Legislation Details (With Text)

File #:	Res 1898-2021	**Version:**	*	**Name:**	LU 934 - Zoning, River Ring, Brooklyn (N 220065 ZAK)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Land Use
On agenda:	12/15/2021				
Enactment date:				**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) and 62-132 of the Zoning Resolution of the City of New York to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District, Borough of Brooklyn (Non-ULURP No. N 220065 ZAK; L.U. No. 934).

Sponsors:

Indexes:

Attachments: 1. Res. No. 1898, 2. November 23, 2021 - Stated Meeting Agenda with Links to Files, 3. Calendar of the Zoning Subcommittee Meeting - December 2, 2021, 4. Calendar of the Zoning Subcommittee and Land Use Meetings - December 9, 2021, 5. December 15, 2021 - Stated Meeting Agenda with Links to Files, 6. LOCATING ENVIRONMENTAL REVIEW MATERIALS FOR CERTAIN LAND USE APPLICATIONS, 7. City Planning Commission Approval Letter, 8. Committee Report, 9. Hearing Transcript - Stated Meeting 12-15-21, 10. Minutes of the Stated Meeting - December 15, 2021

Date	Ver.	Action By	Action	Result
12/9/2021	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
12/15/2021	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1898

Resolution approving the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) and 62-132 of the Zoning Resolution of the City of New York to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District, Borough of Brooklyn (Non-ULURP No. N 220065 ZAK; L.U. No. 934).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021 its decision

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dated November 17, 2021 (the "Decision"), on the application submitted by River Street Partners, LLC, in the City of New York for the grant of an authorization pursuant to Section Section 62-822(a) of the Zoning Resolution to modify the requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1 (Non-ULURP No. N 220065 ZAK) (the "Application");

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

WHEREAS, the Authorization is subject to review and action by the Council pursuant to Section 62-822 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 December 2, 2021;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822 (a)(2) of the Zoning Resolution of the City of New York;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

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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 which 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 mitigative measures that were identified as practicable.

The Decision, together with the FEIS constitute 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 62-822(a) and 62-132 of the Zoning Resolution of the City of New York and on the basis of the Authorization and Application, the Council approves the Decision, subject to the following terms and conditions:

1. The properties that are the subject of this application (N 220065 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans prepared by BIG and James Corner Field Operations, and Control Point Associates INC. PC, filed with this application and incorporated in this resolution:

Dwg. No.	**Title**	**Last Date Revised**
V-001.00	ALTA/NSPS LAND TITLE SURVEY	05.29.2020
L-001.00	WPAA ZONING CALCULATIONS 1	11.05.2021
L-002.00	WPAA ZONING CALCULATIONS 2	11.05.2021
L-003.00 L-004.00	WPAA ZONING CALCULATIONS 3 WPAA	11.05.2021
L-005.00 L-006.00	ZONING CALCULATIONS 4 WPAA ZONING	11.05.2021
L-007.00 L-100.00	CALCULATIONS 5 WPAA ZONING	11.05.2021
	CALCULATIONS 6 WPAA ZONING	11.05.2021
	CALCULATIONS 7 OVERALL WPAA SITE PLAN	11.05.2021
		11.05.2021
L-101.00	WATERFRONT PUBLIC AREA ACCESS DIAGRAM	11.05.2021
L-102.00	SPAA ANALYSIS	11.05.2021
L-110.00	LAYOUT PLAN	11.05.2021
L-120.00	GRADING PLAN	11.05.2021
L-130.00	MATERIAL PLAN	11.05.2021
L-150.00	FURNISHING PLAN	11.05.2021
L-151.00	FURNISHING SCHEDULE	11.05.2021
L-152.00	RAILING PLAN	11.05.2021
L-160.00	TREE CANOPY AND PLANTING PLAN	11.05.2021
L-170.00	LIGHTING PLAN	11.05.2021
L-171.00	PHOTOMETRIC PLAN	11.05.2021
L-300.00	SITE SECTIONS 1	11.05.2021

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L-301.00	SITE SECTIONS 2	11.05.2021
L-302.00	SITE SECTIONS 3	11.05.2021
L-303.00	SITE SECTIONS 4	11.05.2021
L-304.00	SITE SECTIONS 5	11.05.2021
L-305.00	SITE SECTIONS 6	11.05.2021
L-501.00	PAVING DETAILS 1	11.05.2021
L-510.00	SIGNAGE DETAILS 2	11.05.2021
L-511.00	FURNISHING DETAILS 1	11.05.2021
L-512.00	FURNISHING DETAILS 2	11.05.2021
L-513.00	FURNISHING DETAILS 3	11.05.2021
L-514.00	FURNISHING DETAILS 4	11.05.2021
L-515.00	FURNISHING DETAILS 5	11.05.2021
L-521.00	RAILING DETAILS 8	11.05.2021
L-531.00	LIGHTING DETAILS 9	11.05.2021
L-541.00	PLANTING DETAILS	11.05.2021
L-601.00	PHASING PLAN 1	11.05.2021
L-601.00	PHASING PLAN 2	11.05.2021

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. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County; and (b) the Maintenance and Operations Agreement associated with such declaration and attached as Exhibit G to the report on the related zoning map amendment (C 220062 ZMK), thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

5. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, King County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

6. 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.

7. 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 authorization.

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 _____, 2021, on file in this office.

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

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