Legislation Details (With Text)

File #:	Res 1173-2016	**Version:** *	**Name:**	LU 399 - Zoning, 19-25 Kent Avenue, Brooklyn (C160125 ZSK)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	7/14/2016			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 160125 ZSK (L.U. No. 399), for the grant of a special permit pursuant to Section 74-963 of the Zoning Resolution to reduce or waive the off-street parking requirements set forth in Section 44-20 (Required accessory off-street parking spaces for manufacturing, commercial or community facility uses) and to reduce or waive the loading berth requirements set forth in Section 44-50 (Off-street loading regulations) in connection with a proposed mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, in Community District 1, Borough of Brooklyn.

Sponsors:

Indexes:

Attachments: 1. June 8, 2016 - Stated Meeting Agenda with Links to Files, 2. Land Use Calendar - Week of June 13, 2016 - June 17, 2016, 3. Hearing Testimony - Zoning 6-14-16, 4. Hearing Transcript - Zoning 6-14-16, 5. Land Use Calendar - Week of July 11, 2016 - July 15, 2016, 6. Land Use Calendar - July 12, 7. City Planning Commission Approval Letter, 8. July 14, 2016 - Stated Meeting Agenda with Links to Files, 9. Committee Report, 10. Hearing Transcript - Stated Meeting 7-14-16, 11. Minutes of the Stated Meeting - July 14, 2016

Date	Ver.	Action By	Action	Result
7/12/2016	*	Committee on Land Use	Approved by Committee	
7/14/2016	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1173

Resolution approving the decision of the City Planning Commission on ULURP No. C 160125 ZSK (L.U. No. 399), for the grant of a special permit pursuant to Section 74-963 of the Zoning Resolution to reduce or waive the off-street parking requirements set forth in Section 44-20 (Required accessory off-street parking spaces for manufacturing, commercial or community facility uses) and to reduce or waive the loading berth requirements set forth in Section 44-50 (Off-street loading regulations) in connection with a proposed mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, in Community District 1, Borough of Brooklyn.

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on June 7, 2016 its decision dated May 25, 2016 (the "Decision"), on the application submitted by 19 Kent Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-963 of the Zoning Resolution to reduce or waive the off-street parking requirements set forth in Section 44-20 (Required accessory off-street parking spaces for manufacturing, commercial or community facility uses) and to reduce or waive the loading berth requirements set forth in Section 44-50 (Off-street loading regulations) in

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connection with a proposed mixed-use development located at 19-25 Kent Avenue (Block 2282, Lot 1), in an M1-2 District, in the Williamsburg's Northside neighborhood of Brooklyn (ULURP No. C 160125 ZSK), Community District 1, Borough of Brooklyn (the "Application");

WHEREAS, the application is related to Applications C 160124 ZSK (L.U. No. 398), a special permit by 19 Kent Development, LLC pursuant to Section 74-962 of the Zoning Resolution to modify the permitted floor area requirements of Section 43-12 (Maximum Floor Area Ratio) and to modify the public plaza requirements of Section 37-70 (Public Plazas); and N 160126 ZRK (L.U. No. 400), an amendment to the Zoning Resolution by 19 Kent Development, LLC and the Department of City Planning modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), creating a new Special Permit within Section 74 -96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas) for a newly designated M1-2 Kent Avenue Industrial Business Incentive Area, as modified;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-963 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2016;

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

WHEREAS, the Council has considered the relevant environmental issues, including the revised negative declaration which reflects the modifications to the text amendment application including project nomenclature, revised project geography, monitoring requirements and prohibitions to hotels per the special permit provisions (CEQR No. 16DCP065K) issued on May 20, 2016, which includes an (E) Designation (E-373) related to air quality and noise ("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, C 160125 ZSK, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

1. The properties that are the subject of this and the related applications (C 160124 ZSK and C 160125 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans, prepared by Gensler, filed with this application and incorporated in this resolution:

Dwg. No.	**Title**	**Last Date Revised**
Z-001	Zoning Lot Site Plan	01/04/2016

Z-002	Zoning Analysis - ULURP	01/04/2016
Z-051	Ground Floor Plan	01/04/2016
Z-071	Upper Floors Plan - Cellar Level 1	01/04/2016

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.

3. Such development shall conform to all applicable laws and regulations relating to its construction and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission to disapprove any application for modification, cancellation or amendment of the authorization.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

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 July 14, 2016, on file in this office.

City Clerk, Clerk of The Council