



Legislation Details (With Text)

File #: Res 0340-2014 **Version:** * **Name:** LU 86 - Zoning, Rezone an R5/C1-3 district to an R7A/C2-4 district and to remove a small portion of C1-3 commercial overlay, Brooklyn (100202 ZMK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 6/26/2014

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 100202 ZMK, a Zoning Map amendment (L.U. No. 86).

Sponsors: David G. Greenfield, Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 6-26-14, 3. Minutes of the Stated Meeting - June 26, 2014

Date	Ver.	Action By	Action	Result
6/19/2014	*	Committee on Land Use	Approved by Committee	
6/26/2014	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 340

Resolution approving the decision of the City Planning Commission on ULURP No. C 100202 ZMK, a Zoning Map amendment (L.U. No. 86).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on May 23, 2014 its decision dated May 21, 2014 (the "Decision"), on the application submitted by 529 Empire Realty Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 17b, to rezone an R5/C1-3 district to an R7A/C2-4 district and to remove a small portion of C1-3 commercial overlay from an existing R7-1 district to facilitate the development of a seven-story mixed-use building and to better reflect the existing built density and land use pattern of the rezoning area. The project area consists of four block corners that are generally located at the intersection of Empire Boulevard and Brooklyn Avenue in the Wingate section of Community District 9 (ULURP No. C 100202 ZMK), Borough of Brooklyn (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 June 17, 2014;

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 including the negative declaration (CEQR No. 10DCP020K) dated December 16, 2013 which is subject to the conditions of CEQR Declaration E-329 (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 and subject to CEQR Declaration E-329.

Pursuant to Section 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 100202 ZMK, incorporated by reference herein, the Council disapproves 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. eliminating from within an existing R5 District a C1-3 District bounded by a line midway between Montgomery Street and Empire Boulevard, Lamont Court and its northerly centerline prolongation, a line 100 feet southerly of Empire Boulevard, Brooklyn Avenue, a line midway between Empire Boulevard and Sterling Street, a line 100 feet westerly of Brooklyn Avenue, Empire Boulevard, and Brooklyn Avenue;
2. eliminating from within an existing R7-1 District a C1-3 District bounded by:
 - a. Empire Boulevard, a line 100 feet westerly of Brooklyn Avenue, a line midway between Empire Boulevard and Sterling Street, and a line 150 feet westerly of Brooklyn Avenue; and
 - b. a line 100 feet southerly of Empire Boulevard, Lamont Court, a line 150 feet southerly of Empire Boulevard, and Brooklyn Avenue;
3. changing from an R5 District to an R7A District property bounded by a line midway between Montgomery Street and Empire Boulevard, Lamont Court and its northerly centerline prolongation, a line 100 feet southerly of Empire Boulevard, Brooklyn Avenue, a line midway between Empire Boulevard and Sterling Street, a line 100 feet westerly of Brooklyn Avenue, Empire Boulevard, and Brooklyn Avenue; and
4. establishing within a proposed R7A District a C2-4 District bounded by a line midway between Montgomery Street and Empire Boulevard, Lamont Court and its northerly centerline prolongation, a line 100 feet southerly of Empire Boulevard, Brooklyn Avenue, a line midway between Empire Boulevard and Sterling Street, a line 100 feet westerly of Brooklyn Avenue, Empire Boulevard, and Brooklyn Avenue;

as shown on a diagram (for illustrative purposes only) dated December 16, 2013 and subject to the conditions of CEQR Declaration E-329, Community District 9, 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 June 26, 2014, on file in this office.

City Clerk, Clerk of The Council