



Legislation Details (With Text)

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On agenda: 2/26/2009

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 080051 ZSK (L.U. No. 975), for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution of the City of New York to allow the development of large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425) in an M1-1 District, Borough of Brooklyn.

Sponsors: Melinda R. Katz, Tony Avella

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 2/26/09

Date	Ver.	Action By	Action	Result
2/26/2009	*	Committee on Land Use	Approved by Committee	
2/26/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1834

Resolution approving the decision of the City Planning Commission on ULURP No. C 080051 ZSK (L.U. No. 975), for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution of the City of New York to allow the development of large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425) in an M1-1 District, Borough of Brooklyn.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on January 9, 2009 its decision dated January 7, 2009 (the "Decision"), on the application submitted by Morgan B. Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit to allow the development of large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425), in an M1-1 District, pursuant to the findings of Section 74-922 (Certain large retail establishments) of the Zoning Resolution of the City of New York (ULURP No. C 080051 ZSK), Community District 5, 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, the City Planning Commission has made the findings required pursuant to Section 74-922 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 23, 2009;

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 Conditional Negative Declaration, issued on November 25, 2008 (CEQR No. 08DCP005K);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment subject to the following condition:

The applicant, Morgan B. Realty, LLC, agrees to the exclusive use of natural gas as a fuel and agrees to the placement of individual HVAC stacks at least 65 feet from the edge of any adjacent building on the project site.

Pursuant to Sections 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 080051 ZSK, incorporated by reference herein, the Council approves the Decision.

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 February 26, 2009, on file in this office.

City Clerk, Clerk of The Council