THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1779

Resolution approving the decision of the City Planning Commission on ULURP No. C 210281 ZSK, for the grant of a special permit (L.U. No. 878).

By Council Members Salamanca and Moya

WHEREAS, 130 St. Felix Street, LLC, 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 Section 101-82 of the Zoning Resolution to modify the tower lot coverage requirements of Section 101-223 (Tower Regulations); the rear yard requirements of Section 23-532 (Required rear yard equivalents); and the inner court dimension requirements of Section 23-851 (Minimum dimensions of inner courts), in connection with a proposed mixed-use development, on property generally bounded by a line 330 feet northerly of Hanson Place, St. Felix Street, a line 165 feet northerly of Hanson Place, a line midway between Ashland Place and St. Felix Street, Hanson Place, Ashland Place, a line 250 feet northerly of Hanson Place, and a line midway between Ashland Place and St. Felix Street (Block 2111, Lots 37, 40, & 1001-1199), in C6-4 and C6-6 Districts, which in conjunction with the related actions would facilitate the construction of a 23-story, approximately 147,000-square-foot mixed-use residential and community facility building with approximately 120 dwelling units at 130 St. Felix Street (Block 2111, Lot 40) in the Downtown Brooklyn neighborhood of Brooklyn Community District 2 (ULURP No. C 210281 ZSK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 24, 2021, its decision dated September 22, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210278 ZMK (L.U. No. 875), a zoning map amendment to change a portion of a C6-1 zoning district to C6-4 and C6-6 zoning districts within the Special Downtown Brooklyn District (SDBD); N 210279 ZRK (L.U. No. 876), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area, change the residential floor area allowed within a C6-6/SDBD zoning district where MIH is mapped, and to make an existing special permit applicable within C6-4/SDBD and C6-6/SDBD zoning districts; and C 210280 ZSK (L.U. No. 877), a special permit pursuant to Zoning Resolution (ZR) Section 74-533 to waive requires residential parking to facilitate affordable housing;

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 101-82 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 October 5, 2021;

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 May 3rd, 2021 (CEQR No. 21DCP083K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-616) (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 (E) Designations (E-616) and 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 210281 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 210281 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 FXCollaborative Architects, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Date Revised
Z-002	Zoning Analysis	04/14/2021
Z-003	Zoning Analysis	04/14/2021
Z-004	Zoning Site Plan	04/14/2021
Z-020	Waiver Plan	04/14/2021
Z-021	Waiver Sections	04/14/2021
Z-022	Waiver Sections	04/14/2021
Z-023	Waiver Sections	04/14/2021
Z-024	Waiver Sections	04/14/2021

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

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

4. 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.

5. 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.

6. 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 October 21, 2021, on file in this office.

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City Clerk, Clerk of The Council