



Legislation Details (With Text)

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**On agenda:** 12/21/2009

**Enactment date:**    **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 090413 ZMK, a Zoning Map amendment (L.U. No. 1227).

**Sponsors:**

**Indexes:**

**Attachments:** 1. Hearing Transcript - Stated Meeting 12/21/09, 2. Committee Report

Date	Ver.	Action By	Action	Result
12/7/2009	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
12/21/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 2319

Resolution approving the decision of the City Planning Commission on ULURP No. C 090413 ZMK, a Zoning Map amendment (L.U. No. 1227).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on October 19, 2009 its decision dated October 19, 2009 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to rezone 9 blocks bounded by Lynch Street, Throop, Flushing Avenue and Harrison Avenue, Walton Street, and Union Avenue from C8-2, M1-2, and M3-1 to C4-3, R6A and R7A districts with C2-4 overlays (ULURP No. C 090413 ZMK) (the "Application");

WHEREAS, the Application is related to Applications Numbers N 090414 ZRK (L.U. No. 1228), an amendment to the Zoning Resolution; C 090415 HUK (L.U. No. 1229), an amendment to the Broadway Triangle Urban Renewal Plan; C 090416 HAK (L.U. No. 1230), an urban development action area project designation, project approval and disposition of city-owned property;

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 November 19, 2009;

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 Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2009 (CEQR No. 09HPD019K);

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the actions to be approved are one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

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- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.
- (4) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11 (d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, 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 No. 13b:

1. changing from a C8-2 District to an R6A District property bounded by Lynch Street, Broadway, Middleton Street and its northeasterly centerline prolongation, and Union Avenue;
2. changing from an M1-2 District to an R6A District property bounded by Middleton Street, Throop Avenue, Walton Street, Harrison Avenue, and Union Avenue;
3. changing from an M3-1 District to an R6A District property bounded by Lorimer Street, Harrison Avenue, the southwesterly centerline prolongation of Walton Street, and Union Avenue;
4. changing from an M1-2 District to an R7A District property bounded by Walton Street, Throop Avenue, Whipple Street, Flushing Avenue, and Harrison Avenue;
5. changing from an M1-2 District to a C4-3 District property bounded by Whipple Street, Throop Avenue, and Flushing Avenue;
6. establishing within a proposed R6A a C2-4 District bounded by Lynch Street, Broadway, the

northeasterly centerline prolongation of Middleton Street, Throop Avenue, Lorimer Street, a line 100 feet southwesterly of Throop Avenue, a line midway between Lynch Street and Middleton Street, a line 100 feet northeasterly of Union Avenue, a line 100 feet northeasterly of Harrison Avenue, Lorimer Street, Harrison Avenue, the southwesterly centerline prolongation of Walton Street, and Union Avenue; and

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7. establishing within a proposed R7A a C2-4 District bounded by:
  - a. Walton Street, Throop Avenue, Bartlett Street, and a line 100 feet southwesterly of Throop Avenue; and
  - b. Walton Street, a line 100 feet northeasterly of Harrison Avenue, a line 100 feet northerly of Flushing Avenue, a line perpendicular to the northwesterly street line of Whipple Street distant 50 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Whipple Street and the northerly street line of Flushing Avenue, Whipple Street, Flushing Avenue, and Harrison Avenue;

as shown on a diagram (for illustrative purposes only), dated May 18, 2009, and subject to the conditions of CEQR Declaration E-238, Community District 1, 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 December 21, 2009, on file in this office.

City Clerk, Clerk of The Council