



CITY PLANNING COMMISSION

October 21, 2009 / Calendar No. 6

C 090096 ZMK

IN THE MATTER OF an application submitted by Tibetan LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by establishing within an existing R6B District a C2-4 District bounded by North 7th Street, a line 100 feet southeasterly of Berry Street, a line midway between North 6th Street and North 7th Street, and Berry Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

This application for a zoning map amendment was submitted by Tibetan LLC on September 12, 2008 to facilitate the development of a two-story commercial and community facility building.

BACKGROUND

Tibetan LLC is seeking approval for a zoning map amendment to establish a C2-4 commercial overlay within an existing R6B district to facilitate the development of a two-story commercial and community facility building. The subject property is located at the southeasterly corner of North 7th and Berry Streets in the Williamsburg neighborhood of Brooklyn, Community District 1 in the area rezoned as part of the 2005 Greenpoint-Williamsburg Rezoning.

The rezoning area is comprised of a 100-foot by 100-foot area that includes the entirety of lot 5 and the majority of lot 11 on Block 2327. The applicant owns lot 5 and lot 4, which is directly south of lot 5 and outside of the rezoning area. Lot 11 is owned by another individual. Lots 5 and 11 are zoned R6B, while Lot 4 is zoned MX-8:M1-2/R6A.

The rezoning area is occupied by a vacant former gas station on lot 5 and a three-story attached house with three dwelling units on lot 11. The gas station consists of two small masonry buildings along the eastern property boundary and vacant land. The house on lot 11 fronts North 7th Street, between 85 and 105 feet from its intersection with Berry Street. Lot 4, adjacent to the

rezoning area to the south and part of the applicant's proposed project, is currently vacant. A former industrial building now hosting offices is located south of lot 4. A 2-story attached house is adjacent to the rezoning area to the east. Both sides of North 7th Street to the east and west of the rezoning area have 2-to 4-story attached houses with a few mixed-use or commercial buildings on the south side of the street. Both sides of Berry Street to both the north and south have 2- to 4-story residential, mixed-use, and commercial buildings.

The rezoning area is located at the boundary between a mixed use area featuring industrial, commercial and residential uses to the south and west, and a predominantly residential area with some commercial uses to the north and east. Development trends in the area are replacing industrial uses with residential and local retail developments. The rezoning area and the blocks north and east of it are zoned R6B with C1-4 overlays along Bedford Avenue, one block east of the rezoning area. The areas south and west, including the block across Berry to the west and the southern half of block 2327 are zoned MX-8:M1-2/R6A and MX-8: M1-2/R6B, both of which permit commercial uses.

The proposed action would establish a C2-4 overlay on the rezoning area, which would then be zoned R6B/C2-4. C2-4 commercial overlays permit local retail and service uses in Use Groups 5-9 to an maximum FAR of 2.0. Parking requirements vary by use for commercial uses, but general retail uses are required to provide 1 space per 1,000 square feet. Parking requirements below 40 spaces are waived.

The proposed zoning map amendment would facilitate the construction of a two-story, 34-foot tall, commercial and community facility building with approximately 20,000 square feet of floor area and an FAR of 1.8. The first floor is proposed to house a restaurant and another

unspecified retailer, while the second floor would contain a community and cultural center or office space for a non-profit organization. The rezoning is requested to permit the proposed commercial uses on the ground floor. This proposed building would occupy all of lots 4 and 5 and would be accessible from both North 7th Street and Berry Street, with the main entrance on Berry Street.

ENVIRONMENTAL REVIEW

This application (C 090096 ZMK) 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 lead agency is the City Planning Commission. The designated CEQR number is 08DCP072K.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 1, 2009.

UNIFORM LAND USE REVIEW

This application (C 090096 ZMK) was certified as complete by the Department of City Planning on June 1, 2009, and was duly referred to Brooklyn Community Board 1 and the Brooklyn Borough President, 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 on June 9, 2009, and on July 14,

2009, by a vote of 42 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Brooklyn Borough President who issued a recommendation approving the application on August 26, 2009.

City Planning Commission Public Hearing

On September 9, 2009 (Calendar No. 1), the City Planning Commission scheduled September 23, 2009 for a public hearing on this application (C 090096 ZMK). The hearing was duly held on September 23, 2009 (Calendar No. 10).

The applicant's representative spoke in favor of the application. There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes the application for a Zoning Map amendment to establish a C2-4 commercial overlay within an existing R6B district is appropriate.

This action would facilitate the redevelopment of commercial uses on an historically commercial site located adjacent to zoning districts that permit commercial uses as-of-right. This action will facilitate new commercial uses along Berry Street, which is a developing commercial corridor within the Northside section of Williamsburg.

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 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 described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby further amended by establishing within an existing R6B District a C2-4 District bounded by North 7th Street, a line 100 feet southeasterly of Berry Street, a line midway between North 6th Street and North 7th Street, and Berry Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

The above resolution (C 090096 ZMK), duly adopted by the City Planning Commission on October 21, 2009 (Calendar No. 6), 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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