



CITY PLANNING COMMISSION

January 17, 2018 / Calendar No. 18

N 170241 ZRK

IN THE MATTER OF an application submitted by SP North of North Limited Partnership, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 13.

This application for an amendment of the Zoning Resolution of the City of New York concerning modifications to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Area) was filed by SP North of North Limited Partnership on January 24, 2017 to establish a Mandatory Inclusionary Housing (MIH) area generally consistent with a portion of Tax Block 7011, Lots 1, 11, 43-47, 49 and 51-54, or generally bounded by Neptune Avenue, West 28th Street, Mermaid Avenue, West 29th Street, a line 250 feet northerly of Mermaid Avenue, a line midway between West 28th Street and West 29th Street, a line 100 feet southerly of Neptune Avenue and West 29th Street. This application, in conjunction with the application for the related action (C 170240 ZMK), would facilitate the development of two new eight-story buildings containing 153 affordable dwelling units in the Coney Island neighborhood of Community District 13 in Brooklyn.

RELATED ACTION

In addition to the zoning text amendment (N 170241 ZRK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 170240 ZMK Zoning Map Amendment to change R5 and R5/C1-2 zoning districts to R5, R6, R6A, R7A/C2-4 zoning districts.

BACKGROUND

A full background discussion and description of this application appears in the report for the related action for a zoning map amendment (C 170240 ZMK).

ENVIRONMENTAL REVIEW

This application (N 170241 ZRK), in conjunction with the application for the related action (C 170240 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 17DCP098K.

A summary of the environmental review appears in the report for the related zoning map amendment (C 170240 ZMK).

PUBLIC REVIEW

This application (N 170241 ZRK) was duly referred to Brooklyn Community Board 13 and the Brooklyn Borough President on September 5, 2017 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 170240 ZMK), which was certified as complete by the Department of City Planning on September 5, 2017, and was duly referred in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Brooklyn Community Board 13 held a public hearing on this application (N 170241 ZRK) on September, 27, 2017 and on October 25, 2017, by a vote of 16 in favor, seven opposed, and with five abstentions, adopted a resolution recommending approval of the application. A summary of the vote and recommendations of Community Board 13 appears in the report for the related zoning map amendment (C 170240 ZMK).

Subsequent to the public hearing and vote, Community Board 13 sent a letter dated December 21, 2017 that reported the vote on a new motion to approve the application (N170241 ZRK), which was denied (11 in favor, 15 opposed and one abstention).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 170241 ZRK) on November 2, 2017, and on December 4, 2017 issued a recommendation to approve the application with conditions. A summary of the Borough President's recommendation and conditions appears in the report for the related zoning map amendment (C 170240 ZMK).

City Planning Commission Public Hearing

On November 29, 2017 (Calendar No 2), the Commission scheduled December 13, 2017 for a public hearing on this application (N 170241 ZRK), in conjunction with the related application (C 170240 ZMK). The hearing was duly held on December 13, 2017 (Calendar No. 22). Three speakers from the applicant team testified in favor of the application and none in opposition, as described in the report for the related zoning map amendment (C 170240 ZMK), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 170240 ZMK), in conjunction with the applications for the related application (N 170241 ZMX), was reviewed by the City Coastal Commission 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 30, 2013 and by the New York State Department of State on February 3, 2016, 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 14-036.

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

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 170241 ZRK), in conjunction with the related application for a zoning map amendment (C 170240 ZMK), is appropriate.

A full consideration and analysis of issues, and the reasons for approving this application, appear

in the related report for the zoning map amendment (C 170240 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 Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; 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 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 further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

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APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 13

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Map 2. [date of adoption]



Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 13, Brooklyn

* * *

The above resolution (N 170241 ZRK), duly adopted by the City Planning Commission on January 17, 2018 (Calendar No. 18), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chair*

RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,

RICHARD W. EADDY, CHERYL COHEN EFFRON, HOPE KNIGHT,

ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, *Commissioners*