



## Legislation Details (With Text)

<b>File #:</b>	Res 1020-2016	<b>Version:</b>	*	<b>Name:</b>	LU 346 - Zoning, 3133-3135 Emmons Ave, Brooklyn (N 150342 ZRK)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Adopted:</b>	Adopted
		<b>In control:</b>		<b>Committee on Land Use:</b>	Committee on Land Use
<b>On agenda:</b>	3/22/2016				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on Application No. N 150342 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Community District 15, Borough of Brooklyn (L.U. No. 346).				
<b>Sponsors:</b>	David G. Greenfield, Donovan J. Richards				
<b>Indexes:</b>					
<b>Attachments:</b>	1. March 9, 2016 - Stated Meeting Agenda with Links to Files, 2. Land Use Calendar - Week of March 14, 2016 - March 18, 2016, 3. REVISED - Land Use Calendar - Week of March 14, 2016 - March 18, 2016, 4. Land Use Calendar - March 17, 5. Hearing Transcript - Land Use 3/17/16, 6. March 22, 2016 - Stated Meeting Agenda with Links to Files, 7. Hearing Transcript - Stated Meeting 3-22-16, 8. Committee Report, 9. Minutes of the Stated Meeting - March 22, 2016				

Date	Ver.	Action By	Action	Result
3/17/2016	*	Committee on Land Use	Approved by Committee	
3/22/2016	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1020

**Resolution approving the decision of the City Planning Commission on Application No. N 150342 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Community District 15, Borough of Brooklyn (L.U. No. 346).**

#### By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on February 26, 2016 its decision dated February 24, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by STGG Realty, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, concerning use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District) to facilitate the enlargement of an existing two-story building located at 3133-3135 Emmons Avenue (Block 8804, Lot 75), in the Special Sheepshead Bay District, Area G (Application No. N 150342 ZRK), Community District 15, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application C 150343 ZSK (L.U. No. 345), a Special Permit pursuant to Section 94-096 of the Zoning Resolution of the City of New York to modify the floor area requirements, the location of use requirements, the height requirements, and the accessory parking requirements within the Special Sheepshead Bay District;

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 March 15, 2016;

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. 15DCP156K) issued on October 5, 2015, which included an (E) designation (E-367) to avoid the potential for significant adverse impacts related to air quality (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 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, N 150342 ZRK, 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 as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

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

\* \* \* indicate where unchanged text appears in the Zoning Resolution

**ARTICLE IX - Special Purpose Districts Chapter 4 - Special Sheepshead Bay District**

\* \* \*

**94-064**

**Supplementary use regulations**

The provisions of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals), Sections 73-10 through 73-52, relating to modifications of #use#, shall not apply in the Special District, except that Section 73-36 (Physical Culture or Health Establishments) shall be applicable.

\* \* \*

**94-09**

**Special Bulk Regulations**

\* \* \*

#### 94-092

##### Maximum floor area ratio

The permitted basic #floor area ratio# for #residential# or #community facility use# is 1.25 and for #commercial use# is 1.00. The permitted basic #floor area ratio# may be increased on any #zoning lot# by the amount set forth in Section 94-08 (Special Floor Area Bonus Provisions), or through transfer provisions pursuant to Section 94-094 (Authorization provisions for transfer of development rights to receiving lots) or by special permit pursuant to Section 94-096 (Special permit for floor area, location within buildings, building height and related parking modifications within Area G).

\* \* \*

#### 94-096

##### Special permit for floor area, location within buildings, building height and related parking modifications within Area G

For #enlargements# to #buildings# in Area G, on #zoning lots# with a #lot area# of at least 10,000 square feet and existing on (effective date of amendment), the City Planning Commission may:

- (a) modify the provisions of Section 94-092 (Maximum floor area ratio) to increase the permitted #floor area ratio# for #commercial use# to 2.0 provided that such #enlargement#:
  - (1) is designed so as not to impair the character of the surrounding area or its future development; and
  - (2) will not cause undue congestion on local #streets# or impair pedestrian circulation;
- (b) modify the height provisions of paragraph (a) of Section 33-431 (In C1 or C2 Districts with bulk governed by surrounding Residence District) relating to the requirements in Section 32-42 for location of #uses# within #buildings#, to allow a #commercial building# or portion thereof to exceed 30 feet in height or two #stories#, provided that such #building# shall not exceed a maximum height of 35 feet or three #stories#, whichever is less; and provided that the distribution of the #bulk# permits adequate access of light and air to surrounding #streets# and properties, and does not impair the view of the Bay; and
- (c) waive or reduce the number of #accessory# off-street parking spaces required by Section 36-21 (General Provisions) for such #use#, provided that the applicant has demonstrated that the number of #accessory# off-street parking spaces supplied is sufficient to meet the parking needs of such #use#.

The City Planning Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\* \* \*

#### 94-11

##### Special Parking Provisions

\* \* \*

94-114

**Exceptions to application of waiver provisions and applicability of special permits related to parking**

In areas A, B, C, D, E and F, the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number) do not apply.

The provisions relating to modifications of #parking# requirements of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals) in Sections 73-10 through 73-52, shall not apply in the Special District.

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 22, 2016, on file in this office.

.....  
City Clerk, Clerk of The Council