THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1190

Resolution approving the decision of the City Planning Commission on ULURP No. C 190421 ZSK, for the grant of a special permit (L.U. No. 575).

By Council Members Salamanca and Moya

WHEREAS, the New York City Department of Housing Preservation and Development, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following Section 74-743(a) of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning district lines in connection with a proposed mixed-use development, within a large-scale general development bounded by Sutter Avenue, Hinsdale Street, a line 50 feet northerly of Blake Avenue, a line midway between Snediker Avenue and Hinsdale Street, Blake Avenue, and Snediker Avenue (Block 3766, Lot 1), in R6A, R7D/C1-4, and R7D/C2-4 Districts, which in conjunction with the related actions would facilitate the redevelopment of an existing 192-unit family homeless shelter located at 515 Blake Avenue (Block 3766, Lot 1), with four new buildings providing 324 affordable units, a new homeless family shelter with 195 units, and commercial and community facility spaces located in 515 Blake Avenue in the East New York neighborhood of Brooklyn Community District 5 (ULURP No. C 190421 ZSK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on October 25, 2019, its decision dated October 16, 2019 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 190409 HAK (L.U. No. 572), UDAAP designation, project approval, and disposition of City-owned property to dispose of the subject property; C 190410 ZMK (L.U. No. 573), a zoning map amendment to change a C4-3 district, an R6 district and an R6/C2-3 district to an R6A district, an R7D/C1-4 district and an R7D/C2-4 district on the entirety of Block 3766; and N 190411 ZRK (L.U. No. 574), a zoning text amendment to designate a Mandatory Inclusionary Housing Area on the entirety of Block 3766;

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 74-903 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 November 4, 2019;

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 on May 16, 2019 (CEQR No. 19HPD058K) (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 City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 190421 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 190421 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved drawings, prepared by Curtis + Ginsberg Architects LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
U-001	Site Plan	05/15/2019
Z-001	Zoning Analysis	05/15/2019
U-004	Sections I	05/15/2019
U-005	Sections II	05/15/2019

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. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

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

4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the office of the Register of the city of New York, County of Kings. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

5. In the event that the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowner's association or cooperative ownership, a copy of this report and resolution and any subsequent modification shall be provided to the Attorney General of the State of New York at the time of application for any such

condominium, homeowner's or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

6. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

7. 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 covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other 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 or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

8. 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 special permit.

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 December 10, 2019, on file in this office.

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City Clerk, Clerk of The Council