



Legislation Details (With Text)

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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 130213 ZMK, a Zoning Map amendment (L.U. No. 883).

Sponsors: Leroy G. Comrie, Jr., Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 9-24-13

Date	Ver.	Action By	Action	Result
9/18/2013	*	Committee on Land Use	Approved by Committee	
9/24/2013	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1940

Resolution approving the decision of the City Planning Commission on ULURP No. C 130213 ZMK, a Zoning Map amendment (L.U. No. 883).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on August 9, 2013 its decision dated August 7, 2013 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 16c, 16d, 17a and 17b, to rezone all or portions of 55 blocks in Brooklyn Community District 8, which would enable the mapping of contextual zoning districts and establish new Inclusionary Housing Areas to incentivize the development of affordable housing, Community Districts 8 and 9 (ULURP No. C 130213 ZMK), Borough of Brooklyn (the "Application");

WHEREAS, the application is related to Application C 130212 ZRK (L.U. No. 882), a zoning text amendment to create new Inclusionary Housing Designated Areas in Brooklyn Community District 8 and modify height and setback regulations along Eastern Parkway in Community Districts 8 and 9;

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 September 16, 2013;

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 and the negative declaration (CEQR No. 13DCP105K) issued March 18, 2013 (the “Negative Declaration”), which includes an (E) designation on selected sites to preclude potential noise and hazardous materials impacts (“E-302”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration and subject to the conditions of E-302.

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 this report, C 130213 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 16c, 16d, 17a, and 17b:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Prospect Place, a line 150 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 150 feet northwesterly of Franklin Avenue;
 - c. Pacific Avenue, a line 150 feet easterly of Nostrand Avenue, St. Marks Avenue, and a line 150 feet westerly of Nostrand Avenue; and
 - d. St. Johns Place, a line 150 feet easterly of Nostrand Avenue, Eastern Parkway, and a line 150 feet westerly of Nostrand Avenue;
2. eliminating from within an existing R7-1 District a C1-3 District bounded by a line midway between Sterling Place and St. Johns Place, St. Francis Place and its northeasterly and southwesterly centerline prolongations, Eastern Parkway, and a line 150 feet northwesterly of Franklin Avenue;
3. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. Dean Street, a line 150 feet southeasterly of Franklin Avenue, Prospect Place, and a line 150 feet northwesterly of Franklin Avenue;
 - b. a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, a line 150 feet northwesterly of Bedford Avenue, Bergen Street, and Rogers Avenue;
 - c. a line midway between Lincoln Place and Eastern Parkway, a line 150 feet easterly of Rogers Avenue, Eastern Parkway, and a line 150 feet westerly of Rogers Avenue; and
 - d. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 150 feet easterly of Nostrand Avenue, Pacific Street, a line 150 feet westerly of

Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;

4. changing from an R6 District to an R5B District property bounded by:
 - a. a line midway between Prospect Place and Park Place, a line 100 feet northwesterly of Bedford Avenue, a line midway between Park Place and Sterling Place, a line 225 feet southeasterly of Franklin Avenue, Park Place, and a line 100 feet southeasterly of Franklin Avenue; and
 - b. Sterling Place, a line 100 feet northwesterly of Bedford Avenue, St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, a line midway between Sterling Place and St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
5. changing from an R7-1 District to an R5B District property bounded by a line midway between Sterling Place and St. Johns Place, the northeasterly centerline prolongation of St. Francis Place, St. Johns Place, and a line 100 feet southeasterly of Franklin Avenue;
6. changing from a C4-3 District to an R6 District property bounded by St. Mark's Avenue, a line 150 feet easterly of Nostrand Avenue, St. Johns Place, and a line 100 feet easterly of Nostrand Avenue;
7. changing from an R6 District to an R6A District property bounded by:
 - a. Dean Street, a line 100 feet southeasterly of Classon Avenue, St. Mark's Avenue, the line the centerline of a Railroad right-of-way, a line midway between Prospect Place and Park Place, a line 175 feet southeasterly of Classon Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northeasterly of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet southeasterly of Grand Avenue, a line midway between Prospect Place and Park Place, a line 450 feet northwesterly of Classon Avenue, Park Place, a line 100 feet northwesterly of Classon Avenue, Prospect Place, a line 500 feet northwesterly of Classon Avenue, a line midway between St. Mark's Avenue and Prospect Place, a line 100 feet northwesterly of Classon Avenue, St. Mark's Avenue, a line 450 feet southeasterly of Grand Avenue, Bergen Street, and a line 100 feet northwesterly of Classon Avenue;
 - b. Lincoln Place, a line 100 feet northwesterly of Bedford Avenue, Eastern Parkway, the southwestly centerline prolongation of St. Francis Place, Lincoln Place, a line 275 feet southeasterly of Franklin Avenue, a line midway between Eastern Parkway and Lincoln Place, and a line 235 feet northwesterly of Bedford Avenue;
 - c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, a line 100 feet northeasterly of Bedford Avenue, a line 100 feet easterly of Rogers Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 150 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, St. Johns Place, Bedford Avenue, Lincoln Place, a line 100 feet northwesterly of Bedford Avenue, Dean Street, a line 80 feet northwesterly of Franklin Avenue, Pacific Street, Bedford Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue; and

- d. St. Johns Place, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet easterly of Rogers Avenue, a line midway between Lincoln Place and Eastern Parkway, and a line 100 feet westerly of Nostrand Avenue;
8. changing from an R7-1 District to an R6A District property bounded by:
 - a. a line midway between St. Johns Place and Sterling Place, Classon Avenue, St. Johns Place, and a line 100 feet northeasterly of Washington Avenue; and
 - b. Lincoln Place, the southwesterly centerline prolongation of St. Francis Place, Eastern Parkway, and a line 100 feet southeasterly of Franklin Avenue;
9. changing from a C4-3 District to an R6A District property bounded by St. Marks Avenue, a line 100 feet easterly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand Avenue, a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 100 feet westerly of Nostrand Avenue;
10. changing from an R6 District to an R6B District property bounded by:
 - a. Bergen Street, a line 450 feet southeasterly of Grand Avenue, St. Marks Avenue, a line 100 feet northwesterly of Classon Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 500 feet northwesterly of Classon Avenue, Prospect Place, a line 100 feet northwesterly of Classon Avenue, Park Place, a line 450 feet northwesterly of Classon Avenue, a line midway between Prospect Place and Park Place, a line 100 feet southeasterly of Grand Avenue, Prospect Place, and Grand Avenue;
 - b. a line midway between Prospect Place and Park Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, and a line 175 feet southeasterly of Classon Avenue;
 - c. Dean Street, a line 100 feet northwesterly of Bedford Avenue, a line midway between Prospect Place and Park Place, and a line 100 feet southeasterly of Franklin Avenue;
 - d. Park Place, a line 225 feet southeasterly of Franklin Avenue, a line midway between Park Place and Sterling Place, a line 100 feet northwesterly of Bedford Avenue, Sterling Place, and a line 100 feet southeasterly of Franklin Avenue;
 - e. St. Johns Place, a line 100 feet northwesterly of Bedford Avenue, Lincoln Place, a line 235 feet northwesterly of Bedford Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 275 feet southeasterly of Franklin Avenue, and St. Francis Place;
 - f. a line midway between Pacific Street and Dean Street, a line 100 feet westerly of Nostrand Avenue, St. Marks Avenue, a line 150 feet northwesterly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, a line 100 feet easterly of Rogers Avenue, and a line 100 feet northeasterly of Bedford Avenue; and
 - g. a line midway between Sterling Place and St. Johns Place, a line 150 feet westerly of Nostrand Avenue, St. Johns Place, a line 100 feet westerly of Nostrand

Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 100 feet easterly of Rogers Avenue, Eastern Parkway, a line 125 feet southeasterly of Bedford Avenue, St. Johns Place and Rogers Avenue;

11. changing from an R7-1 District to an R6B District property bounded by:
 - a. a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between St. Johns Place and Lincoln Place, the line the centerline of a Railroad right-of-way, St. Johns Place, and a line 300 feet southeasterly of Classon Avenue; and
 - b. St. Johns Place, St. Francis Place, Lincoln Place, and a line 100 feet southeasterly of Franklin Avenue;
12. changing from a C4-3 District to an R6B District property bounded by:
 - a. St. Marks Avenue, a line 100 feet westerly of Nostrand Avenue, a line midway between St. Marks Avenue and Prospect Place, and a line 150 feet westerly of Nostrand Avenue; and
 - b. a line midway between Sterling Place and St. Johns Place, a line 100 feet westerly of Nostrand Avenue, St. Johns Place, and a line 150 feet westerly of Nostrand Avenue;
13. changing from an R6 District to an R7A District property bounded by Dean Street, a line 100 feet southeasterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Prospect Place and Park Place, the line the centerline of a Railroad right-of-way, St. Marks Avenue, a line 100 feet southeasterly of Classon Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue;
14. changing from an R7-1 District to an R7A District property bounded by St. Johns Place, Classon Avenue, a line midway between Sterling Place, and St. Johns Place, a line 300 feet southeasterly of Classon Avenue, St. Johns Place, the line the centerline of a Railroad right-of-way, a line midway between St. Johns Place and Lincoln Place, a line 100 feet northwesterly of Franklin Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, and a line 100 feet northeasterly of Washington Avenue;
15. changing from an R6 District to an R7D District property bounded by St. Johns Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, a line 100 feet southeasterly of Bedford Avenue, Lincoln Place, and Bedford Avenue;
16. changing from an C8-2 District to an R7D District property bounded by Lincoln Avenue, a line 100 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;
17. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Prospect Place, Classon Avenue, Park Place, and a line 100 feet northwesterly of Classon Avenue;
 - b. Bergen Street, Bedford Avenue, a line midway between Dean Street and Bergen Street, a line 100 feet easterly of Rogers Avenue, a line midway between Sterling Place and St. Johns Place, Rogers Avenue, Sterling Place, and a line 100 feet northwesterly of Bedford Avenue;

Avenue; and

- c. the northerly boundary line of the Long Island Railroad right-of-way, a line 100 feet easterly of Nostrand Avenue, a line midway between Pacific Street and Dean Street, Nostrand Avenue, Dean Street, a line 100 feet easterly of Nostrand Avenue, Eastern Parkway, a line 100 feet westerly of Nostrand Avenue, Dean Street, a line 50 feet westerly of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 100 feet westerly of Nostrand Avenue;

18. establishing within a proposed R7A District a C2-4 District bounded by Dean Street, a line 100 feet southeasterly of Franklin Avenue, Eastern Parkway, a line 100 feet northwesterly of Franklin Avenue, Bergen Street, and a line 150 feet northwesterly of Franklin Avenue; and

19. establishing within a proposed R7D District a C2-4 District bounded by Lincoln Place, a line 125 feet southeasterly of Bedford Avenue, Eastern Parkway, and a line 100 feet northwesterly of Bedford Avenue;

as shown in a diagram (for illustrative purposes only) dated March 18, 2013, and subject to the conditions of CEQR Declaration E-302, Community Districts 8 and 9, Borough of Brooklyn.

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 September 24, 2013, on file in this office.

City Clerk, Clerk of The Council