



## **CITY PLANNING COMMISSION**

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July 1, 2009/ Calendar No.12

N 090333 ZRK

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IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts, in the Borough of Brooklyn, Community District 1.

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This application for an amendment to the Zoning Resolution was filed by the Department of City Planning on February 24, 2009. The proposed text amendment will allow the Inclusionary Housing program to be used in the proposed R7A districts on Manhattan, Metropolitan, Union and Bushwick Avenues, Grand Street, and McGuinness Boulevard in the Borough 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 rezoning proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 090334 ZMK	Application for an amendment of the Zoning Map, to rezone all or portions of 175 blocks in the Brooklyn neighborhoods of Greenpoint and Williamsburg from R6, C4-3, and C8-2 districts to R6B, R6A, R7A, C4-3A, and C4-4A districts.
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### **BACKGROUND**

A full background discussion and description of this application appears in the report on the related zoning map amendment application (C 090334 ZMK).

## **ENVIRONMENTAL REVIEW**

This application (N 090333 ZRK) in conjunction with the related application (C 090334 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 designated CEQR number is 09DCP056K. The lead agency is the City Planning Commission.

After a study of the environmental impact of the subject application (C 090334 ZMK), a negative declaration was issued on March 2, 2009, which included (E) designations for hazardous materials, air quality, and noise.

## **PUBLIC REVIEW**

On March 2, 2009 this application was referred to Brooklyn Community Board 1 and the Brooklyn Borough President in accordance with the procedure for referring non-ULURP matters.

The related action (C 090334 ZMK) was certified as complete by the Department of City Planning on March 2, 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 Review**

Community Board 1 held a public hearing on March 17, 2009 on this application (N 090333 ZRK) and on April 13, 2009 issued a recommendation to approve the application with

conditions. A full discussion of the Community Board 1 resolution appears in the report on the related zoning map amendment application (C 090334 ZMK).

### **Borough President's Review**

This application was considered by the Borough President, who issued a recommendation on May 20, 2009 approving the application.

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

On May 20, 2009 (Calendar No. 6), the City Planning Commission scheduled June 3, 2009, for a public hearing. The hearing was duly held on June 3, 2009 (Calendar No. 17) in conjunction with the public hearing on the application for the related zoning map change (C 090334 ZMK). There were a number of speakers, as described in the report on the related application (C 090334 ZMK, and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this amendment to the zoning text (N 090333 ZRK) is appropriate.

A full consideration of the issues, and the reasons for approving this application, appear in the report on the related zoning map amendment application (C 090333 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**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination 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 as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter in # # is defined in Section 12-10;

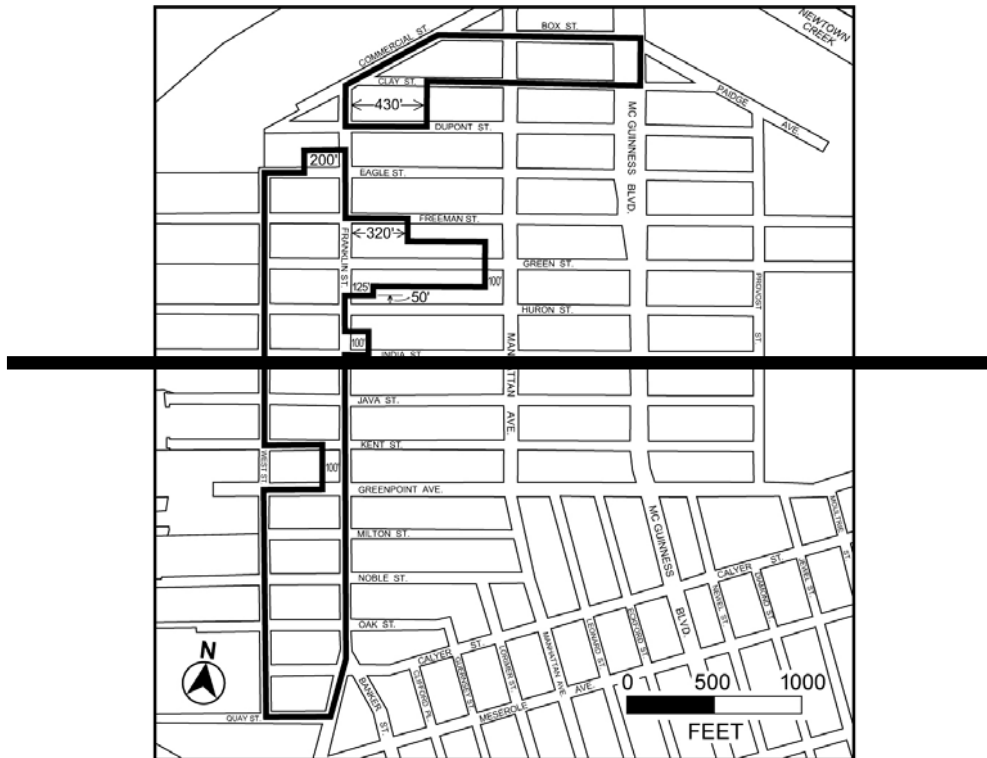
\* \* \* indicates where unchanged text appears in the Zoning Resolution

**23-922**

**Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in the following areas:

- (a) In Community District 1, in the Borough of Brooklyn, in Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B and R7A Districts within the areas shown on the following Maps 1 and 2:



**EXISTING**



# PROPOSED

Map 1  
Portion of Community District 1, Brooklyn



# EXISTING



# PROPOSED

Map 2  
Portion of Community District 1, Brooklyn

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The above resolution (N 090333 ZRK), duly adopted by the City Planning Commission on July 1, 2009 (Calendar No.12), 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, MARIA M. DEL TORO, RICHARD W. EADDY,**  
**NATHAN LEVENTHAL, SHIRLEY A. MCRAE, Commissioners**