Legislation Details (With Text)

File #:	Res 0143-2022	**Version:** *	**Name:**	LU 20 - Zoning, 1034 – 1042 ATLANTIC AVENUE REZONING, Brooklyn (C 210386 ZMK)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	4/28/2022			
Enactment date:			**Enactment #:**	
Title:	Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210386 ZMK, a Zoning Map amendment (L.U. No. 20).			
Sponsors:	Rafael Salamanca, Jr., Kevin C. Riley			
Indexes:				
Attachments:	1. February 24, 2022 - Stated Meeting Agenda, 2. Hearing Transcript - Stated Meeting 2-24-22, 3. Calendar of the Zoning Subcommittee Meeting - March 8, 2022, 4. Calendar of the Zoning Subcommittee and Land Use Meetings - April 12, 2022, 5. City Planning Commission Approval Letter, 6. Committee Report, 7. Res. No. 143, 8. April 28, 2022 - Stated Meeting Agenda, 9. Hearing Transcript - Stated Meeting 4-28-22, 10. Minutes of the Stated Meeting - April 28, 2022			

Date	Ver.	Action By	Action	Result
4/12/2022	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
4/28/2022	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 143

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210386 ZMK, a Zoning Map amendment (L.U. No. 20).

By Council Members Salamanca and Riley

WHEREAS, EMP Capital Group, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-1 District to an R7A District, changing from an M1-1 District to a C6-3A District, and establishing within the proposed R7A District a C2-4 District, which in conjunction with the related actions would facilitate the construction of a 17-story mixed use development containing 210 dwelling units, 52 to 63 of which would be permanently affordable, along with commercial and community facility space, at 1034-1042 Atlantic Avenue in the Crown Heights neighborhood of Brooklyn, Community District 8 (ULURP No. C 210386 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on February 23, 2022 its decision dated February 16, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 210387 ZRK (L.U. No. 21), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and amend street wall regulations; and C 210379 ZSK (L.U. No. 22), a special permit pursuant to Zoning Resolution (ZR) Section 74-533 to reduce required residential off-street 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, upon due notice, the Council held a public hearing on the Decision and Application on March 8, 2022;

WHEREAS, the Council has considered the land use 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 September 20th, 2021 (CEQR No. 21DCP170K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-637) (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-637) 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 210386 ZMK 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 double struck out is old, deleted by the City Council;
Matter <u>double-underlined</u> is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16c:

1. changing from an M1-1 District to an R7A District property bounded by a line midway between Atlantic Avenue and Pacific Street, <u>a line 150 feet northwesterly of</u> Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;

2. changing from an M1-1 District to a C6-3A District property bounded by the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), <u>a line 150 feet northwesterly of</u> Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 315 feet northwesterly of Classon Avenue; and

3. establishing within the proposed R7A District a C2-4 District bounded by a line midway between Atlantic Avenue and Pacific Street, <u>a line 150 feet northwesterly of</u> Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;

Borough of Brooklyn, Community District 8, as shown on a diagram (for illustrative purposes only) dated September 20, 2021, and subject to the conditions of CEQR Declaration E-637.

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 _____, 2022, on file in this office.

City Clerk, Clerk of The Council

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