



Legislation Details (With Text)

File #: Res 0979-2007 **Version:** * **Name:** LU 489 - ULURP, Dyker Heights/Fort Hamilton, Brooklyn (C070387ZMK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 7/25/2007

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 070387 ZMK, a Zoning Map change (Preconsidered L.U. No. 489).

Sponsors: Melinda R. Katz, Vincent J. Gentile, Domenic M. Recchia, Jr., Tony Avella

Indexes:

Attachments: 1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 7/25/07

Date	Ver.	Action By	Action	Result
7/24/2007	*	Committee on Land Use	P-C Item Approved by Comm	
7/25/2007	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 979

Resolution approving the decision of the City Planning Commission on ULURP No. C 070387 ZMK, a Zoning Map change (Preconsidered L.U. No. 489).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 5, 2007 its decision dated June 20, 2007 (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 070387 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 July 23, 2007;

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 March 26, 2007, which included (E) designations for hazardous materials, air quality and noise (CEQR No. 07DCP054K);

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.

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. 22a, 22b, 22c and 22d:

1. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a. 79th Street, a line 150 feet southeasterly of 7th Avenue, 82nd Street, and 7th Avenue;
 - b. a line midway between 85th Street and 86th Street, 7th Avenue, a line 150 feet southwesterly of 86th Street, Dahlgren Place, 86th Street, and the southeasterly boundary line of a Park and its southwesterly prolongation;
 - c. line midway between 73rd Street and 74th Street, a line 150 feet southeasterly of 13th Avenue, 77th Street, and a line 150 feet northwesterly of 13th Avenue;
 - d. 78th Street, 13th Avenue, 79th Street, a line 150 feet southeasterly of 13th Avenue, 81st Street, and a line 150 feet northwesterly of 13th Avenue; and
 - e. 82nd Street, 13th Avenue, 85th Street, a line 150 feet northwesterly of 13th Avenue, 83rd Street, and a line 100 feet northwesterly of 13th Avenue;
2. eliminating from within an existing R4 District a C2-2 District bounded by 77th Street, a line 150 feet southeasterly of 13th Avenue, 79th Street, 13th Avenue, 78th Street, a line 150 feet northwesterly of 13th Avenue;
3. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. 62nd Street, a line 150 feet southeasterly of 11th Avenue, Bay Ridge Avenue, 11th Avenue, a line midway between Bay Ridge Avenue and 70th Street, and a line 150 feet northwesterly of 11th Avenue; and
 - b. Bay Ridge Avenue, a line 150 feet southeasterly of 13th Avenue, a line midway between 73rd Street and 74th Street, and a line 150 feet northwesterly of 13th Avenue;
4. eliminating from within an existing R5 District a C1-3 District bounded by:
 - a. 67th Street, Fort Hamilton Parkway, 68th Street, and 9th Avenue;
 - b. 68th Street, a line 150 feet southeasterly of Fort Hamilton Parkway, 72nd Street, and a line 100

feet southeasterly of Fort Hamilton Parkway;

- c. Bay Ridge Avenue, a line 100 feet northwesterly of Fort Hamilton Parkway, 72nd Street, and a line 150 feet northwesterly of Fort Hamilton Parkway;
 - d. 68th Street, a line 100 feet northwesterly of 8th Avenue, 70th Street, and a line 150 feet northwesterly of 8th Avenue; and
 - e. 68th Street, a line 150 feet southeasterly of 8th Avenue, 70th Street, and a line 100 feet southeasterly of 8th Avenue;
5. eliminating from within an existing R5 District a C2-3 District bounded by 63rd Street, a line 150 feet southeasterly of Fort Hamilton Parkway, 66th Street, and a line 100 feet southeasterly of Fort Hamilton Parkway;
 6. changing from an R5 District to an R3A District property bounded by a line midway between 61st Street and 62nd Street, 12th Avenue, 63rd Street, a line 270 feet northwesterly of 12th Avenue, a line midway between 62nd Street and 63rd Street, and a line 300 feet northwesterly of 12th Avenue;
 7. changing from an R3-1 District to an R3X District property bounded by a line midway between 81st Street and 82nd Street, a line 100 feet northwesterly of 13th Avenue, 83rd Street, a line 150 feet northwesterly of 13th Avenue, 85th Street, a line 100 feet northwesterly of 13th Avenue, 86th Street, a line 100 feet southeasterly of 12th Avenue, a line midway between 85th Street and 86th Street, a line 200 feet northwesterly of 11th Avenue, 86th Street, a line 100 feet southeasterly of 10th Avenue, 82nd Street, and a line 100 feet northwesterly of 11th Avenue;
 8. changing from an R4 District to an R3X District property bounded by 83rd Street, a line 100 feet northwesterly of 13th Avenue, 85th Street, and a line 150 feet northwesterly of 13th Avenue;
 9. changing from an R4 District to an R4A District property bounded by a line midway between 73rd Street and 74th Street, 14th Avenue, 77th Street, a line 100 feet northwesterly of 14th Avenue, Bay Ridge Parkway, and a line 100 feet southeasterly of 13th Avenue;
 10. changing from an R5 District to an R4A District property bounded by 71st Street, 14th Avenue, a line midway between 73rd Street and 74th Street, a line 100 feet southeasterly of 13th Avenue, 73rd Street, a line 350 feet northwesterly of 14th Avenue, a line midway between 72nd Street and 73rd Street, a line 400 feet northwesterly of 14th Avenue, a line midway between 71st Street and 72nd Street, and a line 220 feet northwesterly of 14th Avenue;
 11. changing from an R3-1 District to an R4B District property bounded by 82nd Street, a line 100 feet southeasterly of 10th Avenue, 85th Street, and 10th Avenue;
 12. changing from an R4 District to an R4B District property bounded by:
 - a. 83rd Street, a line 100 feet southeasterly of 7th Avenue, 84th Street, 7th Avenue, a line midway between 85th Street and 86th Street, and Gowanus Expressway;
 - b. a line 150 feet southwesterly of 86th Street, a line 100 feet northwesterly of Battery Avenue, 88th Street, a line midway between Battery Avenue and Parrot Place, a line 100 feet

northeasterly of 90th Street, and Gowanus Expressway;

- c. 90th Street, 7th Avenue, Poly Place, Battery Avenue, a northeasterly boundary line of the United States Government Reservation/Fort Hamilton and its northwesterly and southeasterly prolongations, Gowanus Expressway, a line 100 feet southwesterly of 92nd Street, Battery Avenue, 92nd Street, a line midway between Dahlgren Place and Battery Avenue, a line 100 feet southwesterly of 90th Street, and a line midway between Battery Avenue and Parrot Place; and
 - d. a line midway between 83rd Street and 84th Street, 14th Avenue, 85th Street, and a line 100 feet northwesterly of 14th Avenue;
13. changing from an R5 District to an R4B District property bounded by:
- a. a line midway between 67th Street and 68th Street, a line 250 feet northwesterly of 10th Avenue, 68th Street, 10th Avenue, Bay Ridge Avenue, and a line 100 feet southeasterly of Fort Hamilton Parkway; and
 - b. 63rd Street, a line 100 feet northwesterly of 12th Avenue, 64th Street, and a line 100 feet southeasterly of 11th Avenue;
14. changing from an R3-1 District to an R4-1 District property bounded by a line midway between 81st Street and 82nd Street, a line 100 feet northwesterly of 11th Avenue, 82nd Street, and 10th Avenue;
15. changing from an R4 District to an R4-1 District property bounded by:
- a. a line midway between 73rd Street and 74th Street, a line 100 feet northwesterly of 13th Avenue, a line midway between 81st Street and 82nd Street, 10th Avenue, a line midway between 85th Street and 86th Street, a line 100 feet southeasterly of 7th Avenue, 79th Street, a line 100 feet southeasterly of Fort Hamilton Parkway and its southwesterly prolongation, 76th Street, a line perpendicular to the northeasterly street line of 76th Street distant 160 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the northeasterly street line of 76th Street, a line midway between 76th Street and Bay Ridge Parkway, a line perpendicular to the southwesterly street line of Bay Ridge Parkway distant 210 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the southwesterly street line of Bay Ridge Parkway, Bay Ridge Parkway, a line 320 feet northwesterly of 10th Avenue, 74th Street, 10th Avenue, Bay Ridge Parkway, and a line 100 feet southeasterly of 11th Avenue;
 - b. Bay Ridge Parkway, a line 100 feet northwesterly of 14th Avenue, a line midway between 78th Street and 79th Street, and a line 100 feet southeasterly of 13th Avenue; and
 - c. a line midway between 79th Street and 80th Street, a line 100 feet northwesterly of 14th Avenue, a line midway between 81st Street and 82nd Street, 14th Avenue, a line midway between 82nd Street and 83rd Street, a line 270 feet southeasterly of 13th Avenue, 83rd Street, a line 100 feet northwesterly of 14th Avenue, 84th Street, a line 300 feet southeasterly of 13th Avenue, 85th Street, and a line 100 feet southeasterly of 13th Avenue;

16. changing from an R5 District to an R4-1 District property bounded by:
 - a. Bay Ridge Avenue and its northwesterly centerline prolongation, a line 100 feet northwesterly of 8th Avenue, 70th Street, a line 100 feet southeasterly of 8th Avenue, a line midway between Bay Ridge Avenue and 70th Street, a line 100 feet northwesterly of Fort Hamilton Parkway, 73rd Street, Fort Hamilton Parkway, 76th Street, a line 100 feet southeasterly of Fort Hamilton Parkway and its southwesterly prolongation, 79th Street and its northwesterly centerline prolongation, Gowanus Expressway, 73rd Street, a line 100 feet southeasterly of 8th Avenue and its southwesterly prolongation, 71st Street, and Gowanus Expressway;
 - b. a line midway between 71st Street and 72nd Street, 10th Avenue, 73rd Street, a line perpendicular to the northeasterly street line of 73rd Street distant 230 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the northeasterly street line of 73rd Street, a line midway between 72nd Street and 73rd Street, a line perpendicular to the southwesterly street line of 72nd Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the southwesterly street line of 72nd Street, 72nd Street, and a line 100 feet southeasterly of Fort Hamilton Parkway;
 - c. 72nd Street, 11th Avenue, a line midway between 73rd Street and 74th Street, and a line 100 feet southeasterly of 10th Avenue;
 - d. a line midway between 72nd Street and 73rd Street, a line 100 feet northwesterly of 13th Avenue, a line midway between 73rd Street and 74th Street, a line 100 feet southeasterly of 11th Avenue, 73rd Street, and 12th Avenue;
 - e. 67th Street, a line 100 feet northwesterly of 11th Avenue, a line midway between Bay Ridge Avenue and 70th Street, 10th Avenue, Ovington Avenue, and a line 100 feet southeasterly of 10th Avenue; and
 - f. a line midway between 66th Street and 67th Street, a line 100 feet northwesterly of 13th Avenue, Bay Ridge Avenue, and 12th Avenue;
17. changing from an R3-1 District to an R5B District property bounded by:
 - a. 85th Street, a line 100 feet southeasterly of 10th Avenue, 86th Street, and 10th Avenue; and
 - b. a line midway between 85th Street and 86th Street, a line 100 feet southeasterly of 12th Avenue, 86th Street, and a line 200 feet northwesterly of 11th Avenue;
18. changing from an R4 District to an R5B District property bounded by:
 - a. 79th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of 7th Avenue, 83rd Street and its northwesterly centerline prolongation, and Gowanus Expressway;
 - b. 84th Street, a line 100 feet southeasterly of 7th Avenue, a line midway between 85th Street and 86th Street, 10th Avenue, 86th Street, and 7th Avenue;
 - c. a line 100 feet southwesterly of 86th Street, 7th Avenue, 90th Street, a line midway between

Battery Avenue and Parrot Place, a line 100 feet southwesterly of 90th Street, a line midway between Dahlgren Place and Battery Avenue, 92nd Street, Battery Avenue, a line 100 feet southwesterly of 92nd Street, Gowanus Expressway, a line 100 feet northeasterly of 90th Street, a line midway between Battery Avenue and Parrot Place, 88th Street, a line 100 feet northwesterly of Battery Avenue, a line 150 feet southwesterly of 86th Street, and Battery Avenue;

- d. Bay Ridge Parkway, a line 100 feet southeasterly of 13th Avenue, a line midway between 78th Street and 79th Street, a line 100 feet northwesterly of 14th Avenue, 77th Street, 14th Avenue, a line midway between 81st Street and 82nd Street, a line 100 feet northwesterly of 14th Avenue, a line midway between 79th Street and 80th Street, a line 100 feet southeasterly of 13th Avenue, 85th Street, a line 300 feet southeasterly of 13th Avenue, 84th Street, a line 100 feet northwesterly of 14th Avenue, 85th Street, 14th Avenue, 86th Street, and a line 100 feet northwesterly of 13th Avenue;
- e. a line midway between 82nd Street and 83rd Street, 14th Avenue, a line midway between 83rd Street and 84th Street, a line 100 feet northwesterly of 14th Avenue, 83rd Street, and a line 270 feet southeasterly of 13th Avenue; and
- f. a line midway between 73rd Street and 74th Street, a line 100 feet southeasterly of 11th Avenue, Bay Ridge Parkway, 10th Avenue, 74th Street, a line 320 feet northwesterly of 10th Avenue, Bay Ridge Parkway, a line perpendicular to the southwesterly street line of Bay Ridge Parkway distant 210 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the southwesterly street line of Bay Ridge Parkway, a line midway between 76th Street and Bay Ridge Parkway, a line perpendicular to the northeasterly street line of 76th Street distant 160 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the northeasterly street line of 76th Street, 76th Street, and a line 100 feet southeasterly of Fort Hamilton Parkway;

19. changing from an R5 District to an R5B District property bounded by:

- a. 65th Street, 8th Avenue, 66th Street, Fort Hamilton Parkway, 67th Street, 9th Avenue, Bay Ridge Avenue, a line 100 feet northwesterly of Fort Hamilton Parkway, a line midway between Bay Ridge Avenue and 70th Street, a line 100 feet southeasterly of 8th Avenue, 70th Street, a line 100 feet northwesterly of 8th Avenue, Bay Ridge Avenue and its northwesterly centerline prolongation, Gowanus Expressway, 66th Street and its northwesterly centerline prolongation, and the northwesterly boundary line of a playground and its northeasterly and southwesterly prolongations;
- b. a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of 11th Avenue, 67th Street, a line 100 feet southeasterly of 10th Avenue, Ovington Avenue, 10th Avenue, 68th Street, a line 250 feet northwesterly of 10th Avenue, a line midway between 67th Street and 68th Street, a line 100 feet southeasterly of Fort Hamilton Parkway, 63rd Street, and 10th Avenue; and
- c. a line midway between 61st Street and 62nd Street, a line 300 feet northwesterly of 12th Avenue, a line midway between 62nd Street and 63rd Street, a line 270 feet northwesterly of 12th Avenue, 63rd Street, and a line 100 feet southeasterly of 11th Avenue;

- d. a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of 14th Avenue, 63rd Street, 14th Avenue, 71st Street, a line 220 feet northwesterly of 14th Avenue, a line midway between 71st Street and 72nd Street, a line 400 feet northwesterly of 14th Avenue, a line midway between 72nd Street and 73rd Street, a line 350 feet northwesterly of 14th Avenue, 73rd Street, a line 100 feet southeasterly of 13th Avenue, 66th Street, a line 100 feet northwesterly of 13th Avenue, a line midway between 66th Street and 67th Street, 12th Avenue, Bay Ridge Avenue, a line 100 feet northwesterly of 13th Avenue, a line midway between 72nd Street and 73rd Street, 12th Avenue, 73rd Street, a line 100 feet southeasterly of 11th Avenue, a line midway between 73rd Street and 74th Street, 11th Avenue, 72nd Street, a line 100 feet southeasterly of 10th Avenue, a line midway between 73rd Street and 74th Street, a line 100 feet southeasterly of Fort Hamilton Parkway, 76th Street, Fort Hamilton Parkway, 73rd Street, 10th Avenue, a line midway between 71st Street and 72nd Street, a line 100 feet southeasterly of Fort Hamilton Parkway, Bay Ridge Avenue, 10th Avenue, a line midway between Bay Ridge Avenue and 70th Street, a line 100 feet northwesterly of 11th Avenue, Bay Ridge Avenue, a line 100 feet southeasterly of 11th Avenue, 64th Street, a line 100 feet northwesterly of 12th Avenue, 63rd Street, and 12th Avenue; and
 - e. 71st Street, a line 100 feet southeasterly of 8th Avenue and its southwesterly prolongation, 73rd Street, and Gowanus Expressway;
20. changing from an M1-1 District to an R5B District property bounded by:
- a. 62nd Street, a line 100 feet northwesterly of Fort Hamilton Parkway, 64th Street, a line 160 feet northwesterly of 9th Avenue, 63rd Street, and 9th Avenue; and
 - b. a line midway between 65th Street and 66th Street, the northwesterly boundary line of a playground and its northeasterly and southwesterly prolongations, 66th Street, and a line 560 feet northwesterly of 8th Avenue;
21. changing from an R4 District to an R6B District property bounded by a line midway between 73rd Street and 74th Street, a line 100 feet southeasterly of 13th Avenue, Bay Ridge Parkway, and a line 100 feet northwesterly of 13th Avenue;
22. changing from an R5 District to an R6B District property bounded by:
- a. a line midway between 61st Street and 62nd Street, 10th Avenue, 63rd Street, a line 100 feet southeasterly of Fort Hamilton Parkway, 72nd Street, a line perpendicular to the southwesterly street line of 72nd Street distant 175 feet southeasterly (as measured along the street line) of the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the southwesterly street line of 72nd Street, a line midway between 72nd Street and 73rd Street, a line perpendicular to the northeasterly street line of 73rd Street distant 230 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and the northeasterly street line of 73rd Street, 73rd Street, a line 100 feet northwesterly of Fort Hamilton Parkway, Bay Ridge Avenue, 9th Avenue, 67th Street, and Fort Hamilton Parkway;

- b. a line midway between 61st Street and 62nd Street, a line 100 feet southeasterly of 11th Avenue, Bay Ridge Avenue, and a line 100 feet northwesterly of 11th Avenue; and
 - c. 66th Street, a line 100 feet southeasterly of 13th Avenue, a line midway between 73rd Street and 74th Street, and a line 100 feet northwesterly of 13th Avenue;
23. changing from an M1-1 District to an R6B District property bounded by 62nd Street, Fort Hamilton Parkway, 63rd Street, and a line 100 feet northwesterly of Fort Hamilton Parkway;
24. changing from an R4 District to a C4-2A District property bounded by a line midway between 85th Street and 86th Street, 7th Avenue, a line 100 feet southwesterly of 86th Street, Battery Avenue, a line 150 feet southwesterly of 86th Street, and Gowanus Expressway;
25. changing from an M3-2 District to an M1-1 District property bounded by 63rd Street, a line 160 feet northwesterly of 9th Avenue, 64th Street, and a line 250 feet southeasterly of 8th Avenue;
26. establishing within a proposed R5B District a C1-3 District bounded by:
- a. Bay Ridge Avenue, 11th Avenue, a line midway between Bay Ridge Avenue and 70th Street, and a line 100 feet northwesterly of 11th Avenue;
 - b. 79th Street, a line 100 feet southeasterly of 7th Avenue, 82nd Street, and 7th Avenue;
 - c. Bay Ridge Parkway, a line 100 feet southeasterly of 13th Avenue, 77th Street, and a line 100 feet northwesterly of 13th Avenue;
 - d. 78th Street, 13th Avenue, 79th Street, a line 100 feet southeasterly of 13th Avenue, 81st Street, and a line 100 feet northwesterly of 13th Avenue; and
 - e. 82nd Street, 13th Avenue, 85th Street, and a line 100 feet northwesterly of 13th Avenue;
27. establishing within a proposed R6B District a C1-3 District bounded by:
- a. 62nd Street, a line 100 feet southeasterly of 11th Avenue, Bay Ridge Avenue, and a line 100 feet northwesterly of 11th Avenue; and
 - b. Bay Ridge Avenue, a line 100 feet southeasterly of 13th Avenue, Bay Ridge Parkway, and a line 100 feet northwesterly of 13th Avenue;
28. establishing within a proposed R5B District a C2-3 District bounded by:
- a. 71st Street, a line 100 feet southeasterly of 8th Avenue and its southwesterly prolongation, 73rd Street, 7th Avenue, and 8th Avenue and its southwesterly prolongation;
 - b. 84th Street, a line 100 feet southeasterly of 7th Avenue, 86th street, and 7th Avenue;
 - c. 64th Street, 13th Avenue, 65th Street, a line 150 feet southeasterly of 13th Avenue, a line midway between 65th Street and 66th Street, a line 150 feet northwesterly of 13th Avenue, 65th

Street, and a line 100 feet northwesterly of 13th Avenue;

- d. 63rd Street, 14th Avenue, Ovington Avenue, and a line 100 feet northwesterly of 14th Avenue, and
- e. 77th Street, a line 100 feet southeasterly of 13th Avenue, 79th Street, 13th Avenue, 78th street, and a line 100 feet northwesterly of 13th Avenue;

29. establishing within a proposed R6B District a C2-3 District bounded by:

- a. 62nd Street, Fort Hamilton Parkway, 63rd Street, and a line 100 feet northwesterly of Fort Hamilton Parkway;
- b. 66th Street, a line 100 feet southeasterly of Fort Hamilton Parkway, 67th Street, and Fort Hamilton Parkway;
- c. 67th Street, Fort Hamilton Parkway, 68th Street, and 9th Avenue; and
- d. 67th Street, a line 100 feet southeasterly of 13th Avenue, Ovington Avenue, and 13th Avenue;

as shown on a diagram (for illustrative purposes only) dated March 26, 2007 and which includes CEQR Designation E-180, Community District 10, 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 July 25, 2007, on file in this office.

City Clerk, Clerk of The Council