



Legislation Details (With Text)

File #:	Res 1057-2005	Version:	*	Name:	LU 458 - ULURP, Bensonhurst Rezoning, Brooklyn (050296ZMK)
Type:	Resolution	Status:		In control:	Adopted Committee on Land Use
On agenda:	6/23/2005				
Enactment date:		Enactment #:			
Title:	Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 050296 ZMK, a Zoning Map change (L.U. No. 458).				
Sponsors:	Melinda R. Katz, Tony Avella				
Indexes:					
Attachments:	1. Committee Report, 2. Hearing Transcript - Stated Meeting 6/23/05				

Date	Ver.	Action By	Action	Result
6/20/2005	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
6/23/2005	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1057

Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 050296 ZMK, a Zoning Map change (L.U. No. 458).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 31, 2005 its decision dated May 25, 2005 (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 050296 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 June 15, 2005;

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 February 14, 2005 (CEQR No. 05DCP055K);

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 modification:

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. 22d and 28c:

Matter in [brackets] is to be deleted by City Council;
Matter in **bold double underline** to be added by City Council.

1. eliminating from an existing R5 District a C1-3 District bounded by:

- a. 63rd Street, a line 100 feet northwesterly of Bay Parkway, 65th Street, and a line 150 feet northwesterly of Bay Parkway;
- b. Highlawn Avenue, West 8th Street, a line 150 feet northerly of Highlawn Avenue, a line midway between West 7th Street and West 8th Street, Highlawn Avenue, West 6th Street, line 150 feet southerly of Highlawn Avenue, and West 9th Street;
- c. Avenue S, West 9th Street, a line 150 feet northerly of Avenue S, and West 8th Street;
- d. Avenue S, West 6th Street, a line 150 feet southerly of Avenue S, and West 7th Street;
- e. Avenue S, a line midway between West 13th Street and Stillwell Avenue, a line 100 feet northerly of Avenue T, and Stillwell Avenue;
- f. Avenue T, West 8th Street, a line 150 feet southerly of Avenue T, and West 10th Street; and
- g. Avenue U, West 9th Street, a line 150 feet northerly of Avenue U, Lake Street, a line 100 feet northerly of Avenue U, and McDonald Avenue;

2. eliminating from an existing R6 District a C1-3 District bounded by:

- a. 63rd Street, Bay Parkway, a line midway between 64th Street and 65th Street, a line 400 feet southeasterly of 23rd Avenue, 65th Street, West 5th Street, a line 150 feet southwesterly of 65th Street, Bay Parkway, 65th Street, and a line 100 feet northwesterly of Bay Parkway;
- b. Avenue O, West 8th Street, a line 150 feet northerly of Avenue O, West 7th Street, Avenue O, West 6th Street, a line 150 feet southerly of Avenue O,

and West 11th Street; and

- c. Kings Highway, West 12th Street, a line 150 feet northerly of Kings Highway, a line 150 feet northerly of Quentin Road, West 9th Street, Quentin Road, West 6th Street, a line 150 feet northerly of Kings Highway, West 4th Street, a line 100 feet southerly of Kings Highway, a line 100 feet southerly of Quentin Road, and West 11th Street;
3. eliminating from an existing R5 District a C2-2 District bounded by Kings Highway, Stillwell Avenue, a line 100 feet northerly of Kings Highway, West 12th Street, Kings Highway, West 11th Street, Quentin Road, West 13th Street, a line 80 feet northerly of Quentin Road, Stillwell Avenue, a line 100 feet southerly of Kings Highway, 78TH Street, and a line 100 feet southeasterly of Bay Parkway;
 4. eliminating from an existing R6 District a C2-2 District bounded by Kings Highway, a line 200 feet westerly of Stillwell Avenue, a line 100 feet northerly of Kings Highway, and Stillwell Avenue;
 5. eliminating from an existing R5 District a C2-3 District bounded by West 13th Street, a line 150 feet northerly of Avenue U, West 9th Street, and a line 100 feet northerly of Avenue U;
 6. eliminating from an existing R6 District a C2-3 District bounded by a line midway between Dahill Road and West 1st Street, a line 150 feet northerly of Kings Highway, a line midway between McDonald Avenue and Dahill Road, and a line 100 feet northerly of Kings Highway,
 7. changing from an R5 District to an R4-1 District property bounded by:
 - a. Quentin Road, West 11th Street, a line 100 feet southerly of Quentin Road, a line midway between West 10th Street and West 11th Street, a line 100 feet southerly of Highlawn Avenue, a line midway between West 11th Street and West 12th Street, a line 100 feet northerly of Avenue S, and a line midway between West 12th Street and West 13th Street;
 - b. a line 100 feet southerly of Highlawn Avenue, a line midway between West 8th Street and West 9th Street, a line 100 feet northerly of Avenue S, and a line midway between West 10th Street and West 11th Street;
 - c. a line 100 feet southerly of Kings Highway, a line midway between Lake Street and Van Sicklen Street, Avenue S, West 3rd Street, Avenue T, a line midway between Lake Street and Van Sicklen Street, a line perpendicular to the easterly street line of Van Sicklen Street distant 360 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Van Sicklen Street and the southerly street line of Avenue T, Van Sicklen Street, a line 100 feet northerly of Avenue U, a line midway

between West 6th Street and West 7th Street, a line 100 feet southerly of Avenue T, a line midway between West 4th Street and West 5th Street, Avenue S, West 5th Street, a line 100 feet northerly of Avenue S, West 7th Street, a line 100 feet southerly of Highlawn Avenue, a line midway between West 4th Street and West 5th Street, Highlawn Avenue, and a line midway between West 6h Street and West 7th Street;

- d. a line 100 feet southerly of Avenue S, West 9th Street, a line 100 feet northerly of Avenue T, and a line midway between West 12th Street and West 13th Street;
- e. a line 100 feet southerly of Avenue S, a line midway between West 5th Street and West 6th Street, a line 100 feet northerly of Avenue T, and West 7th Street; and
- f. a line 100 feet southerly of Avenue T, a line midway between West 7th Street and West 8th Street, a line 100 feet northerly of Avenue U, West 13th Street, a line 325 feet southerly of Avenue T, and a line midway between West 12th Street and West 13th Street;

8. changing from an R6 District to an R4-1 District property bounded by:

- a. a line 100 feet southeasterly of Bay Parkway, 61st Street, Dahill Road, 24th Avenue, a line midway between McDonald Avenue and Dahill Road, a line 180 feet northerly of Avenue O, Dahill Road, 63rd Street, a line perpendicular to the southwesterly street line of 63rd Street distant 125 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 63rd Street and the westerly street line of Dahill Road, a line midway between 63rd Street and 64th Street, a line 100 feet westerly of Dahill Road, 65th Street, Avenue P, a line midway between McDonald Avenue and Dahill Road, a line 100 feet northerly of Kings Highway, West 6th Street, a line 100 feet southerly of Quentin Road, West 1st Street, a line 400 feet southerly of Quentin Road, a line midway between Dahill Road and West 1st Street, Avenue P, West 2nd Street, a line 100 feet southwesterly of 65th Street, West 1st Street, 65th Street, a line 100 feet southeasterly of 24th Avenue, a line midway between 62nd Street and 63rd Street, 24th Avenue, 65th Street, a line 340 feet southeasterly of 23rd Avenue, a line midway between 64th Street and 65th Street, 23rd Avenue, 64th Street, a line 120 feet northwesterly of 23rd Avenue, a line midway between 64th Street and 65th Street, a line 220 feet southeasterly of Bay Parkway, and a line midway between 63rd Street and 64th Street;
- b. a line 100 feet southerly of Avenue O, a line midway between West 7th Street and West 8th Street, a line 100 feet northerly of Avenue P, West 12th Street, a line perpendicular to the easterly street line of

West 12th Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of West 12th Street and the southeasterly street line of Bay Parkway, and a line midway between West 10th Street and West 11th Street;

- c. a line 100 feet southerly of Avenue O, West 4th Street, Avenue O, a line 100 feet southwesterly of 65th Street, West 3rd Street, a line 100 feet northerly of Avenue P, and a line midway between West 6th Street and West 7th Street;
- d. a line 100 feet southerly of Avenue P, a line midway between West 10th Street and West 11th Street, a line 100 feet northerly of Kings Highway, and Stillwell Avenue;
- e. a line 100 feet southerly of Avenue P, West 8th Street, Avenue P, West 7th Street, a line 100 feet southerly of Avenue P, West 6th Street, a line 100 feet northerly of Quentin Road, and a line midway between West 9th Street and West 10th Street;
- f. a line 100 feet southerly of Avenue P, West 3rd Street, a line 100 feet northerly of Quentin Road, and a line midway between West 4th Street and West 5th Street; and
- g. a line 100 feet southerly of Avenue P, a line midway between West 1st Street and West 2nd Street, a line 100 feet northerly of Quentin Road, and a line midway between West 2nd Street and West 3rd Street;

9. changing from an R5 District to an R4A District property bounded by:

- a. a line 100 feet southerly of Highlawn Avenue, a line midway between West 10th Street and West 11th Street, a line 100 feet northerly of Avenue S, and a line midway between West 11th Street and West 12th Street;
- b. a line 100 feet southerly of Avenue S, a line midway between West 12th Street and West 13th Street, Avenue T, and West 13th Street;
- c. Avenue S, a line midway between Lake Street and Van Sicklen Street, Avenue T, and West 3rd Street; and
- d. Avenue T, a line midway between McDonald Avenue and Lake Street, a line 100 feet northerly of Avenue U, and Lake Street;

10. changing from an R6 District to an R4A District property bounded by:

- a. a line 100 feet southwesterly of 65th Street, West 2nd Street, a line 100 feet northerly of Avenue P, and West 3rd Street; and
 - b. Avenue P, West 1st Street, a line 100 feet southerly of Avenue P, a line midway between West 2nd Street and West 3rd Street, a line 340 feet southerly of Avenue P, West 3rd Street, a line 100 feet southerly of Avenue P, and a line midway between West 4th Street and West 5th Street;
11. changing from an R5 District to an R5B District property bounded Quentin Road, a line midway between West 12th Street and West 13th Street, a line 100 feet northerly of Avenue S, a line midway between West 8th Street and West 9th Street, a line 100 feet southerly of Highlawn Avenue, a line midway between West 10th Street and West 11th Street, a line 100 feet southerly of Quentin Road, a line 100 feet southerly of Kings Highway, a line midway between West 6th Street and West 7th Street, Highlawn Avenue, a line midway between West 4th Street and West 5th Street, a line 100 feet southerly of Highlawn Avenue, West 7th Street, a line 100 feet northerly of Avenue S, West 5th Street, Avenue S, a line midway between West 4th Street and West 5th Street, a line 100 feet southerly of Avenue T, a line midway between West 6th Street and West 7th Street, a line 100 feet northerly of Avenue U, Van Sicklen Street, a line perpendicular to the easterly street line of Van Sicklen Street distant 360 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Van Sicklen Street and the southerly street line of Avenue T, a line midway between Lake Street and Van Sicklen Street, a line 100 feet southerly of Kings Highway, a line midway between McDonald Avenue and Lake Street, Avenue T, Lake Street, a line 100 feet northerly of Avenue U, McDonald Avenue, Avenue U, West 13th Street, a line 100 feet northerly of Avenue U, a line midway between West 7th Street and West 8th Street, a line 100 feet southerly of Avenue T, a line midway between West 12th Street and West 13th Street, a line 325 feet southerly of Avenue T, West 13th Street, a line 100 feet northeasterly of 86th Street, and Stillwell Avenue, and excluding property bounded by:
 - a. a line 100 feet southerly of Avenue S, West 9th Street, a line 100 feet northerly of Avenue T, a line midway between West 12th Street and West 13th Street, Avenue T, and West 13th Street,
 - b. a line 100 feet southerly of Avenue S, a line midway between West 5th Street and West 6th Street, a line 100 feet northerly of Avenue T, and West 7th Street;
12. changing from an R6 District to an R5B District property bounded by:
 - a. a line 150 feet southeasterly of Bay Parkway, a line perpendicular to the easterly street line of West 7th Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of West 7th Street and the southeasterly street line of Bay Parkway, a line 100 feet southwesterly of 65th Street, **West 5th Street, a line 350 feet northerly of Avenue O, a line midway between West 5th Street and West 6th Street, a line 100 feet northerly of Avenue O, a line midway between West 4th Street and West 5th Street,**

Avenue O, West 4th Street, a line 100 feet southerly of Avenue O, a line midway between West 6th Street and West 7th Street, a line 100 feet northerly of Avenue P, a line midway between West 7th Street and West 8th Street, a line 100 feet southerly of Avenue O, a line midway between West 10th Street and West 11th Street, a line perpendicular to the easterly street line of West 12th Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of West 12th Street and the southeasterly street line of Bay Parkway, West 11th Street, and Avenue O;

b. a line 100 feet southwesterly of 65th Street, Avenue O, and West 4th Street;

[b]c. 63rd Street, Dahill Road, a line 180 feet northerly of Avenue O, a line midway between Dahill Road and McDonald Avenue, a line perpendicular to the westerly street line of McDonald Avenue distant 250 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of McDonald Avenue and the northeasterly street line of 65th Street, Dahill Road, 65th Street, a line 100 feet westerly of Dahill Road, a line midway between 63rd Street and 64th Street, and a line perpendicular to the southwesterly street line of 63rd Street distant 125 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 63rd Street and the westerly street line of Dahill Road;

[c]d. a line 100 feet southerly of Avenue P, a line midway between West 9th Street and West 10th Street, a line 100 feet northerly of Quentin Road, a line 100 feet northerly of Kings Highway, and a line midway between West 10th Street and West 11th Street;

[d]e. a line 100 feet northerly of Avenue P, West 4th Street, Avenue P, a line midway between West 4th Street and West 5th Street, a line 100 feet northerly of Quentin Road, and West 6th Street; and

[e]f. a line 100 feet northerly of Quentin Road, West 3rd Street, a line 340 feet southerly of Avenue P, a line midway between West 2nd Street and West 3rd Street, a line 100 feet northerly of Quentin Road, a line midway between West 1st Street and West 2nd Street, a line 100 feet southerly of Avenue P, West 1st Street, Avenue P, a line midway between Dahill Road and West 1st Street, a line 400 feet southerly of Quentin Road, West 1st Street, a line 100 feet southerly of Quentin Road, a line midway between West 2nd Street and West 3rd Street, Quentin Road, and West 4th Street;

13. changing from an R6 District to an R6A District property bounded by:

a. a line 100 feet northwesterly of Bay Parkway, 61st Street, a line 100 feet southeasterly of Bay Parkway, a line midway between 63rd Street and 64th Street, a line 220 feet southeasterly of Bay Parkway, a line midway between 64th Street and 65th Street, a line 120 feet northwesterly of 23rd Avenue, 64th Street, 23rd Avenue, a line midway between 64th Street and 65th Street, a line 340 feet southeasterly of 23rd Avenue, 65th Street, 24th Avenue, a line midway between 62nd Street and 63rd Street, a line 100 feet southeasterly of 24th Avenue, 65th Street, West 1st Street, a line 100

feet southwesterly of 65th Street, a line perpendicular to the easterly street line of West 7th Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of West 7th Street and the southeasterly street line of Bay Parkway, a line 150 feet southeasterly of Bay Parkway, a line 150 feet southwesterly of 65th Street, Bay Parkway, and 65th Street; and

- b. a line 100 feet northerly of Avenue P, West 2nd Street, Avenue P, and West 4th Street;
- 14. changing from a C4-3 District to an R6A District property bounded by a line 150 feet southwesterly of 65th Street, a line 150 feet southeasterly of Bay Parkway, and West 7th Street;
 - 15. changing from an R5 District to an R6B District property bounded by Kings Highway, West 11th Street, Quentin Avenue, 78th Street, and a line 100 feet southeasterly of Bay Parkway;
 - 16. changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Kings Highway, West 12th Street, Kings Highway, and Stillwell Avenue;
 - 17. changing from an R6 District to an R7A District property bounded by:
 - a. Bay Parkway, Avenue O, West 11th Street, a line perpendicular to the easterly street line of West 12th Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of West 12th Street and the southeasterly street line of Bay Parkway, West 12th Street, a line 100 feet northerly of Avenue P, West 6th Street, a line 100 feet southerly of Avenue P, West 7th Street, Avenue P, West 8th Street, a line 100 feet southerly of Avenue P, Stillwell Avenue, and Kings Highway; and
 - b. a line 100 feet northerly of Kings Highway, a line 100 feet northerly of Quentin Road, West 4th Street, Quentin Road, a line midway between West 2nd Street and West 3rd Street, a line 100 feet southerly of Quentin Road, West 6th Street, a line 100 feet northerly of Kings Highway, McDonald Avenue, a line 100 feet southerly of Kings Highway, a line 100 feet southerly of Quentin Road, West 11th Street, Kings Highway, and West 12th Street;
 - 18. changing from a C4-3 District to a C4-2A District property bounded by a line 150 feet northwesterly of Bay Parkway, 65th Street, Bay Parkway, a line 150 feet southwesterly of 65th Street, West 7th Street, a line 150 feet southeasterly of Bay Parkway, Avenue O, Bay Parkway, and Bay Ridge Avenue;
 - 19. establishing within a proposed R4-1 District a C2-3 District bounded by:
 - a. a line 340 feet southeasterly of 23rd Avenue, a line midway between 64th

Street and 65th Street, 24th Avenue, and 65th Street; and

- b. a line 100 feet northerly of Highlawn Avenue, West 6th Street, Highlawn Avenue, and a line midway between West 6th Street and West 7th Street;

20. establishing within a proposed R5B District a C2-3 District bounded by:

- a. a line 100 feet northerly of Avenue O, West 6th Street, a line 100 feet southerly of Avenue O, West 11th Street, Avenue O, and West 8th Street;
- b. a line 100 feet northerly of Highlawn Avenue, a line midway between West 8th Street and West 9th Street, Highlawn Avenue, West 7th Street, a line 100 feet northerly of Highlawn Avenue, a line midway between West 6th Street and West 7th Street, Highlawn Avenue, West 6th Street, a line 100 feet southerly of Highlawn Avenue, West 10th Street, Highlawn Avenue, and West 9th Street;
- c. a line 100 feet northerly of Avenue S, West 9th Street, Avenue S, and West 10th Street;
- d. Avenue S, a line midway between West 13th Street and Stillwell Avenue, a line 100 feet northerly of Avenue T, and Stillwell Avenue;
- e. Avenue S, West 6th Street, a line 100 feet southerly of Avenue S, and West 8th Street;
- f. Avenue T, West 7th Street, a line 100 feet northerly of Avenue T, West 5th Street, Avenue T, West 6th Street, a line 100 feet southerly of Avenue T, and West 10th Street; and
- g. a line 100 feet northerly of Avenue U, McDonald Avenue, Avenue U, and West 9th Street;

21. establishing within a proposed R6A District a C2-3 District bounded by:

- a. a line 100 feet northwesterly of Bay Parkway, 63rd Street, Bay Parkway, a line midway between 64th Street and 65th Street, a line 340 feet southeasterly of 23rd Avenue, 65th Street, West 5th Street, a line 100 feet southwesterly of 65th Street, Bay Parkway, and 65th Street; and
- b. a 24th Avenue, a line midway between 64th Street and 65th Street, a line 100 feet southeasterly of 24th Avenue, and 65th Street;

22. establishing within a proposed R6B District a C2-3 District bounded by Kings Highway, West 11th Street, Quentin Road, West 13th Street, a line 80 feet northerly of Quentin Road, Stillwell Avenue, a line 100 feet southerly of Kings Highway, 78th Street, and a line 100 feet southeasterly of Bay Parkway;

23. establishing within a proposed R7A District a C2-3 District bounded by a line 100 feet northerly of Kings Highway, a line 100 feet northerly of Quentin Road, West 8th Street, Quentin Road, West 6th Street, a line 100 feet northerly of Kings Highway, a line midway between Dahill Road and West 1st Street, Kings Highway, Kings Place, a line 100 feet southerly of Kings Highway, a line 100 feet southerly of Quentin Road, West 11th Street, Kings Highway, and a line 200 feet westerly of Stillwell Avenue;

as shown on a diagram (for illustrative purposes only) dated February 14, 2005 and modified by the City Planning Commission on May 25, 2005, Community District 11, 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 23, 2005, on file in this office.

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City Clerk, Clerk of The Council