



CITY PLANNING COMMISSION

October 19, 2009/ Calendar No. 6

N 090414 ZRK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development 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 R6A and R7A districts, in the Borough of Brooklyn, Community District 1.

This application for an amendment to the Zoning Resolution was filed by the Department of Housing Preservation and Development on May 6, 2009. The proposed text amendment will allow the Inclusionary Housing program to be applied to the proposed R6A and R7A districts mapped between Throop, Flushing, Harrison and Union avenues, and Lynch Street, in the Broadway Triangle Urban Renewal Area in the Borough of Brooklyn, Community District 1.

RELATED ACTION

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

C 090413 ZMK Amendment to the Zoning Map.

C 090415 HUK An amendment to the Broadway Triangle Urban Renewal Plan.

C 090416 HAK UDAAP Designation, Project Approval and Disposition of city-owned property.

BACKGROUND

A full background discussion and description of this application appears in the report on the related Broadway Triangle Urban Renewal Plan amendment application (C 090415 HUK).

ENVIRONMENTAL REVIEW

This application (N 090414 ZRK) in conjunction with the related applications (C 090413 ZMK, C090415 HUK, and C090416 HAK), were 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 09HPD019K. The lead agency is the Department of Housing Preservation and Development.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS) dated October 7, 2009 appears in the report on the related application for an amendment to the Broadway Triangle Urban Renewal Plan (C 090415 HUK).

PUBLIC REVIEW

This application (N090414ZRK) was duly referred to Brooklyn Community Board 1 and the Brooklyn Borough President on May 18, 2009 in accordance with the procedure for referring non-ULURP matters in conjunction with the related actions (C 090413 ZMK, C 090415 HUK, and C 090416 HAK) which were certified as complete by the Department of City Planning on May 18, 2009 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 June 9, 2009 on this application (N 090414 ZRK) and the related applications (C 090413 ZMK, C 090416 HAK, and C 090415 HUK) and on July 14, 2009, by vote of 23 in favor, 12 opposed, 1 abstention, and 4 recusals adopted a resolution recommending approval the application with conditions.

A full discussion of the Community Board 1 resolution appears in the report on the related Broadway Triangle Urban Renewal Plan amendment application (C 090415 HUK).

Borough President's Review

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

A summary of the Borough President's recommendation appears in the report on the related application for an amendment to the Broadway Triangle Urban Renewal plan (C 090415 HUK).

City Planning Commission Public Hearing

On August 19, 2009 (Calendar No.2), the City Planning Commission scheduled September 9, 2009, for a public hearing. The hearing was duly held on September 9, 2009 (Calendar No. 23), in conjunction with the public hearing on the related applications (C 090413 ZMK, C 090415 HUK, and C 090416 HAK).

There were a number of speakers, as described in the report on the related application for the amendment to the Broadway Triangle Urban Renewal Plan (C 090415 HUK), and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment to the zoning text (N 090414 ZRK) is appropriate.

A full consideration of the issues, and the reasons for approving this application, appear in the report on the related Broadway Triangle Urban Renewal Plan amendment (C 090415 HUK).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 19, 2009 with respect to this application (CEQR No. 09HPD019K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations;

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

APPENDIX F (7/29/09)
INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#.

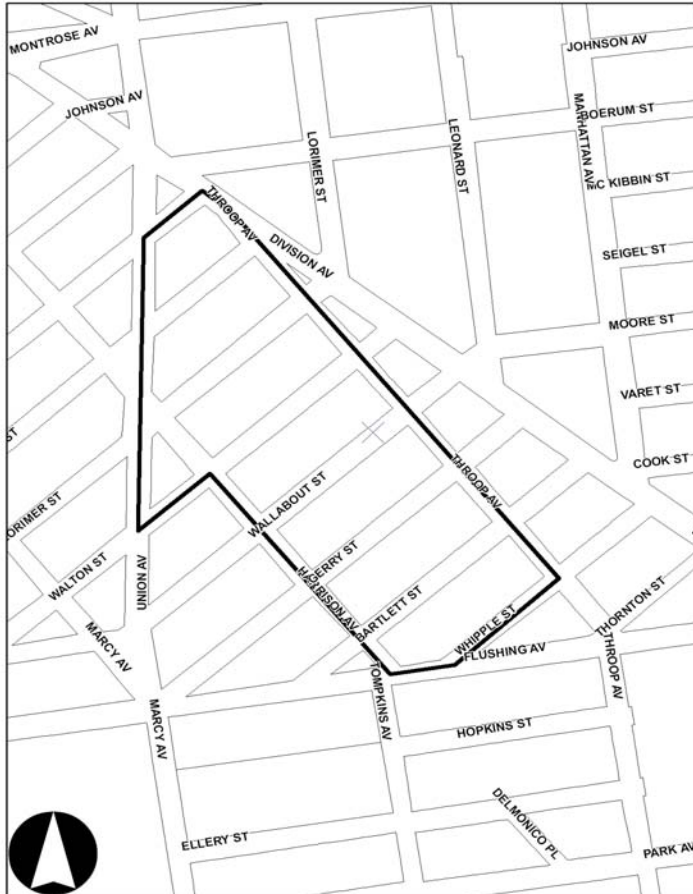
* * *

Brooklyn, Community District 1

In Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B, R7A and R7-3 Districts within the areas shown on the following Maps 1, 2, ~~and 3~~ and 4:

* * *

Map 4



Portion of Community District 1, Brooklyn

The above resolution (N 090414 ZRK), duly adopted by the City Planning Commission on October 19, 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
KENNETH J. KNUCKLES, ESQ., Vice Chairman,
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,
NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. MCRAE,
Commissioners

KAREN A. PHILLIPS, Commissioner, Voting No

ANGELA M. BATTAGLIA, Commissioner, recused