



Legislation Text

File #: Res 1120-2019, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1120**

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 190337 ZRX, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 515).

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 XII Chapter 3 for the purpose of establishing a Special Mixed Use District; and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, 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 190337 ZRX), (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; N 190334 ZRY (Pre. L.U. No. 513), a text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system; 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; C 190338 HAX (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 190337 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission 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 double struck out is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council
- *** indicates where unchanged text appears in the Zoning Resolution

ARTICLE XII

SPECIAL PURPOSE DISTRICTS

* * *

Chapter 3

Special Mixed Use District

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

* * *

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#
* * *	
MX 16 - Community Districts 5 and 16, Brooklyn	R6A R7A R7D R8A
MX 18 - Community District 1, The Bronx	<u>R7X</u>

* * *

123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 17: (3/22/18)

Hunts Point, The Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 18: [date of adoption] Mott Haven, The Bronx

The #Special Mixed Use District# - 18 is established in Mott Haven in The Bronx as indicated on the #zoning maps#.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

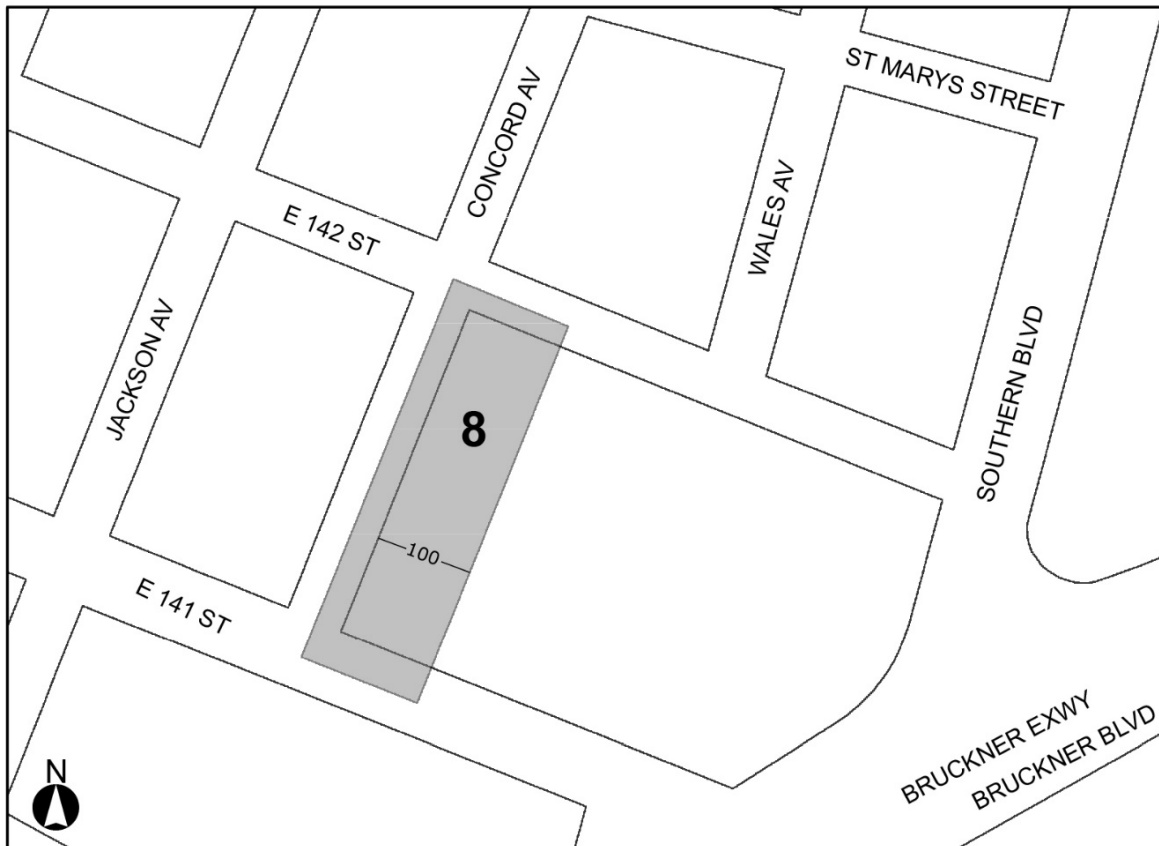
THE BRONX

The Bronx Community District 1

* * *

Map 7 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area see Section 23-154Cd/C3/
Area 8 - [date of adoption] MIH Program Option 1 and Option 2 Deep Affordability Option

Portion of Community District 1, The Bronx

* * *

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.

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City Clerk, Clerk of The Council