



Legislation Text

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**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 557**

Resolution approving the decision of the City Planning Commission on ULURP No. C 180216 ZMK, a Zoning Map amendment (L.U. No. 192).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on August 6, 2018 its decision dated August 6, 2018 (the "Decision"), on the application submitted by the New York City Educational Construction Fund and 80 Flatbush Avenue, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 16c, changing from a C6-2 District to a C6-9 District, which in conjunction with the related action would facilitate the construction of a new, approximately 1.1 million-square-foot mixed-use development with two schools, retail, office and residential units, located at 80 Flatbush Avenue in the Downtown Brooklyn neighborhood of Community District 2, Brooklyn, (ULURP No. C 180216 ZMK), Community District 2, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications N 180217 ZRK (L.U. No. 193), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area, establish bulk regulations for C6-9 zoning districts mapped within the Special Downtown Brooklyn District (SDBD), and create a new special permit for ECF projects within the SDBD, and C 180218 ZSK (L.U. No 194), a special permit to modify to bulk, use, parking, loading and MIH requirements;

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 August 14, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the positive declaration (CEQR No. 17ECF001K) issued on May 24, 2017 and the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 27, 2018 which identified significant adverse impacts with respect to shadows, historic and cultural resources, transportation (traffic and pedestrian) and construction (noise, traffic, and pedestrian) and significant adverse impacts related to hazardous materials and noise which would be avoided through the placement of an (E) designation (E-124) and the Technical Memorandum dated September 26, 2018 (the "Technical Memorandum"),

RESOLVED:

Having considered the FEIS and Technical Memorandum 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 disclosed 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 measure that were identified as practicable.
- 4) The Decision, together with the FEIS and Technical Memorandum, 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 Section 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, C 180216 ZMK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16c, changing from a C6-2 District to a C6-9 District property bounded by the southeasterly centerline prolongation of Schermerhorn Street, Flatbush Avenue, State Street and 3rd Avenue, as shown on a diagram (for illustrative purposes only) dated February 26th, 2018, Community District 2, Borough of 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 September 26, 2018, on file in this office.

City Clerk, Clerk of The Council