



Legislation Text

File #: Res 0386-2018, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 386**

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 of the City of New York to modify the location, area and minimum dimension requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and, in conjunction therewith, Section 62-332 (Rear yards and waterfront yards), in connection with a proposed commercial development on property located at 280 Richards Street (Block 612, Lot 150), in an M3-1 district, Borough of Brooklyn, (Non-ULURP No. N 180157 ZAK; L.U. No. 83).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on May 7, 2018 its decision dated April 11, 2018 (the "Decision"), on the application submitted by Thor 280 Richards Street, LLC, in the City of New York for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimension requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and, in conjunction therewith, Section 62-332 (Rear yards and waterfront yards), in connection with a proposed five-story commercial development on a property generally bounded by Beard Street, and the U.S. Pierhead line (Block 612, Lot 150), in an M3-1 district, Community District 6, Borough of Brooklyn, (Non-ULURP No. N 180157 ZAK) (the "Application");

WHEREAS, the Application is related to applications N 180158 ZAK, authorization pursuant to ZR section 62-822(b) to modify regulations pertaining to design requirements for waterfront public access areas and N 180159 ZCK, Chair Certification pursuant to ZR section 62-811 to show compliance with waterfront public access and visual corridor requirements;

WHEREAS, the Authorization is subject to review and action by the Council pursuant to Section 62-822 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 May 30, 2018;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822 (a)(2) 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 Authorization and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration

(CEQR No. 17BSA038K) issued September 9, 2017 (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 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Authorization and Application, the Council approves the Decision, subject to the following terms and conditions:

1. The properties that are the subject of this application (N 180157 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans prepared by SCAPE Landscape Architecture DPC, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
ZL 0.0	Title Sheet	11.20.17
ZL 0.1	Zoning Lot Site Plan	01.12.18
ZL 0.2	WPAA Site Key Plan	01.12.18
ZL 0.3	Site Part Plan A	01.12.18
ZL 0.4	WPAA Site Part Plan B	01.12.18
ZL 1.0	Zoning Analysis and Base Plan Calculations	01.05.18
ZL 1.1	Waterfront Zoning Calculations and Compliance	01.05.18
ZL 1.2	Waterfront Zoning Calculations and Compliance	01.05.18
ZL 2.1	WPAA Plan Part Plan A	01.12.18
ZL 2.2	WPAA Plan Part Plan B	01.12.18
ZL 3.1	WPPA Circulation Part Plan A	01.12.18
ZL 3.2	WPPA Circulation Part Plan B	01.12.18
ZL 4.1	Site Grading Part Plan A	11.20.17
ZL 4.2	Site Grading Part Plan B	01.12.18
ZL 5.1	Seating Plan Part Plan A	01.12.18
ZL 5.2	Seating Plan Part Plan B	01.12.18
ZL 5.3	Seating Schedule	01.12.18
ZL 6.1	Site Furnishings Part Plan A	01.12.18
ZL 6.2	Site Furnishings Part Plan B	01.12.18
ZL 6.3	Site Furnishings Part Plan B	11.20.17
ZL 7.1	Site Materials Part Plan A	01.12.18
ZL 7.2	Site Materials Part Plan B	01.12.18
ZL 8.1	Planting Part Plan A	01.12.18
ZL 8.2	Planting Part Plan B	01.12.18
ZL 9.1	Site Lighting Part Plan A	01.12.18
ZL 9.2	Site Lighting Part Plan B	01.12.18
ZL 9.3	Photometric Part Plan A	01.12.18
ZL 9.4	Photometric Part Plan B	01.12.18
ZL 9.5	Lighting Fixture Details	01.12.18

ZL 10.0	Site Sections Key Plan	01.12.18
ZL 10.1	East Site Sections	11.20.17
ZL 10.2	South Site Sections	11.20.17
ZL 10.3	Southwest Site Sections	01.12.18
ZL 10.4	Northwest Site Sections	01.12.18
ZL 10.5	Visual Corridor/ PAA Site Sections	11.20.17
ZL 10.6	Longitudinal Site Sections	01.12.18
ZL 10.7	Longitudinal Site Sections	11.20.17
ZL 10.8	Longitudinal Site Sections	01.12.18
ZL 10.9	Longitudinal Site Sections	01.12.18
ZL 11.1	Paving and Curb Details	11.20.17
ZL 11.2	Stair and Wall Details	11.20.17
ZL 11.3	Fences and Gate Details	01.12.18
ZL 11.4	Site Furnishings Details	01.12.18
ZL 11.5	Site Furnishings Details	01.12.18
ZL 11.6	Site Furnishings Details	01.12.18
ZL 11.7	Planting Details	01.12.18

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 and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report, 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 to disapprove any application for modification, cancellation or amendment of the authorization.
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 June 7, 2018 on file in this office.

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City Clerk, Clerk of The Council