



Legislation Details (With Text)

**File #:** Res 1580-2021      **Version:** \*      **Name:** LU 727 - Zoning, 9114 5th Avenue Rezoning, Brooklyn (C 190447 ZMK)

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 3/18/2021

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

**Title:** Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 190447 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 727).

**Sponsors:**

**Indexes:**

**Attachments:** 1. Res. No. 1580, 2. Calendar of the Subcommittee Meetings - February 9 and 10, 2021, 3. February 11, 2021 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 2-11-21, 5. Minutes of the Stated Meeting - February 11, 2021, 6. Calendar of the Subcommittee Meetings - February 18 and 23, 2021, 7. Land Use Calendar - February 24, 2021, 8. City Planning Commission Approval Letter, 9. March 18, 2021 - Stated Meeting Agenda with Links to Files, 10. Hearing Transcript - Stated Meeting 3-18-21, 11. Minutes of the Stated Meeting - March 18, 2021, 12. Committee Report

Date	Ver.	Action By	Action	Result
2/24/2021	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
3/18/2021	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1580**

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 190447 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 727).**

**By Council Members Salamanca and Moya**

WHEREAS, Bayride Realty, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an existing C8-2 District to an R7A District and establishing within a proposed R7A District a C2-4 District , which in conjunction with the related action would facilitate the construction of a new nine-story, approximately 45,000-square-foot mixed-use building with approximately 41 dwelling units and ground floor commercial uses at 9114 Fifth Avenue (Block 6087, Lots 23 and 31) in the Bay Ridge neighborhood of Brooklyn, Community District 10 (ULURP No. C 190447 ZMK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on February 8, 2021, its decision dated February 3, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 190448 ZRK (Pre. L.U. No. 728), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 9, 2021;

WHEREAS, the Council has considered the land use 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 August 31<sup>st</sup>, 2020 (CEQR No. 19DCP128K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-513) (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-513) 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 190447 ZMK, 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 underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter double struck out is old, deleted by the City Council

Matter double-underlined is new, added by the City Council

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

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

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. 22d:

1. changing from an existing C8-2 District to an R6A District property bounded by a line 75 feet northeasterly of 92<sup>nd</sup> Street, a line 125 feet northwesterly of 5<sup>th</sup> Avenue, 92<sup>nd</sup> Street, and a line 185 feet northwesterly of 5<sup>th</sup> Avenue;
  
42. changing from an existing C8-2 District to an R7A District property bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, 5th Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of 5<sup>th</sup> Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of 5<sup>th</sup> Avenue; ~~and~~
  
3. establishing within a proposed R6A District a C2-4 District bounded by a line 75 feet northeasterly of 92<sup>nd</sup> Street, a line 125 feet northwesterly of 5<sup>th</sup> Avenue, 92<sup>nd</sup> Street, and a line 185 feet northwesterly of 5<sup>th</sup> Avenue; and

24. establishing within a proposed R7A District a C2-4 District bounded by a line 85 feet southwesterly of 91<sup>st</sup> Street, 5<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 185 feet northwesterly of 5<sup>th</sup> Avenue, a line 75 feet northeasterly of 92<sup>nd</sup> Street, and a line 125 feet northwesterly of 5<sup>th</sup> Avenue;

as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of CEQR Declaration E-577.

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 March 18, 2021, on file in this office.

City Clerk, Clerk of The Council