



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 993

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 070430 ZMK, a Zoning Map change (L.U. No. 490).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 11, 2007 its decision dated July 11, 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 070430 ZMK) (the "Application");

WHEREAS, the Application is related to Application Number N 070431 ZRY (L.U. No. 491), a zoning text amendment to Article 2, Chapter 3 of the Zoning Resolution, to apply the Inclusionary Housing program to the proposed R7A districts on Myrtle Avenue, Fulton Street and Atlantic Avenue;

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 April 23, 2007, which included (E) designations for hazardous materials and noise. On June 18, 2007, a change was made to the EAS to remove an (E)-designation from a city-owned site and a Revised Negative declaration was issued on this date (CEQR No. 07DCP00K);

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. 12d and 16c:

Matter underlined is new, to be added by the City Council.

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. a line 150 feet northerly of Myrtle Avenue, Ryerson Street, Myrtle Avenue, Hall Street, a line 150 feet southerly of Myrtle Avenue, a line midway between Carlton Avenue and Washington Park, Myrtle Avenue, and Carlton Avenue;
 - b. a line 150 feet northerly of Dekalb Avenue, Vanderbilt Avenue, a line 150 feet southerly of Dekalb Avenue, a line midway between Carlton Avenue and Washington Park, Dekalb Avenue, and Carlton Avenue;
 - c. a line 150 feet northeasterly of Fulton Street, Fort Greene Place, a line 200 feet northerly of Lafayette Avenue, South Elliot Place, Lafayette Avenue, South Portland Avenue, a line 150 feet northeasterly of Fulton Street, South Oxford Street, a line 150 feet northerly of Greene Avenue, Cumberland Street, Greene Avenue, Fulton Street, and St. Felix Street;
 - d. Lafayette Avenue, a line 150 feet easterly of Grand Avenue, a line midway between Greene Avenue and Lexington Avenue, Grand Avenue, a line 150 feet southerly of Greene Avenue, a line midway between Grand Avenue and Cambridge Place, Greene Avenue, and a line 150 feet westerly of Grand Avenue;
 - e. Gates Avenue, Clinton Avenue, Fulton Street, and Vanderbilt Avenue; and
 - f. a line 150 feet northeasterly of Fulton Street, the westerly prolongation of a line 150 feet northerly of Putnam Avenue, Grand Avenue, Putnam Avenue, a line 150 feet northeasterly of Fulton Street, Classon Avenue, Fulton Street, Grand Avenue, a line midway between Fulton Street and Lefferts Place, St. James Place, a line 150 feet southwesterly of Fulton Street, and Washington Avenue;
2. eliminating from within an existing R7-2 District a C1-3 District bounded by a line 100 feet northeasterly of Fulton Street, Clermont Avenue, a line 150 feet northerly of Gates Avenue, Vanderbilt Avenue, Gates Avenue, Fulton Street, and Carlton Avenue;
3. eliminating from within an existing R7-1 District a C1-5 District bounded by Myrtle Avenue, a line 200 feet westerly of Emerson Place, a line 100 feet southerly of Myrtle Avenue, and Hall Street; and
4. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. a line 150 feet northerly of Myrtle Avenue, Steuben Street, a line 100 feet northerly of Myrtle Avenue, Classon Avenue, Myrtle Avenue, and Ryerson Street;
 - b. Fulton Street, South Oxford Street, Hanson Place, South Portland Avenue, a line 150 feet southwesterly of Fulton Street, and Fort Greene Place; and
 - c. Fulton Street, Washington Street, a line 150 feet southwesterly of Fulton Street, a line midway between Washington Avenue and Waverly Avenue, a line 100 feet southwesterly of Fulton Street, a line midway between Waverly Avenue and Clinton Avenue, a line 150 feet

southwesterly of Fulton Street, and Vanderbilt Avenue;

5. changing from an R6 District to an R5B District property bounded by:
 - a. Park Avenue, Clinton Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 150 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clinton Avenue and the southerly street line of Park Avenue, Vanderbilt Avenue, a line perpendicular to the easterly street line of Vanderbilt Avenue distant 500 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Vanderbilt Avenue and the southerly street line of Park Avenue, a line midway between Clinton Avenue and Vanderbilt Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 350 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clinton Avenue and the southerly street line of Park Avenue, Clinton Avenue, a line 100 feet northerly of Myrtle Avenue, Clermont Avenue, a line perpendicular to the westerly street line of Clermont Avenue distant 300 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clermont Avenue and the southerly street line of Park Avenue, Adelphi Street, a line perpendicular to the westerly street line of Adelphi Street distant 170 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Adelphi Street and the southerly street line of Park Avenue, a line midway between Adelphi Street and Carlton Avenue, a line perpendicular to the easterly street line of Carlton Avenue distant 235 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Carlton Avenue and the southerly street line of Park Avenue, and Carlton Avenue; and
 - b. Park Avenue, a line midway between Ryerson Street and Hall Street, a line perpendicular to the westerly street line of Ryerson Street distant 320 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Ryerson Street and the southerly street line of Park Avenue, Ryerson Street, a line perpendicular to the easterly street line of Ryerson Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Ryerson Street and the southerly street line of Park Avenue, a line midway between Grand Avenue and Ryerson Street, a line 200 feet northerly of Myrtle Avenue, Ryerson Street, a line 100 feet northerly of Myrtle Avenue, a line midway between Hall Street and Washington Avenue, the southerly boundary line of a playground and its easterly prolongation, and Hall Street;
6. changing from an R6 District to an R6A District property bounded by a line 100 feet southwesterly of Fulton Street, a line midway between Waverly Avenue and Clinton Avenue, a line 150 feet northeasterly of Atlantic Avenue, and a line 80 feet easterly of Vanderbilt Avenue;
7. changing from an M1-1 District to an R6A District property bounded by a line 150 feet northeasterly of Atlantic Avenue, a line midway between Waverly Avenue and Clinton Avenue, a line 100 feet northeasterly of Atlantic Avenue, and a line 80 easterly of Vanderbilt Avenue;
8. changing from an R6 District to an R6B district property bounded by:
 - a. a line perpendicular to the easterly street line of Carlton Avenue distant 235 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Carlton Avenue and the southerly street line of Park Avenue, a line midway between Adelphi Street and

Carlton Avenue, a line perpendicular to the westerly street line of Adelphi Street distant 170 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Adelphi Street and the southerly street line of Park Avenue, Adelphi Street, a line perpendicular to the westerly street line of Clermont Avenue distant 300 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clermont Avenue and the southerly street line of Park Avenue, Clermont Avenue, a line 100 feet northerly of Myrtle Avenue, and Carlton Avenue;

- b. a line perpendicular to the westerly street line of Clinton Avenue distant 150 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clinton Avenue and the southerly street line of Park Avenue, Clinton Avenue, Park Avenue, Hall Street, the southerly boundary line of a playground and its easterly prolongation, a line midway between Hall Street and Washington Avenue, a line 100 feet northerly of Myrtle Avenue, Clinton Avenue, a line perpendicular to the westerly street line of Clinton Avenue distant 350 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Clinton Avenue and the southerly street line of Park Avenue, a line midway between Clinton Avenue and Vanderbilt Avenue, a line perpendicular to the easterly street line of Vanderbilt Avenue distant 500 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Vanderbilt Avenue and the southerly street line of Park Avenue, and Vanderbilt Avenue;
- c. Park Avenue, Steuben Street, a line perpendicular to the westerly street line of Steuben Street distant 235 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Steuben Street and the southerly street line of Park Avenue, a line midway between Steuben Street and Grand Avenue, a line perpendicular to the easterly street line of Grand Avenue distant 175 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Grand Avenue and the southerly street line of Park Avenue, Grand Avenue, a line 100 feet northerly of Myrtle Avenue, Ryerson Street, a line 200 feet northerly of Myrtle Avenue, a line midway between Grand Avenue and Ryerson Street, a line perpendicular to the easterly street line of Ryerson Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Ryerson Street and the southerly street line of Park Avenue, Ryerson Street, a line perpendicular to the westerly street line of Ryerson Street distant 320 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Ryerson Street and the southerly street line of Park Avenue, and a line midway between Ryerson Street and Hall Street;
- d. Dekalb Avenue, Washington Park, a line 100 feet southerly of Myrtle Avenue, Clinton Avenue, a line perpendicular to the easterly street line of Vanderbilt Avenue distant 120 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Vanderbilt Avenue and the northerly street line of Willoughby Avenue, Vanderbilt Avenue, Willoughby Avenue, Waverly Avenue, a line 100 feet southerly of Myrtle Avenue, Hall Street, Dekalb Avenue, St. James Place, Lafayette Avenue, Classon Avenue, a line 100 feet southerly of Putnam Avenue, Irving Place, Putnam Avenue, Grand Avenue, the westerly prolongation of a line 100 feet northerly of Putnam Avenue, a line 100 feet northeasterly of Fulton Street, Clinton Avenue, Gates Avenue, Vanderbilt Avenue, Greene Avenue, Clermont Avenue, a line 100 feet northeasterly of Fulton Street, Carlton Avenue, Fulton Street, a line 100 feet easterly of South Oxford Street, a line 285 feet southerly of Hanson Place, the easterly street line of South Oxford Street, a line 475 feet southerly of Hanson Place, South Portland Avenue, a line 100 feet

southerly of Hanson Place, South Oxford Street, a line 100 feet northeasterly of Fulton Street, South Portland Avenue, Lafayette Avenue, South Elliott Place, a line 100 feet northerly of Lafayette Street, a line 100 feet northeasterly of Fulton Street, and Ashland Place, and excluding property bounded by a line 100 feet northerly of Lafayette Avenue, Waverly Avenue, Greene Avenue, and Clinton Avenue;

- e. a line 100 feet southwesterly of Fulton Street, South Portland Avenue, Hanson Place, and Fort Greene Place;
 - f. Gates Avenue, Vanderbilt Avenue, and Fulton Street; and
 - g. a line 100 feet southwesterly of Fulton Street, Classon Avenue, a line perpendicular to the westerly street line of Classon Avenue distant 128 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Classon Avenue and the northeasterly street line of Atlantic Avenue, a line 100 feet westerly of Classon Avenue, a line 100 feet northeasterly of Atlantic Avenue, a line perpendicular to a line midway between Lefferts Place and Atlantic Avenue and passing through a point on the northeasterly street line of Atlantic Avenue distant 378 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Classon Avenue and the northeasterly street line of Atlantic Avenue, a line midway between Lefferts Place and Atlantic Avenue, St. James Place, a line 100 feet northeasterly of Atlantic Avenue, Washington Avenue, a line 150 feet northeasterly of Atlantic Avenue, and a line midway between Washington Avenue and Waverly Avenue;
9. changing from an R7-2 District to an R6B District property bounded by a line 100 feet northeasterly of Fulton Street, Clermont Avenue, Greene Avenue, Vanderbilt Avenue, Gates Avenue, Fulton Street, and Carlton Avenue;
10. changing from an M1-1 District to an R6B District property bounded by a line 150 feet northeasterly of Atlantic Avenue, Washington Avenue, line 100 feet northeasterly of Atlantic Avenue, and a line midway between Washington Avenue and Waverly Avenue;
11. changing from an R6 District to an R7A District property bounded by:
- a. Myrtle Avenue, Carlton Avenue, a line 100 feet northerly of Myrtle Avenue, Grand Avenue, a line perpendicular to the easterly street line of Grand Avenue distant 175 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Grand Avenue and the southerly street line of Park Avenue, a line midway between Grand Avenue and Steuben Street, a line perpendicular to the westerly street line of Steuben Street distant 235 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Steuben Street and the southerly street line of Park Avenue, Steuben Street, a line 100 feet northerly of Myrtle Avenue, Classon Avenue, a line 100 feet southerly of Myrtle Avenue, Emerson Place, Myrtle Avenue, Hall Street, a line 100 feet southerly of Myrtle Avenue, and Washington Park;
 - b. a line 100 feet northeasterly of Fulton Street, a line 100 feet northerly of Lafayette Avenue, South Elliott Place, Lafayette Avenue, South Portland Avenue, a line 100 feet northeasterly of Fulton Street, South Oxford Street, a line 100 feet southerly of Hanson Place, South Portland Avenue, a line 350 feet southerly of Hanson Place, a line midway between South Portland

Avenue and South Elliott Place, a line 275 feet southerly of Hanson Place, South Elliott Place, Hanson Place, South Portland Avenue, a line 100 feet southwesterly of Fulton Street, Fort Greene Place, Fulton Street, and Ashland Place;

- c. Gates Avenue, Clinton Avenue, a line 100 feet northeasterly of Fulton Street, the westerly prolongation of a line 100 feet northerly of Putnam Avenue, Grand Avenue, Putnam Avenue, Irving Place, a line 100 feet southerly of Putnam Avenue, Classon Avenue, a line 100 feet southwesterly of Fulton Street, a line 80 feet easterly of Vanderbilt Avenue, a line 150 feet northeasterly of Atlantic Avenue, and Vanderbilt Avenue; and
 - d. a line 100 feet northeasterly of Atlantic Avenue, St. James Place, the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), and Washington Avenue;
12. changing from an R7-1 District to an R7A District property bounded by Myrtle Avenue, a line 480 feet westerly of Emerson Place, line 100 feet southerly of Myrtle Avenue, and Hall Street;
13. changing from an M1-1 District to an R7A District property bounded by a line 150 feet northeasterly of Atlantic Avenue, a line 80 feet easterly of Vanderbilt Avenue, a line 100 feet northeasterly of Atlantic Avenue, a line midway between Waverly Avenue and Clinton Avenue, a line 100 feet southwesterly of Fulton Street, a line midway between Washington Avenue and Waverly Avenue, a line 100 feet northeasterly of Atlantic Avenue, Washington Avenue, the northeasterly boundary line of Long Island Rail Road right-of-way (Atlantic Division), St. James Place, a line midway between Lefferts Place and Atlantic Avenue, a line perpendicular to the last named course and passing through a point on the northeasterly street line of Atlantic Avenue distant 378 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Classon Avenue, a line 100 feet northeasterly of Atlantic Avenue, a line 100 feet westerly of Classon Avenue, a line perpendicular to the westerly street line of Classon Avenue distant 128 feet northerly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Classon Avenue, Classon Avenue, the centerline of the Long Island Rail Road right-of-way (Atlantic Division), and Vanderbilt Avenue;
14. establishing within a proposed R6B District a C2-4 District bounded by:
- a. a line 100 feet northerly of Dekalb Avenue, Vanderbilt Avenue, a line 100 feet southerly of Dekalb Avenue, Adelphi Street, Dekalb Avenue, and Carlton Avenue;
 - b. Dekalb Avenue, Carlton Avenue, a line 100 feet southerly of Dekalb Avenue and a line midway between Carlton Avenue and Cumberland Street;
 - c. a line 100 feet northerly of Lafayette Avenue, South Portland Avenue, Lafayette Avenue, and South Elliott Place;
 - d. a line 100 feet northerly of Greene Avenue, Cumberland Street, Greene Avenue, and South Oxford Street; and
 - e. Lafayette Avenue, a line 100 feet easterly of Grand Avenue, a line midway between Greene Avenue and Lexington Avenue, Grand Avenue, a line 100 feet southerly of Greene Avenue, and a

line 100 feet westerly of Grand Avenue; and

15. establishing within a proposed R7A District a C2-4 District bounded by:
- a. a line 100 feet northerly of Myrtle Avenue, Classon Avenue, a line 100 feet southerly of Myrtle Avenue, Emerson Place, Myrtle Avenue, a line 480 feet westerly of Emerson Place, a line 100 feet southerly of Myrtle Avenue, Hall Street, a line 100 feet southerly of Myrtle Avenue, Washington Park, Myrtle Avenue, and Carlton Avenue;
 - b. a line 100 feet northeasterly of Fulton Street, a line 100 feet northerly of Lafayette Avenue, South Elliot Place, Lafayette Avenue, South Portland Avenue, a line 100 feet northeasterly of Fulton Street, South Oxford Street, Hanson Place, South Portland Avenue, a line 100 feet southwesterly of Fulton Street, Fort Greene Place, Fulton Street, and St. Felix Street; and
 - c. Gates Avenue, Clinton Avenue, a line 100 feet northeasterly of Fulton Street, a line 100 feet northerly of Putnam Street and its westerly prolongation, Grand Avenue, Putnam Avenue, Downing Street, a line 100 feet northeasterly of Fulton Street, Classon Avenue, Fulton Street, a northwesterly boundary line of Crispus Attucks Playground, a line 100 feet southwesterly of Fulton Street, a line midway between Washington Avenue and Waverly Avenue, a line 100 feet northeasterly of Atlantic Avenue, St. James Place, a line midway between Lefferts Place and Atlantic Avenue, a line perpendicular to the last named course and passing through a point on the northeasterly street line of Atlantic Avenue distant 378 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Classon Avenue, a line 100 feet northeasterly of Atlantic Avenue, a line 100 feet westerly of Classon Avenue, a line perpendicular to the westerly street line of Classon Avenue distant 128 feet northerly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Classon Avenue, Classon Avenue, the centerline of the Long Island Rail Road right-of-way (Atlantic Division), Vanderbilt Avenue, a line 100 feet northeasterly of Atlantic Avenue, a line midway between Waverly Avenue and Clinton Avenue, a line 100 feet southwesterly of Fulton Street, and Vanderbilt Avenue;

16. establishing within an existing R7-1 District a C2-4 District bounded by Myrtle Avenue, Emerson Place, a line 100 feet southerly of Myrtle Avenue, and a line 480 feet westerly of Emerson Place;

as shown on a diagram (for illustrative purposes only) dated April 23, 2007 and which includes CEQR Designation E-183, Community District 2, 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