



Legislation Details (With Text)

**File #:** Res 1946-2009    **Version:** \*    **Name:** LU 1052 - Zoning, ESP Group LLC, Brooklyn (C070396ZMK)  
**Type:** Resolution    **Status:** Adopted  
**In control:** Committee on Land Use

**On agenda:** 4/22/2009

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

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 070396 ZMK, a Zoning Map amendment (L.U. No. 1052).

**Sponsors:** Melinda R. Katz, Tony Avella

**Indexes:**

**Attachments:** 1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 4/22/09

Date	Ver.	Action By	Action	Result
4/21/2009	*	Committee on Land Use	Approved by Committee	
4/22/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1946

Resolution approving the decision of the City Planning Commission on ULURP No. C 070396 ZMK, a Zoning Map amendment (L.U. No. 1052).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on March 23, 2009 its decision dated March 18, 2009 (the "Decision"), on an application submitted by ESP Group, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 070396 ZMK) (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 April 20, 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 Conditional Negative Declaration, issued on March 16, 2009 (CEQR No. 07DCP056K);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the following condition:

The applicant agrees via restrictive declarations to prepare hazardous materials sampling protocols, including a health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit hazardous material remediation plans including health and safety plans to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans.

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. 17b:

1. changing from an M1-1 District to an R7A District property bounded by Clarkson Avenue, a line 100 feet westerly of New York Avenue, a line midway between Clarkson Avenue and Lenox Avenue, and a line 100 feet easterly of Nostrand Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by Clarkson Avenue, a line 100 feet westerly of New York Avenue, a line midway between Clarkson Avenue and Lenox Avenue, and a line 100 feet easterly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated November 17, 2008 and which includes CEQR Designation E-224, Community District 17, 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 April 22, 2009, on file in this office.

City Clerk, Clerk of The Council