



Legislation Text

File #: Res 1583-2017, Version: \*

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1583

**Resolution approving modifications to the decision of the City Planning Commission on Application No. N 160282 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn), Borough of Brooklyn (L.U. No. 635).**

**By Council Members Greenfield and Richards**

WHEREAS, the City Planning Commission filed with the Council on April 28, 2017 its decision dated April 26, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Kent/Greenpoint, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, concerning Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn). This action would allow a proposed mixed-use development to have its massing and legally required windows oriented toward an adjacent park. The amendment applies to Parcel 12b within the Waterfront Access Plan BK-1 in Section 62-931 in Community District 1, within the Greenpoint neighborhood of Brooklyn, (Application No. N 160282 ZRK), Community District 1, Borough of Brooklyn (the "Application");

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 May 30, 2017;

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 issued November 28, 2016 (CEQR No. 16DCP167K) (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 160282 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications: Matter underlined is new, to be added;

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

**Article VI**  
**SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

\* \* \*

**Chapter 2**  
**Special Regulations Applying in the Waterfront Area**

\* \* \*

**62-30**  
**SPECIAL BULK REGULATIONS**

\* \* \*

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

\* \* \*

**62-356**  
**Special bulk regulations for zoning lots adjacent to public parks**

On Parcel 12b within Waterfront Access Plan BK-1 in Section 62-931, any #lot line# that coincides with the boundary of a #public park# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #bulk# regulations of this Resolution, except that the provisions of paragraphs (g) and (h) of Section 62-354 (Special height and setback regulations) shall not apply.

In lieu thereof, the #street wall# of any #building# fronting on a #lot line# that coincides with the boundary of a #public park# shall be located at least eight feet from such #lot line#, except that any portion of a #building# containing a #legally required window# shall be located at least 28 feet from such #lot line#. No balconies shall be permitted on any #street wall# of such #building# facing a #public park#.

In addition, a wall, or if a wall is prohibited by the Building Code, a fence, shall be provided along the #lot line# that coincides with the boundary of a #public park#. Such wall or fence shall be a minimum of six feet in height, except that any portion of such wall or fence facing a ground floor level #commercial use# in a #building# shall be a minimum of 10 feet in height. However, if the Commissioner of Buildings determines that such wall or fence located in a #residence district# is subject to the provisions of Building Code section 3112.1, exceptions (2) or (3), such wall or fence shall be a minimum of eight feet in height along the boundary of a #public park#.

At least 90 percent of the width of the #street wall# of a #building# or #buildings# fronting on Kent Street shall be located within eight feet of the #street line# and extend to a minimum height of 30 feet.

\* \* \*

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 June 21, 2017, on file in this office.

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City Clerk, Clerk of The Council