File #: Res 1526-2020, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1526

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 200093 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 697).

By Council Members Salamanca and Moya

WHEREAS, 312 Coney Island Avenue, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying bulk regulations for a portion of the Special Ocean Parkway District and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area utilizing Option 1, which in conjunction with the related action would facilitate a new, approximately 312,754 square-foot mixed-use development containing a church, a school, retail, and residential units, located at 312 Coney Island Avenue in the Windsor Terrace neighborhood of Community District 7, Brooklyn (Application No. N 200093 ZRK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 10, 2020, its decision dated November 4, 2020 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 200092 ZMK (Pre. L.U. No. 696), a zoning map amendment to change a C8-2 District to an R8A District, and establish within the proposed R8A District a C2-4 District; and C 200094 ZSK (L.U. No. 698), a special permit pursuant to ZR Section 74-533 to waive required residential accessory parking spaces;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 18, 2020;

WHEREAS, the Council has considered the land use 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 December 16th, 2019 (CEQR No. 20DCP036K) which include an (E) designation to avoid the potential for significant adverse impacts related to air quality, noise, and hazardous materials (E-555) (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) Designation (E-555) 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, N 200093 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter double struck out is old, deleted by the City Council
Matter double-underlined is new, added by the City Council
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE XI
Special Purpose Districts
Chapter 3
Special Ocean Parkway District

* * *

113-12
Special Front Yard Regulations
For all #zoning lots# with frontage along Ocean Parkway, there shall be a 30 foot #front yard#. No obstructions including porches either open or enclosed, canopies or stairs are permitted within the #front yard#. Any driveway within such #front yard# shall be perpendicular to the #street line# or, in the case where the #street wall# is not parallel with the #street line#, the driveway shall be perpendicular to the #street wall#.
Balconies pursuant to Section 23-13 may, by a depth of not more than six feet, penetrate #front yards#, except along Ocean Parkway.

113-13
Special Bulk Regulations for Lots Adjacent to Park Circle-Machate Circle
In R8A Districts, for #zoning lots# fronting on Park Circle-Machate Circle, the provisions of Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) may shall be modified to allow for #street walls# within 125 feet of a #wide street# to rise without setback to the a maximum #building# base height of 115 feet and allow for a minimum required setback of 10 feet above such base height, provided that the maximum #building# height shall not exceed: 115 feet within 100 feet of Ocean Parkway or within 30 feet of an R7A District; 125 feet between 100 and 150 feet of Ocean Parkway, within 20 feet of Coney Island Avenue, or between 30 and 50 feet from an R7A District; and 140 feet on any other portion of the #zoning lot#. For the purposes of this paragraph, distances shall be measured perpendicular to the #street line# or district boundary, as applicable.

113-20

SPECIAL PARKING AND OFF-STREET LOADING REGULATIONS

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

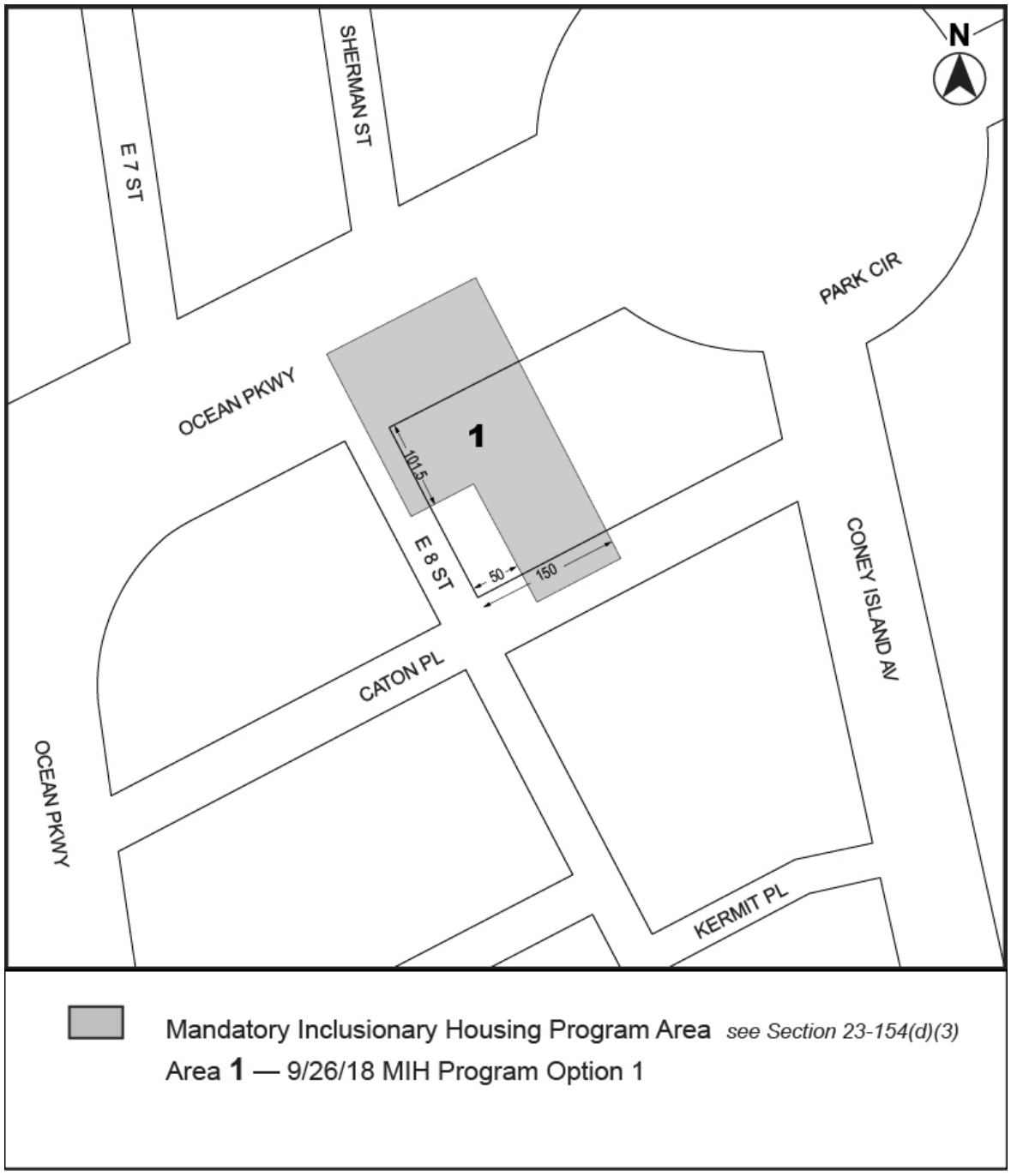
* * *

BROOKLYN
Brooklyn Community District 7

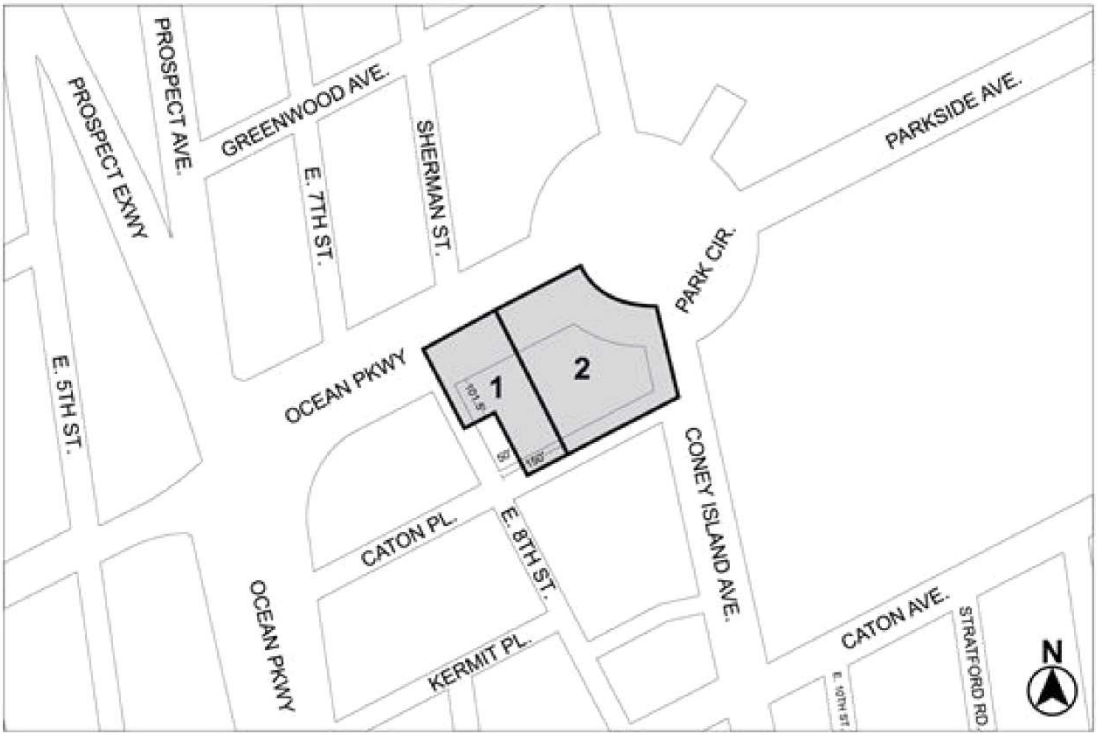
* * *

Map 3- [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*

Area **1** — 9/26/18 — MIH Program Option 1

Area **2** — [date of adoption] — MIH Program Option 1 ~~and Option 2~~

Portion of Community District 7, Brooklyn

* * *

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 _____, 2020, on file in this office.

City Clerk, Clerk of The Council