



IN THE MATTER OF an application submitted by River Street Partners LLC for the grant of an authorization pursuant to Sections 62-822(a) and 62-132 of the Zoning Resolution to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1.

WHEREAS, the City Planning Commission has received an application (N 220065 ZAK) dated August 4, 2021, from River Street Partners LLC for the grant of an authorization pursuant to ZR Section 62-822(a) of the Zoning Resolution to modify the requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1.

WHEREAS, implementation of project also requires the following related approvals:

N 220063 ZRK Zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area.

C 220062 ZMK Zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2

zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district.

C 220064 ZSK Special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations.

C 220070 ZSK Special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone.

N 220068 ZAK Authorization pursuant to ZR Section 62-822(b) to modify regulations pertaining to design requirements for waterfront public access areas.

N 220069 ZAK Authorization pursuant to ZR Section 62-822(c) to permit phasing of construction of required waterfront public access areas.

C 220061 MLK A landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space.

C 210425 MMK City Map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street.

WHEREAS, detailed descriptions of this and the related actions are provided in the report for the related zoning map amendment (C 220062 ZMK); and

WHEREAS, a full summary of the environmental review (CEQR No. 21DCP157K) appears in the report on the related zoning map amendment (C 220062 ZMK); and

WHEREAS, this application (N 220065 ZAK), in conjunction with the applications for the

related non-ULURP applications, was duly referred to Brooklyn Community Board 1 and the Brooklyn Borough President, on August 16, 2021, in accordance with the procedure for referring non-ULURP matters in conjunction with the applications for the related ULURP actions which were certified as complete by the Department of City Planning on August 16, 2021 accordance with Title 62 of the Rules of the City of New York, Section 2-02(b); and

WHEREAS, a summary of the recommendations of Community Board 1 and the Borough President may be found in the report on the related zoning map amendment (C 220062 ZMK); and

WHEREAS, this application (N 220065 ZAK) as 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 21-080. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

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

WHEREAS, the City Planning Commission hereby makes the following findings pursuant to ZR Section 62-822(a)(2) of the Zoning Resolution:

- (1) such #development# would be impracticable, physically or programmatically, due to site planning constraints such as the presence of existing #buildings or other structures# or elements having environmental, historic or aesthetic value to the public; and
- (2) that the reduction or waiver of requirements is the minimum necessary; and

WHEREAS, the Commission has determined that the application warrants approval and therefore adopts the following resolution:

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on November 5, 2021, with respect to this application (CEQR No. 21DCP157K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative 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; and be it further

RESOLVED, the City Coastal Commission, having reviewed the waterfront aspects of this action 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, that based on the environmental determination described in this report, the application submitted by River Street Partners LLC for the grant of an authorization pursuant to Sections 62-822(a) and 62-132 of the Zoning Resolution to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL

REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1, is approved subject to the following terms and conditions:

1. The properties that are the subject of this application (N 220065 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans prepared by BIG and James Corner Field Operations, and Control Point Associates INC. PC, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
V-001.00	ALTA/NSPS LAND TITLE SURVEY	05.29.2020
L-001.00	WPAA ZONING CALCULATIONS 1	11.05.2021
L-002.00	WPAA ZONING CALCULATIONS 2	11.05.2021
L-003.00	WPAA ZONING CALCULATIONS 3	11.05.2021
L-004.00	WPAA ZONING CALCULATIONS 4	11.05.2021
L-005.00	WPAA ZONING CALCULATIONS 5	11.05.2021
L-006.00	WPAA ZONING CALCULATIONS 6	11.05.2021
L-007.00	WPAA ZONING CALCULATIONS 7	11.05.2021
L-100.00	OVERALL WPAA SITE PLAN	11.05.2021
L-101.00	WATERFRONT PUBLIC AREA ACCESS DIAGRAM	11.05.2021
L-102.00	SPAA ANALYSIS	11.05.2021
L-110.00	LAYOUT PLAN	11.05.2021
L-120.00	GRADING PLAN	11.05.2021
L-130.00	MATERIAL PLAN	11.05.2021
L-150.00	FURNISHING PLAN	11.05.2021
L-151.00	FURNISHING SCHEDULE	11.05.2021
L-152.00	RAILING PLAN	11.05.2021
L-160.00	TREE CANOPY AND PLANTING PLAN	11.05.2021
L-170.00	LIGHTING PLAN	11.05.2021
L-171.00	PHOTOMETRIC PLAN	11.05.2021

L-300.00	SITE SECTIONS 1	11.05.2021
L-301.00	SITE SECTIONS 2	11.05.2021
L-302.00	SITE SECTIONS 3	11.05.2021
L-303.00	SITE SECTIONS 4	11.05.2021
L-304.00	SITE SECTIONS 5	11.05.2021
L-305.00	SITE SECTIONS 6	11.05.2021
L-501.00	PAVING DETAILS 1	11.05.2021
L-510.00	SIGNAGE DETAILS 2	11.05.2021
L-511.00	FURNISHING DETAILS 1	11.05.2021
L-512.00	FURNISHING DETAILS 2	11.05.2021
L-513.00	FURNISHING DETAILS 3	11.05.2021
L-514.00	FURNISHING DETAILS 4	11.05.2021
L-515.00	FURNISHING DETAILS 5	11.05.2021
L-521.00	RAILING DETAILS 8	11.05.2021
L-531.00	LIGHTING DETAILS 9	11.05.2021
L-541.00	PLANTING DETAILS	11.05.2021
L-601.00	PHASING PLAN 1	11.05.2021
L-601.00	PHASING PLAN 2	11.05.2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.

3. Such development shall conform to all applicable laws and regulations relating to its construction and maintenance.

4. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County; and (b) the Maintenance and Operations Agreement associated with such declaration and attached as Exhibit G to the report on the related zoning map amendment (C 220062 ZMK), thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

5. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, King County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission to disapprove any application for modification, cancellation or amendment of the authorization.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this authorization.

The above resolution is duly adopted by the City Planning Commission on November 17, 2021 (Calendar No. 14) and is filed with the Office of the Speaker, City Council in accordance with the requirements of Section 62-822(a) of the Zoning Resolution.

ANITA LAREMONT, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,

JOSEPH DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN,

ORLANDO MARIN, RAJ RAMPERSHAD, *Commissioners*