# towers

For #buildings# that contain #commercial# or #community facility floor area# above a height of 85 feet, a setback is required for all portions of such #buildings# that exceed a height of 85 feet.

For #zoning lots# that do not exceed a #lot area# of 15,000 square feet, such portions of buildings# shall be set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#. For #zoning lots# that exceed an area of 15,000 square feet, such portions shall be set back at least 20 feet from any #street line#.

However, setbacks shall not be required for any portion of a #building# fronting upon the south side of Willoughby Street between Gold Street and the Flatbush Avenue Extension, or upon that portion of the Flatbush Avenue Extension between Willoughby Street and DeKalb Avenue within 250 feet of Willoughby Street, or for any #building# fronting upon the north side of Willoughby Street between Gold Street and the Flatbush Avenue Extension, provided that this exemption shall not be applicable to portions of #buildings# above 85 feet that contain #residential floor area#.

\* \* \*

(d) Maximum #building# height

In C6-1 Districts, the maximum height of a #building or other structure# shall be 495 feet. No height limit shall apply within a C5-4, ~~or C6-4~~ or C6-6 District.

\* \* \*

**101-40**  
**MANDATORY DISTRICT PLAN ELEMENTS**

**101-41**  
**Special Street Wall Location Regulations**

Map 4 (Street Wall Continuity and Mandatory Sidewalk Widening) in Appendix E of this Chapter specifies locations where the special #street wall# location regulations of this Section apply. However, such regulations shall not apply along the #street# frontage of that portion of any #zoning lot# occupied by existing #buildings# to remain.

\* \* \*

(d) All other areas

On all other #streets# shown on Map 4, at least 70 percent of the #aggregate width of street walls# of any #building# shall be located within eight feet of the #street line# and extend to at least a height of 40 feet in R7-1 Districts mapped within C2-4 Districts and at least a height of 60 feet in all other districts, or the height of the #building#, whichever is less, except that on #corner lots#, no #street wall# shall be required within 100 feet of the intersection of two #street lines# where the interior angle formed by such intersecting #street lines# is 45 degrees or less. However, such regulations shall not apply to any #building# fronting upon the north side of Willoughby Street between Gold Street and the Flatbush Avenue Extension.

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**

\* \* \*

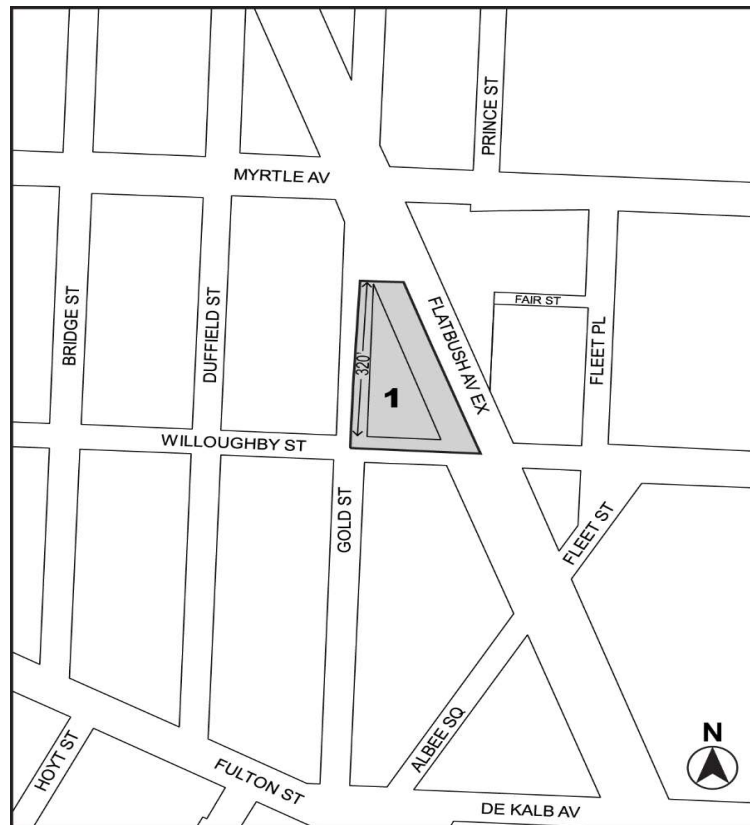
**Brooklyn Community District 2**

\* \* \*

In the R10 District within the area shown on the following Map 5:

Map 5 - (date of adoption)

[PROPOSED MAP]



Mandatory Inclusionary Housing Area (MIHA)      see Section 23-154(d) (3)  
Area 1 (date of adoption) – MIH Program Option 2

Portion of Community District 2, Brooklyn

\* \* \*

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 November 16, 2016, on file in this office.

.....  
City Clerk, Clerk of The Council