Legislation Details (With Text)

File #:	Res 0546-2018	**Version:** *	**Name:**	LU 200 - Zoning, 57 Caton Place Rezoning, Brooklyn (N 170214 ZRK)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	9/26/2018			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on Application No. N 170214 ZRK (Preconsidered L.U. No. 200), for an amendment of the Zoning Resolution of the City of New York, modifying Section 113-00 and Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 7, Borough of Brooklyn.

Sponsors: Rafael Salamanca, Jr., Francisco P. Moya

Indexes:

Attachments: 1. Resolution, 2. September 12, 2018 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Zoning 9-5-18, 4. Land Use Calendar - Week of September 17, 2018 - September 21, 2018, 5. Hearing Testimony - Zoning 9-5-18, 6. September 26, 2018 - Stated Meeting Agenda with Links to Files, 7. Hearing Transcript - Stated Meeting 9-26-18, 8. Minutes of the Stated Meeting - September 26, 2018, 9. Committee Report

Date	Ver.	Action By	Action	Result
9/20/2018	*	Committee on Land Use	Approved by Committee	
9/26/2018	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 546

Resolution approving the decision of the City Planning Commission on Application No. N 170214 ZRK (Preconsidered L.U. No. 200), for an amendment of the Zoning Resolution of the City of New York, modifying Section 113-00 and Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 7, Borough of Brooklyn.

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on August 17, 2018 its decision dated August 8, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 57 Caton Partners, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Section 113-00 and Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate a mixed-use development at 57 Caton Place in the East Windsor Terrace neighborhood of Community District 7, Brooklyn, (Application No. N 170214 ZRK), Community District 7, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application C 170213 ZMK (Pre. L.U. No. 199), a zoning map amendment to change a C8-2 district to an R6A district with a partial C2-4 overlay;

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 September 5, 2018;

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 negative declaration issued March 12, 2018 (CEQR No. 17DCP100K), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality within the rezoning area (Block 5322, Lot 4) (E-461) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 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 170214 ZRK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

Matter <u>underlined</u> is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

ARTICLE XI
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Ocean Parkway District

* * *

113-00
GENERAL PURPOSES

* * *

113-01
General Provisions

In harmony with the general purposes of the #Special Ocean Parkway District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Ocean Parkway District# is superimposed are made inapplicable and special regulations are substituted therefor. Except as modified by the express provisions of the Special District, the regulations of the underlying districts remain in force.

In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

For the purpose of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special Ocean Parkway District# are shown on the maps in APPENDIX F of this Resolution.

The Subdistrict of the #Special Ocean Parkway District# is identified in Appendix A of this Chapter. In addition to the requirements of Sections 113-10 through 113-40, inclusive, the special regulations set forth in Sections 113-50 through 113-57, inclusive, shall apply to the Subdistrict.

* * *

113-10
SPECIAL BULK REGULATIONS

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

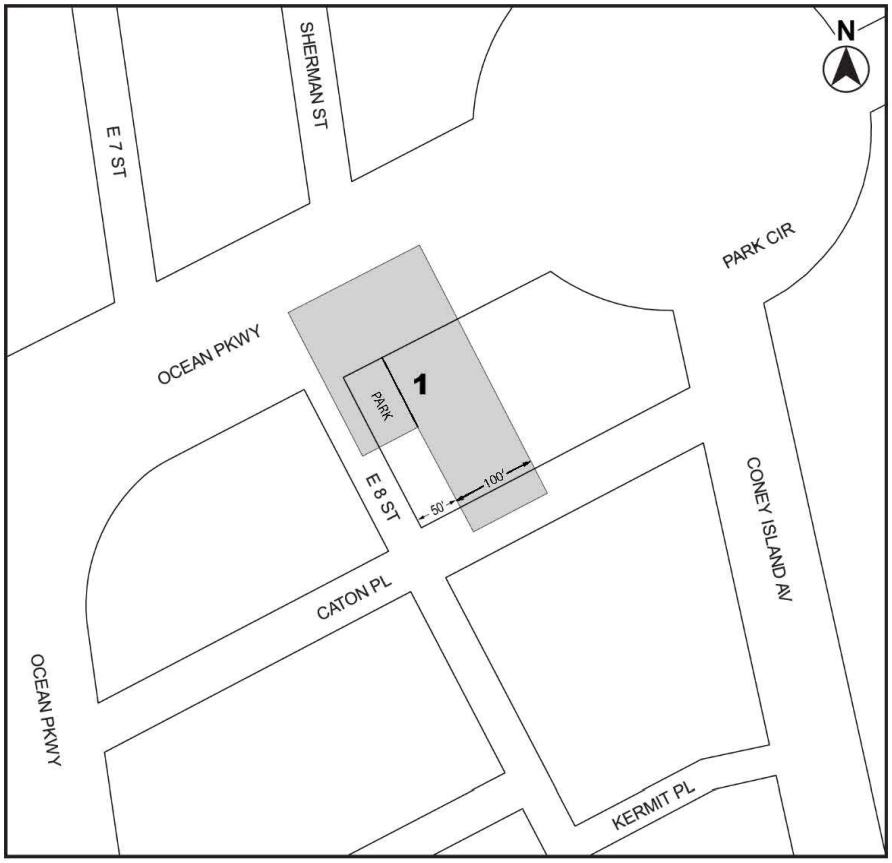
BROOKLYN

* * *

Brooklyn Community District 7

Map 3 - [date of adoption]

[PROPOSED MAP]



KL3 3059988.9

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

Area **1** [date of adoption] – MIH Program Option 1

Portion of Community District 7, 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 September 26, 2018, on file in this office.

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