



Legislation Details (With Text)

**File #:** Res 0048-2022      **Version:** \*      **Name:** LU 4 - Zoning, 749 Van Sinderen Avenue Rezoning, Brooklyn (N 210286 ZRK)  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Land Use

**On agenda:** 2/24/2022

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210286 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 4).

**Sponsors:**

**Indexes:**

**Attachments:** 1. January 20, 2022 - Stated Meeting Agenda, 2. Hearing Transcript - Stated Meeting 1-20-22, 3. Minutes of the Stated Meeting - January 20, 2022, 4. Calendar of the Zoning Subcommittee Meeting - January 21, 2022, 5. Hearing Transcript - Zoning 1-21-22, 6. Calendar of the Subcommittee Meetings and Land Use Meeting - February 16 and 17, 2022, 7. February 24, 2022 - Stated Meeting Agenda, 8. Hearing Transcript - Stated Meeting 2-24-22, 9. Minutes of the Stated Meeting - February 24, 2022, 10. City Planning Commission Approval Letter, 11. Committee Report, 12. Res. No. 48

Date	Ver.	Action By	Action	Result
2/17/2022	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
2/24/2022	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 48**

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210286 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 4).**

**By Council Members Salamanca and Riley**

WHEREAS, ENY Community Residences, LLC, 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area, which in conjunction with the related action would facilitate the development of a new nine-story 103,000-square-foot mixed-use building containing 119 affordable dwelling units and approximately 13,000 square feet of commercial floor area located at 749 Van Sinderen Avenue in the East New York neighborhood of Brooklyn, Community District 5 (Application No. N 210286 ZRK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 4, 2022, its decision dated December 15, 2021 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210285 ZMK (L.U. No. 3), a zoning map amendment to change an M1-1 zoning district to a C4-4L zoning district;

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 January 21, 2022;

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 Conditional Negative Declaration issued November 6<sup>th</sup>, 2021 (CEQR No. 21DCP147K) in which the Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-632) (the “Conditional Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-632) and Conditional 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 210286 ZRK, 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 double struck out is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council
- Matter within # # is defined in Section 12-10;
- \* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**APPENDIX F  
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**

\* \* \*

**Brooklyn Community District 5**

\* \* \*

Map 2 - [December 15, 2021]

[PROPOSED MAP]



Mandatory Inclusionary Housing area (see Section 23-154(d)(3))

Area # - [date of adoption] MIH Program Option 1 and Option 2 Deep Affordability Option

Portion of Community District 5, 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 \_\_\_\_\_, 2022, on file in this office.

City Clerk, Clerk of The Council