Legislation Details (With Text)

File #:	Res 0252-2022	**Version:** *	**Name:**	LU 65 - Zoning, 98 Third Avenue, Brooklyn (C 200335 ZMK)
Type:	Resolution		**Status:**	Adopted
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On agenda:	6/16/2022			
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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 200335 ZMK, a Zoning Map amendment (L.U. No. 65).

Sponsors:

Indexes:

Attachments: 1. May 19, 2022 - Stated Meeting Agenda, 2. Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, 3. Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, 4. June 16, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 6-16-22, 6. Minutes of the Stated Meeting - June 16, 2022, 7. Res. No. 252, 8. Committee Report

Date	Ver.	Action By	Action	Result
6/14/2022	*	Committee on Land Use	Approved by Committee	
6/16/2022	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 252

Resolution approving the decision of the City Planning Commission on ULURP No. C 200335 ZMK, a Zoning Map amendment (L.U. No. 65).

By Council Members Salamanca and Riley

WHEREAS, 98 Third Avenue Realty, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-2 District to an R6B District, changing from an M1-2 District to an R7D District, and establishing within the proposed R7D District a C2-4 District, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing approximately 24 dwelling units, approximately eight of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 3,500 square feet of commercial floor area on the ground floor of the building, located at 98 Third Avenue (Block 388, Lot 31) in the Boerum Hill neighborhood of Community District 2, Brooklyn (ULURP No. C 200335 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022 its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 200336 ZRK (L.U. No. 66), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 31, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued December 13th, 2021 (CEQR No. 21DCP096K) which includes an (E) designation on the development site to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-647) (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 (E) Designation (E-647) and Negative Declaration.

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 the report, C 200335 ZMK incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

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 16c:

1. changing from an M1-2 District to an R6B District property bounded by a line midway between Bergen Street and Wyckoff Street, a line 100 feet northwesterly of 3rd Avenue, Wyckoff Street, and a line 120 feet northwesterly of 3rd Avenue;

2. changing from an M1-2 District to an R7D District property bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue; and

3. establishing within the proposed R7D District a C2-4 District bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated December 13, 2021, and subject to the conditions of CEQR Declaration E-647, Borough of Brooklyn, Community District 2.

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 _____, 2022, on file in this office.

City Clerk, Clerk of The Council