



CITY PLANNING COMMISSION

July 23, 2003/Calendar No. 27

N 030376 ZRY

IN THE MATTER OF an application submitted by Brooklyn Renaissance Hotel, LLC and the Economic Development Corporation, 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 VII, Chapter 4, Section 74-91 (Modification of Urban Plazas) to permit modification of *urban plazas* in C5-4 Districts on *zoning lots* of more than 200,000 square feet.

Matter in Underline is new, to be added;

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

Matter in *italics* or within # # is defined in Section 12-10;

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

74-91

Modification of Urban Plazas

In C5-3, C5-5, C6-6, C6-7 ~~or~~ and C6-9 Districts, and in C5-4 Districts on zoning lots of more than 200,000 square feet, the City Planning Commission may permit modification of the provisions of Section 37-04 (Requirements for Urban Plazas) affecting the eligibility of *urban plazas* for bonus *floor area*, provided that such modification shall not include any modification of Section 33-14 (Floor Area Bonus for an Urban Plaza) ~~for the bonus floor area of 10 square feet for each square foot of urban plaza.~~

* * *

Any modification shall be conditioned upon the Commission finding that the usefulness and attractiveness of the *urban plaza* will be assured by the proposed layout and design and that the *development* as a whole will produce a good urban design relationship with surrounding *buildings* and *open spaces*.

The Commission may prescribe appropriate conditions and controls to enhance the relationship of such *urban plazas* to surrounding development.

* * *

The application for an amendment of the Zoning Resolution was filed by the Brooklyn Renaissance Hotel, LLC and the Economic Development Corporation on March 11, 2003 to facilitate the construction of a 24-story, 282-room expansion of the Brooklyn Marriott Hotel on Adams Street in Downtown Brooklyn.

RELATED ACTIONS

In addition to the the special permit which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. C 030378 ZSK CPC Special Permit pursuant to Section 74-721 to permit the modification of tower height and setback regulations;
2. C 030269 MMK Amendment to the city map involving the elimination, discontinuance and closing of a 1,025 square foot portion of Pearl Street and closing of a 3,395 square foot portion of Adams Street;
3. C 030377 ZSK Special permit pursuant to Section 74-91 of the Zoning Resolution to modify the requirements of Section 37-04 of the Zoning Resolution to facilitate the re-design and upgrading of an existing urban plaza;
4. C 030379 PPK Disposition of city-owned property located at 345 Adams Street (Block 140, part of Lot 123) and the disposition of city-owned development rights (Block 140, lots 10,123,1001,1002, and 1101-1105) pursuant to zoning;
5. C 030380 PPK Disposition of one (1) city-owned property currently occupied by the Brooklyn Renaissance Hotel, located at 350 Jay Street (Block 140, Lots 1101-1105) pursuant to zoning; and
6. C 030381 PPK Disposition of the ground and second floors of 345 Adams Street (Block 140, part of Lot 123) pursuant to zoning.

BACKGROUND

The proposed text amendment is an amendment of the Zoning Resolution of the City of New York relating to Article VII, Chapter 4, Section 74-91 (Modification of Urban Plazas) to permit modification of urban plazas in C5-4 Districts on zoning lots of more than 200,000 square feet.

A full background discussion and description of this project appears in the report on the related application for the grant of a special permit (C 030378 ZSK).

ENVIRONMENTAL REVIEW

This application (C 030376 ZRY), in conjunction with the applications for the related actions (C 030378 ZSK, C 030269 MMK, C 030377 ZSK, C 030379 PPK, C 030380 PPK and C 030381 PPK), 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 02DME015K. The lead agency is The Office of the Deputy Mayor for Economic Development and Rebuilding.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on March 26, 2003.

UNIFORM LAND USE REVIEW

On March 31, 2003, this text change application was duly referred to the community board and the Borough President for information and review in accordance with the procedure for referring non-ULURP matters in conjunction with the applications for the related actions (C 030378 ZSK, C 030269 MMK, C 030376 ZRK, C 030377 ZSK, C 030379 PPK, C 030380 PPK and C 030381 PPK), which were certified as complete by the Department of City Planning in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 2 held a public hearing on this application on April 30, 2003, and on May 14, 2003, by a vote of 35 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on May 27, 2003.

City Planning Commission Public Hearing

On June 4, 2003 (Calendar No. 6), the City Planning Commission scheduled June 18, 2003, for a public hearing on this application (N 030376 ZRY). The hearing was duly held on June 18, 2003 (Calendar No. 10), in conjunction with the public hearings on the applications for the related

actions (C 030378 ZSK, C 030269 MMK, C 030377 ZSK, C 030379 PPK, C 030380 PPK and C 030381 PPK).

There were nine speakers in favor of the application and none opposed, as described in the report on the related application for the grant of a special permit (C 030378 ZSK), and the hearing was closed.

CONSIDERATION

The Commission believes that the amendment of the Zoning Resolution of the City of New York relating to Article VII, Chapter 4, Section 74-91 (Modification of Urban Plazas) to permit modification of urban plazas in C5-4 Districts on zoning lots of more than 200,000 square feet is appropriate.

A full consideration of the issues, and the reasons for approving this application, appear in the report of the related application for a special permit (C 030378ZSK).

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 Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and

findings 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 *italics* or within # # is defined in Section 12-10;

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

74-91

Modification of Urban Plazas

In C5-3, C5-5, C6-6, C6-7 ~~or~~ and C6-9 Districts, and in C5-4 Districts on zoning lots of more than 200,000 square feet, the City Planning Commission may permit modification of the provisions of Section 37-04 (Requirements for Urban Plazas) affecting the eligibility of *urban plazas* for bonus *floor area*, provided that such modification shall not include any modification of Section 33-14 (Floor Area Bonus for an Urban Plaza) ~~for the bonus floor area of 10 square feet for each square foot of urban plaza.~~

* * *

Any modification shall be conditioned upon the Commission finding that the usefulness and attractiveness of the *urban plaza* will be assured by the proposed layout and design and that the *development* as a whole will produce a good urban design relationship with surrounding *buildings* and *open spaces*.

The Commission may prescribe appropriate conditions and controls to enhance the relationship of such *urban plazas* to surrounding development.

* * *

The above resolution (N 030376 ZRY), duly adopted by the City Planning Commission on July 23, 2003 (Calendar No. 27), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, 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 G. CANTOR, P.E., ANGELA R. CAVALUZZI R.A.,
RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI,
JOHN MEROLO, KAREN A. PHILLIPS, JOSEPH B. ROSE, DOLLY WILLIAMS,
Commissioners