



## **CITY PLANNING COMMISSION**

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November 14, 2012 / Calendar No. 7

N 100219 ZRK

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**IN THE MATTER OF** an application submitted by McGuinness Realty Corp. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary Housing Designated Areas) relating to the extension of the Inclusionary Housing Program to a proposed R7A district in the Borough of Brooklyn, Community District 1.

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This application for an amendment to the Zoning Resolution was filed by McGuinness Realty Corp on January 19, 2010. The proposed text amendment will allow the Inclusionary Housing Program to be used in a proposed R7A district, to facilitate an 8-story, 155,000-square-foot mixed use development with 144 dwelling units and ground floor retail located on the eastern half of Block 2576, on McGuinness Boulevard between Greenpoint Avenue and Calyer Street, in the Greenpoint Neighborhood of Brooklyn, Community District 1.

### **RELATED ACTION**

In addition to the amendment to the Zoning Resolution that is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 100218 ZMK      Zoning Map amendment to replace an M1-1 district with an R7A district and C2-4 overlay.

### **BACKGROUND**

A full background discussion and description of this application appears in the report on the related application for a Zoning Map amendment (C 100218 ZMK).

### **ENVIRONMENTAL REVIEW**

This application (N 100219 ZRK), in conjunction with the related application, was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of

Procedure of 1991 and Executive Order No. 91 of 1977. The CEQR number is 10DCP024K. The lead is the City Planning Commission.

A full summary of the environmental review appears in the report on the related application for a zoning map amendment (C 100218 ZMK).

## **PUBLIC REVIEW**

This application (N 100219 ZRK), was duly referred to Community Board 1 and the Brooklyn Borough President on July 23, 2012, in accordance with the procedure for referring non-ULURP matters, along with the application for related ULURP action for a Zoning Map change (C 100218 ZMK), which was certified as complete by the Department of City Planning on July 23, 2012 in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application (N 100219 ZRK) and on the application for the related action on September 5, 2012, continued to September 12, 2012, and September 12, 2012, by a vote of 32 in favor and 2 in opposition with 0 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the recommendations of Community Board 1 appears in the report on the related application for a zoning map amendment (C 100218 ZMK).

### **Borough President Recommendation**

This application (N 100219 ZRK), in conjunction with the related action, was considered by the Borough President, who recommended approval of the application on September 28, 2012.

A summary of the recommendations of the Borough President appears in the report on the related application for a zoning map amendment (C 100218 ZMK).

### **City Planning Commission Public Hearing**

On October 3, 2012 (Calendar No. 2), the City Planning Commission scheduled October 17, 2012, for a public hearing on this application (N 100219 ZRK). The hearing was duly held on October 17, 2012 (Calendar No. 10) in conjunction with the related application for a zoning map amendment (C 100218 ZMK). There were 2 speakers in favor and none in opposition and the hearing was closed. A summary of the public hearing is contained in the report on the related application (C 100218 ZMK).

### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (N 100219 ZRK), in conjunction with related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 10-099.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The Commission believes this zoning text amendment (N 100219 ZRK), in conjunction with the related action, is appropriate.

A full consideration and analysis of the issues, and reason for approving this application appears in the related report for a zoning map amendment (C 100218 ZMK).

**RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 201 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and subsequently amended, is further amended as follows:

APPENDIX F  
Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#. Where the #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential equivalent has instead been specified on each map.

\* \* \*

Brooklyn, Community District 1  
In Waterfront Access Plan BK-1 and in the R6, R6A, R6B, R7A, R7-3 and R8 Districts within the areas shown on the following Maps 1, 2, 3 and 4:

\* \* \*  
**EXISTING**  
**(TO BE DELETED)**  
~~Map 1 (7/29/10)~~





Portion of Community District 1, Brooklyn

\* \* \*

The above resolution (N 100219 ZRK), duly adopted by the City Planning Commission on November 14, 2012 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE DE LA UZ,**  
**MARIA M. DEL TORO, JOSEPH DOUEK, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN Commissioners**