

THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE
AND THE
SUBCOMMITTEE ON ZONING AND FRANCHISES**

L.U. No. 289 (Res. No. 389)

By Council Members Greenfield and Richards

SUBJECT

BROOKLYN CB - 6

M 780389 (B) ZSK

City Planning Commission decision approving an application submitted by Hamilton Plaza Associates for a modification of a previously approved Restrictive Declaration to facilitate a change of use and an enlargement of the third floor of an existing 4-story building on property located at 1-37 12th Street (Block 1007, Lot 172; Block 1025, Lots 1, 16, 18, 20, & 200), in an M1-2 District.

INTENT

This modification to the Restrictive Declaration would facilitate a change of use and permit an increase of 2,364 square feet to allow for the enlargement on the third floor for use as a physical culture establishment.

PUBLIC HEARING

DATE: October 20, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 20, 2015

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission with modifications.

In Favor:	Against:	Abstain:
Richards	None	None
Gentile		
Williams		
Reynoso		

COMMITTEE ACTION

DATE: October 22, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Greenfield	None	None
Gentile		
Palma		
Arroyo		
Garodnick		
Mealy		
Mendez		
Rodriguez		
Koo		
Lander		
Levin		
Williams		
Richards		
Barron		
Cohen		
Kallos		
Reynoso		
Treyger		

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 299

Resolution approving with modifications the decision of the City Planning Commission on Application No. M 780389 (B) ZSK, for the modification of a previously approved restrictive declaration, to facilitate a change in use and an increase of 2,364 square feet of floor area on the third floor of an existing 4-story building on property located at 1-37 12th Street (Block 1007, Lot 172; Block 1025, Lots 1, 16, 18, 20 and 200) (the "Project Site"), in an M1-2 District, Borough of Brooklyn (L.U. No. 289).

By Council Members Greenfield and Richards

WHEREAS, a restrictive declaration dated July 28, 1977 (the 1977 Declaration) was entered into and recorded on the Project Site on October 21, 1977 (Reel 952, Page 1344), in connection with the approval by the New York City Board of Estimate of a Special Permit (M 760044 ZSK) to permit a commercial development;

WHEREAS, a second restrictive declaration dated October 2, 1981 was entered into and recorded on the Project Site on November 25, 1981, (Reel 1280, Page 1448) (the "1981 Declaration" together with the 1977 Declaration, the "Original Declaration") in connection an application for a modification to the special permit (M 780389 ZSK);

WHEREAS, the City Planning Commission filed with the Council on October 9, 2015 its decision dated October 7, 2015 (the "Decision"), on the application submitted by Hamilton Plaza Associates, for modification of the Original Declaration, which was filed in connection with a special permit amendment to facilitate a change in use and allow the enlargement by 2,364 square feet on the third floor at the property located at 1-37 12th Street (Block 1007, Lot 172; Block 1025, Lots 1, 16, 18, 20 and 200), in an M1-2 District, Community District 6, Borough of Brooklyn (ULURP No. M 780389 (B) ZSK) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council, as the successor in jurisdiction to the New York City board of Estimate, pursuant to the terms of the Original Declaration;

WHEREAS, the Application would cancel the Original Declaration on the Project Site to permit an increase of 2,364 square feet on the third floor and a change in use to a physical culture establishment;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 16DCP019K) issued on August 17, 2015, which reflects the application as modified by the Commission (the “Negative Declaration”);

RESOLVED:

Pursuant to Original Declaration and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, M 780389 (B) ZSK, and incorporated by reference herein, the Council approves the Decision with the following modifications and subject to the following conditions:

1. Uses on the third and fourth floors of the existing building on the Project Site remain limited to the following, as defined by the New York City Zoning Resolution:
 - a. Office,
 - b. Warehouse,
 - c. Physical culture or health establishment, or
 - d. Use Group 6 uses, except no retail establishments occupying more than one floor of the supermarket building, and no eating and drinking establishments;
2. Development pursuant to this resolution shall be in accordance with the terms of the Second Modification of Declaration attached hereto and made part hereof;
3. Development pursuant to this resolution shall only be permitted after such Second Modification to Declaration is executed by Hamilton Plaza Associates or its successors, and has been recorded and filed on the Project Site in the Office of the Register of the City of New York, County of Kings.

Page 3 of 3
M 780389 (B) ZSK
Res. No. 289 (L.U. No. ____)

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 _____, 2015, on file in this office.

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

SECOND MODIFICATION OF DECLARATION

SECOND MODIFICATION OF DECLARATION (this "Modification") made as of the 21st day of October, 2015 by HAMILTON PLAZA ASSOCIATES, a New York limited partnership, having an address c/o Goodrich Management, LLC, 560 Sylvan Avenue, Suite 2100, Englewood Cliffs, New Jersey 07632 (the "Declarant").

WITNESSETH

WHEREAS, Declarant is the owner of certain real property located in the County of Kings, City and State of New York, consisting of the parcel located at 1-37 12th Street, Brooklyn New York and shown on the Tax Map of the City of New York for the Borough of Brooklyn as Block 1007, Lot 172, and Block 1025, Lots 1, 16, 18, 20, and 200, which real property is more particularly described in Exhibit A annexed hereto (the "Modified Subject Property"); and

WHEREAS, First American Title Insurance Company, by its agent, EAM Land Services, Inc. (the "Title Company") has certified in a certification attached hereto as Exhibit B and made a part hereof, that as of September 2, 2015, that Declarant is the fee owner, among the other parties-in-interest (as defined in the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York, as amended, hereinafter referred to as the "Zoning Resolution") in the Modified Subject Property, and is the only party required to execute this Modification; and

WHEREAS, Declarant, as the fee owner of the Modified Subject Property, has executed this Modification; and

WHEREAS, a predecessor of Declarant submitted an application designated No. C 760044 ZSK for a special permit to permit a supermarket over 10,000 square feet in an M1-1 zoning district, which action was approved by the City Planning Commission on May 16, 1977 and modified by the Board of Estimate ("BOE") on June 23, 1977 (the "Original Special Permit"); and

WHEREAS, among other things, the BOE modified the Original Special Permit to add a restriction that "any uses on the 3rd and 4th floors [of the supermarket building on the Modified Subject Property], other than office and warehousing uses shall only be allowed by written authorization of the City upon recommendation by the City Planning Commission and final approval by the Board of Estimate, after consultation with the community, including local merchants"; and

WHEREAS, a predecessor of Declarant executed a declaration, dated July 28, 1977 and recorded in the Office of the New York City Register, Kings County on October 21, 1977, in Reel 952, Page 1344, which included the above-referenced BOE restriction, among others (the "Original Declaration"); and

WHEREAS, the Original Special Permit expired and a new special permit, designated No. C 780389 ZSK, was approved by the City Planning Commission on March 5, 1979 and by the BOE on March 22, 1979, effectively replacing the Original Special Permit (the "Special Permit"); and

WHEREAS, in connection with an application designated No. M 780389 ZSK for a modification to the Special Permit, to update the site plan and relocate 44 of the off-street parking spaces thereby reducing the parking requirement to 362 spaces, which action was approved by the City Planning Commission, only, on October 13, 1981, a predecessor of Declarant executed a modification to the Original Declaration, dated October 2, 1981 and recorded in the Office of the New York City Register, Kings County on November 25, 1981, in Reel 1280, Page 1448 (the "Modified Declaration", together with the Original Declaration, the "Declaration"); and

WHEREAS, this Second Modification of Declaration alters the restrictions, covenants, and agreements of the Declaration solely in relation to the Modified Subject Property; and

WHEREAS, Paragraph 7 of the Original Declaration provides that the Declaration may not be amended or cancelled without the approval of the City Planning Commission and the BOE, the successor to which is the City Council; and

WHEREAS, Declarant submitted an application, dated August 4, 2015 and designated No. M 780389(B) ZSK for further modification of the Special Permit and cancellation of the Declaration with respect to its application to the Modified Subject Property, to facilitate a change of use and enlargement of the 3rd floor by adding a 2,364 square foot mezzanine within the existing building located at the Modified Subject Property (collectively, the "Proposed Action"); and

WHEREAS, as a condition of approving the Proposed Action, the City Council is requiring the Declaration to be further modified and not canceled.

NOW, THEREFORE, Declarant does hereby declare as follows:

- (1) With respect to the Modified Subject Property, the Declaration is hereby modified as provided for hereinbelow. The Declaration shall remain in effect with respect to the properties identified therein and as modified herein.
- (2) Paragraph number two (#2) of the Original Declaration is hereby deleted and replaced with the following:

The Declarant covenants that any uses on the third and fourth floors of the Modified Subject Property other than the following:

- a) office;**
- b) warehouse;**
- c) physical culture or health establishment uses (may occupy both floors); and**
- d) Use Group 6 uses as defined in the Zoning Resolution, except no retail establishments may occupy more than one floor, and no eating and drinking establishments;**

shall only be permitted by written authorization of the City Council, upon recommendation by the City Planning Commission after consultation with the community, including local merchants.

- (3) Paragraph number 3 of the Original Declaration is hereby deleted and replaced with the following:

The Declarant covenants that the Modified Subject Property shall be developed in accordance with the following plans, including notes on such plans, prepared by Urban Matrix Architecture and Planning, P.C., annexed hereto as **Exhibit C** and made part hereof:

<u>Drawing Number</u>	<u>Title</u>	<u>Date of last revision</u>
ZD-100	Zoning Calculations	8/6/15
ZD-101	Zoning Lot Site Plan	7/31/15
ZD-102	Ground Floor Plan	7/31/15
ZD-103	2 nd Floor Plan	7/31/15
ZD-104	3 rd Floor Plan	7/31/15
ZD-105	3 rd Floor Mezzanine Plan	7/31/15
ZD-106	4 th Floor Plan	7/31/15
ZD-107	Building Sections	7/31/15
ZD-108	Building Elevations	7/31/15

- (4) This Modification shall not be effective until it has been filed for recording in the Office of the City Register, Kings County.
- (5) The Declarant covenants that the Original Declaration and the Modified Declaration are in all other respects unmodified.

[Signature Page Follows]

Exhibit A

Legal Description of the Modified Subject Property

ALL that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, being bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northwesterly side of Hamilton Place with the southwesterly side of 12th Street;

RUNNING THENCE northwesterly along the southwesterly side of 12th Street, a distance of 82.00 feet;

THENCE northeasterly parallel with Second Avenue, a distance of 293.00 feet to the center line of canal also known as 11th Street Basin (60 feet wide);

THENCE northwesterly along said center line a distance of 375.75 feet to Gowanus Canal, authorized – 100 feet wide – by Chapter 79, Laws of 1849;

THENCE southwesterly along Gowanus Canal a distance of 467.43 feet to the easterly side of Hamilton Avenue;

THENCE southerly along the easterly side of Hamilton Avenue, a distance of 189.50 feet;

THENCE easterly at a right angle to the easterly side of Hamilton Avenue a distance of 21.74 feet to the former southwesterly side of 13th Street;

THENCE along the former southwesterly side of 13th Street and at a right angle to the northwesterly side of Hamilton Avenue a distance of 285.80 feet to the northwesterly side of Hamilton Place;

THENCE northeasterly along the northwesterly side of Hamilton Place, a distance of 257.00 feet to the above referenced corner, the point or place of BEGINNING.

Exhibit B

[Certification of Parties-in-Interest on next page]

EXHIBIT "I"
 CERTIFICATION PURSUANT TO ZONING LOT
 SUBDIVISION C OF SECTION 12-10
 OF THE ZONING RESOLUTION OF DECEMBER 15, 1961
 OF THE CITY OF NEW YORK AS AMENDED
 EFFECTIVE AUGUST 18, 1977

FIRST AMERICAN TITLE INSURANCE COMPANY, A TITLE INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK AND HAVING ITS PRINCIPAL OFFICE AT 633 THIRD AVENUE, NEW YORK, NY 10017-3303, BY ITS AGENT **EAM LAND SERVICES, INC.**, HEREBY CERTIFIES THAT AS TO THE LAND HEREAFTER DESCRIBED BEING A TRACT OF LAND, EITHER UN-SUBDIVIDED OR CONSISTING OF TWO OR MORE LOTS OF RECORD, CONTIGUOUS FOR A MINIMUM OF TEN, LINEAR FEET, LOCATED WITHIN A SINGLE BLOCK IN THE SINGLE OWNERSHIP OF **HAMILTON PLAZA ASSOCIATES, L.P.**, THAT ALL THE PARTIES IN INTEREST CONSISTING OF A "PARTY IN INTEREST" AS DEFINED IN SECTION 12-10, SUBDIVISION (C) OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK, EFFECTIVE DECEMBER 15, 1961, AS AMENDED, ARE THE FOLLOWING:

NAME AND ADDRESSNATURE OF INTEREST

HAMILTON PLAZA ASSOCIATES, L.P.
 C/O SHERILU MANAGEMENT CORP. 172
 560 SYLVAN AVENUE, SUITE 200
 ENGLEWOOD CLIFFS, NY 07632

OWNER OF BLOCK 1007 LOT 172 AND
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

JPMORGAN CHASE BANK
 270 PARK AVENUE
 NEW YORK, NY 10017

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

BANK OF AMERICA, N.A.
 100 FEDERAL STREET
 BOSTON, MA 02110

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172

WILMINGTON TRUST COMPANY
 RODNEY SQUARE NORTH, 1100 NORTH MARKET STREET
 WILMINGTON, DE 19890

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172

U.S. BANK NATIONAL ASSOCIATION
 100 WALL STREET
 NEW YORK, NY 10005

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172

PEOPLES UNITED BANK
 250 PARK AVENUE
 NEW YORK, NY 10005

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

WELLS FARGO BANK, NATIONAL ASSOCIATION
 ONE BOSTON PLACE
 BOSTON, MA 02108

HOLDER OF MORTGAGE ON BLOCK 1007 LOT 172
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

DUNKIN' DONUTS OF NEW YORK INC.
 P.O. BOX 317
 RANDOLPH, MA 02368

LESSEE OF BLOCK 1007 LOT 172 AND
 BLOCK 1025 LOTS 1 AND 16

A&P REAL PROPERTY, LLC
 250 PARK AVENUE
 NEW YORK, NY 10005

LESSEE OF BLOCK 1007 LOT 172
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

THE COWARD SHOE, INC.
 16 EAST 34TH STREET
 NEW YORK, NY

LESSEE OF BLOCK 1007 LOT 172
 BLOCK 1025 LOTS 1, 16, 18, 20 AND 200

THE SUBJECT TRACT OF LAND WITH RESPECT TO WHICH THE FOREGOING PARTIES ARE THE PARTIES IN INTEREST AS AFORESAID, IS KNOWN AS **BLOCK 1007 LOT 172, BLOCK 1025 LOTS 1, 16, 18, 20, AND 200** ON THE TAX MAP OF THE CITY OF NEW YORK, **KINGS COUNTY**, AND MORE IN SCHEDULE A (ATTACHED)

THAT THE SAID PREMISES ARE KNOWN AS AND BY THE FOLLOWING STREET ADDRESSES:


- **BLOCK 1007 LOT 172: 1-37 12TH STREET, BROOKLYN, NY**
 - **BLOCK 1025 LOT 1: NO # GOWANUS CANAL, BROOKLYN, NY**
 - **BLOCK 1025 LOT 16: 42 12TH STREET, BROOKLYN, NY**
 - **BLOCK 1025 LOT 18: NO # 12TH STREET, BROOKLYN, NY**
 - **BLOCK 1025 LOT 20: NO # HAMILTON PLACE, BROOKLYN, NY**
 - **BLOCK 1025 LOT 200: NO # HAMILTON PLACE, BROOKLYN, NY**
- ALL AS SHOWN IN THE ATTACHED DIAGRAM (SCHEDULE B)

NOTE: A ZONING LOT MAY OR MAY NOT COINCIDE WITH A LOT AS SHOWN ON THE OFFICIAL MAP OF THE CITY OF NEW YORK, OR ON ANY RECORDED SUBDIVISION PLOT OR DEED. A ZONING LOT MAY BE SUBDIVIDED INTO TWO OR MORE ZONING LOTS PROVIDED ALL THE RESULTING ZONING LOTS AND ALL THE BUILDINGS THEREON SHALL COMPLY WITH THE APPLICABLE PROVISIONS OF THE ZONING LOT RESOLUTION.

THIS CERTIFICATE IS MADE FOR AND ACCEPTED BY THE APPLICANT UPON THE EXPRESS UNDERSTANDING THAT LIABILITY HEREUNDER IS LIMITED TO ONE THOUSAND (\$1,000.00) DOLLARS.

CERTIFIED THIS 2ND DAY OF SEPTEMBER, 2015 TO HAMILTON PLAZA ASSOCIATES, L.P. APPLICANT FOR THIS CERTIFICATION.


**FIRST AMERICAN TITLE
INSURANCE COMPANY
BY: EAM LAND SERVICES, INC.**



JEREMY S. BERLIN, ESQ.
COUNSEL

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

ON THE 2ND DAY OF SEPTEMBER, 2015, BEFORE ME, PERSONALLY APPEARED JEREMY S. BERLIN PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO THE INDIVIDUAL(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE INDIVIDUAL(S) OR THE PERSON UPON BEHALF OF WHICH THE INDIVIDUAL(S) ACTED, EXECUTED THE INSTRUMENT.



NOTARY PUBLIC - STATE OF NEW YORK

BRIAN MARUSCHAK
Notary Public, State of New York
No. 01MA6113126
Qualified in Queens County
Commission Expires July 19, 20 16

SCHEDULE A

DESCRIPTION OF PREMISES

Title No. **ALSS111418K**

ALL that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, being bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northwesterly side of Hamilton Place with the southwesterly side of 12th Street;

RUNNING THENCE northwesterly along the southwesterly side of 12th Street, a distance of 82.00 feet;

THENCE northeasterly parallel with Second Avenue, a distance of 293.00 feet to the center line of canal also known as 11th Street Basin (60 feet wide);

THENCE northwesterly along said center line a distance of 375.75 feet to Gowanus Canal, authorized – 100 feet wide – by Chapter 79, Laws of 1849;

THENCE southwesterly along Gowanus Canal a distance of 467.43 feet to the easterly side of Hamilton Avenue;

THENCE southerly along the easterly side of Hamilton Avenue, a distance of 189.50 feet;

THENCE easterly at a right angle to the easterly side of Hamilton Avenue a distance of 21.74 feet to the former southwesterly side of 13th Street;

THENCE along the former southwesterly side of 13th Street and at a right angle to the northwesterly side of Hamilton Avenue a distance of 285.80 feet to the northwesterly side of Hamilton Place;

THENCE northeasterly along the northwesterly side of Hamilton Place, a distance of 257.00 feet to the above referenced corner, the point or place of **BEGINNING**.

SCHEDULE B

DIAGRAM

Title No. ALSS111418K

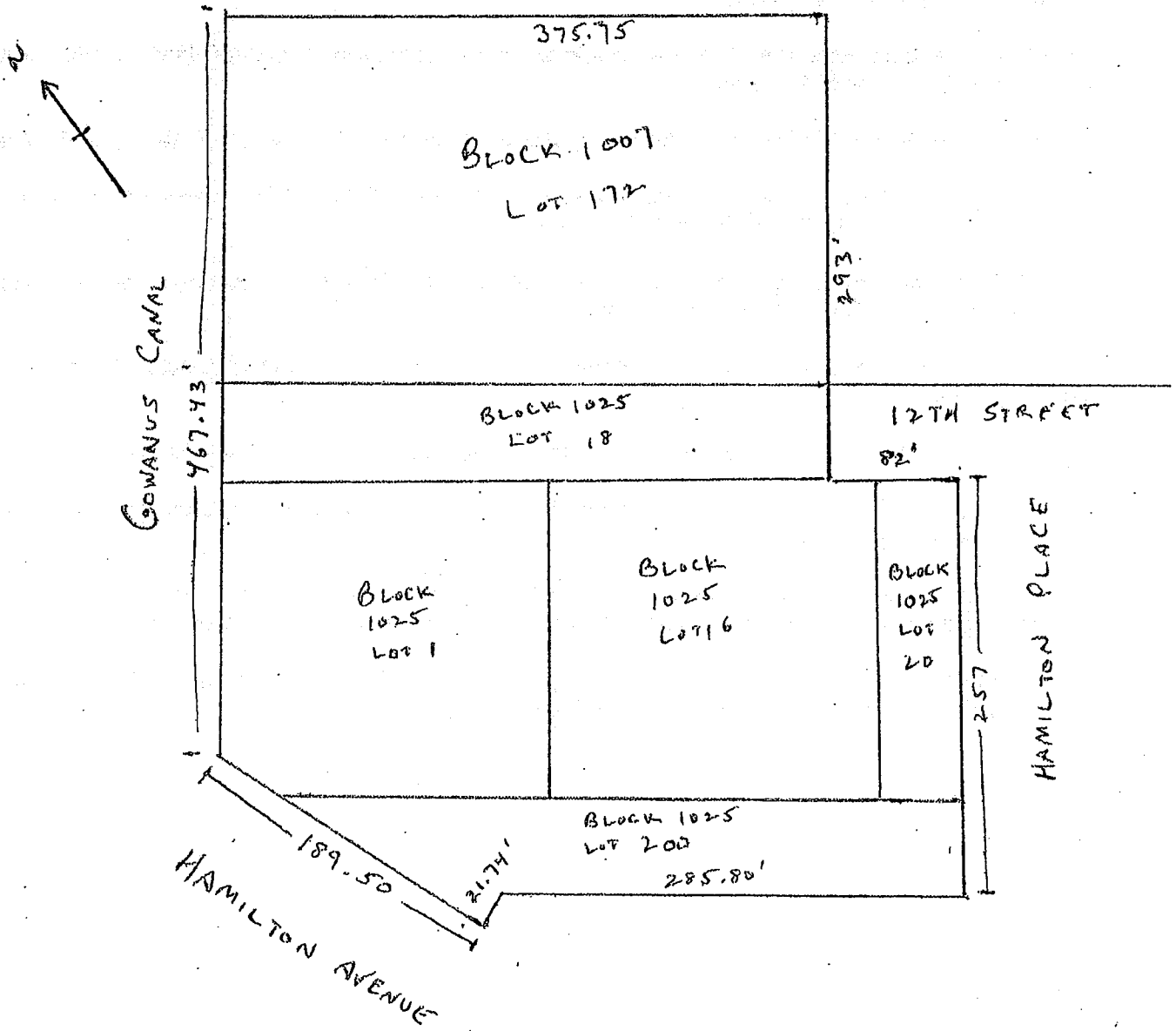


Exhibit C

[Plans on next page]

STREET DATA	1007	1025
Block	172	1, 16, 18, 20, 200
Street Address	1-37 12 th Street	
Zoning District	M1-2	
Community District	6	
Zoning Lot Area	184	
Zoning Lot Area	221,946 SF (Waterfront Zoning Lot)	

- Use of Required Action:**
- Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK)
 - CPC Chair Certification for waterfront public access and visual corridor requirements pursuant to Section 62-51.1
- Related Action:**
- Special Permit by the BSA (184-14-021) to allow the operation of a physical culture establishment (Retro Fitness) on the third floor

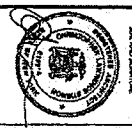
Zoning Section	Description	Required/Permitted	Existing to Remain	Proposed	Total	Notes/Compliance
42-30	USE5	US 4-14 & 16-17	UG 6A, 6B, & 16D	PCE*	UG 6A, 6B, 16D & PCE	Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK) Complies
43-12	FAR	Commercial=2.0 Community Facility=4.8	0.51	0.01	0.52	Complies
44-21	FLOOR AREA	221,946 * 2.0 = 443,892 S.F.	111,091 S.F.	2,364 S.F.*	113,455 S.F.	Complies *Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK) Complies
44-21	ACCESSORY OFF-STREET PARKING	UG 6A = 1 per 205 S.F. (44,493 S.F./205) = 217 spaces US 6B = 1 per 305 S.F. (18,940 S.F./305) = 62 spaces US 16D = (PCE-Q) 1 per 2,000 S.F. or 1 per 3 employees, whichever requires a lesser no. of spaces. 6 employees = 2 spaces Total Required = 354 Spaces Required	362 spaces, (Block 1025 lot 1, 16, 18, 20, 200) 44 spaces (Block 1025 lot 100) as per M 780389 ZSK.	PCE (1,364/300) = 8 spaces	362 spaces	Complies *Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK) Complies
44-52	REQUIRED OFF-STREET LOADING	Commercial uses (UG 6A) = 3 required F14 8,000 = None None 17,000 = 1 None 15,000 = 1 None 40,000 = 1 Each additional 150,000 or fraction thereof = 1 (44,900 S.F. = 3 berth) Commercial uses (UG 6B) = 1 required F14 25,000 = None None 75,000 = 1 None 200,000 = 1 Each additional 300,000 or fraction thereof = 1 80,388 S.F. = 1 berth Expenditure (UG 16D) = 2 required None 17,000 = None None 17,000 = 1 None 15,000 = 1 None 20,000 = 1 Each additional 80,000 or fraction thereof = 1 27,652 S.F. = 2 berths	3 loading berths	1 loading berth increase due to introduction of PCE (6,358 S.F.)	6 loading berths	Complies (M 780389 ZSK)
62-51	Visual Corridor and Waterfront Public Access Area Requirements	Exemption for change of use within existing buildings or other structures Visual Corridor pursuant to 62-51(c) not required if change of use is not a change of use, and the elimination does not result in a condition whereby visual corridors through the zoning lot or to either side of the zoning lot are more than 600 feet apart and the change of use is within the existing building. Exemption for enlargement and change of use which in the aggregate involve an increase in floor area of less than 50% of the amount existing on the zoning lot on October 25, 1995, and not more than 20,000 SF (110,943 SF - 50% = 55,471 SF)	Existing Floor Area in 10/25/95 = 116,643 SF	NA	NA	* CPC Chair Certification for waterfront public access and visual corridor requirements pursuant to Section 62-51.1 * Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK) * Charge of use (3 rd floor) and (13,994 SF + 2,364 SF) = 16,358 SF < 50,000 SF 16,358 SF < 20,000 SF

Floor Area Schedule	Existing (GRA)		Proposed (GRA)		Floor Area (S.F.)		Total (ZFA)	Parking
	Existing	Proposed	Existing	Proposed	Existing (ZFA)	Proposed (ZFA)		
1 st Floor	UG 6B (Retail)	26,390 S.F.	UG 6A	24,888 S.F.	26,395 S.F.	24,888 S.F.	83	
1 st Floor	UG 6A (Shops/retail)	2,098 S.F.	UG 6B (Retail)	1,509 S.F.	1,509 S.F.	1,509 S.F.	9	
2 nd Floor	UG 6B (Retail)	14,550 S.F.	UG 6A (Shops/retail)	14,550 S.F.	13,994 S.F.	13,994 S.F.	47	
3 rd Floor	UG 16D (Warehouse)	14,550 S.F.	PCE	2,364 S.F.	13,994 S.F.	13,994 S.F.	1	8 spaces
Mezzanine	UG 16D (Warehouse)	14,337 S.F.	PCE	2,364 S.F.	13,658 S.F.	13,658 S.F.	1	8 spaces
Total		116,643 S.F.		2,364 S.F.	111,091 S.F.	2,364 S.F.	113,455 S.F.	362 spaces

* Proposed Change of Use pursuant to Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK)
* Enlargement pursuant to Modification to the previously approved Special Permit and Restrictive Declaration (C 780389 ZSK)

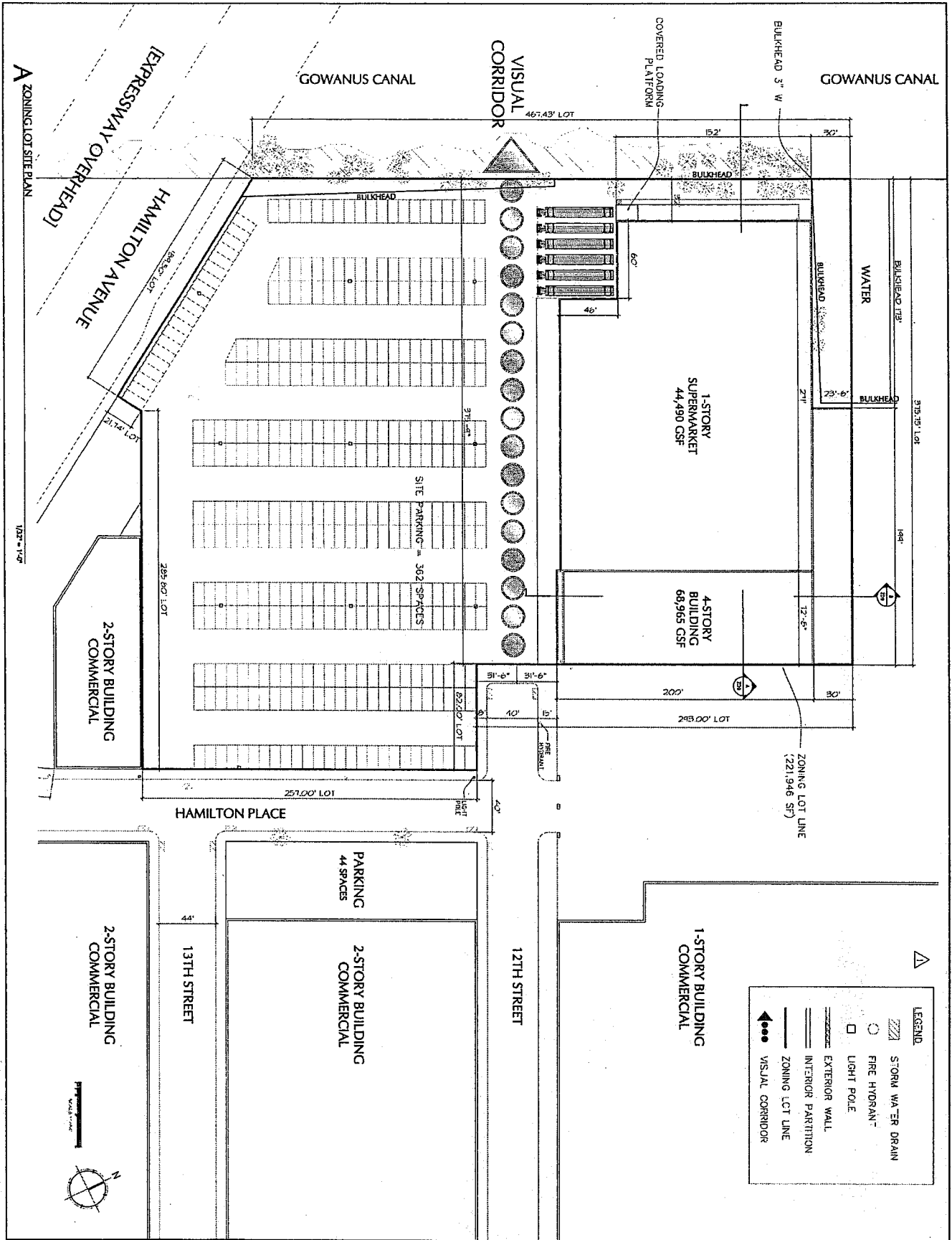
URBAN MATRIX
ARCHITECTURE AND PLANNING
136 Fort Greene Place
Brooklyn, NY 11217 USA

HAMILTON PLAZA
BLOCK 1007 LOT: 172
BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
1-37 12TH STREET
BROOKLYN, NY 11215



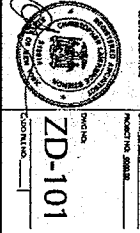
DRAWING
ZONING CALCULATIONS
DATE: 7/21/15
DRAWING NO: ZD-100

REV	DATE	DESCRIPTION
1	7/21/15	DCP COMMENTS
2	6/6/15	DCP COMMENTS



LEGEND

- STORM WATER DRAIN
- FIRE HYDRANT
- LIGHT POLE
- EXTERIOR WALL
- INTERIOR PARTITION
- ZONING LOT LINE
- VISUAL CORRIDOR



ZONING LOT SITE PLAN

DATE: 7/9/15
 DRAWN BY: [Name]
 CHECKED BY: [Name]

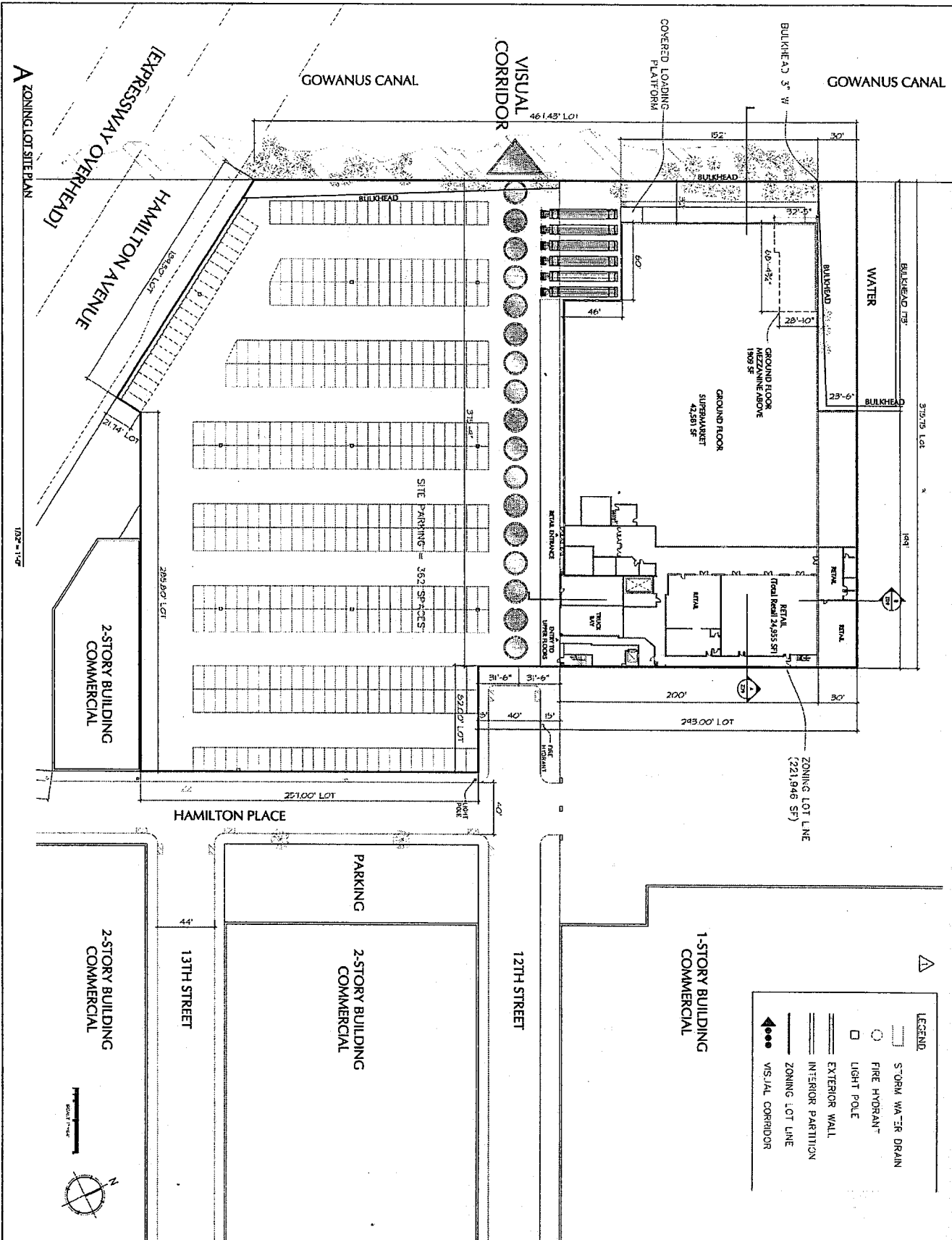
REV	DATE	DESCRIPTION
1	7/9/15	DCP COMMENTS

HAMILTON PLAZA

BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 20, AND 200

1-37 12TH STREET
 BROOKLYN, NY 11215

URBAN MATRIX
 ARCHITECTURE AND PLANNING
 136 Fort Greene Place
 Brooklyn, NY 11217 USA



LEGEND

- STORM WATER DRAIN
- FIRE HYDRANT
- LIGHT POLE
- EXTERIOR WALL
- INTERIOR PARTITION
- ZONING LOT LINE
- VISUAL CORRIDOR

URBAN MATRIX
 ARCHITECTURE AND PLANNING
 136 Fort Greene Place
 Brooklyn, NY 11217 USA

HAMILTON PLAZA
 BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
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 BROOKLYN, NY 11215

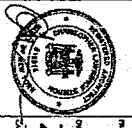
REV	DATE	DESCRIPTION
1	7/31/15	DCP COMMENTS

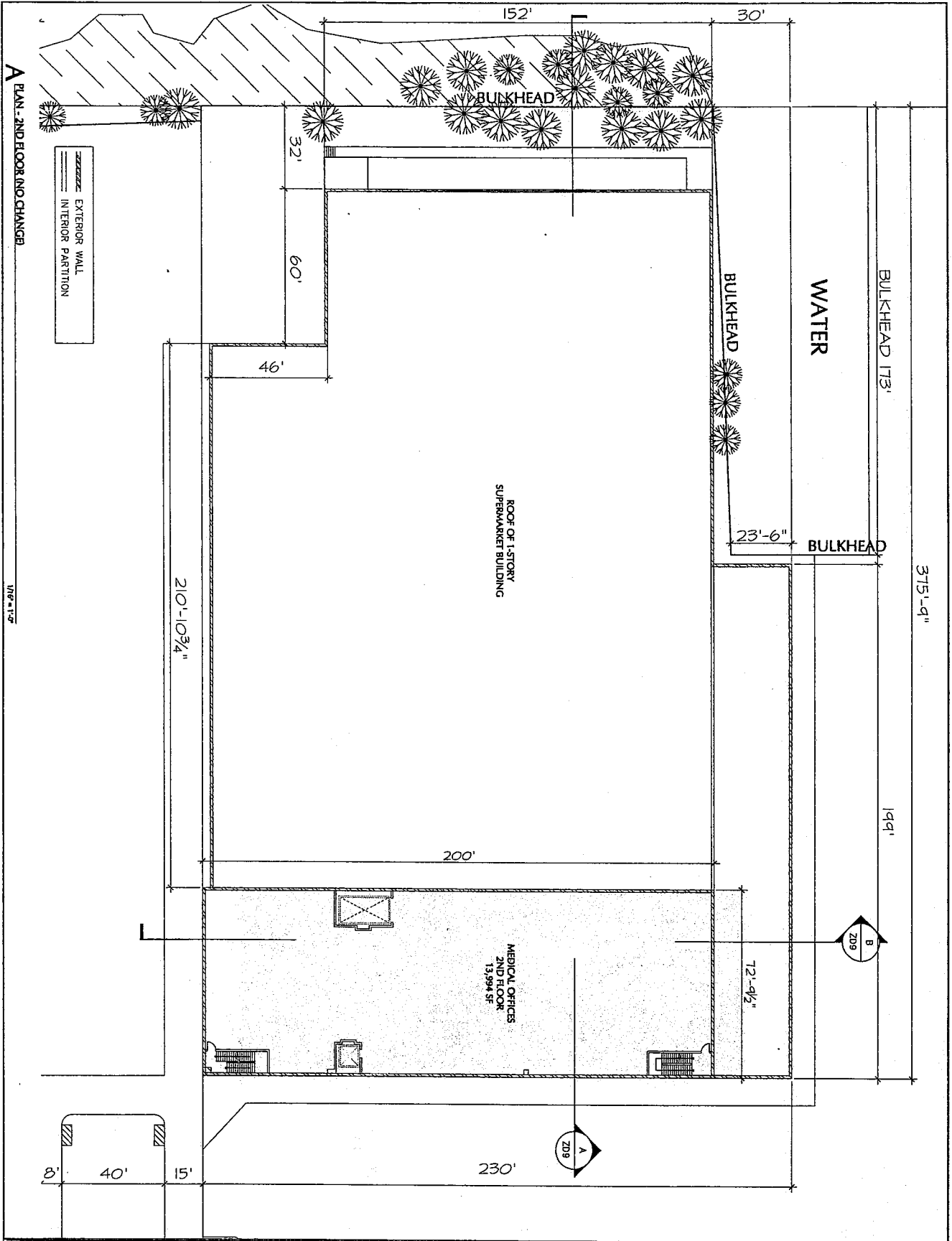
DRAWING

GROUND FLOOR PLAN

SCALE: 1/8" = 1'-0"

ZD-102





A PLAN - 2ND FLOOR (NO CHANGE)

1/16" = 1'-0"

EXTERIOR WALL
INTERIOR PARTITION

HAMILTON PLAZA
 BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
 1-37 12TH STREET
 BROOKLYN, NY 11215

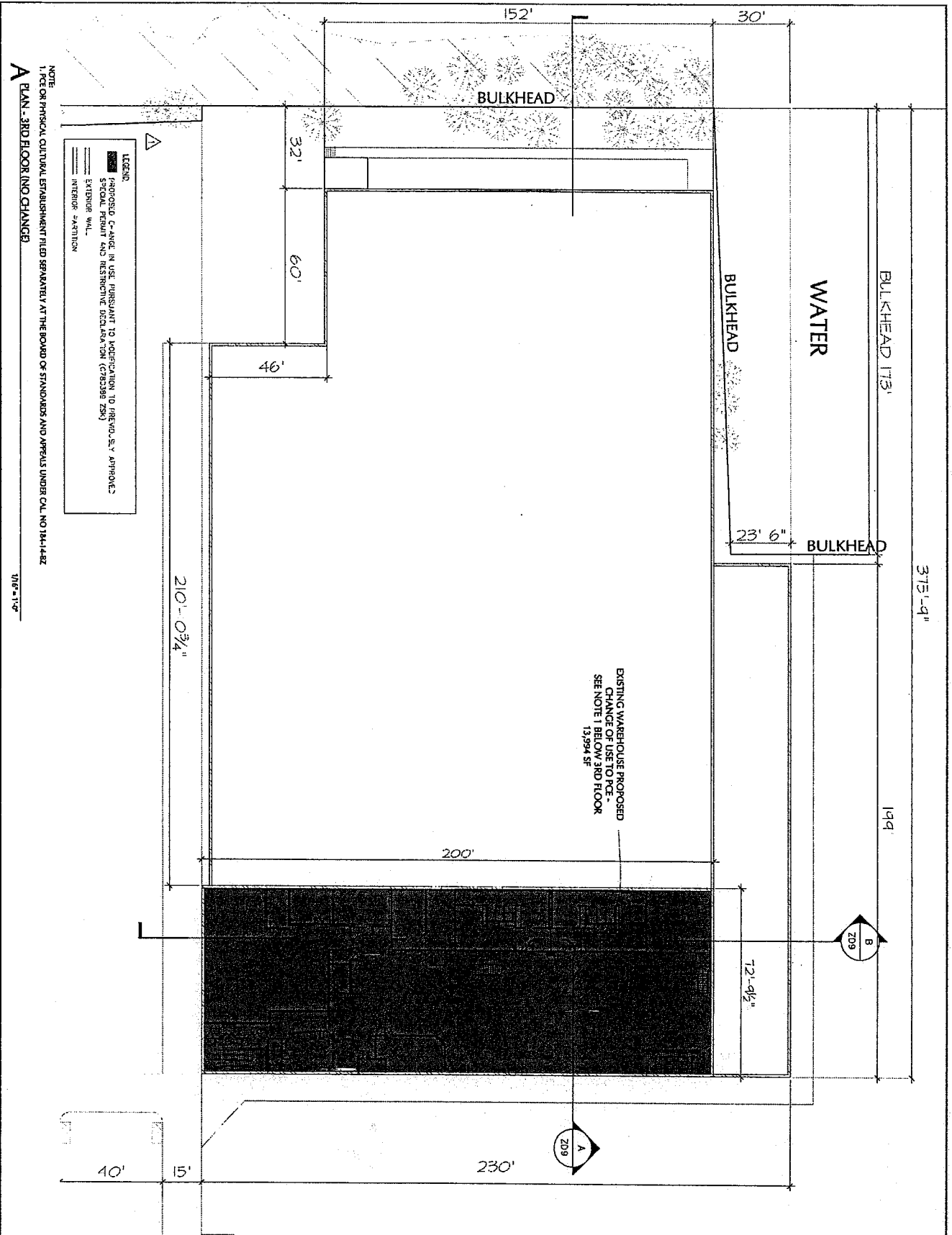
URBAN MATRIX
 ARCHITECTURE AND PLANNING
 136 Fort Greene Place
 Brooklyn, NY 11217 USA
 ZD5 - ZONING DIAGRAM

ZD-103

DRAWING

2ND FLOOR PLAN

REV	DATE	DESCRIPTION
1	7/21/15	DCP COMMENTS



NOTE:
1. REFER TO PHYSICAL CULTURAL ESTABLISHMENT FILED SEPARATELY AT THE BOARD OF STANDARDS AND APPEALS UNDER C.A. NO. 184-148Z
A PLAN - 3RD FLOOR (NO CHANGE)

LEGEND

- PROPOSED CHANGE IN USE PURSUANT TO APPLICATION TO BORO. S.U.'S APPROVED
- EXTERIOR WALL
- INTERIOR PARTITION

EXISTING WAREHOUSE PROPOSED
CHANGE OF USE TO PCE -
SEE NOTE 1 BELOW 3RD FLOOR
13,994 SF

DATE: 7/20/15
PROJECT NO. 10881
DRAWING NO. ZD-104

3RD FLOOR PLAN

REV	DATE	DESCRIPTION
1	7/20/15	DCP COMMENTS

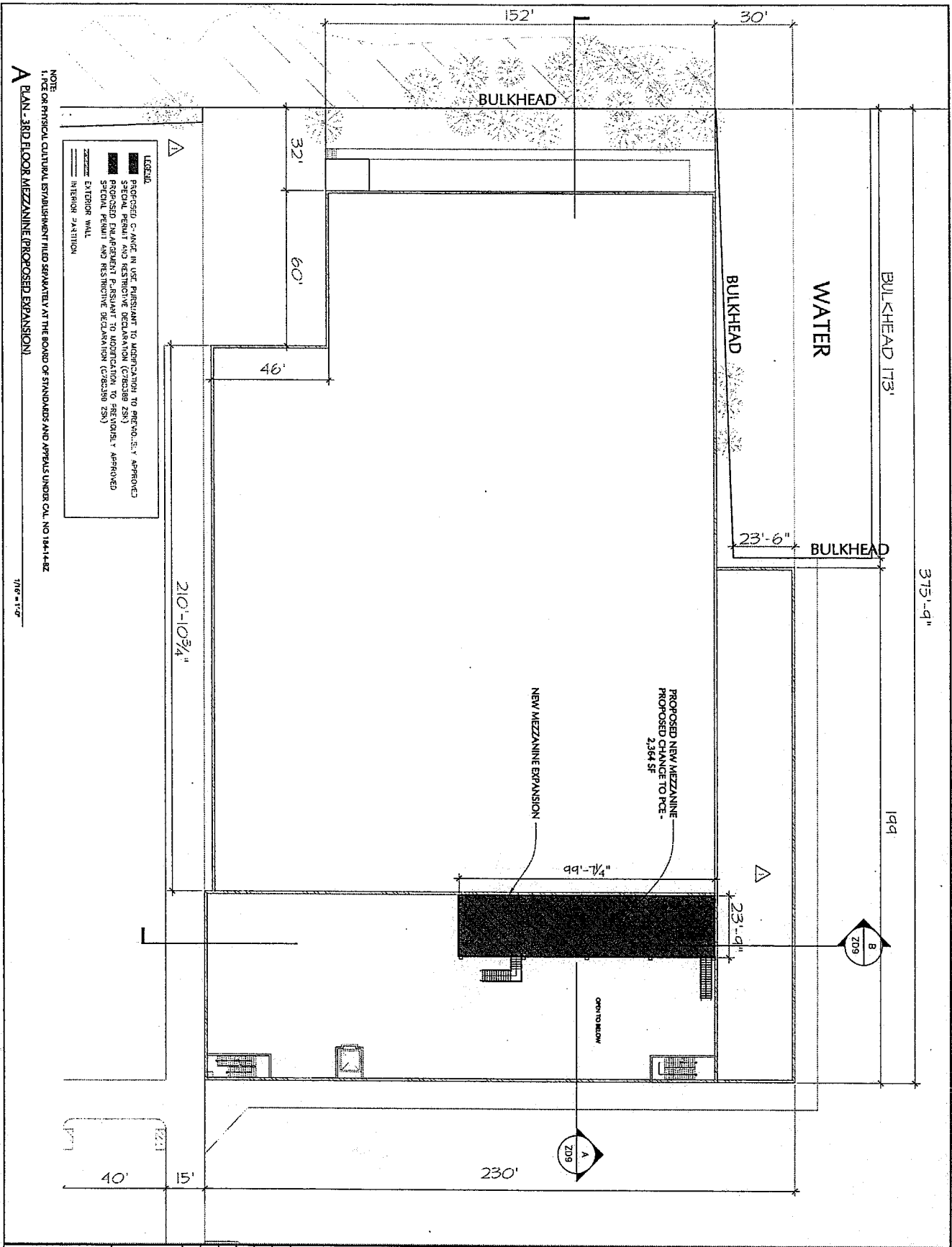
DRAWING

HAMILTON PLAZA
BLOCK 1007 LOT: 172
BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200

1-37 12TH STREET
BROOKLYN, NY 11215

URBAN MATRIX
ARCHITECTURE AND PLANNING
136 Fort Greene Place
Brooklyn, NY 11217 USA

ZD6 - ZONING DIAGRAM



NOTE:
 1. PCE OR PHYSICAL CULTURAL ESTABLISHMENT FILED SEPARATELY AT THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 184-1+8Z

A PLAN - 3RD FLOOR MEZZANINE (PROPOSED EXPANSION)

1/16" = 1'-0"

LEGEND

[Symbol]	PROPOSED CHANGE IN USE PURSUANT TO MODIFICATION TO PREVIOUSLY APPROVED SPECIAL PERMIT AND RESTRICTIVE DECLARATION (C78C388 ZSN)
[Symbol]	PROPOSED ENGAGEMENT PURSUANT TO MODIFICATION TO PREVIOUSLY APPROVED SPECIAL PERMIT AND RESTRICTIVE DECLARATION (C78C388 ZSN)
[Symbol]	EXTERIOR WALL
[Symbol]	INTERIOR PARTITION

3RD FLOOR MEZZANINE PLAN

DATE: 7/21/15
 PROJECT NO: 2008
 DRAWING NO: ZD-105

SCALE: 1/16" = 1'-0"

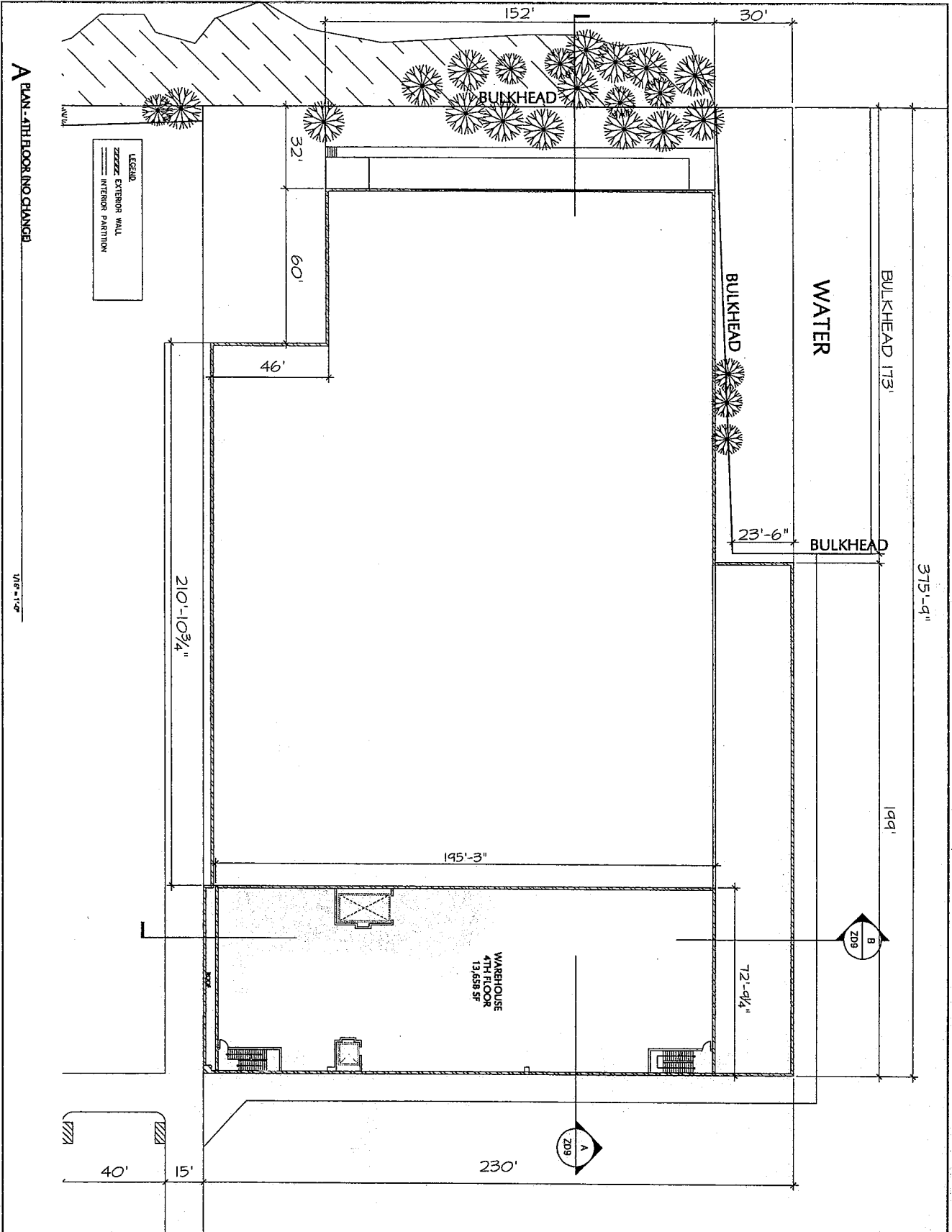
REV	DATE	DESCRIPTION
1	7/21/15	DCP COMMENTS

DRAWING

HAMILTON PLAZA
 BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
 1-37 12TH STREET
 BROOKLYN, NY 11215

URBAN MATRIX
 ARCHITECTURE AND PLANNING
 136 Fort Greene Place
 Brooklyn, NY 11217 USA

ZD7 - ZONING DIAGRAM



A PLAN - 4TH FLOOR (NO CHANGE)

LEGEND
 ZZZZ EXTERIOR WALL
 _____ INTERIOR PARTITION

1/8" = 1'-0"

URBAN MATRIX

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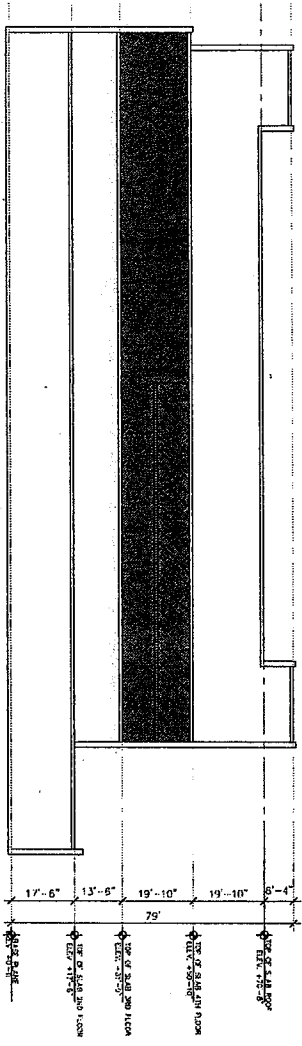
ZDB - ZONING DIAGRAM

HAMILTON PLAZA
 BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
 1-37 12TH STREET
 BROOKLYN, NY 11215

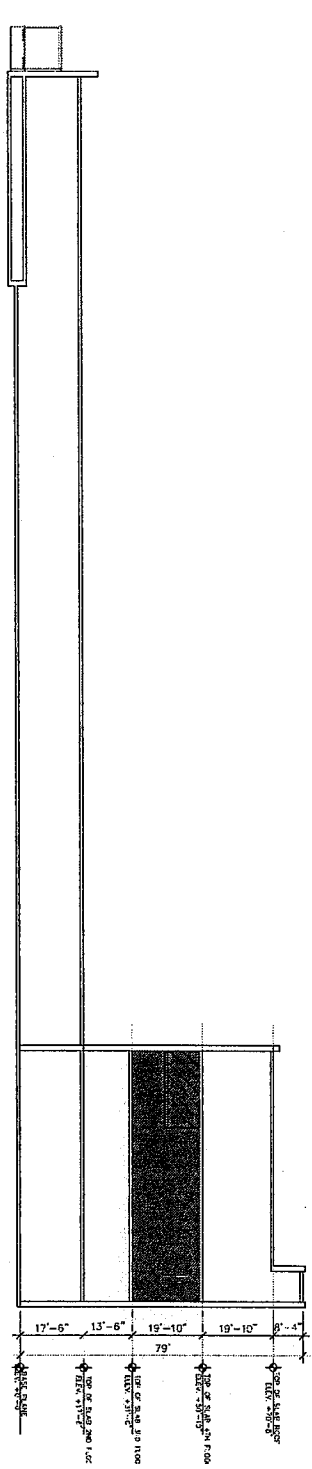
REV	DATE	DESCRIPTION
1	7/21/15	DCP COMMENTS

4TH FLOOR PLAN

LEGEND
 [Hatched Box] PROPOSED CHANGE IN USE PURSUANT TO MODIFICATION TO PREVIOUSLY APPROVED SPECIAL PERMIT AND RESTRICTIVE DECLARATION (CROSS HATCH)
 [Solid Black Box] PROPOSED EMBLEM PURSUANT TO MODIFICATION TO PREVIOUSLY APPROVED SPECIAL PERMIT AND RESTRICTIVE DECLARATION (CROSS HATCH)



B SECTION B-B
 1/8" = 1'-0"



A SECTION A-A
 1/8" = 1'-0"

URBAN MATRIX
 ARCHITECTURE AND PLANNING
 136 Fort Greene Place
 Brooklyn, NY 11217 USA

HAMILTON PLAZA
 BLOCK 1007 LOT: 172
 BLOCK: 1025 LOT: 1, 16, 18, 20, AND 200
 1-37 12TH STREET
 BROOKLYN, NY 11215

ZD9 - ZONING DIAGRAM

REV	DATE	DESCRIPTION
1	7/9/15	DCP COMMENTS

DRAWING
 BUILDING SECTIONS
 DATE: 7/9/15
 PROJECT NO: 1007
 DIVISION: ZONING
ZD-107
 DRAWING NO.



