Legislation Details (With Text)

File #:	Res 1829-2021	**Version:** *	**Name:**	LU 890 - Landmarks, Cooper Park Commons, Brooklyn (C 210481 ZSK)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	11/23/2021			
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Title: Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210481 ZSK, for the grant of a special permit (L.U. No. 890).

Sponsors: Rafael Salamanca, Jr., Francisco P. Moya

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Attachments: 1. Res. No. 1829, 2. October 7, 2021 - Stated Meeting Agenda with Links to Files, 3. Calendar of the Landmarks, Public Sitings and Dispositions Subcommittee Meeting -October 13, 2021, 4. Hearing Transcript - Stated Meeting 10-7-21, 5. Hearing Testimony - Landmarks 10-13-21, 6. Calendar of the Subcommittee Meetings - October 25 and 26, 2021, 7. November 23, 2021 - Stated Meeting Agenda with Links to Files, 8. Hearing Transcript - Stated Meeting 11-23-21, 9. Restrictive Declaration, 10. LOCATING ENVIRONMENTAL REVIEW MATERIALS FOR CERTAIN LAND USE APPLICATIONS, 11. City Planning Commission Approval Letter, 12. Committee Report

Date	Ver.	Action By	Action	Result
11/10/2021	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
11/23/2021	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1829

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210481 ZSK, for the grant of a special permit (L.U. No. 890).

By Council Members Salamanca and Moya

WHEREAS, Maspeth Manager, LLC and the NYC 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 Section 74-743(a)(2) of the Zoning Resolution to modify the requirements of Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 23-711 (Standard minimum distance between buildings), in connection the development of two new buildings and the enlargement and conversion of two existing buildings, within a large-scale general development generally bounded by Jackson Avenue, Debevoise Avenue, Maspeth Avenue and Kingsland Avenue (Block 2885, Lots 1, 20, 23, 28 and 32), in R7-2 and R7-2/C2-4 Districts, which in conjunction with the related actions would facilitate the redevelopment of the former Greenpoint Hospital campus into a mixed-use development with two new buildings and the enlargement of two existing buildings containing 556 units of affordable housing, senior housing, replacement of a 200-bed homeless shelter, community facility uses, and light retail on the site located in the East Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 210481 ZSK) (the "Application");

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WHEREAS, the City Planning Commission filed with the Council on October 8, 2021, its decision dated October 6, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210480 ZMK (L.U. No. 889), a zoning map amendment to rezone the project area from an R6 zoning district to R7-2 and R7-2/C2-4 zoning districts; N 210482 ZRK (L.U. No. 891), a zoning text amendment to Appendix F to establish the project area as a Mandatory Inclusionary Housing (MIH) Area; C 210483 HAK (L.U. No. 892), an urban development action area (UDAA) designation, Urban Development Action Area Project (UDAAP) approval, and disposition of City-owned property; C 210484 PPK (L.U. No. 893), a disposition approval to change use restriction from a health care facility to a general community facility use;

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 74-743 (a)(2) 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 13, 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 June 18th, 2021 (CEQR No. 20HPD007K) (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 201 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 210481 ZSK, 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

1. The property that is the subject of this application (C 210481 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Magnusson Architecture & Planning PC, filed with this application, and incorporated in this resolution:

Dwg No.	**Title**	**Last Revised Date**
Z-002.00	Zoning Analysis, Base Plane Calculations	06/07 <u>11/10</u>/2021

Z-010.00	Zoning Lot Site Plan	06/07 11/10/2021
Z-030.00	Waiver Plan	06/07 11/10/2021
Z-040.00	West-East Section 1	06/07/2021
Z-041.00	West-East Section 2	06/07/2021
Z-042.00	West-East Section 3	06/07/2021
Z-043.00	North-South Section 1	06/07/2021
Z-044.00	North-South Section 2	06/07/2021
Z-045.00	North-South Section 3	06/07/2021
Z-054.00	Illustrative Axonometrics	04/30/2021
P-001.00	PAA Phasing Plan	06/07 11/10/2021
P-002.00	Publicly Accessible Area Plan	06/07 11/10/2021
L-001.00	Site Plan	06/07 11/10/2021
L-101.00	Open Area Plan	06/07 11/10/2021
L-201.00	Layout and Grading Plan	06/07 11/10/2021
L-301.00	Planting Plan	06/07 11/10/2021
L-401.00	Furniture and Fencing Plan	06/07 11/10/2021
L-501.00	Fence and Furnishing Details	06/07/2021
L-502.00	Planting Details	06/07/2021

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 conform 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, sublessee or occupant.

5. No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A, as amended by the Council, as same may be modified with any necessary administrative or technical changes, all as acceptable to the Counsel of the Department of City Planning, is executed and recorded and such Restrictive Declaration shall have been recorded and filed 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.

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

plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to this property.

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 **(**C 210481 ZSK) 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 or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.

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 _____, 2021, on file in this office.

City Clerk, Clerk of The Council

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