Legislation Details (With Text)

File #:	Res 1118-2019	**Version:** *	**Name:**	LU 513 - Landmarks, Borough-Based Jail System (N 190334 ZRY)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	10/17/2019			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on Application No. N 190334 ZRY, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 513).

Sponsors: Rafael Salamanca, Jr., Adrienne E. Adams

Indexes:

Attachments: 1. Res. No. 1118, 2. Land Use Calendar - Week of September 2, 2019 - September 6, 2019, 3. Hearing Testimony - Landmarks 9-5-19, 4. Landmarks Appearance Cards 9-5-19, 5. Hearing Transcript - Landmarks 9-5-19, 6. September 12, 2019 - Stated Meeting Agenda with Links to Files, 7. Hearing Transcript - Stated Meeting 9-12-19, 8. Land Use Calendar - Week of October 14, 2019 - October 18, 2019, 9. Land Use Calendar - October 16, 2019, 10. October 17, 2019 - Stated Meeting Agenda with Links to Files, 11. Hearing Transcript - Stated Meeting 10-17-19, 12. Minutes of the Stated Meeting - October 17, 2019, 13. Committee Report

Date	Ver.	Action By	Action	Result
10/16/2019	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
10/17/2019	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1118

Resolution approving the decision of the City Planning Commission on Application No. N 190334 ZRY, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 513).

By Council Members Salamanca and Adams

WHEREAS, the New York City Department of Correction and the Mayor's Office of Criminal Justice filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission) to create a special permit for a borough-based jail system, which in conjunction with the related actions would facilitate the development of four detention facilities that comprise the NYC borough-based jail system in Bronx Community District 1, Brooklyn Community District 2, Manhattan Community District 1 and Queens Community District 9 (Application No. N 190334 ZRY), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 3, 2019, its decision dated September 3, 2019 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 190333 PSY (L.U. No. 518), a site selection for four new borough-based jail facilities; C 190335 ZSX (L.U. No. 519), a special permit pursuant to ZR Section 74-832; C 190336 ZMX (Pre. L.U. No. 514), a zoning map amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X; N 190337 ZRX (Pre. L.U. No. 515), a zoning text amendment to Appendix F to establish a new Mandatory Inclusionary Housing (MIH) area; C 190338 HAX

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(Pre. L.U. No. 516), a designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development; C 190339 ZSK (L.U. No. 520), a special permit pursuant to ZR Section 74-832; C 190116 MMK (L.U. No. 521), a city map amendment to establish upper and lower limiting planes to State Street between Boerum Place and Smith Street; C 190340 ZSM (L.U. No. 522), a special permit pursuant to ZR Section 74-832; C 190341 PQM (L.U. No. 523), an acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet; C 190252 MMM (L.U. No. 524), a city map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way; C 190342 ZSQ (L.U. No. 525), a special permit pursuant to ZR Section 74-832; and C 190117 MMQ (L.U. No. 526), a city map amendment to demap 82nd Avenue between 126th Street and 132nd Street;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 5, 2019;

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 positive declaration issued on August 14, 2018 (CEQR No. 18DOC001Y) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 23, 2019, in which the proposed development as analyzed in the FEIS identified significant adverse impacts for the selected Bronx site with respect to transportation (traffic) and construction (traffic, pedestrians and noise); for the selected Brooklyn site with respect to transportation (traffic), construction (traffic, pedestrians and noise), and historic and cultural resources; for the selected Manhattan site with respect to transportation (traffic), construction (pedestrians), and historic and cultural resources; and for the selected Queens site with respect to transportation (traffic) and construction (traffic, pedestrians and noise).

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

3. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 190334 ZRY, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter <u>underlined</u> is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
*** indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII: ADMINISTRATION

* * *

Chapter 4

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Special Permits by the City Planning Commission

* * *

74-83
Public Service Establishments

74-831
Court houses

In all #Commercial Districts#, the City Planning Commission may permit modifications of the applicable #bulk# regulations so as to allow the same #bulk# regulations as would apply for a #community facility building# in the applicable #Commercial District# and may permit modifications of the applicable regulations in Sections 33-26 to 33-30, inclusive, relating to Yard Regulations or Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations.
The Commission shall find that because of site limitations such modifications are necessary for the proper design and operation of the court house.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-832
Borough-based jail system

For #zoning lots# that are the subject of a site selection for a borough-based jail system pursuant to application C 190333 PSY, the City Planning Commission may, by special permit, allow modifications to the applicable regulations governing #uses#, #bulk#, including permitted #floor area ratio#, the permitted capacities of #accessory# off-street parking facilities and #public parking garages#, and off-street loading regulations, to facilitate construction of the proposed facilities. In order to grant such special permit, the Commission shall find that:

(a) any #use# modifications will support the operation of the facility and will be compatible with the essential character of the surrounding area;

(b) ground floor #uses# will be located in a manner that is inviting to the public and will integrate the facility within the surrounding community;

(c) any increase in permitted #floor area ratio# will facilitate the development of the facility;

(d) any #bulk# modifications will improve the interior layout and functionality of the facility;

(e) such #bulk# modifications, including any increase in permitted #floor area ratio#, will have minimal adverse effects on access to light and air for buildings and open spaces in the surrounding area;

(f) any modifications to the provisions of #accessory# off-street parking and loading regulations will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and

(g) any modifications to the permitted capacity of #public parking garages#:

(1) will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and

(2) will provide adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles.

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

74-84

Developments With Existing Buildings

* * *

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 October 17, 2019, on file in this office.

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

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