# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON ZONING AND FRANCHISES**

**L.U. Nos. 674 through 677**

**(Res. Nos. 1455 through 1458)**

**By Council Members Salamanca and Moya**

## SUBJECT

**BROOKLYN CB-7 – FOUR APPLICATIONS RELATED TO INDUSTRY CITY**

**C 190296 ZMK (L.U. No. 674)**

 City Planning Commission decision approving an application submitted by 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16b:

1. changing from an M3-1 District to an M2-4 District property bounded by:
	1. 32nd Street and its northwesterly centerline prolongation, 3rd Avenue, 36th Street, a line 100 feet northwesterly of 3rd Avenue, 37th Street, and 2nd Avenue; and
	2. 39th Street, 2nd Avenue, 41st Street and its northwesterly centerline prolongation, a line 245 feet northwesterly of 1st Avenue, the northwesterly centerline prolongation of former 40th Street, and a line 560 feet northwesterly of 1st Avenue; and
2. establishing a Special Industry City District (IC) bounded by:
	1. 32nd Street and its northwesterly centerline prolongation, 3rd Avenue, a line 45 feet northeasterly of 37th Street, a line 100 feet northwesterly of 3rd Avenue, 37th Street, and 2nd Avenue; and
	2. 39th Street, 2nd Avenue, 41st Street and its northwesterly centerline prolongation, a line 245 feet northwesterly of 1st Avenue, the northwesterly centerline prolongation of former 40th Street, and a line 560 feet northwesterly of 1st Avenue;

as shown on a diagram (for illustrative purposes only) dated October 28, 2019, and subject to the conditions of CEQR Declaration E-527.

**C 190297 ZSK (L.U. No. 675)**

 City Planning Commission decision approving an application submitted by 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 129-21 of the Zoning Resolution to modify:

1. the use regulations of Section 42-10 (Uses Permitted As-Of-Right); and
2. the bulk regulations of Section 43-12 (Maximum Floor Area Ratio), Section 43-20 (Yard Regulations), and Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks);

in connection with a proposed commercial use development involving one or more zoning lots, planned as a unit and comprise an area of at least 1.5 acres, on properties generally bounded by 2nd Avenue, the northwesterly centerline prolongation of 32nd Street, 3rd Avenue, and 37th Street (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1 & 44; Block 695, Lots 1, 20, 37, 38, 39, 40, 41, 42 & 43), and 39th Street, 2nd Avenue, 41st Street and its northwesterly centerline prolongation, a line 245 feet northwesterly of 1st Avenue, the northwesterly centerline of former 40th Street, and a line 560 feet northwesterly of 1st Avenue (Block 706, Lots 1, 20, 24 & 101; Block 710, Lot 1), in M1-2 and M2-4 Districts, within the Special Industry City District.

**N 190298 ZRK (L.U. No. 676)**

 City Planning Commission decision approving an application submitted by 1-10 Bush Terminal Owner L.P. and 19-20 Bush Terminal Owner L.P., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Industry City District (ARTICLE XII, Chapter 9) and modifying related sections.

**C 160146 MMK (L.U. No. 677)**

 City Planning Commission decision approving an application submitted by 19-20 Bush Terminal Owner LP, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

• the elimination, discontinuance and closing of 40th Street between First and Second Avenues;

• the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 7, Borough of Brooklyn, accordance with Map Nos. X-2750 and V-2751 dated November 26, 2018 and signed by the Borough President.

## INTENT

 To approve an amendment to map the Special Industry City District (“SICD”) and rezone the vast majority of the project area from M3-1 to M2-4/IC and a small portion (Block 695, Lots 37-43) of the project area from M1-2 to M1-2/IC; grant an approval of the special permit pursuant to ZR Section 129-21 to modify Sections 11-42 and 11-43 Lapse/Renewal of Authorization or Special Permit, Section 42-10 Uses Permitted As-of-Right, Sections 42-272 & 42-275 Performance Standards, Section 43-10 Floor Area Regulations, Section 43-20 Yard Regulations, and Section 43-40 Height and Setback Regulations; amend zoning text to establish the Special Industry City District (“SICD”) and Special Permit and also modify the following sections of the ZR Section 11-122 (Districts Established), Section 12-10 (Definitions), Section 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes are Permitted) and Section 62-13 (Applicability of District Regulation (within Special Regulations Applying in the Waterfront Area); and amend to the City Map change to eliminate, discontinue, close 40th Street between First and Second Avenues, and including acquisition and disposition to facilitate continued development of the Industry City complex as a mixed-use manufacturing, commercial, and academic “innovation economy” cluster in Sunset Park neighborhood of Brooklyn, Community District 7.

## PUBLIC HEARING

 **DATE:** September 15, 2020

 **Witnesses in Favor:** Thirty-six **Witnesses Against:** Seventy-two

 **Undecided:** One

## SUBCOMMITTEE RECOMMENDATION

 **DATE:** October 14, 2020

 The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the applications by the Applicant on L.U. Nos. 674 through 677.

**In Favor: Against: Abstain:**

Moya None None

Levin

Richards

Lancman

Reynoso

Grodenchik

Rivera

**COMMITTEE ACTION**

 **DATE:** October 14, 2020

 The Committee recommends that the Council approve the attached resolutions.

**In Favor: Against: Abstain:**

## Salamanca None None

Barron

Deutsch

Koo

Lancman

Levin

Miller

Reynoso

Richards

Treyger

Grodenchik

Adams

Ayala

Diaz

Moya

Rivera