



Legislation Details (With Text)

File #: Res 1750-2021 **Version:** * **Name:** LU 826 - Zoning, 840 Atlantic Avenue Rezoning, Brooklyn (C 210249 ZMK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 9/23/2021

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Title: Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210249 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 826).

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

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Attachments: 1. Res. No. 1750, 2. Calendar of the Subcommittee Meetings - August 3 and 4, 2021, 3. Hearing Testimony - Zoning 8-3-21, 4. Hearing Testimony - Zoning 8-3-21 (Con't), 5. Hearing Transcript - Zoning 8-3-21, 6. August 26, 2021 - Stated Meeting Agenda with Links to Files, 7. Hearing Transcript - Stated Meeting 8-26-21, 8. Calendar of the Zoning Subcommittee Meeting - September 10, 2021, 9. September 23, 2021 - Stated Meeting Agenda with Links to Files, 10. Hearing Transcript - Stated Meeting 9-23-21, 11. Minutes of the Stated Meeting - September 23, 2021, 12. City Planning Commission Approval Letter, 13. Committee Report

Date	Ver.	Action By	Action	Result
9/13/2021	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
9/23/2021	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1750**

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210249 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 826).

By Council Members Salamanca and Moya

WHEREAS, Vanderbilt Atlantic Holdings, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an R6B District to a C6-3X District and changing from an M1-1 District to a C6-3X District, which in conjunction with the related action would facilitate the construction of an 18-story mixed use development containing 316 dwelling units, 95 of which would be permanently affordable, along with commercial and community facility space, at 840 Atlantic Avenue in the Prospect Heights neighborhood of Brooklyn, Community District 8 (ULURP No. C 210249 ZMK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on July 30, 2021, its decision dated July 28, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210250 ZRK (Pre. L.U. No. 827), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and amend street wall regulations;

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 August 3, 2021;

WHEREAS, the Council has considered the land use 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 1st, 2021 (CEQR No. 20DCP162K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-604) (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 (E) Designation (E-604) and 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, C 210249 ZMK, 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 double struck out is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16c:

1. changing from an M1-1 District to a C6-2A District property bounded by the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 200 feet easterly of Vanderbilt Avenue and its northerly prolongation, a line midway between Atlantic Avenue and Pacific Street, and a line 150 feet easterly of Vanderbilt Avenue and its northerly prolongation;
12. changing from an R6B District to a C6-3XA District property bounded by a line midway between Atlantic Avenue and Pacific Street, a line 125 feet easterly of Vanderbilt Avenue, Pacific Street, and a line 100 feet easterly of Vanderbilt Avenue; and
3. changing from and M1-1 District to a C6-3A District property bounded by a line midway between Atlantic Avenue and Pacific Street, a line 100 feet easterly of Vanderbilt Avenue, Pacific Street, and Vanderbilt Avenue; and
24. changing from an M1-1 District to a C6-3X District property bounded by the northerly boundary line of the Long Island Railroad Right-Of-Way (Atlantic Division), a line 200 150 feet easterly of Vanderbilt Avenue and its northerly prolongation, a line midway between Atlantic Avenue and Pacific Street, a line 100 feet easterly of Vanderbilt Avenue, Pacific Street, and Vanderbilt Avenue and its northerly centerline prolongation.

as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-604, Borough of Brooklyn, Community District 8.

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 23, 2021, on file in this office.

City Clerk, Clerk of The Council