THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1527

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 200094 ZSK, for the grant of a special permit (L.U. No. 698).

By Council Members Salamanca and Moya

WHEREAS, 312 Coney Island Avenue, 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 modify the requirements of Section 25-23 (Requirements Where Group Parking Facilities Are Provided) to waive all required accessory parking, to 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 (Block 5322, Lots 10 and 20) in the Windsor Terrace neighborhood of Community District 7, Brooklyn (ULURP No. C 200094 ZSK) (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 N 200093 ZRK (Pre. L.U. No. 697), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and to modify setback requirements in Zoning Resolution (ZR) Section Article XI, Chapter 3 to modify setback requirements for sites in R8A districts adjacent to Park Circle within the Special Ocean Parkway District (SOPD);

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 December 7, 2020;

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 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, C 200094 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 double-underlined is new, added by the City Council

1. The property that is the subject of this application (C 200094 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 FXCollaborative Architects LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
Z-001	Zoning Analysis	08/30/2019 12/09/20
Z-002	Site Plan	08/30/2019 12/09/20

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 plan 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. Upon 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 _____, 2020, on file in this office.

City Clerk, Clerk of The Council

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