



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 2063

Resolution approving the decision of the City Planning Commission on ULURP No. C 070250 MMK, an amendment to the City Map (L.U. No. 953).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on October 25, 2013 its decision dated October 23, 2013 (the "Decision"), on the application submitted by Forrest Lots, LLC, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2722, dated June 9, 2010 and signed by the Borough President, (ULURP No. C 070250 MMK), Community District 4, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications C 080322 ZMK (L.U. No. 951), a proposed amendment to the Zoning Map for approximately five and a half blocks in Brooklyn Community District 4 to change the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2; and N 110179 ZRK (L.U. No. 952), a zoning text amendment to create new Inclusionary Housing Designated Areas in Brooklyn Community District 4;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 12, 2013;

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

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 11, 2013 (CEQR No. 09DCP002K);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action to be approved, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (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, pursuant to the Restrictive Declaration marked as Exhibit A in the City Planning Commission Report (C 080322 ZMK), those mitigation measures that were identified as practicable; and
- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A in the City Planning Commission Report (C 080322 ZMK), as same may be modified with any necessary administrative or technical changes, all as acceptable to counsel to the Department, is executed, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Kings.

The Decision together with 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 199 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 070250 MMK, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in Community District 4, Borough of Brooklyn, in accordance with Map No. X-2722 dated June 9, 2010 and signed by the Borough President, subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2722 dated June 9, 2010, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance

with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

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 10, 2013, on file in this office.

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City Clerk, Clerk of The Council