



Legislation Text

File #: Res 2069-2013, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2069

Resolution approving the decision of the City Planning Commission on Application No. N 140028 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools in Community District 1, Borough of Brooklyn (L.U. No. 972).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on November 28, 2013 its decision dated November 6, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools (Application No. N 140028 ZRK), Community District 1, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications N 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 140022 ZAK (L.U. No. 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; N 140020 ZAK (L.U. No. 974), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas; and Applicatin 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 197-d(b)(1) of the City Charter;

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

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, issued on November 6, 2013 (CEQR No. 14DCP004K).

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 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 this report, N 140028 ZRK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within ## is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution

Article 1

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10

ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCORPORATION OF MAPS

* * *

11-13

Public Parks

District designations indicated on #zoning maps# do not apply to #public parks#, except as set forth in Section 105-91 (Special District Designation on Public Parks) and in paragraph (c) of Section 62-351 (Special floor area regulations). In the event that a #public park# or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks and Recreation, no building permit shall be issued, nor shall any #use# be permitted on such former #public park# or portion thereof, until a zoning amendment designating a zoning district therefore has been adopted by the City Planning Commission and has become effective after submission to the City Council in accordance with the provisions of Section 71-10

(PROCEDURE FOR AMENDMENTS).

* * *

Article IV
Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-35
Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# in #Inclusionary Housing designated areas# in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351
Special floor area regulations

* * *

(c) Special regulations for Parcel 5e within Waterfront Access Plan BK-1

On Parcel 5e within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential floor area# based on the #residential floor area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). Floor space within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

(d) Special regulations for Parcel 5d within Waterfront Access Plan BK-1

On Parcel 5d within Waterfront Access Plan BK-1, up to 120,000 square feet of floor space within a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempt from the definition of #floor area# and from #lot coverage# requirements for the purposes of calculating the permitted #floor area ratio# and #lot coverage# for #community facility

uses# and the maximum #floor area ratio# and total permitted #lot coverage# of the #zoning lot#.

* * *

62-354

Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified, as follows:

* * *

(j) On Parcel 5d, the provisions of paragraphs (c)(1) and (c)(2) shall be modified for public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, as follows:

(1) the maximum base height provisions of paragraph (c)(1) shall not apply; and

(2) the maximum #building# height provisions of paragraph (c)(2) shall be modified to permit a maximum #building# height of 100 feet or six #stories#, whichever is less.

62-355

Special yard regulations

On Parcel 5d within Waterfront Access Plan BK-1, the #yard# provisions of Section 24-36 (Minimum Required Rear Yards) shall not apply to public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

* * *

62-90

WATERFRONT ACCESS PLANS

* * *

62-93

Borough of Brooklyn

* * *

62-931

Waterfront Access Plan BK-1: Greenpoint-Williamsburg

Maps BK-1a through BK-1c in paragraph (f) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on May 11, 2005, as follows:

* * *

- Parcel 5a: Block 2472, Lot 100
- Parcel 5b: Block 2472, Lot 32, south of the prolongation of the northern #street line# of DuPont Street
Block 2494, Lot 6
- Parcel 5c: Block 2472, Lot 2
~~Block 2494, Lot 1~~
Block 2502, Lot 1
Block 2510, Lot 1
Block 2520, Lot 57
- Parcel 5d: Block 2494, Lot 1
- Parcel 5e: Block 2472, Lot 32, north of the prolongation of the northern #street line# of DuPont Street
- Parcel 6: Block 2472, Lot 75

* * *

(d) Special public access provisions by parcel

The provisions of Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map BK-1b in paragraph (f) of this Section:

- (1) Parcels 1 and 2

* * *

- (4) Parcel 5b

The portion of Block 2472, Lot 32, located within Parcel 5b shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

- ~~(4)~~(5) Parcel 5c

(ii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided on Parcel 5c. A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, one shade tree shall be required for each 1,000 square feet of #supplemental public access area#, but in no event shall more than four shade trees be required. A shading element may be substituted for the required shade trees at a rate of 450 square feet of shade element per tree.

The total #lot area# utilized in the calculation of required #supplemental public access area# for Parcel 5c, pursuant to Section 62-57, shall include the #lot area# within Parcel 5d.

(6) Parcel 5e

The portion of Block 2472, Lot 32, located within Parcel 5e shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

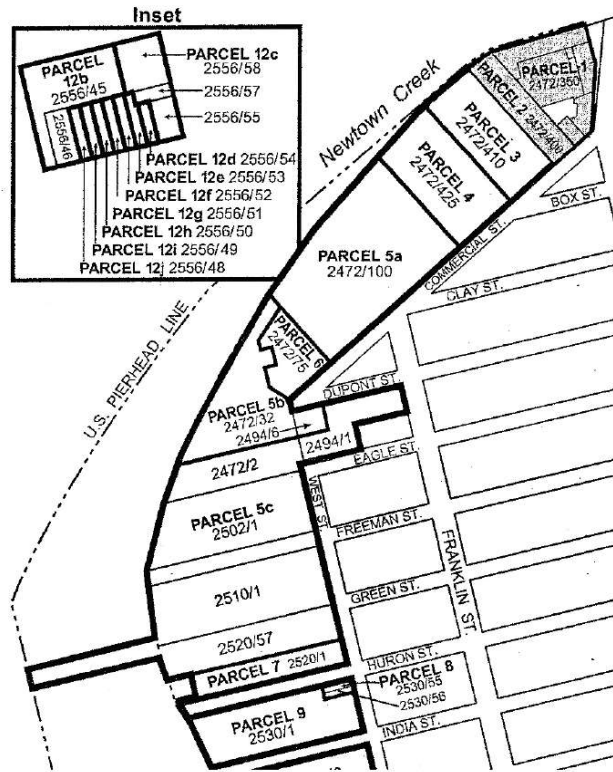
(5) <u>(7)</u>	Parcel 7	*	*	*
(6) <u>(8)</u>	Parcels 9, 10 and 11	*	*	*
(7) <u>(9)</u>	Parcel 13	*	*	*
(8) <u>(10)</u>	Parcel 14	*	*	*
(9) <u>(11)</u>	Parcel 15	*	*	*
(10) <u>(12)</u>	Parcels 19, 20, 21 and 22	*	*	*
(11) <u>(13)</u>	Parcel 25	*	*	*
(12) <u>(14)</u>	Parcel 26	*	*	*

(13)(15) Parcel 27

* * *

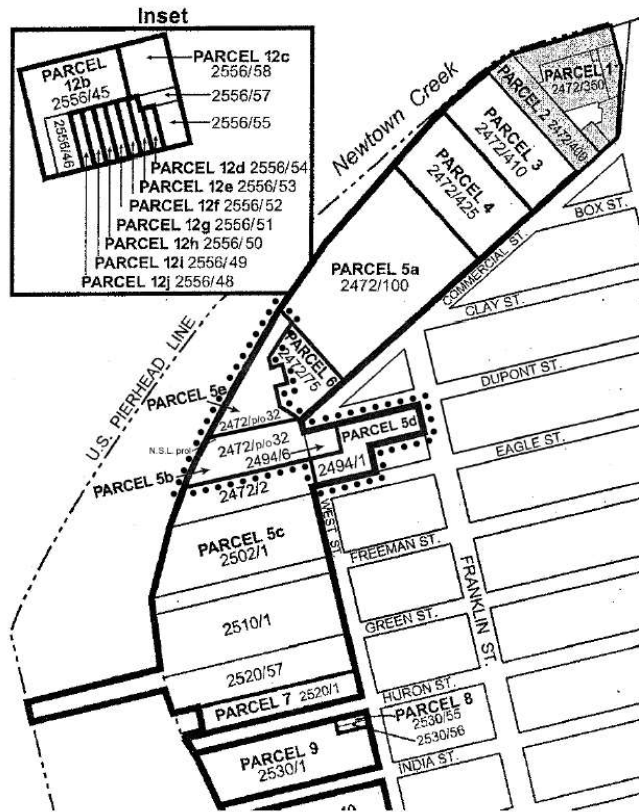
NOTE: Maps BK-1a to BK-1c to be amended to show Parcels 5d and 5e

Map BK-1a: PARCEL DESIGNATION



EXISTING (TO BE DELETED)

MAP BK-1a: PARCEL DESIGNATION



[Area being changed is outlined in dotted line]

PROPOSED

[Maps BK-1b and BK-1c to be changed consistent with changes to Map BK-1a shown above]

* * *

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.

City Clerk, Clerk of The Council