



## **CITY PLANNING COMMISSION**

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November 6, 2013 / Calendar No. 8

N 140022 ZAK

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**IN THE MATTER OF** an application submitted by Greenpoint Landing Associates LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b), Borough of Brooklyn, Community District 1.

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**WHEREAS**, the City Planning Commission has received an application (N 140022 ZAK) dated July 17, 2013, from Greenpoint Landing Associates, LLC, requesting an authorization by the City Planning Commission pursuant to Section 62-822(a) to modify the location, and dimension requirements of Section 62-50 for waterfront public access areas and visual corridors on Zoning Lot 5b-1, to facilitate development of a mixed-use development including affordable housing and open space in Greenpoint, Community District 1, Borough of Brooklyn; and

**WHEREAS**, implementation of the project also requires the following related approvals

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|--------------|---|
| C 140019 HAK | Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space;   |
| N 140028 ZRK | Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school.   |
| N 140020 ZAK | Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 for Zoning Lot 5a; |

- N 140021 ZAK Authorization by the City Planning Commission pursuant to 62-822(b) to modify the requirements of Section 62-60 , 62-513 and 62-90 for waterfront public access areas, visual corridors and waterfront access plans on Zoning Lot 5a; ;
- N 140023 ZAK Authorization by the City Planning Commission pursuant to 62-822(b) of the Zoning Resolution to modify requirements of Section 62-60, 62-513 and 62-90 for waterfront public access areas, visual corridors and waterfront access plans on Zoning Lot 5b-1.
- N 140024 ZCK Chair Certification pursuant to ZR section 62-811 that a site plan has been submitted showing compliance with the provisions of Section 62-50, 62-60 and 62-90, except as modified by the authorizations (N 140020 ZAK and N 140021 ZAK) on Zoning Lot 5a.
- N 140025 ZCK Chair Certification pursuant to ZR section 62-811 to allow for the phased implementation of all required waterfront public access areas on Zoning Lot 5a.
- N 140026 ZCK Chair Certification pursuant to ZR Section 62-811 that a site plan has been submitted showing compliance with the provisions of Section 62-50, 62-60 and 62-90, except as modified by the authorizations (N 140022 ZAK and N 140023 ZAK) on Zoning Lot 5b-1.
- N 140027 ZCK Chair Certification pursuant to ZR Section 62-811 that a site plan has been submitted showing compliance with the provisions of Section 62-50, 62-60 and 62-90 on Zoning Lot 5d.

**WHEREAS**, detailed descriptions of this and the related actions are provided in the report for the related application for a UDAAP disposition (C 140019 HAK); and

**WHEREAS**, A full summary of the environmental review (CEQR No. 14DCP0004K) appears in the report on the related application for a UDAAP disposition (C 140019 HAK); and

**WHEREAS**, this application (N 140022 ZAK) in conjunction with the applications for the related actions, was duly referred to Brooklyn Community Board 1 and the Brooklyn Borough President on July 22, 2013 in accordance with the procedure for referring non-ULURP matters in conjunction with the applications for the related ULURP actions which were certified as complete by the Department of City Planning on July 22, 2013 in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b); and

**WHEREAS**, a summary of the recommendations of the Community Board and the Borough President may be found in the report on the related UDAAP disposition application (C 140019 HAK); and

**WHEREAS**, this application in conjunction with the related applications, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq.*) and determined that it was consistent with the policies of the WRP. The designated WRP number for this application and its related actions is 12-137.

**WHEREAS**, the City Planning Commission hereby makes the following findings pursuant to ZR Section 62-822(a)(1) of the Zoning Resolution:

- (i) comply with the required minimum dimensions and equal the required total area, in aggregate; and

- (ii) due to their alternative location and design, provide equivalent public use and enjoyment of the waterfront and views to the water from upland streets and other public areas; and

**WHEREAS**, the Commission has determined that the application warrants approval and therefore adopts the following resolution:

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, that based on the environmental determination described in this report, the application submitted by Greenpoint Landing Associates, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b), Borough of Brooklyn, Community District 1, is approved subject to the following terms and conditions:

1. The development that is the subject of this application (N 140022 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans, prepared by Handel Architects LLP and James Corner Field Operations, and filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	ULURP Master Plan	07-15-2013
G-050.00	Survey	08-29-2013
L-001.00	WPAA Diagram	07-08-2013
L-101.00	Zoning Calculations Chart 1	07-08-2013
L-102.00	Zoning Calculations Chart 2	07-08-2013
L-103.00	Zoning Calculations Chart 3	07-08-2013
L-104.00	Zoning Calculations Chart 4	07-08-2013
L-110.00	WPAA Layout Plan	07-08-2013
L-120.00	Material Plan	07-08-2013
L-130.00	Seating Plan	07-08-2013
L-131.00	Seating Schedule	07-08-2013
L-140.00	Furnishing Plan (and Signage)	07-08-2013
L-150.00	Planting Plan (Trees)	07-08-2013
L-151.00	Planting Plan (Grasses, Perennials, Vines)	07-08-2013
L-160.00	Lighting Plan	07-08-2013
L-165.00	Lighting Plan Photometrics	07-08-2013
L-170.00	Grading Plan	07-08-2013
L-210.00	Site Details – Paving & Edging	07-08-2013
L-211.00	Site Details – Paving & Edging	07-08-2013
L-220.00	Site Details – Steps and Walls	07-08-2013
L-230.00	Site Details – Guardrails & Handrails	07-08-2013
L-240.00	Site Details – Furnishing	07-08-2013
L-241.00	Site Details – Furnishing 4	07-08-2013
L-242.00	Site Details – Furnishing	07-08-2013
L-250.00	Site Details – Lighting	07-08-2013
L-260.00	Site Details – Planting	07-08-2013
L-270.00	Site Details – Signage	07-08-2013
L-271.00	Site Details – Signage	07-08-2013

L-300.00	Site Sections/Section through Dupont St. V.C.	07-08-2013
L-301.00	Site Sections 4	07-08-2013
L-302.00	Site Sections 4	07-08-2013

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.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related application for a UDAAP approval (C140019 HAK) with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
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 restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any 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 authorization.

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 authorization.

The above resolution duly adopted by the City Planning Commission on November 6, 2013 (Calendar No. 4) is filed with the Office of the Speaker, City Council in accordance with the requirements of Section 62-822(a) of the Zoning Resolution.

**AMANDA M. BURDEN, FAICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman,**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE DE LA UZ,**  
**MARIA M. DEL TORO, JOSEPH DOUECK, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN, OLRANDO MARIN Commissioners**