



CITY PLANNING COMMISSION

August 19, 2009/Calendar No. 25

C 090441 ZMK

IN THE MATTER OF an application submitted by Atara Vanderbilt, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16C:

1. eliminating from an existing R6 District a C2-3 District bounded by Fulton Street, Vanderbilt Avenue, and a line 100 feet southeasterly of Fulton Street, and Clermont Avenue;
2. changing from an R6 District to a C6-3A District property bounded by Fulton Street, Vanderbilt Avenue, a line 100 feet southeasterly of Fulton Street, and Clermont Avenue; and
3. changing from an M1-1 District to a C6-3A District property bounded by a line 100 feet southeasterly of Fulton Street, Vanderbilt Avenue, Atlantic Avenue, and Clermont Avenue;

Borough of Brooklyn, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

The application for an amendment of the Zoning Map was filed by Atara Vanderbilt, LLC on May 15, 2009, for an amendment to the Zoning Map changing an M1-1 district and an R6/C2-3 district to a C6-3A district in the Fort Greene neighborhood of Community District 2, Brooklyn. This application in conjunction with the related applications would facilitate development of a new mixed-use building containing 376 dwelling units, 32,358 square feet of ground floor retail space, and the reuse and expansion of an existing 565,700 square foot loft building for commercial uses.

RELATED ACTIONS

In addition to the an amendment of the Zoning Map which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

N 090442 ZRK	Zoning text amendment related to apply the Inclusionary Housing Program to R9A districts in Brooklyn Community District 2.
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C 090443 ZSK Special permit pursuant to Section 74-743 to waive regulations related to distribution of residential lot coverage, dimensions of inner court recesses, and location of street walls within a General Large Scale Development.

BACKGROUND

A full background discussion and description of this project appears in the report on the related application for the grant of a special permit (C 090443 ZSK).

ENVIRONMENTAL REVIEW

This application (C 090441 ZMK), in conjunction with the applications for the related actions (N 090442 ZRK) and (C 090443 ZSK), 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 09DCP081K. The lead is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 1, 2009. A revised Environmental Assessment Statement was prepared August 14th, 2009 to reflect the revisions to the project discussed below, and a revised Negative Declaration was issued on August 17th, 2009.

UNIFORM LAND USE REVIEW

This application (C 090441 ZMK), in conjunction with the applications for the related zoning action (C 090443 ZSK), was certified as complete by the Department of City Planning on June 1, 2009, and was duly referred to Community Board 2 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 090442 ZRK), which was referred to Community Board 2 and the Borough President in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on this application on June 10, 2009, and on that date by a vote of 38 to 0 adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on July 17, 2009 approving the application with conditions.

A full discussion of the Borough President's recommendation appears in the report on the related application for the grant of a special permit (C 090442 ZSK).

City Planning Commission Public Hearing

On July 1, 2009 (Calendar No. 6), the City Planning Commission scheduled July 22, 2009, for a public hearing on this application (C 090441 ZMK). The hearing was duly held on July 22, 2009 (Calendar No. 20), in conjunction with the public hearings on the applications for the related actions (N 090442 ZRK and C 090443 ZSK).

There were a number of speakers, as described in the report on the related application for the grant of a special permit (C 090443 ZSK), and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 090441 ZMK) for a zoning map amendment, to change an M1-1 district and an R6/C2-3 district to a C6-3A district is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related application for the grant of a special permit (C 090443 ZSK).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment:

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration and findings described in this report, 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. eliminating from an existing R6 District a C2-3 District bounded by Fulton Street, Vanderbilt Avenue, and a line 100 feet southeasterly of Fulton Street, and Clermont Avenue;
2. changing from an R6 District to a C6-3A District property bounded by Fulton Street, Vanderbilt Avenue, a line 100 feet southeasterly of Fulton Street, and Clermont Avenue; and
3. changing from an M1-1 District to a C6-3A District property bounded by a line 100 feet southeasterly of Fulton Street, Vanderbilt Avenue, Atlantic Avenue, and Clermont Avenue;

Borough of Brooklyn, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

The above resolution (C 090441 ZMK), duly adopted by the City Planning Commission on August 19, 2009 (Calendar No. 25), 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
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