File #: Res 0530-2010, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 530

Resolution approving the decision of the City Planning Commission on ULURP No. C 100353 ZSK (L.U. No. 185), for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution of the City of New York to allow the development of two 4-story apartment buildings containing eight units of affordable housing and with four accessory residential parking spaces, within or over a railroad or transit right-of-way or yard, on property located at Block 5300, p/o Lot 9, in a M1-2/R6A District, Borough of Brooklyn.

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on August 31, 2010 its decision dated August 25, 2010 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution of the City of New York to allow the development of two 4-story apartment buildings containing eight units of affordable housing and with four accessory residential parking spaces, within or over a railroad or transit right-of-way or yard, on property located at Block 5300, p/o Lot 9, in a M1-2/R6A District (ULURP No. C 100353 ZSK), Community District 12, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications Numbers C 100345 ZMK (L.U. No. 177), an amendment to the Zoning Map Section No. 22c, changing existingM1-2 and M2-1 Districts to (MX) M1-2/R6A, (MX) M1-2/R6B, R5, R5/C2-3 and C2-4A Districts in an area bounded by 36th Street on the north, Old New Utrecht Road and 14th Avenue on the east, 40th Street on the south, and 12th Avenue on the west; N 100346 ZRK (L.U. No. 178), an amendment to the Zoning Resolution of the City of New York, Section 123-90 (Special Mixed Use Districts) to establish a Special Mixed Use District (MX 12) within the Borough Park neighborhood of Brooklyn's Community District 12; C 100347 HAK (L.U. No. 179), an application submitted by the Department of Housing Preservation and Development (HPD) for the designation of the property located at 1248 37th Street (Block 5295, Lot 4) and 1300 37th Street (Block 5300, Lot 9) as an Urban Development Action Area Project, and for the disposition of such property to a developer selected by HPD to facilitate the development of seventeen 4-story buildings with a total of approximately 68 units of affordable housing and approximately 48 spaces of accessory community facility parking; C 100348 ZSK - 100352 ZSK, C 100354 ZSK - C 100361 ZSK (L.U. Nos. 180 - 184, and 186 - 193), applications submitted by the Department of Housing Preservation and Development for grants of 14 special permits pursuant to Section 74-681 of the Zoning Resolution of the City of New York to allow portions of a railroad or transit right-of-way, which has been permanently discontinued or terminated, to be included in the lot area in connection with the development of seventeen, 4-story residential buildings, and three accessory community facility parking lots on property located on Block 5300, Lot 9 and Block 5295, Lot 4;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 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 September 21, 2010;

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 May 10, 2010, which included (E) designations (E-252) to avoid the potential for hazardous materials, air quality and noise impacts (CEQR No. 10DCP029K);

RESOLVED:

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

> The proposed (E) designations for hazardous materials would ensure that the proposed action would not result in significant adverse impacts due to hazardous materials and would be placed on private (i.e., not city-owned) properties.

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 100353 ZSK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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 October 27, 2010, on file in this office.

City Clerk, Clerk of The Council

powered by Legistar™