



## Legislation Text

**File #:** Res 1905-2009, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1905

Resolution approving the decision of the City Planning Commission on ULURP No. C 090079 ZMK, a Zoning Map amendment (L.U. No. 1010).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on February 17, 2009 its decision dated February 17, 2009 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 090079 ZMK) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 090078 HUK (L.U. No. 1009), the third amendment to the Fresh Creek Urban Renewal Plan for the Fresh Creek Urban Renewal Area; C 090081 ZSK (L.U. No. 1011), a special permit for General Large Scale Development to modify certain sign regulations pursuant to Section 74-744 of the New York City Zoning Resolution; C 090082 HAK (L.U. No. 1012), designation of an Urban Development Action Area and Project and disposition of City-owned property; and C 080089 MMK (L.U. No. 1013), an amendment of the New York City Map to eliminate, map, realign and extend certain streets and to relocate park lands within the Fresh Creek Urban Renewal Area;

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 March 4, 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 review (CEQR No. 07HPD021K) and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on February 4, 2009;

**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) Consistent with social, economic and other essential considerations, from among the

reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

(3) The adverse environmental impacts disclosed 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 the decision, 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 No. 17d:

1. eliminating from within an existing R6 District a C2-4 District bounded by a line 95 feet northeasterly of Lower Ashford Street, a line 115 northwesterly of Fountain Street, a line 100 feet southwesterly of Elton Street, the southwesterly centerline prolongation of Elton Place, Elton Street, a line 162 feet southeasterly of Erskine Place, a line 100 feet northeasterly of Elton Street, a line midway between Elton Place and Fountain Street, a line 95 feet southwesterly of Essex Street, Fountain Street, the southeasterly prolongation of the northeasterly street line of Essex Street, a line 180 feet southeasterly of Fountain Street, the southeasterly prolongation of the southwesterly street line of Lower Ashford Street, and Fountain Street;
2. changing from an R3-2 District to an R6 District property bounded by the former centerline of Erskine Street, the new centerline of Erskine Street, and a line 115 feet southeasterly of Schroeders Avenue;
3. changing from an R6 District to an R7A District property bounded by Flatlands Avenue, Elton Street, a line 100 feet northwesterly of Egan Street, a line 100 feet northeasterly of Elton Street, the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet southwesterly of Elton Street, Locke Street, and Ashford Street;
4. changing from an R3-2 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeder Avenue, the former centerline of Erskine Street, and the new centerline of Erskine Street;
5. changing from an R6 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeders Avenue and its southwesterly prolongation, a line 100 feet southwesterly of Elton Street, the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet northeasterly of Elton Street, a line 115 feet southeasterly of Schroeders Avenue, the former centerline of Erskine Street, Erskine Street, a line 180 feet southeasterly of former Fountain Street, and the centerline of former Schenck Avenue;
6. establishing within an existing R6 District a C2-4 District bounded by:
  - a. Vandalia Avenue, Erskine Avenue, Schroeders Avenue, and a northeasterly boundary line of a park; and

- b. Egan Street, Fountain Avenue, Vandalia Avenue, and a line 100 feet southwesterly of Fountain Avenue; and
7. establishing within the proposed R7A District a C2-4 District bounded by:
- a. Flatlands Avenue, a line 100 feet southwesterly of Elton Street, Locke Street, and Ashford Street;
  - b. a line 100 feet northwesterly of Egan Street, a line 100 feet northeasterly of Elton Street, Vandalia Avenue, and Elton Street; and
  - c. Schroeders Avenue, Elton Street, the southeasterly street line of Elton Street and its southwesterly prolongation, and a line 100 feet southwesterly of Elton Street;

as shown on a diagram (for illustrative purposes only) dated September 8, 2008, Community District 5, 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 April 2, 2009, on file in this office.

City Clerk, Clerk of The Council