



Legislation Details (With Text)

File #: Res 0730-2015 **Version:** * **Name:** LU 211 - Zoning, Cherry Hill Gourmet Text Amendment, Brooklyn (N150109ZRK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 5/27/2015

Enactment date: **Enactment #:**

Title: Resolution approving with modifications the decision of the City Planning Commission on Application No. N 150109 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning use regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Community District 15, Borough of Brooklyn (L.U. No. 211).

Sponsors:

Indexes:

Attachments: 1. City Planning Commission Approval Letter, 2. May 27, 2015 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 5-27-15, 4. Committee Report, 5. Minutes of the Stated Meeting - May 27, 2015

Date	Ver.	Action By	Action	Result
5/7/2015	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
5/27/2015	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 730**

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 150109 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning use regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Community District 15, Borough of Brooklyn (L.U. No. 211).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on March 30, 2015 its decision dated March 30, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, concerning use regulations in Article IX, Chapter 4 (Special Sheepshead Bay District) (Application No. N 150109 ZRK), Community District 15, Borough of Brooklyn (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 5, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 15DCP058K) issued on March 30, 2015 (the “Revised Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised 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, N 150109 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter in double ~~strikeout~~ is old, deleted by the Council;

Matter in **bold double-underline** is new, added by the Council;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article IX

SPECIAL PURPOSE DISTRICTS

* * *

Chapter 4

Special Sheepshead Bay District

* * *

94-06

Special Use Regulations

In order to preserve the character of the area and to encourage waterfront and related #uses#, special limitations are imposed on the location, size and kinds of #uses# permitted within the Special District as set forth in this Section.

~~(2/2/11)~~

94-061

Permitted residential, community facility and commercial U uses permitted by right

- (a) #Residential# and #community facility uses#

#Uses# listed in Use Groups 1, 2, 3 and 4 shall be allowed anywhere within the Special District, except as set forth in Section 94-065 (Restriction on ground floor use).

(b) #Commercial uses#

In ~~a~~Areas A, B, C, D and E, as indicated in Appendix A (District Map) of this Chapter, only those #commercial uses# ~~shall be limited to those~~ listed in Section

94-062 (Use Group SB), and those #uses# listed in Section 62-211 (Water-Dependent (WD) uses) from Use Groups 6, 7, 9 and 14, ~~except for~~ and those #uses# permitted ~~under~~ pursuant to Section 94-063 (Uses permitted by special permit), shall be allowed. In addition, in Area B, a food store, as listed in Section 32-15 (Use Group 6), shall also be allowed on a #zoning lot# existing on (effective date of amendment) for a period of ten (10) years from (effective date of amendment). Such food store shall be limited to one such establishment per #zoning lot# and shall be limited to 15,000 square feet of #floor area# utilized for the sale of food and non-food grocery products, and further such establishment shall be limited to an additional 6,500 square feet of #floor area# for #accessory# office and storage space. There shall be no limitation on the amount of #floor area# utilized for eating or drinking places as listed in Use Group SB, pursuant to Section 94-062.

In Area F, only #commercial uses# ~~permitted by~~ listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts# ~~boundaries~~.

In Area G, only #commercial uses# ~~permitted by~~ listed in Use Groups 6, 7, 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts# ~~boundaries~~.

In Area H, except for #uses# permitted ~~under~~ pursuant to Section 94-063, #commercial uses# shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 and the following #uses#:

* * *

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, 2015, on file in this office.

.....
City Clerk, Clerk of The Council