THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 658

Resolution approving the decision of the City Planning Commission on ULURP No. C 220472 ZSK, for the grant of a special permit (L.U. No. 191).

By Council Members Salamanca and Riley

WHEREAS, Stamford LLC and Capri Optics, Inc. filed an application pursuant to Section 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow the development of a 103,512 square-foot commercial building, within or over a railroad or transit right-of-way or yard, on property located at 1459 38th Street (Block 5348, Lots 15, 17, 49, 54), in a C4-4A district, Borough of Brooklyn, Community District 12 (ULURP No. C 220472 ZSK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 7, 2023, its decision dated March 15, 2023 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 220470 ZMK (L.U. No. 189), a zoning map amendment to change M1-2, M2-1, and R6 zoning districts to C4-4A and R6B zoning districts; and N 220471 ZRK (L.U. No. 190), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on April 19, 2023;

WHEREAS, the Council has considered the land use and environmental implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 7, 2022 (CEQR No. 22DCP045K), which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-692) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the New York City Charter, and on the basis of the

Decision and Application, and based on the environmental determination and consideration and findings described in the report, C 220472 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on _____, 2023, on file in this office.

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City Clerk, Clerk of The Council