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Title: Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 060130 ZMK, a Zoning Map change (L.U. No. 32).

Sponsors: Melinda R. Katz, Tony Avella

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 4/5/06

Date	Ver.	Action By	Action	Result
4/5/2006	*	Committee on Land Use	Approved by Committee	
4/5/2006	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 258

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 060130 ZMK, a Zoning Map change (L.U. No. 32).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on February 27, 2006 its decision dated February 22, 2006 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 060130 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 3, 2006;

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, issued on October 17, 2005, which included (E) designations for hazardous materials and noise (CEQR No. 06DCP030K);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment.

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 with the following modifications:

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 Nos. 22c, 22d, 23a, 23b:

Matter in double-underlined is new, to be added by the City Council;
Matter in [brackets] is old, to be deleted by the City Council.

1. eliminating from an existing R6 District a C2-3 District bounded by:
 - a. East 12th Street, Locust Avenue, East 13th Street and a line 100 feet southerly of Locust Avenue;
 - b. East 18th Street, a line 150 feet northerly of Avenue M, a line midway between East 19th Street and Ocean Avenue, and a line 100 feet northerly of Avenue M;
 - c. Ocean Avenue, a line 150 feet northerly of Avenue M, a line midway between Ocean Avenue and East 21st Street, a line 100 feet northerly of Avenue M; and
 - d. East 14th Street, a line 100 feet southerly of Elm Avenue, East 16th Street, a line 100 feet southerly of Avenue M, a line midway between Ocean Avenue and East 21st Street, a line 150 feet southerly of Avenue M, East 17th Street, Cedar Street, East 16th Street, and a line 150 feet southerly of Elm Avenue;
2. changing from an R6 District to an R2 District property bounded by:
 - a. a line midway between Bedford Avenue and East 26th Street, a line 100 feet northerly of Avenue O, East 26th Street, Avenue O; and
 - b. a line 100 feet northwesterly of Kings Highway, East 27th Street, and a line 100 feet northerly of Avenue O and its easterly prolongation;
3. changing from an R6 District to an R4-1 District property bounded by:
 - a. a line midway between Coney Island Avenue and East 12th Street, a line 100 feet southerly of Elm Avenue, a line midway between East 15th Street and East 16th Street, and a line 100 feet northerly of Avenue N;
 - b. Cedar Street, a line midway between East 16th Street and East 17th Street, a line 100 feet northerly of Avenue N, East 17th Street, Avenue N, East 18th Street, a line 100 feet southerly of Avenue N, a line midway between East 19th Street and Ocean Avenue, Avenue O, a line midway between East 16th Street and East 17th Street, Avenue N, and East 16th Street;
 - c. a line 300 feet southerly of Avenue M, a line midway between East 18th Street and East 19th Street, a line 200 feet southerly of Avenue M, Bay Avenue, a line midway between East 19th

Street and Ocean Avenue, a line 100 feet northerly of Avenue N, and a line midway between East 17th Street and East 18th Street;

- d. East 13th Street, a line 100 feet southerly of Avenue N, a line midway between East 15th Street and East 16th Street, a line 300 feet northerly of Avenue O, East 15th Street, a line 100 feet northerly of Avenue P, a line midway between Coney Island Avenue and East 12th Street, Avenue O, East 12th Street, and a line 425 feet southerly of Avenue N;
 - e. East 16th Street, a line 100 feet southerly of Avenue O, a line midway between East 18th Street and East 19th Street, and Avenue P; and
 - f. a line 200 feet southerly of Avenue O, East 23rd Street, Avenue O, East 24th Street, a line 100 feet northwesterly of Kings Highway, East 23rd Street, a line 100 feet northerly of Kings Highway, a line 100 feet northerly of Avenue P, and a line midway between East 21st Street and Ocean Avenue;
4. changing from a C4-3 District to an R5 District property bounded by:
- a. a line 150 feet northerly of Avenue J, a line midway between East 15th Street and East 16th Street, a line 100 feet northerly of Avenue J, and Coney Island Avenue; and
 - b. a line 100 feet southerly of Avenue J, a line midway between East 15th Street and East 16th Street, a line 150 feet southerly of Avenue J, and Coney Island Avenue;
5. changing from an R6 District to an R5B District property bounded by:
- a. East 12th Street, Locust Avenue, East 13th Street, and a line 100 feet southerly of Locust Avenue;
 - b. Avenue L, East 17th Street, a line 100 feet northerly of Avenue L, East 18th Street, a line 300 feet southerly of Avenue L, East 17th Street, Chestnut Avenue, and the centerline of the New York City Transit Authority Rail Road Right-of-Way and its southerly prolongation;
 - c. Avenue L, a line midway between Ocean Avenue and East 21st Street, Avenue M and Ocean Avenue, [a line 150 feet northerly of Avenue M, and a line midway between East 19th Street and Ocean Avenue];
 - d. a line 100 feet southerly of Elm Avenue, East 16th Street, Avenue N, a line midway between East 16th Street and East 17th Street, Avenue O, a line midway between East 19th Street and Ocean Avenue, a line 100 feet southerly of Avenue O, East 16th Street, Avenue P, a line midway between Coney Island Avenue and East 12th Street, a line 100 feet northerly of Avenue P, East 15th Street, a line 300 feet northerly of Avenue O, a line midway between East 15th Street and East 16th Street, a line 100 feet southerly of Avenue N, East 13th Street, a line 425 feet southerly of Avenue N, East 12th Street, Avenue O, a line midway between Coney Island Avenue and East 12th Street, a line 100 feet northerly of Avenue N, and a line midway between East 15th Street and East 16th Street; and
 - e. Cedar Street, East 17th Street, a line 300 feet southerly of Avenue M, a line midway between East 17th Street and East 18th Street, a line 100 feet northerly of Avenue N, and a line midway between East 16th Street and East 17th Street;

6. changing from an R6 district to an R6A district property bounded by:
 - a. Avenue N, Ocean Avenue, Avenue O, and a line midway between East 19th Street and Ocean Avenue; and
 - b. Avenue L, Ocean Avenue, a line 150 feet northerly of Avenue M, and a line midway between East 19th Street and Ocean Avenue;
7. changing from an R6 District to an R7A District property bounded by:
 - a. a line 100 feet northerly of Avenue K, a line midway between East 15th Street and East 16th Street, a line 100 feet southerly of Avenue K, and a line midway between Coney Island Avenue and East 12th Street;
 - b. Avenue H, a line midway between Ocean Avenue and East 21st Street and its northerly prolongation, Avenue L, a line midway between East 19th Street and Ocean Avenue, a line 150 feet northerly of Avenue M, Ocean Avenue, Avenue M, a line midway between Ocean Avenue and East 21st Street, a line 100 feet northerly of Avenue P, a line 100 feet northerly of Kings Highway, East 23rd Street, a line 100 feet northwesterly of Kings Highway, East 24th Street, Avenue O, East 26th Street, a line 100 feet northerly of Avenue O and its easterly prolongation, East 27th Street, a line 100 feet northwesterly of Kings Highway, East 29th Street, Kings Highway, Avenue P, a line midway between East 18th Street and East 19th Street, a line 100 feet southerly of Avenue O, a line midway between East 19th Street and Ocean Avenue, Avenue O, Ocean Avenue, Avenue N, a line midway between East 19th Street and Ocean Avenue, a line 100 feet southerly of Avenue N, East 18th Street, Avenue N, East 17th Street, a line 100 feet northerly of Avenue N, a line midway between East 19th Street and Ocean Avenue, Bay Avenue, a line 200 feet southerly of Avenue M, a line midway between East 18th Street and East 19th Street, a line 300 feet southerly of Avenue M, East 17th Street, Cedar Street, East 16th Street, a line 100 feet southerly of Elm Avenue, East 13th Street, a line midway between Coney Island Avenue and East 12th Street, Locust Avenue, East 12th Street, a line 100 feet southerly of Locust Avenue, East 13th Street, Avenue M, East 14th Street, Locust Avenue, the southerly prolongation of the centerline of the New York City Transit Authority Rail Road Right-of-Way, Chestnut Avenue, East 17th Street, a line 300 feet southerly of Avenue L, East 18th Street, a line 100 feet northerly of Avenue L, and a line midway between East 19th Street and Ocean Avenue;
 - c. Elm Avenue, a line midway between Coney Island Avenue and East 12th Street, Avenue N, and Coney Island Avenue; and
 - d. a line 100 feet southerly of Avenue O, a line midway between Coney Island Avenue and East 12th Street, a line 400 feet northerly of Avenue P, and Coney Island Avenue;
8. changing from a C8-2 District to an R7A District property bounded by:
 - a. a line 100 feet northerly of Locust Avenue, a line midway between Coney Island Avenue and East 12th Street, Elm Avenue, and Coney Island Avenue;

- b. Avenue N, a line midway between Coney Island Avenue and East 12th Street, a line 100 feet southerly of Avenue O, and Coney Island Avenue; and
 - c. a line 400 feet northerly of Avenue P, a line midway between Coney Island Avenue and East 12th Street, Avenue P, and Coney Island Avenue;
9. changing from a C4-3 District to a C4-4A District property bounded by a line 100 feet northerly of Avenue J, a line midway between East 15th Street and East 16th Street, a line 100 feet southerly of Avenue J, and Coney Island Avenue;
 10. establishing within a proposed R5 District a C1-3 District bounded by a line 100 feet southerly of Avenue J, a line midway between Coney Island Avenue and East 12th Street, a line 150 feet southerly of Avenue J, and Coney Island Avenue;
 11. establishing within a proposed R5 District a C2-3 District bounded by a line 150 feet northerly of Avenue J, a line midway between Coney Island Avenue and East 12th Street, a line 100 feet northerly of Avenue J, and Coney Island Avenue; and
 12. establishing within a proposed R7A District a C2-3 District bounded by:
 - a. a line 100 feet northerly of Locust Avenue, a line midway between Coney Island Avenue and East 12th Street, Elm Avenue, and Coney Island Avenue;
 - b. Avenue N, a line midway between Coney Island Avenue and East 12th Street, a line 100 feet southerly of Avenue O, and Coney Island Avenue; and
 - c. a line 400 feet northerly of Avenue P, a line midway between Coney Island Avenue and East 12th Street, Avenue P, and Coney Island Avenue;

as shown on a diagram (for illustrative purposes only) dated October 17, 2005, modified by the City Planning Commission on February 22, 2006, and subject to the conditions of CEQR Declaration E-159, Community District 14, 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 5, 2006, on file in this office.

City Clerk, Clerk of The Council