



Legislation Details (With Text)

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Title:	Resolution approving the decision of the City Planning Commission on ULURP No. C 210425 MMK, an amendment to the City Map (L.U. No. 936).				
Sponsors:					
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Attachments:	1. Res. No. 1900, 2. November 23, 2021 - Stated Meeting Agenda with Links to Files, 3. Calendar of the Zoning Subcommittee Meeting - December 2, 2021, 4. Calendar of the Zoning Subcommittee and Land Use Meetings - December 9, 2021, 5. December 15, 2021 - Stated Meeting Agenda with Links to Files, 6. LOCATING ENVIRONMENTAL REVIEW MATERIALS FOR CERTAIN LAND USE APPLICATIONS, 7. City Planning Commission Approval Letter, 8. Committee Report, 9. Hearing Transcript - Stated Meeting 12-15-21, 10. Minutes of the Stated Meeting - December 15, 2021				

Date	Ver.	Action By	Action	Result
12/9/2021	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
12/15/2021	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1900

Resolution approving the decision of the City Planning Commission on ULURP No. C 210425 MMK, an amendment to the City Map (L.U. No. 936).

By Council Members Salamanca and Moya

WHEREAS, River Street Partners, LLC, filed an application pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- 1) the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President, Borough of Brooklyn, Community District 1 (ULURP No. C 210425 MMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021 its decision

dated November 17, 2021 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; and C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone;

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 December 2, 2021;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the

maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 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, C 210425 MMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- 1) the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President, is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. Y-2760, dated August 16, 2021, providing for the discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead line and the elimination discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line, more particularly described as follows:

In the matter of discontinuing and closing Metropolitan Avenue west of River Street, Borough of Brooklyn, in accordance with Borough President Map No. Y-2760:

Starting at a point of beginning located at the intersection of the northerly line of Metropolitan Avenue and the westerly line of River Street, as those streets were heretofore laid out on the City Map, thence;

- 1) Running 587.51 feet in a westerly direction along the northerly line of Metropolitan Avenue to a point on the United States Pierhead Line, thence;
- 2) Running 81.13 feet in a southerly direction along the United States Pierhead Line, said course forming a deflection angle to the left with the previous course of 80 degrees, 26 minutes and 42 seconds, thence;
- 3) Running 573.51 feet in an easterly direction, said course forming a deflection angle to the left with the previous course of 99 degrees, 33 minutes and 18 seconds, thence;
- 4) Running 80.00 feet in a northerly direction along the westerly line of River Street, said course forming a deflection angle to the left with the previous course of 90 degrees, 23 minutes and 13 seconds to the point or place of beginning.

In the matter of discontinuing and closing a portion of North 1st Street from a point 200 feet west of River Street to the United States Pierhead Line, Borough of Brooklyn, in accordance with Borough President Map No. Y-2760:

Starting at a point of beginning located along the northerly line of North 1st Street 200 feet west of the intersection of the northerly line of North 1st Street and the westerly line of River Street, as those streets were heretofore laid out on the City Map, thence;

- 1) Running 336.78 feet in a westerly direction along the northerly line of North 1st Street to a point on the United States Pierhead Line, thence;
- 2) Running 50.24 feet in a southerly direction along the United States Pierhead Line, said course forming a deflection angle to the left with the previous course of 84 degrees, 26 minutes and 56 seconds, thence;
- 3) Running 328.08 feet in an easterly direction, said course forming a deflection angle to the left with the previous course of 95 degrees, 33 minutes and 04 seconds, thence;
- 4) Running 50.15 feet in a northerly direction, said course forming a deflection angle to the left with the previous course of 94 degrees, 23 minutes and 27 seconds to the point or place of beginning.

The area described above consists of 16,621.47 square feet, more or less.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. Y-2760 dated August 16, 2021 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

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 _____, 2021, on file in this office.

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City Clerk, Clerk of The Council