



## Legislation Details (With Text)

<b>File #:</b>	Res 0794-2011	<b>Version:</b>	*	<b>Name:</b>	LU 359 - Zoning, Amendment to Zoning Map (C 070579 ZMK)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Adopted Committee on Land Use
<b>On agenda:</b>	4/6/2011				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on ULURP No. C 070579 ZMK, a Zoning Map amendment (L.U. No. 359).				
<b>Sponsors:</b>	Leroy G. Comrie, Jr., Mark S. Weprin				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 4-6-11				

Date	Ver.	Action By	Action	Result
4/5/2011	*	Committee on Land Use	Approved by Committee	
4/6/2011	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 794

Resolution approving the decision of the City Planning Commission on ULURP No. C 070579 ZMK, a Zoning Map amendment (L.U. No. 359).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on March 18, 2011 its decision dated March 16, 2011 (the "Decision"), on the application submitted by S&H Glazer Bros., Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to change a C8-2 zoning district to a R6A/C2-4 zoning district on a block bounded by Howard Avenue, Eastern Parkway Extension and Pitkin Avenue, to facilitate the development of a five-story mixed-use building with 7,267 square feet of ground-floor commercial space and 20 dwelling units in the Ocean Hill section of Brooklyn (ULURP No. C 070579 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 4, 2011;

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 November 10, 2010, which included (E) designation (E-260) that would eliminate the

potential for significant adverse impacts related air quality, noise and hazardous materials, and would ensure that appropriate testing, remediation and corrective action (CEQR No. 08DCP017K);

**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 a restrictive declaration to prepare a Phase II Environmental Assessment Statement (ESA), hazardous materials sampling protocol and 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 a hazardous material remediation plan including a

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health and safety plan 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, and based on the environmental determination and consideration described in this report, C 070579 ZMK, 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 by changing the Zoning Map, Section No. 17b:

1. changing from an C8-2 District to an R6A District property bounded by Eastern Parkway Extension, Howard Avenue, and Pitkin Avenue; and
2. establishing within the proposed R6A District an C2-4 District bounded by Eastern Parkway Extension, Howard Avenue, and Pitkin Avenue;

as shown on a diagram (for illustrative purposes only) dated November 15, 2010, and subject to the conditions of CEQR declaration E-260, Community District 5, 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 6, 2011, on file in this office.

City Clerk, Clerk of The Council