THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1664

Resolution approving the decision of the City Planning Commission on ULURP No. C 200326 ZSK, for the grant of a special permit (L.U. No. 753).

By Council Members Salamanca and Moya

WHEREAS, Suydam, Inc. and 3210 Willoughby, 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 74-533 of the Zoning Resolution to waive all required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed residential building, on property located at 1250 Willoughby Avenue (Block 3210, Lots 16, 17, 18, 19, 20, and 21), in an M1-5/R7D District, which in conjunction with the related actions would facilitate the development of a nine-story, 81,720-square-foot residential building with 95 affordable dwelling units at 1250 Willoughby Avenue and a 14,052-square-foot enlargement of an existing four-story industrial building at 349 Suydam Street in the Bushwick neighborhood of Brooklyn Community District 4 (ULURP No. C 200326 ZSK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 2, 2021, its decision dated March 17, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 200343 ZRK (Pre. L.U. No. 763), a zoning text amendment to establish a Special Mixed-Use District (MX-21) and designate a Mandatory Inclusionary Housing (MIH) Area; and C 200344 ZMK (L.U. No. 754), a zoning map amendment to change an M1-1 zoning district to R7D/M1-5, M1-5, and R6 zoning districts and to map a Special Mixed Use District (MX-21);

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 74-533 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 April 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 November 2nd, 2020 (CEQR No. 18DCP177K) (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 200326 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 200326 ZSK) shall be developed substantially in accordance with the specifications and zoning computations indicated on the following approved plans prepared by OCV Architects, filed with this application and incorporated in this resolution:

Drawing No.	**Title**	**Last Date Revised**
Z-001.00	Parking Special Permit Site Plan / Zoning	May 19, 2020

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 their 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 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 or 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 May 27, 2021, on file in this office.

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City Clerk, Clerk of The Council