



## CITY PLANNING COMMISSION

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January 25, 2006/Calendar No. 3

C 060171 ZMK

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**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 12c, 12d, 13a and 13b:**

- 1. changing from an M1-2/R6 District to an M1-2/R6A District property bounded by:**
  - a.** Metropolitan Avenue, Driggs Avenue, North 4<sup>th</sup> Street and its southeasterly centerline prolongation, Metropolitan Avenue, Brooklyn-Queens Expressway, Ainslie Street and its northwesterly centerline prolongation, Keap Street, Union Avenue, Borinquen Place and its westerly centerline prolongation, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebling Street, a line 100 feet southwesterly of Metropolitan Avenue, Driggs Avenue, North 1<sup>st</sup> Street, and Bedford Avenue; and
  - b.** Bayard Street, Graham Avenue-Via Vespucci, Brooklyn-Queens Expressway, Richardson Street, and a line 100 feet westerly of Manhattan Avenue;
- 2. changing from an M1-2/R6 District to an M1-2/R6B District property bounded by:**
  - a.** Kent Avenue, a line 140 feet southwesterly of North 1<sup>st</sup> Street, Wythe Avenue, a line midway between Grand Street and South 1<sup>st</sup> Street, a line 100 feet southeasterly of Kent Avenue, and Grand Street; and
  - b.** Driggs Avenue, a line 100 feet southwesterly of Metropolitan Avenue, Roebling Street, and Fillmore Place;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 31, 2005, and subject to the conditions of CEQR Declaration E-138.

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The application for an amendment of the Zoning Map was filed by the Department of City Planning on October 28, 2005, to establish contextual height limits on approximately 19 blocks within the Williamsburg portion of the area rezoned under the Greenpoint-Williamsburg Rezoning in May 2005.

### **RELATED ACTIONS**

In addition to the amendment of the Zoning Map, the following action is being considered concurrently with this application:

**N 060170 ZRK** Amendment of the Zoning Resolution Article I, Chapter 4 (Sidewalk Cafe Regulations), Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts), Article III, Chapter 5 (Bulk Regulations for Mixed Buildings in Commercial Districts), Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), and Article XII, Chapter 3 (Special Mixed Use District).

## **BACKGROUND**

A full background discussion and description of this application appears in the report on the related zoning text change application (N 060170 ZRK).

## **ENVIRONMENTAL REVIEW**

This application (C 060171 ZMK), in conjunction with the related application (N 060171 ZRK) 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 04DCP003K. The lead agency is the City Planning Commission.

A Notice of Minor Modification was issued on October 31, 2005, which determined that the zoning text and map changes set forth in Applications N060170ZRK and 060171ZMK would not result in any new or additional significant adverse impacts not already set forth in the Final Environmental Impact Statement (FEIS) for the Greenpoint-Williamsburg Rezoning. The Notice of Completion for the Greenpoint-Williamsburg Rezoning FEIS was issued on March 4, 2005.

To avoid the potential for air quality impacts associated with boiler emissions, the proposed zoning map amendment includes (E) designations on the following properties:

- **Block 2367, Lots 27 and 28**

- **Block 2374, Lots 27, 28 and 31**
- **Block 2378, Lots 29 and 32**
- **Block 2378, Lots 35 and 36**

The text of the (E) designation for air quality for the above properties is as follows:

**Any new residential development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems.**

The (E) designations for air quality on the above properties would ensure that no impacts related to air quality would occur as a result of the proposed action. These (E) designations are incorporated into the (E) designations mapped in connection with the original Greenpoint-Williamsburg Rezoning (E 138).

## **UNIFORM LAND USE REVIEW**

This application (C 060171 ZMK) was certified as complete by the Department of City Planning on October 31, 2005, and was duly referred to Community Board 1 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the application for the related zoning text amendment (N 060170 ZRK) which was referred for review and comment.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on the application (C 060171 ZMK). A full discussion of the Community Board 1 resolution appears in the report on the related zoning text change application (N 060170 ZRK).

### **Borough President Recommendation**

The application (C 060171 ZMK) was considered by the Borough President. A full discussion of the Borough President's resolution appears in the report on the related zoning text change application (N 060170 ZRK).

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

On December 19, 2005 (Calendar No. 26), the City Planning Commission scheduled January 11, 2006, for a public hearing on the application (C 060171 ZMK). The hearing was duly held on January 11, 2006 (Calendar No. 25), in conjunction with the hearing for the related application.

There was one speaker in favor of the application and related application and no speakers in opposition. A full discussion of the City Planning Commission public hearing appears in the report on the related zoning text change application (N 060170 ZRK).

### **Waterfront Revitalization Program Consistency Review**

This application, in conjunction with those for the 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 New York 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 Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 04-080.

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

### **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map (C 060171 ZMK), as modified, is appropriate.

A full consideration of the issues, and the reasons for approving this application, as modified, appear in the report on the related zoning text change application (N 060170 ZRK).

## **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 Section 197-c and 200 of the New York City Charter, that based on the environmental determination set forth in the Notice of Minor Modification dated October 31, 2005 and 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 further amended by changing the Zoning Map, Section Nos. 12c, 12d, 13a and 13b:

- 1. changing from an M1-2/R6 District to an M1-2/R6A District property bounded by:**
  - a.** Metropolitan Avenue, Driggs Avenue, North 4<sup>th</sup> Street and its southeasterly centerline prolongation, Metropolitan Avenue, Brooklyn-Queens Expressway, Ainslie Street and its northwesterly centerline prolongation, Keap Street, Union Avenue, Borinquen Place and its westerly centerline prolongation, Marcy Avenue, a line midway between Hope Street and Grand Street, Havemeyer Street, Hope Street, Roebling Street, a line 100 feet southwesterly of Metropolitan Avenue, Driggs Avenue, North 1<sup>st</sup> Street, and Bedford Avenue; and
  - b.** Bayard Street, Graham Avenue-Via Vespucci, Brooklyn-Queens Expressway, Richardson Street, and a line 100 feet westerly of Manhattan Avenue;
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  - b.** Driggs Avenue, a line 100 feet southwesterly of Metropolitan Avenue, Roebling Street, and Fillmore Place;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 31, 2005, and which includes CEQR designation E-138.

The above resolution (C 060171 ZMK), duly adopted by the City Planning Commission on January 25, 2006 (Calendar No. 3), 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, AICP, Chair**  
**KENNETH J. KNUCKLES, Esq., Vice-Chairman**  
**ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,**  
**JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO,**  
**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**

**LISA A. GOMEZ, Commissioner, Recused**