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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 040171 ZMK, a Zoning Map change (L.U. No. 147).

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Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 6/28

Date	Ver.	Action By	Action	Result
6/14/2004	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
6/28/2004	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 448**

Resolution approving the decision of the City Planning Commission on ULURP No. C 040171 ZMK, a Zoning Map change (L.U. No. 147).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 10, 2004 its decision dated May 10, 2004 (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 040171 ZMK) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 040172 ZRK (L.U. No. 148) amendments to the text of the Zoning Resolution; C 030514 MMK (L.U. No. 149), C 030515 MMK (L.U. No. 150), C 030516 MMK (L.U. No. 151), C 030517 MMK (L.U. No. 152) amendments to the City Map; C 040173 HUK (L.U. No. 153), C 040174 HUK (L.U. No.154), C 040175 HUK (L.U. No. 155) urban renewal plan amendments; N 040176 HGK (L.U. No. 156), urban renewal area designation; C 040177 HDK (L.U. No. 157), C 040178 HDK (L.U. No. 158), C 040179 HDK (L.U. No. 159) disposition of city-owned properties within the urban renewal area; C 040180 PPK (L.U. No. 160) disposition of city-owned property; C 040181 ZSK (L.U. No. 161), C 040182 ZSK (L.U. No. 162), C 040183 ZSK (L.U. No. 163), C 040184 ZSK (L.U. No. 164) special permits; C 040185 PSK (L.U. No. 165) site selection of property;

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 8, 2004 and was recessed until June 10, 2004;

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 Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on April 30, 2004 which identified significant adverse impacts and proposed mitigation measures (CEQR No. 03DME016K);

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable;
- (2) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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. 12d and 16c:

1. eliminating from an existing R6 District a C1-3 District bounded by a line 200 feet northerly of Myrtle Avenue, Prince Street, Myrtle Avenue, a line 100 feet easterly of Prince Street, Fair Street, Fleet Place, a line 85 feet southerly of Fair Street, Prince Street, the westerly centerline prolongation of Fair Street, Flatbush Avenue Extension, and Gold Street;
2. changing from an R6 District to an R7-1 District property bounded by Myrtle Avenue, Ashland Place, the easterly centerline prolongation of former Fair Street, and Fleet Place;
3. changing from an R6 District to a C6-4 District property bounded by a line 200 feet northerly of Myrtle Avenue, Prince Street, Myrtle Avenue, Fleet Place, Willoughby Street, a line midway between Fleet Street and the former Prince Street and its southerly prolongation, a line 85 feet southerly of the former Fair Street, the former Prince Street and its southerly centerline prolongation, the westerly centerline prolongation of the former Fair Street, and Flatbush Avenue Extension;

4. changing from a C5-4 District to a C6-4.5 District property bounded by Willoughby Street, Jay Street, a line 200 feet northeasterly of Fulton Street, Duffield Street, Fulton Street, Smith Street, Livingston Street, and Boerum Place;
5. changing from a C6-1 District to a C6-2 District property bounded by the westerly centerline prolongation of Lafayette Avenue, Flatbush Avenue, State Street, and 3rd Avenue;
6. changing from a C6-1 District to a C6-4 District property bounded by:
 - a. Tillary Street, Bridge Street, Johnson Street/Tech Place, and Adams Street;
 - b. Willoughby Street, the easterly street line of the former University Plaza, a line 230 feet northerly of DeKalb Avenue, the northerly centerline prolongation of Hudson Avenue, DeKalb Avenue, a line 250 feet westerly of the westerly street line of Rockwell Place, Fulton Street, Flatbush Avenue Extension, and Fleet Street; and
 - c. Livingston Street, Bond Street, Fulton Street, Flatbush Avenue, the westerly centerline prolongation of Lafayette Avenue, Schermerhorn Street, and Smith Street;
7. changing from a C6-1 District to a C6-4.5 District property bounded by a line 125 feet northerly of Willoughby Street, a line midway between Jay Street and Lawrence Street, a line 175 feet northerly of Willoughby Street, Lawrence Street, a line 250 feet northerly of Willoughby Street, Duffield Street, Willoughby Street, Gold Street, a line 200 feet northerly of Willoughby Street, Flatbush Avenue Extension, Fulton Street, Duffield Street, a line 200 feet northeasterly of Fulton Street, and Jay Street;
8. changing from a C6-1A District to a C6-4 District property bounded by Johnson Street/Tech Place, the southerly centerline prolongation of Bridge Street, a line 150 feet southerly of Johnson Street/Tech Place, a line 215 feet easterly of Jay Street, a line 360 feet southerly of Johnson Street/Tech Place, and Jay Street;
9. changing from a C8-2 District to a C6-4 District property bounded by the westerly centerline prolongation of the former Fair Street, the former Prince Street and its southerly centerline prolongation, a line 85 feet southerly of the former Fair Street, a line midway between Fleet Street and the former Prince Street and its southerly prolongation, Willoughby Street, Fleet Street, and Flatbush Avenue Extension;
10. changing from an M1-1 District to a C6-4 District property bounded by Tillary Street, Gold Street, a line 225 feet southerly of Tillary Street, Prince Street, a line 200 feet northerly of Myrtle Avenue, and Flatbush Avenue Extension;
11. changing from an M1-4 District to a C6-4 District property bounded by Tillary Street, Prince Street, a line 225 feet southerly of Tillary Street, and Gold Street; and
12. establishing a Special Downtown Brooklyn District (DB) bounded by Myrtle Avenue, Ashland Place, the centerline of the former Fair Street and its easterly prolongation, and the centerline of former Prince Street;

as shown on a diagram (for illustrative purposes only) dated December 1, 2003, revised on April 29, 2004, and which includes the CEQR designation E-124, 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 June 28, 2004, on file in this office.

City Clerk, Clerk of The Council