



## Legislation Text

**File #:** Res 2071-2013, **Version:** \*

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2071

Resolution approving the decision of the City Planning Commission for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear Yards and Waterfront Yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a), Borough of Brooklyn (Non-ULURP No. N 140020 ZAK; L.U. No. 974).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by Greenpoint Landing Associates, LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear Yards and Waterfront Yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a), Community District 1, Borough of Brooklyn (Non-ULURP No. N 140020 ZAK) (the "Application");

WHEREAS, the application is related to Applications C 140019 HAK (L.U. No. 971), an Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space; N 140028 ZRK (L.U. 972), a Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school; N 140022 ZAK (L.U. 973), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 on Zoning Lot 5b-1; and Application No. 20145125 SCK (L.U. No. 990), a new, approximately 640-Seat primary/intermediate school facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 2013;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822 (a)(1) of the Zoning Resolution of the City of New York;

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 and the revised negative declaration (CEQR No. 14DCP004K), issued on November 6, 2013 (the “Revised Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Negative Declaration.

Pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140020 ZAK, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The development that is the subject of this application (N 140020 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following approved plans, prepared by Handel Architects LLP and James Corner Field Operations, and filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	ULURP Master Plan	07-15-2013
G-050.00	Survey	07-08-2013
L-001.00	WPAA Diagram	07-08-2013
L-101.00	Zoning Calculations Chart 1	07-08-2013
L-102.00	Zoning Calculations Chart 2	07-08-2013
L-103.00	Zoning Calculations Chart 3	07-19-2013
L-104.00	Zoning Calculations Chart 4	07-08-2013
L-110.00	WPAA Layout Plan	07-08-2013
L-120.00	Material Plan	07-08-2013
L-130.00	Seating Plan	07-08-2013
L-131.00	Seating Schedule	07-08-2013
L-140.00	Furnishing and Signage Plan	07-08-2013
L-150.00	Planting Plan (Trees)	07-08-2013
L-151.00	Planting Plan (Grasses + Perennials + Vines)	07-08-2013
L-160.00	Lighting Plan	07-19-2013
L-165.00	Lighting Plan Photometrics	07-08-2013
L-170.00	Grading Plan	07-08-2013
L-180.00	WPAA Layout Enlargement Plan	07-08-2013
L-210.00	Site Details - Paving & Edging	07-08-2013
L-211.00	Site Details - Paving & Edging	07-08-2013
L-220.00	Site Details - Steps and Walls	07-08-2013
L-230.00	Site Details - Guardrails and Handrails	07-08-2013

L-231.00	Site Details - Fence + Gate	07-08-2013
L-240.00	Site Details - Furnishing	07-08-2013
L-241.00	Site Details - Furnishing	07-08-2013
L-242.00	Site Details - Furnishing	07-08-2013
L-243.00	Site Details - Furnishing	07-08-2013
L-244.00	Site Details - Furnishing	07-08-2013
L-250.00	Site Details - Lighting	07-08-2013
L-260.00	Site Details - Planting	07-08-2013
L-270.00	Site Details - Signage	07-08-2013
L-271.00	Site Details - Signage	07-08-2013
L-300.00	Site Sections- Section through Franklin Street V.C.	07-08-2013
L-301.00	Site Sections 1	07-08-2013
L-302.00	Site Sections 2	07-08-2013
L-303.00	Site Section 3	07-08-2013

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related application for UDAAP approval (C 140019 HAK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, King County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the authorization hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this authorization.

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 December 10, 2013, on file in this office.

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City Clerk, Clerk of The Council