



## CITY PLANNING COMMISSION

June 3, 2009/Calendar No.7

C 090313 ZMK

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17d, 23a, 23c and 23d:

1. eliminating from an existing R4 District a C1-1 District bounded by Avenue L, East 95<sup>th</sup> Street, a line 200 feet southeasterly of Avenue L, and East 93<sup>rd</sup> Street;
2. eliminating from an existing R4 District a C1-2 District bounded by:
  - a. a line 200 feet southeasterly of Farragut Road, Rockaway Parkway, Glenwood Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway Parkway, a line 150 feet southeasterly of Flatlands Avenue, and East 96<sup>th</sup> Street,
  - b. a line 150 feet northwesterly of Flatlands Avenue, East 89<sup>th</sup> Street, Flatlands Avenue, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street;
  - c. a line 150 feet northwesterly of Avenue L, East 95<sup>th</sup> Street, Avenue L, East 93<sup>rd</sup> Street, a line 150 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;
  - d. Avenue N, Rockaway Parkway, Seaview Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
3. eliminating from an existing R5 District a C1-2 District bounded by:
  - a. Ralph Avenue, East 79<sup>th</sup> Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly East 78<sup>th</sup> Street, a line perpendicular to the northeasterly street line of East 78<sup>th</sup> Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 78<sup>th</sup> Street and the easterly street line of Ralph Avenue, and East 78<sup>th</sup> Street;
  - b. Ralph Avenue, East 77<sup>th</sup> Street, a line 150 feet southeasterly of Ralph Avenue, East 76<sup>th</sup> Street, and Glenwood Road,
  - c. East 88<sup>th</sup> Street, a line 150 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, and Flatlands Avenue;
  - d. a line 150 feet northwesterly of Glenwood Road, East 105<sup>th</sup> Street, Glenwood Road, and East 103<sup>rd</sup> Street;
  - e. a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, St. Jude Place, Seaview Avenue, and Rockaway Parkway;
  - f. Schenck Street, Rockaway Parkway, a line 100 feet southeasterly of Schenck Street, and a line 215 feet southwesterly of Rockaway Parkway;

4. eliminating from an existing R4 District a C 2-1 District bounded by a line 150 feet northwesterly of Avenue L, Rockaway Parkway, a line 320 feet southeasterly of Avenue L, East 96<sup>th</sup> Street, a line 150 feet southeasterly of Avenue L, and East 95<sup>th</sup> Street;
5. eliminating from an existing R5 District a C2-1 District bounded by:
  - a. Avenue M, East 98<sup>th</sup> Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway; and
  - b. Flatlands Avenue, a line 325 feet northeasterly of 108<sup>th</sup> Street, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, and East 108<sup>th</sup> Street;
6. eliminating from an existing R4 District a C2-2 District bounded by:
  - a. Foster Avenue, East 98<sup>th</sup> Street, a line 150 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - b. a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street and its southeasterly prolongation, Glenwood Road, Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 150 feet northwesterly of Farragut Road, and Rockaway Parkway;
  - c. Conklin Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 150 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92<sup>nd</sup> Street;
7. eliminating from an existing R5 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Flatlands Avenue, East 83<sup>rd</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and the northwesterly centerline prolongation of East 77<sup>th</sup> Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96<sup>th</sup> Street;
8. changing from an R5 District to an R3-1 District property bounded by a line 100 feet southeasterly of Avenue L, East 105<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, and a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street;
9. changing from an R5 District to an R3X District property bounded by a line 100 feet southeasterly of Avenue L, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 100 feet northwesterly of Avenue M, East 105<sup>th</sup> Street, Avenue L, a line 100 feet northeasterly of East 105<sup>th</sup> Street, a line midway between Avenue L and Flatlands 5<sup>th</sup> Street, East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Flatlands 6<sup>th</sup> Street, a line 150 feet northeasterly of East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Avenue M, East 108<sup>th</sup> Street, Seaview Avenue, a line midway between East 104<sup>th</sup> Street and East 105<sup>th</sup> Street, Avenue N, East 105<sup>th</sup> Street, a line 175 feet southeasterly of Avenue M, a line midway between East 102<sup>nd</sup> Street and East 103<sup>rd</sup> Street, a line 100

feet northwesterly of Avenue N, East 102<sup>nd</sup> Street, Avenue N, a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street, a line 175 feet northwesterly of Avenue N, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 100 feet southeasterly of Avenue M, and East 99<sup>th</sup> Street;

10. changing from an R5 District to an R4 District property bounded by:

- a. Glenwood Road, East 103<sup>rd</sup> Street, Flatlands Avenue, East 102<sup>nd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 101<sup>st</sup> Street, Avenue K, East 102<sup>nd</sup> Street, Avenue L, East 104<sup>th</sup> Street, Avenue K, East 103<sup>rd</sup> Street, Avenue J, East 104<sup>th</sup> Street, Flatlands 1<sup>st</sup> Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of East 105<sup>th</sup> Street, Flatlands 3<sup>rd</sup> Street, East 105<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, East 99<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 400 feet southeasterly of Avenue J, a line 100 feet southwesterly of East 98<sup>th</sup> Street, a line 200 feet northwesterly of Avenue J, East 98<sup>th</sup> Street, a line 375 feet southeasterly of Flatlands Avenue, East 99<sup>th</sup> Street, Flatlands Avenue, and a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street; and
- b. Avenue M, East 99<sup>th</sup> Street, a line 100 feet southeasterly of Avenue M, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 175 feet northwesterly of Avenue N, a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street, Avenue N, East 101<sup>st</sup> Street, Seaview Avenue, East 98<sup>th</sup> Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street;

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

- a. Krier Place, East 92<sup>nd</sup> Street, a line 100 feet southeasterly of Foster Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Farragut Road, East 92<sup>nd</sup> Street, Farragut Road, East 93<sup>rd</sup> Street, a line 250 feet southeasterly of Farragut Road, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 175 feet southeasterly of Foster Avenue and its southwesterly prolongation, and a line 100 feet northeasterly of Remsen Avenue;
- b. Foster Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, a line 275 feet southeasterly of Foster Avenue, East 96<sup>th</sup> Street, a line 175 feet southeasterly of Foster Avenue, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 100 feet northwesterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, Rockaway Parkway, a line 225 feet southeasterly of Avenue K, East 95<sup>th</sup> Street, Avenue K, East 94<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, East 91<sup>st</sup> Street, a line perpendicular to the southwesterly street line of East 91<sup>st</sup> Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91<sup>st</sup> Street and the southeasterly street line of Avenue K, Remsen Avenue, a line 100 feet northwesterly of Avenue J, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Flatlands Avenue, East 91<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 94<sup>th</sup> Street and East 95<sup>th</sup> Street;
- c. Foster Avenue, East 99<sup>th</sup> Street, a line 200 feet southeasterly of Farragut Road, a line midway

between Rockaway Parkway and East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, East 98<sup>th</sup> Street;

- d. Glenwood Road, East 100<sup>th</sup> Street, a line 75 feet northwesterly of Flatlands Avenue, East 99<sup>th</sup> Street, Flatlands Avenue, Rockaway Parkway, Conklin Avenue, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
- e. a line 100 feet southeasterly of Avenue L, Remsen Avenue, a line 100 feet southeasterly of Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, and East 89<sup>th</sup> Street;
- f. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, Seaview Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, a line 250 feet northwesterly of Seaview Avenue, East 95<sup>th</sup> Street, Avenue N, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street and its northwesterly prolongation, a line 100 feet northwesterly of Seaview Avenue, East 92<sup>nd</sup> Street, Seaview Avenue, Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, a line midway between East 89<sup>th</sup> Street and Remsen Avenue, a line 150 feet southeasterly of Avenue N, Remsen Avenue, Avenue N, and East 91<sup>st</sup> Street;

12. changing from an R5 District to an R4-1 District property bounded by:

- a. a line 100 feet southeasterly of Foster Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Glenwood Road, East 86<sup>th</sup> Street, a line 100 feet southeasterly of Farragut Road, and East 88<sup>th</sup> Street;
- b. a line 100 feet southeasterly of Flatlands Avenue, East 88<sup>th</sup> Street, Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue J, and East 86<sup>th</sup> Street;
- c. a line 100 feet northwesterly of Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue M, East 88<sup>th</sup> Street, Avenue N, and East 87<sup>th</sup> Street;
- d. Flatlands Avenue, East 99<sup>th</sup> Street, a line 375 feet southeasterly of Flatlands Avenue, and East 98<sup>th</sup> Street;
- e. a line 100 feet southeasterly of Avenue L, East 99<sup>th</sup> Street, Avenue M, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, Rockaway Parkway, Avenue M, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
- f. a line 175 feet southeasterly of Avenue M, East 105<sup>th</sup> Street, Avenue N, a line midway between East 104<sup>th</sup> Street and East 105<sup>th</sup> Street, Seaview Avenue, East 103<sup>rd</sup> Street, a line 100 feet northwesterly of Avenue N, and a line midway between East 102<sup>nd</sup> Street and East 103<sup>rd</sup> Street;
- g. Flatlands 4<sup>th</sup> Street, East 108<sup>th</sup> Street, a line midway between Avenue L and Flatlands 5<sup>th</sup> Street, a line 100 feet northeasterly of East 105<sup>th</sup> Street, a line midway between Flatlands 4<sup>th</sup>

Street and Avenue L, and a line 250 feet northeasterly of East 105<sup>th</sup> Street;

- h. East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Avenue M, a line 100 feet northeasterly of East 108<sup>th</sup> Street, a line midway between the northeasterly centerline prolongation of Avenue M and Flatlands 7<sup>th</sup> Street and its northeasterly prolongation, a U.S. Pierhead and Bulkhead Line, and Flatlands 9<sup>th</sup> Street and its northeasterly centerline prolongation;
13. changing from a C8-1 District to an R4-1 District property bounded by:
- a. Farragut Road, a line midway between East 99<sup>th</sup> Street and East 100<sup>th</sup> Street, a line 200 feet southeasterly of Farragut Road, and East 99<sup>th</sup> Street;
  - b. a line 50 feet northwesterly of Glenwood Road, a line 80 feet northeasterly of East 99<sup>th</sup> Street, Glenwood Road, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
14. changing from an R4 District to an R4A District property bounded by:
- a. a line 330 feet northwesterly of Foster Avenue, East 94<sup>th</sup> Street, Foster Avenue, a line midway between East 94<sup>th</sup> Street and East 95<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 250 feet southeasterly of Farragut Road, East 93<sup>rd</sup> Street, Farragut Road, East 92<sup>nd</sup> Street, a line 100 feet northwesterly of Farragut Road, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Foster Avenue, East 92<sup>nd</sup> Street, Foster Avenue, and East 93<sup>rd</sup> Street;
  - b. a line perpendicular to the southwesterly street line of East 91<sup>st</sup> Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91<sup>st</sup> Street and the southeasterly street line of Avenue K, East 91<sup>st</sup> Street, a line 100 feet southeasterly of Avenue L, East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue K, and Remsen Avenue;
  - c. Avenue K, East 95<sup>th</sup> Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 100 feet northwesterly of Avenue L, and East 94<sup>th</sup> Street;
15. changing from an R5 District to an R4A District property bounded by:
- a. a line 100 feet southeasterly of Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, East 87<sup>th</sup> Street, a line 175 feet northwesterly of Avenue M, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, East 87<sup>th</sup> Street, Avenue L, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, a line 275 feet northwesterly of Avenue L, and East 87<sup>th</sup> Street;
  - b. a line 225 feet southeasterly of Avenue K, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, East 99<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Avenue M, and Rockaway Parkway;

16. changing from an R4 District to an R5 District property bounded by:
- a. Avenue N, Remsen Avenue, a line 150 feet southeasterly of Avenue N, a line midway between East 89<sup>th</sup> Street and Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, Remsen Avenue, Seaview Avenue, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, and
  - b. Avenue N, East 95<sup>th</sup> Street, a line 250 feet northwesterly of Seaview Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, Seaview Avenue, East 92<sup>nd</sup> Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street and its northwesterly prolongation;
17. changing from a C3 District to an R5 District property bounded by the southwesterly centerline prolongation of Paerdegat 12th Street, Paerdegat Avenue North, a northwesterly boundary line of Canarsie Beach Park, and a U.S. Pierhead and Bulkhead Line;
18. changing from an R4 District to an R5B District property bounded by :
- a. a line 100 feet northwesterly of Foster Avenue, East 93<sup>rd</sup> Street, Foster Avenue, and East 92<sup>nd</sup> Street;
  - b. a line 100 feet northwesterly of Foster Avenue, East 96<sup>th</sup> Street, Foster Avenue, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 175 feet southeasterly of Foster Avenue, East 96<sup>th</sup> Street, a line 275 feet southeasterly of Foster Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, Foster Avenue, and East 94<sup>th</sup> Street; and
  - c. a line 100 feet northwesterly of Avenue J, Remsen Avenue, a line 100 feet southeasterly of Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Avenue K, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Church Lane and its southwesterly centerline prolongation, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street;
19. changing from an R5 District to an R5B District property bounded by:
- a. a line 200 feet southeasterly of Foster Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Foster Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Farragut Road, East 86<sup>th</sup> Street, a line 100 feet southeasterly of Glenwood Road, East 85<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line 100 feet southwesterly of East 78<sup>th</sup> Street, Flatlands Avenue, the southeasterly centerline prolongation of East 77<sup>th</sup> Street, Glenwood Road, Ralph Avenue, East 79<sup>th</sup> Street, Glenwood Road, East 80<sup>th</sup> Street, Farragut Road, and East 81<sup>st</sup> Street;
  - b. a line 100 feet southeasterly of Flatlands Avenue, East 81<sup>st</sup> Street, Flatlands Avenue, East 84<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 85<sup>th</sup> Street, Flatlands Avenue, East 86<sup>th</sup> Street, a line 100 feet northwesterly of Avenue J, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Church Lane and its southwesterly centerline prolongation, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and

southeasterly prolongations, Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue K, East 87<sup>th</sup> Street, a line 275 feet northwesterly of Avenue L, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, Avenue L, East 85<sup>th</sup> Street, Avenue M, East 82<sup>nd</sup> Street, Avenue K, a line midway between East 81<sup>st</sup> Street and East 82<sup>nd</sup> Street, Avenue J, East 80<sup>th</sup> Street, a line midway between Paerdegat 2<sup>nd</sup> Street and Paerdegat 3<sup>rd</sup> Street, a line perpendicular to the northwesterly street line of Paerdegat 2<sup>nd</sup> Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 80<sup>th</sup> Street and the northwesterly street line of Paerdegat 2<sup>nd</sup> Street, a line midway between Paerdegat 1<sup>st</sup> Street and Paerdegat 2<sup>nd</sup> Street, Paerdegat Avenue, and East 76<sup>th</sup> Street;

- c. a line 100 feet southeasterly of Flatlands Avenue, East 103<sup>rd</sup> Street, Flatlands Avenue, East 104<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 106<sup>th</sup> Street, Flatlands Avenue, East 107<sup>th</sup> Street, Avenue J, East 108<sup>th</sup> Street, Flatlands 1<sup>st</sup> Street and its southwesterly centerline prolongation, East 104<sup>th</sup> Street, Avenue J, East 103<sup>rd</sup> Street, Avenue K, East 104<sup>th</sup> Street, Avenue L, East 102<sup>nd</sup> Street, Avenue K, and East 101<sup>st</sup> Street;
- d. a line 100 feet northwesterly of Avenue N, East 103<sup>rd</sup> Street, Seaview Avenue, East 101<sup>st</sup> Street, Avenue N, and East 102<sup>nd</sup> Street;

20. changing from an R4 District to an R5D District property bounded by:

- a. Foster Avenue, East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
- b. a line 100 feet northwesterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street; and
- c. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;

21. changing from an R5 District to an R5D District property bounded by:

- a. a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Flatlands Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 86<sup>th</sup> Street, Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 84<sup>th</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78<sup>th</sup> Street;
- b. Flatlands Avenue, East 98<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- c. Flatlands Avenue, East 103<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and

East 102<sup>nd</sup> Street;

- d. Flatlands Avenue, East 106<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104<sup>th</sup> Street;
  - e. Flatlands Avenue, a line 325 feet northeasterly of East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108<sup>th</sup> Street;
22. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. Avenue N, Rockaway Parkway, a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
  - b. Glenwood Road, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 100 feet southeasterly of Glenwood Road, and East 96<sup>th</sup> Street; and
  - c. a line 100 feet southeasterly of Avenue L, a line midway between East 93<sup>rd</sup> Street and East 94<sup>th</sup> Street, a line 150 feet southeasterly of Avenue L, and East 93<sup>rd</sup> Street;
23. establishing within an existing R5 District a C1-3 District bounded by:
- a. Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwestly of Rockaway Parkway, and St. Jude Place; and
  - b. a line 100 feet northwesterly of Glenwood Road, East 105<sup>th</sup> Street, Glenwood Road, and East 103<sup>rd</sup> Street;
24. establishing within a proposed R5B District a C1-3 District bounded by:
- a. Ralph Avenue, East 79<sup>th</sup> Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly of East 78<sup>th</sup> Street, a line perpendicular to the northeasterly street line of East 78<sup>th</sup> Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the easterly street line of Ralph Avenue and the northeasterly street line of East 78<sup>th</sup> Street, and East 78<sup>th</sup> Street; and
  - b. Ralph Avenue, East 77<sup>th</sup> Street, a line 150 feet easterly of Ralph Avenue, East 76<sup>th</sup> Street, and Glenwood Road; and
25. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 89<sup>th</sup> Street, Flatlands Avenue, and East 88<sup>th</sup> Street;
  - b. Glenwood Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 96<sup>th</sup>



Street and Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, and Rockaway Parkway; and

- c. a line 100 feet northwesterly of Avenue L, East 95<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;
26. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. Avenue M, East 98<sup>th</sup> Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway;
  - b. a line 50 feet northwesterly of Glenwood Road, a line 200 feet northeasterly of Rockaway Parkway, Glenwood Road, and a line 100 feet northeasterly of Rockaway Parkway;
  - c. Conklin Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line 150 feet southwesterly of East 92<sup>nd</sup> Street; and
  - d. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, a line 220 feet southeasterly of Avenue L, and East 96<sup>th</sup> Street;
27. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet northwesterly of Avenue L, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, and East 95<sup>th</sup> Street;
28. establishing within an existing R5 District a C2-3 District bounded by:
- a. Flatlands Avenue, East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, East 108<sup>th</sup> Street, a line 400 feet southeasterly of Flatlands Avenue, and East 107<sup>th</sup> Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96<sup>th</sup> Street;
29. establishing within a proposed R5D District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 86<sup>th</sup> Street, Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 84<sup>th</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78<sup>th</sup> Street;
  - b. a line 100 feet northwesterly of Flatlands Avenue, a line 125 feet northeasterly of Remsen Avenue, Flatlands Avenue, and East 89<sup>th</sup> Street,
  - c. a line 100 feet northwesterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92<sup>nd</sup> Street;
  - d. Foster Avenue, East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, and

Rockaway Avenue;

- e. a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 225 feet northwesterly of Farragut Road, Rockaway Parkway, a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street and its southeasterly prolongation, and Glenwood Road;
- f. Flatlands Avenue, East 98<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- g. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 94<sup>th</sup> Street;
- h. Flatlands Avenue, East 103<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102<sup>nd</sup> Street;
- i. Flatlands Avenue, East 106<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104<sup>th</sup> Street; and
- j. Flatlands Avenue, a line 325 feet northeasterly of East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated February 17, 2009 and subject to the conditions of CEQR Declaration E-230, Community District 18, Borough of Brooklyn.

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The application for an amendment of the Zoning Map was filed by the Department of City Planning on February 12, 2009 to rezone all or portions of 250 blocks in an area generally bounded by Foster Avenue to the north, Fresh Creek Basin/E. 108th Street to the east, the Belt Parkway/Seaview Avenue to the south and Paerdegat Basin/Paerdegat Avenue North to the west in the Canarsie neighborhood of Community District 18, Borough of Brooklyn.

## **BACKGROUND**

Canarsie, a predominantly low rise and low-density residential neighborhood, has been experiencing development pressure in the last several years. The existing R4 and R5 zoning districts, mapped throughout Canarsie, currently permit all housing types. However, in many instances, new development has been inconsistent with the prevailing scale, density and built character of many blocks. As a consequence of this development activity, the community has been concerned with an

increased frequency of one- and two-family homes being torn down and replaced with attached multi-family developments, eroding the character of certain blocks. The current proposal was developed in close consultation with the local council members and area stakeholders represented by the Community Board and various local neighborhood organizations.

The lower-density and contextual zoning districts proposed – R3-1, R3X, R4A, R4-1, R5B, and R5D together with mapping and maintaining existing R4 and R5 districts where appropriate – would preserve the existing scale and character of Canarsie’s predominantly low-rise blocks. New, moderate-density residential development would be directed to wide, commercial corridors with access to transit -- Rockaway Parkway, Flatlands Avenue and Avenue L-- that today contain one-story commercial and two -to three-story multi-family buildings with ground-floor retail uses. Along these corridors, the proposed R5D zoning district would allow a modest increase in density, while establishing height limits compatible with the surrounding neighborhood context.

New C2-3 commercial overlays are proposed to reflect existing commercial uses. C1 and C2 overlays are to be reduced to a depth of 100 feet and changed to either C1-3 or C2-3. The reduction in depth would prevent intrusion of commercial uses onto residential side streets.

## **EXISTING CONTEXT AND ZONING**

Canarsie is developed with a variety of land uses and housing types developed over time. However, building scale is predominantly low-rise with the residential blocks one -to three-stories in height and the commercial or mixed use buildings along its retail corridors ranging from one -to three-stories.

The one -and two-family detached, semi-detached and row house character is generally located between E. 89th Street Avenue and Fresh Creek Basin. The larger multi-family row houses are generally located between E.88th Street and Paerdegat Basin. The existing residential zoning districts mapped throughout the area, R4 and R5, do not reflect these differences, instead permitting all housing types.

Rockaway Parkway, Flatlands Avenue and Avenue L are the area's existing retail corridors. They generally contain a mix of one-story commercial buildings and two -to three-story mixed-use buildings with ground floor retail and generally have C1-1, C1-2, C2-1 and C2-2 commercial overlays.

The rezoning area also includes portions of two blocks zoned C8-1 and portions of a four block fronts mapped C3.

Large open spaces within natural waterfront areas and various parks and playgrounds are located throughout the rezoning area. These include the National Park Service's Canarsie Pier, New York City parkland at Fresh Creek and Paerdegat Basin and the 132 acre Canarsie Beach Park. A large number of community facilities – houses of worship, schools, medical offices - characteristic of a large residential population, serve area residents and are located throughout the rezoning area.

The rezoning area has only one subway line, the BMT Canarsie "L". It is the only and last stop in Canarsie with the L terminating at Rockaway Parkway and Glenwood Road. Numerous bus routes cross major streets and intersections

## **R4**

An R4 district is mapped in the central portion of the rezoning area on all or portions of 100 blocks. This area is generally bounded by Avenue D, Rockaway Parkway, E.89th Street and Seaview Avenue.

R4 districts allow all housing types with a minimum lot width of 40 feet for detached residences and 18 feet for all others. Maximum lot coverage is 45% and the maximum FAR is 0.75 (plus 0.15 attic allowance). The perimeter wall maximum is 25 feet and the building height maximum is 35 feet. A front yard of at least ten feet is required and if the front yard exceeds ten feet than a front yard depth of 18 feet is required. For detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For all other building types, one eight foot side yard is required. The parking requirement for R4 districts is 100% (one space per unit). In addition, R4 districts permit use of the infill zoning provisions at a maximum FAR of 1.35 at a height limit of 35 feet.

## **R5**

R5 districts are mapped on all or portions of the balance of approximately 150 blocks on the both eastern and western portions of the rezoning area. These areas are generally located between E. 108th Street and Rockaway Parkway (eastern portion) and E.88th Street and Paerdergat Avenue North (western portion).

R5 districts allow all housing types with a minimum lot width of 40 feet for detached residences and 18 feet for all others. Maximum lot coverage is 55% and the maximum FAR is 1.25. The street wall maximum is 30 feet and the building height maximum is 40 feet. A front yard of at least ten feet is required and if the front yard exceeds ten feet than a front yard depth of 18 feet is required. For

detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For all other building types, one eight foot side yard is required. The parking requirement for R5 districts is 85%. In addition, developments utilizing the infill zoning provisions have a maximum FAR of 1.65 at a height limit of 33 feet.

### **C8-1**

Portions of two block frontages are located in a C8-1 district. These two locations are on the north side of Glenwood Avenue between E. 100th Street and E.98th Street and on the southwest corner of Farragut Road and E.89th Street. Both areas contain entirely residential buildings.

C8-1 districts permit automotive and other commercial uses at a maximum FAR of 1.0. Typical uses include auto repair, gas stations and car washes. Residences are not permitted.

### **C3**

A C3 district is generally bounded by the centerline of Paerdegat Avenue North to the edge of the mapped park between Paerdegat 12th Street and Seaview Avenue. The current C3 mapping is a remnant of a past mapping of a park in 1997.

Typically, C3 districts permit waterfront recreational activities, primarily boating and fishing, in areas along the waterfront that are usually adjacent to residential areas and permit residential uses at an R3-2 equivalent.

### **Commercial Overlays**

Commercial overlays currently include C1-1, C1-2, and C2-1 districts on Avenue L; and C1-2, C2-1 and C2-2 districts on both Flatlands Avenue and Rockaway Parkway. Most overlays are currently

mapped at a depth of 150 feet.

C1 and C2 overlays are mapped in residence districts and serve the local retail needs (e.g., grocery stores, restaurants) of the surrounding residential neighborhood. C2 districts permit a slightly larger range of service uses (e.g., funeral homes, repair services). When commercial uses are mapped in R1 to R5 districts, the maximum FAR is 1.0. Commercial buildings in C1 and C2 districts are limited to two-stories and in mixed residential and commercial buildings, commercial uses are limited to the ground floor. C1-1 and C2-1 districts have higher parking requirements than C2-1 and 2-2 overlays.

## **PROPOSED ZONING**

The rezoning proposal would:

1. Preserve Canarsie's scale through the mapping of lower density and contextual zoning districts to better reflect the existing detached, semi-detached and row house character;
2. Reinforce the existing commercial corridors and permit limited new development of low-density apartment buildings with ground-floor retail and height limits appropriate to existing neighborhood scale.
3. Reduce the depth of C1 and C2 overlays to 100 feet to prevent intrusion of commercial uses onto residential side streets and change all overlays to either C1-3 or C2-3 and add new C2-3 overlays where there is an existing commercial presence.

## **R3X**

R3X, a residential district which permits only one -and two-family detached residences on lots that must be at least 35 feet wide and have an area of at least 3,325 square feet, is proposed on all or

portions of 20 blocks at the southeastern end of the rezoning area. All of these blocks are currently zoned R5 and are predominantly developed with one -and two-family detached homes.

The maximum permitted FAR is 0.5 (plus .1 attic allowance) and the maximum building height is 35 feet with a perimeter wall height limit of 21 feet. To promote a unified streetscape, front yards of new homes must be at least 10 feet deep and at least as deep as an adjacent front yard, up to a depth of 20 feet. Two side yards with a minimum total width of 10 feet are required (with one a minimum of two feet). The parking requirement for R3X is 100% (one space for each unit).

### **R3-1**

R3-1 permits both detached and semi-detached one- and two-family residences and is proposed for portions of a five block area between Avenue L and Avenue M, E.101st to E. 106th Streets. All of these blocks are currently zoned R5 and are predominantly developed with one and two-family semi-detached homes.

R3-1 allows an FAR of 0.5 (plus .1 attic allowance) and the maximum building height is 35 feet with a perimeter wall height limit of 21 feet. Minimum lot widths for detached homes are 40 feet with a minimum area of 3,800 square feet, and 18 feet for semi-detached homes with a minimum area of 1,700 square feet. Front yards of new homes must be at least 15 feet. For detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For all other building types, one eight foot side yard is required. The parking requirement for R3-1 is 100% (one space for each unit).

### **R4A**



R4A permits only one -and two-family detached residences (on lots at least 30 feet wide and having an area of 2,850 square feet) and is proposed for all or portions of 30 blocks in various locations within the central portion of the rezoning area. All of these blocks are currently zoned either R4 or R5 and are predominantly developed with one -and two-family detached homes with higher FAR's and smaller lot widths than the R3X district.

The R4A district allows an FAR of 0.75 (plus .15 attic allowance) and the maximum building height is 35 feet with a perimeter wall height limit of 21 feet. Front yards of new homes must be at least 10 feet deep and must be at least as deep as an adjacent front yard, up to a depth of 20 feet. Two side yards with a minimum total width of 10 feet are required (with one a minimum of two feet). The infill provisions are not applicable in R4A districts. The parking requirement for R4A is 100% (one space for each unit).

#### **R4-1**

R4-1 is a residential district that permits both detached and semi-detached one- and two-family residences and is proposed on all or portions of 100 blocks in various locations in the eastern and central portions of the rezoning area. All of these blocks are currently zoned R4, R5 and C8-1 (portions of two blocks) and are predominantly developed with one and two family semi-detached homes with higher FAR's than the R3-1 district.

R4-1 allows an FAR of 0.75 (plus .15 attic allowance) and the maximum building height is 35 feet with a perimeter wall height limit of 25 feet. Minimum lot widths for detached homes are 25 feet with a minimum area of 2,375 square feet, and 18 feet for semi-detached homes with a minimum area of 1,700 square feet. Front yards of new homes must be at least 10 feet deep and must be at

least as deep as an adjacent front yard, up to a depth of 20 feet. For detached homes, two side yards are required with an eight foot total. For semi-detached buildings, one four foot side yard is required. Infill zoning is not applicable in R4-1 districts. The parking requirement for R4-1 is 100% (one space for each unit).

#### **R4**

R4 permits all housing types and is proposed on all or portions of 33 blocks on various streets in the eastern portion of the rezoning area between Glenwood Road and Seaview Avenue, Rockaway Parkway to E. 105th Street. The R4 district is mapped in areas where row houses with front yard parking predominate. All of these blocks are currently zoned R5 and are predominantly developed small two-story row houses with lower FAR's than the R5 district.

R4 districts allow all housing types with a minimum lot width of 40 feet for detached residences and 18 feet for all others. Maximum lot coverage is 45% and the maximum FAR is 0.75 (plus 0.15 attic allowance). The perimeter wall maximum is 25 feet and the building height maximum is 35 feet. A front yard of at least ten feet is required and if the front yard exceeds ten feet than a front yard depth of 18 feet is required. For detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For all other building types, one eight foot side yard is required. The parking requirement for R4 districts is 100% (one space per unit). In addition, R4 districts permit development using infill zoning regulations with a maximum FAR of 1.35 and a height limit of 35 feet.

#### **R5B**

R5B permits all housing types and is proposed on all or portions of 70 blocks, predominantly in the western portion of the rezoning area (56 blocks) and blocks in the eastern portion of the rezoning

area (14 blocks). The R5B district is mapped in areas where row houses with rear parking predominate. R5B districts permit a maximum FAR of 1.35 with a maximum street wall of 30 feet and a maximum building height of 33 feet. Minimum lot widths for detached homes are 25 feet with a minimum area of 2,375 square feet, and 18 feet for semi-detached homes and row houses on lots with a minimum area of 1,700 square feet. The front yard of a new development must be at least five feet deep and as deep as one adjacent front yard and no deeper than the other, to a maximum depth of 20 feet. For detached homes, two side yards are required with an eight foot total. For all other building types, one four foot side yard is required. Parking is not required for one and two family homes. Where parking is required, spaces for 66 percent of the units must be provided. Curb cuts are prohibited on zoning lots less than 40 feet wide, front yard parking is prohibited and infill zoning provisions are not applicable.

## **R5**

R5 permits all housing types and is proposed on all or portions of five blocks between Avenue N and Seaview Avenue, E. 92nd to E.95th Street. The R5 district is mapped in areas where row houses with front yard parking and higher FAR's predominate. All of these blocks are currently zoned R4 and are predominantly developed with three-story row houses. In addition, in a technical correction to the zoning map, R5 will be mapped in an area generally along Paerdegat Avenue North between Paerdegat 12th Street and Paerdegat 16th Street.

Housing in R5 districts requires a minimum lot width of 40 feet for detached residences and 18 feet for all others. Maximum lot coverage is 55% and the maximum FAR is 1.25. The street wall maximum is 30 feet and the building height maximum is 40 feet. A front yard of at least ten feet is required and if the front yard exceeds ten feet than a front yard depth of 18 feet is required. For

detached homes, two side yards are required with a minimum width of five feet each and a minimum total width of 13 feet. For all other building types, one eight foot side yard is required. The parking requirement for R5 districts is 85%. In addition, the use of infill zoning allows a maximum FAR of 1.65 at a height limit of 33 feet.

## **R5D**

R5D is proposed in three areas encompassing all or portions of 53 block frontages located along Canarsie's wide, commercial corridors including Flatlands Avenue along its entire length within the rezoning area; Avenue L between E.91st Street and Rockaway Parkway; and on Rockaway Parkway between Foster Avenue and Flatlands Avenue. Blocks along Flatlands Avenue are located in both R4 and R5 districts and Rockaway Parkway and Avenue L frontages are located in an R4 district. All block frontages proposed to be mapped R5D have existing ground floor retail uses.

The proposed R5D district would permit all residential building types and permits a maximum FAR of 2.0 for residential and 2.0 for commercial uses when located within a commercial overlay. R5D districts allow a maximum residential building height of 40 feet. In R5D districts, off-street group parking is required for 66% of the dwelling units. The proposed R5D will provide for moderate growth in areas currently zoned R4 and R5 and establish a height limit that is compatible with the existing built character of the neighborhood.

## **Commercial Overlays**

New C2-3 commercial overlays are proposed to be mapped along various block frontages along Flatlands Avenue to reflect existing commercial uses. These properties are currently zoned either

R4 or R5 and are predominantly developed with one-story commercial uses or mixed buildings with retail uses on the ground floor and residences above.

Most existing C1 and C2 overlays, on blocks currently mapped at a depth of 150 feet, are proposed to be reduced to a depth of 100 feet and changed to either C1-3 or C2-3. The reduction in depth would prevent intrusion of commercial uses onto residential side streets.

The proposed changes would result in a change in parking regulations. Currently, most retail uses in the existing C1 and C2 districts require one accessory parking space per 150 - 300 square feet of commercial floor area. Under the proposed changes, parking regulations would be less stringent in the proposed C1-3 and C2-3 zones with most retail requiring one parking space per 400 square feet of commercial floor area.

#### **ENVIRONMENTAL REVIEW**

This application (C 090313 ZMK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 09DCP052K. The lead agency is the City Planning Commission.

After a study of the environmental impact of the subject application (C 090313 ZMK), a negative declaration was issued on February 17, 2009. The CEQR declaration included an (E) designation for hazardous materials and air quality. The placement of the (E) designation (E-230) on the zoning map would eliminate the potential for significant adverse impact on those sites and would ensure that appropriate testing and/or remediation, if needed, would be undertaken.

To avoid any potential impacts associated with hazardous materials, as part of the proposed rezoning, an (E) designation for hazardous materials will be placed on the following properties:

<u>Block</u>	<u>Lot(s)</u>
7998	1
7999	1
8000	1
8001	1, 4, 6, 8
8002	5, 7
8004	3, 7
8005	2
8013	1
8014	1
8017	36, 44
8021	37, 38
8023	39
8024	38, 40
8146	19, 58, 60
8147	6, 14, 18
8165	52, 147, 153
8166	31
8179	1, 15
8184	52, 53
8185	22, 24, 25, 32
8204	42
8210	37
8212	44
8213	37
8235	2, 10
8237	1
8239	3, 6
8240	1
8241	1
8259	36
8260	38, 39, 40
8261	42

The text for the (E) designation is as follows:

Task 1-Sampling Protocol

A. Petroleum

A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

## B. Non-Petroleum

The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

### Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to

the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

With the placement of the (E) designations on the above block and lots, no impacts related to hazardous materials are anticipated.

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

<u>Block</u>	<u>Lot(s)</u>
Block 8013,	Lot 1
Block 8146,	Lots 58, 60
Block 8147,	Lots 14, 16, 18
Block 8165,	Lots 48, 52, 147, 153
Block 8185,	Lots 22, 24, 25, 32
Block 8235,	Lots 2, 10
Block 8239,	Lots 3, 6

The text for the (E) designations is as follows:

Block 8147, Lot 18

Any new residential development on the above-referenced properties must use Oil No. 2 or Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8146, Lot 58

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing Farragut Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 8185, Lot 25

Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8235, Lot 10

Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8235, Lot 2



Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 7999, Lot 1

Any new residential and/or commercial development on the above-referenced properties must use Oil No. 2 or Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8239, Lot 6

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing E94th Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 8147, Lots 14, 16

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 12 feet for Oil No. 2 from the lot line facing Foster Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 8146, Lot 60

Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8165, Lots 48, 147

Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8165, Lots 52, 153

Any new residential and/or commercial development on the above-referenced properties must use Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8185, Lot 32

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 29 feet for Oil No. 2 from the lot line facing Conklin Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 8185, Lots 22, 24

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32

feet for Oil No. 2 from the lot line facing Glenwood Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 8013, Lot 1

Any new residential and/or commercial development on the above-referenced properties must use Oil No. 2 or Natural Gas as the type of fuel for heating, ventilating and air conditioning systems, to avoid any potential significant adverse air quality impacts.

Block 8239, Lot 3

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing E93rd Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designations on the above blocks and lots, no impacts related to stationary source air quality are expected.

## **UNIFORM LAND USE REVIEW**

This application (C 090313 ZMK) was certified as complete by the Department of City Planning on February 17, 2009 and was duly referred to Community Board 10 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 18 held a public hearing on this application on March 18, 2009 and on that date, by a vote of 34 in favor and 0 opposed, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President who issued a recommendation on April 3, 2009, approving the application.

### **City Planning Commission Public Hearing**

On April 22, 2009 (Calendar No. 1), the City Planning Commission scheduled May 6, 2009 for a public

hearing on this application (C 090313 ZMK). The hearing was held on May 6, 2009 (Calendar No.16). There were five speakers in favor of the application and seven speakers in opposition.

The five speakers in support of the application included: the City Council Member from the 46th District, A representative of the State Senator from the 27<sup>th</sup> District, the District Manager of Community Board 18, a member of the Four Borough Preservation Alliance and a member of the Construction and General Building Laborers Local 79. The seven speakers opposing the application included six members of the Canarsie Civic Association and a member of the Four Borough Preservation Alliance.

The Councilmember from the 43<sup>rd</sup> District spoke of the damaging effect of over-development, and his support for lower density and contextual districts, as they protect existing neighborhood character. He said that the plan was the result of a collaborative effort by the Department of City Planning and the numerous civic organizations and elected officials that participated in an on-going working group. Through this effort, the Department of City Planning has answered all questions and has made changes resulting from community requests, resulting in a plan that has been developed with Canarsie and not imposed upon the area.

The District Manager of Community Board 18 reiterated the Board's recommendation and discussed the overwhelming community support for the proposal. She indicated that the proposed zoning changes are the result of an in-depth and well thought out plan. The rezoning plan, a collaborative effort between the Department of City Planning, the Community Board, local community organizations and elected officials, addressed their concerns regarding overdevelopment and the need to preserve the scale and character of Canarsie for future generations. The Board is looking forward to its earliest implementation.

The representative of the State Senator from 27<sup>th</sup> District indicated that the rezoning was a victory and

welcome insulation from out of scale development.

The President of the Four Borough Preservation Alliance appeared in favor of the application and proposed certain modifications relating to the proposed R5D district.

The member of the Construction and General Building Laborers Local 79 testified that he was in favor of the application and any new development which would result in new building and construction jobs, provided that labor conditions were improved.

Six members of the South Canarsie Civic Association testified against the application. They discussed how the zoning map changes do not afford strong enough protection of Canarsie's existing low density and neighborhood character. The association members considered the proposed R5D as an upzoning which would increase density and allow four-story buildings along existing commercial corridors, adding that they preferred lower scale one-story commercial buildings. They objected to the proposed R5B and believed it is an undesirable eight percent increase in permitted floor area. While acknowledging, the reduction in commercial overlays depth would limit encroachment on residential side streets, they opposed proposed C1-3 and C2-3 overlays as they would expand permitted uses and reduce parking requirements. They expressed their interest in extending the proposed R4-1 district to the Skidmore and Schenk area, currently mapped R5, and they expressed concern with the change from C3 to R5.

A member of the Four Borough Preservation Alliance spoke against the application, testifying that certain issues were not addressed and that there wasn't significant press reporting of the proposal.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is WRP 09-011.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map is appropriate.

The Commission believes that the rezoning proposal for 250 blocks represents a comprehensive approach for rezoning the Canarsie neighborhood. The action would preserve neighborhood character, scale and density by replacing existing zoning districts with lower density and contextual zoning districts, ensuring that future residential and commercial development would be more consistent with the existing built environment. The Commission believes that the lower density and contextual zoning districts and their use and bulk regulations provide substantially more protection than the existing zoning.

The Commission believes that the proposed R5D districts, in conjunction with commercial overlays, would encourage ground floor commercial uses with residences above on the wider commercial streets of the area. The Commission notes that the proposed R5D district, with its maximum building height of 40 feet would not result in inappropriate development on these streets.

The Commission believes that it is appropriate to map new commercial overlays when there is an existing

retail presence, reinforcing existing retail corridors. The modification of overlays, by reducing their depth from 150 to 100 feet, would protect residential mid-blocks from intrusion by commercial uses.

The Commission notes that the rezoning of a four blockfront area adjacent to Paerdegat Avenue North from C3 to R5 is purely a technical change and does not affect the current or future status of existing parkland nor does it encourage new development.

The Commission notes that the proposal had extensive public review in the community and that the Community Board, Borough President and local elected officials have supported it. The Commission also notes that subsequent to its public hearing, it has received considerable written support for the proposal.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City's Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed project is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, 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. 17d, 23a, 23c and 23d:

1. eliminating from an existing R4 District a C1-1 District bounded by Avenue L, East 95<sup>th</sup> Street, a line 200 feet southeasterly of Avenue L, and East 93<sup>rd</sup> Street;
2. eliminating from an existing R4 District a C1-2 District bounded by:
  - a. a line 200 feet southeasterly of Farragut Road, Rockaway Parkway, Glenwood Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway

- Parkway, a line 150 feet southeasterly of Flatlands Avenue, and East 96<sup>th</sup> Street,
- b. a line 150 feet northwesterly of Flatlands Avenue, East 89<sup>th</sup> Street, Flatlands Avenue, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street;
  - c. a line 150 feet northwesterly of Avenue L, East 95<sup>th</sup> Street, Avenue L, East 93<sup>rd</sup> Street, a line 150 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;
  - d. Avenue N, Rockaway Parkway, Seaview Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
3. eliminating from an existing R5 District a C1-2 District bounded by:
- a. Ralph Avenue, East 79<sup>th</sup> Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly East 78<sup>th</sup> Street, a line perpendicular to the northeasterly street line of East 78<sup>th</sup> Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 78<sup>th</sup> Street and the easterly street line of Ralph Avenue, and East 78<sup>th</sup> Street;
  - b. Ralph Avenue, East 77<sup>th</sup> Street, a line 150 feet southeasterly of Ralph Avenue, East 76<sup>th</sup> Street, and Glenwood Road,
  - c. East 88<sup>th</sup> Street, a line 150 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, and Flatlands Avenue;
  - d. a line 150 feet northwesterly of Glenwood Road, East 105<sup>th</sup> Street, Glenwood Road, and East 103<sup>rd</sup> Street;
  - e. a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, St. Jude Place, Seaview Avenue, and Rockaway Parkway;
  - f. Schenck Street, Rockaway Parkway, a line 100 feet southeasterly of Schenck Street, and a line 215 feet southwesterly of Rockaway Parkway;
4. eliminating from an existing R4 District a C 2-1 District bounded by a line 150 feet northwesterly of Avenue L, Rockaway Parkway, a line 320 feet southeasterly of Avenue L, East 96<sup>th</sup> Street, a line 150 feet southeasterly of Avenue L, and East 95<sup>th</sup> Street;
5. eliminating from an existing R5 District a C2-1 District bounded by:
- a. Avenue M, East 98<sup>th</sup> Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway; and
  - b. Flatlands Avenue, a line 325 feet northeasterly of 108<sup>th</sup> Street, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S.

Pierhead and Bulkhead Line, and East 108<sup>th</sup> Street;

6. eliminating from an existing R4 District a C2-2 District bounded by:
  - a. Foster Avenue, East 98<sup>th</sup> Street, a line 150 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - b. a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street and its southeasterly prolongation, Glenwood Road, Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 150 feet northwesterly of Farragut Road, and Rockaway Parkway;
  - c. Conklin Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 150 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line 150 feet southwestly of East 92<sup>nd</sup> Street;
7. eliminating from an existing R5 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Flatlands Avenue, East 83<sup>rd</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and the northwesterly centerline prolongation of East 77<sup>th</sup> Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96<sup>th</sup> Street;
8. changing from an R5 District to an R3-1 District property bounded by a line 100 feet southeasterly of Avenue L, East 105<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, and a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street;
9. changing from an R5 District to an R3X District property bounded by a line 100 feet southeasterly of Avenue L, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 100 feet northwesterly of Avenue M, East 105<sup>th</sup> Street, Avenue L, a line 100 feet northeasterly of East 105<sup>th</sup> Street, a line midway between Avenue L and Flatlands 5<sup>th</sup> Street, East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Flatlands 6<sup>th</sup> Street, a line 150 feet northeasterly of East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Avenue M, East 108<sup>th</sup> Street, Seaview Avenue, a line midway between East 104<sup>th</sup> Street and East 105<sup>th</sup> Street, Avenue N, East 105<sup>th</sup> Street, a line 175 feet southeasterly of Avenue M, a line midway between East 102<sup>nd</sup> Street and East 103<sup>rd</sup> Street, a line 100 feet northwesterly of Avenue N, East 102<sup>nd</sup> Street, Avenue N, a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street, a line 175 feet northwesterly of Avenue N, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 100 feet southeasterly of Avenue M, and East 99<sup>th</sup> Street;
10. changing from an R5 District to an R4 District property bounded by:
  - a. Glenwood Road, East 103<sup>rd</sup> Street, Flatlands Avenue, East 102<sup>nd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 101<sup>st</sup> Street, Avenue K, East 102<sup>nd</sup> Street, Avenue L, East 104<sup>th</sup> Street, Avenue K, East 103<sup>rd</sup> Street, Avenue J, East 104<sup>th</sup> Street, Flatlands 1<sup>st</sup> Street and its southwestly centerline prolongation, a line 100 feet northeasterly of East



105<sup>th</sup> Street, Flatlands 3<sup>rd</sup> Street, East 105<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, East 99<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 400 feet southeasterly of Avenue J, a line 100 feet southwesterly of East 98<sup>th</sup> Street, a line 200 feet northwesterly of Avenue J, East 98<sup>th</sup> Street, a line 375 feet southeasterly of Flatlands Avenue, East 99<sup>th</sup> Street, Flatlands Avenue, and a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street; and

- b. Avenue M, East 99<sup>th</sup> Street, a line 100 feet southeasterly of Avenue M, a line midway between East 100<sup>th</sup> Street and East 101<sup>st</sup> Street, a line 175 feet northwesterly of Avenue N, a line midway between East 101<sup>st</sup> Street and East 102<sup>nd</sup> Street, Avenue N, East 101<sup>st</sup> Street, Seaview Avenue, East 98<sup>th</sup> Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street;

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

- a. Krier Place, East 92<sup>nd</sup> Street, a line 100 feet southeasterly of Foster Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Farragut Road, East 92<sup>nd</sup> Street, Farragut Road, East 93<sup>rd</sup> Street, a line 250 feet southeasterly of Farragut Road, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 175 feet southeasterly of Foster Avenue and its southwesterly prolongation, and a line 100 feet northeasterly of Remsen Avenue;
- b. Foster Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, a line 275 feet southeasterly of Foster Avenue, East 96<sup>th</sup> Street, a line 175 feet southeasterly of Foster Avenue, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 100 feet northwesterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, Rockaway Parkway, a line 225 feet southeasterly of Avenue K, East 95<sup>th</sup> Street, Avenue K, East 94<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, East 91<sup>st</sup> Street, a line perpendicular to the southwesterly street line of East 91<sup>st</sup> Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91<sup>st</sup> Street and the southeasterly street line of Avenue K, Remsen Avenue, a line 100 feet northwesterly of Avenue J, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Flatlands Avenue, East 91<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 94<sup>th</sup> Street and East 95<sup>th</sup> Street;
- c. Foster Avenue, East 99<sup>th</sup> Street, a line 200 feet southeasterly of Farragut Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, East 98<sup>th</sup> Street;
- d. Glenwood Road, East 100<sup>th</sup> Street, a line 75 feet northwesterly of Flatlands Avenue, East 99<sup>th</sup> Street, Flatlands Avenue, Rockaway Parkway, Conklin Avenue, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
- e. a line 100 feet southeasterly of Avenue L, Remsen Avenue, a line 100 feet southeasterly of

Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, and East 89<sup>th</sup> Street;

- f. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, Seaview Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, a line 250 feet northwesterly of Seaview Avenue, East 95<sup>th</sup> Street, Avenue N, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street and its northwesterly prolongation, a line 100 feet northwesterly of Seaview Avenue, East 92<sup>nd</sup> Street, Seaview Avenue, Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, a line midway between East 89<sup>th</sup> Street and Remsen Avenue, a line 150 feet southeasterly of Avenue N, Remsen Avenue, Avenue N, and East 91<sup>st</sup> Street;

12. changing from an R5 District to an R4-1 District property bounded by:

- a. a line 100 feet southeasterly of Foster Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Glenwood Road, East 86<sup>th</sup> Street, a line 100 feet southeasterly of Farragut Road, and East 88<sup>th</sup> Street;
- b. a line 100 feet southeasterly of Flatlands Avenue, East 88<sup>th</sup> Street, Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue J, and East 86<sup>th</sup> Street;
- c. a line 100 feet northwesterly of Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue M, East 88<sup>th</sup> Street, Avenue N, and East 87<sup>th</sup> Street;
- d. Flatlands Avenue, East 99<sup>th</sup> Street, a line 375 feet southeasterly of Flatlands Avenue, and East 98<sup>th</sup> Street;
- e. a line 100 feet southeasterly of Avenue L, East 99<sup>th</sup> Street, Avenue M, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, Rockaway Parkway, Avenue M, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
- f. a line 175 feet southeasterly of Avenue M, East 105<sup>th</sup> Street, Avenue N, a line midway between East 104<sup>th</sup> Street and East 105<sup>th</sup> Street, Seaview Avenue, East 103<sup>rd</sup> Street, a line 100 feet northwesterly of Avenue N, and a line midway between East 102<sup>nd</sup> Street and East 103<sup>rd</sup> Street;
- g. Flatlands 4<sup>th</sup> Street, East 108<sup>th</sup> Street, a line midway between Avenue L and Flatlands 5<sup>th</sup> Street, a line 100 feet northeasterly of East 105<sup>th</sup> Street, a line midway between Flatlands 4<sup>th</sup> Street and Avenue L, and a line 250 feet northeasterly of East 105<sup>th</sup> Street;
- h. East 108<sup>th</sup> Street, the northeasterly centerline prolongation of Avenue M, a line 100 feet northeasterly of East 108<sup>th</sup> Street, a line midway between the northeasterly centerline prolongation of Avenue M and Flatlands 7<sup>th</sup> Street and its northeasterly prolongation, a U.S. Pierhead and Bulkhead Line, and Flatlands 9<sup>th</sup> Street and its northeasterly centerline prolongation;

13. changing from a C8-1 District to an R4-1 District property bounded by:
- a. Farragut Road, a line midway between East 99<sup>th</sup> Street and East 100<sup>th</sup> Street, a line 200 feet southeasterly of Farragut Road, and East 99<sup>th</sup> Street;
  - b. a line 50 feet northwesterly of Glenwood Road, a line 80 feet northeasterly of East 99<sup>th</sup> Street, Glenwood Road, and a line midway between Rockaway Parkway and East 98<sup>th</sup> Street;
14. changing from an R4 District to an R4A District property bounded by:
- a. a line 330 feet northwesterly of Foster Avenue, East 94<sup>th</sup> Street, Foster Avenue, a line midway between East 94<sup>th</sup> Street and East 95<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 250 feet southeasterly of Farragut Road, East 93<sup>rd</sup> Street, Farragut Road, East 92<sup>nd</sup> Street, a line 100 feet northwesterly of Farragut Road, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Foster Avenue, East 92<sup>nd</sup> Street, Foster Avenue, and East 93<sup>rd</sup> Street;
  - b. a line perpendicular to the southwesterly street line of East 91<sup>st</sup> Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91<sup>st</sup> Street and the southeasterly street line of Avenue K, East 91<sup>st</sup> Street, a line 100 feet southeasterly of Avenue L, East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue K, and Remsen Avenue;
  - c. Avenue K, East 95<sup>th</sup> Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 100 feet northwesterly of Avenue L, and East 94<sup>th</sup> Street;
15. changing from an R5 District to an R4A District property bounded by:
- a. a line 100 feet southeasterly of Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet northwesterly of Avenue M, East 87<sup>th</sup> Street, a line 175 feet northwesterly of Avenue M, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, East 87<sup>th</sup> Street, Avenue L, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, a line 275 feet northwesterly of Avenue L, and East 87<sup>th</sup> Street;
  - b. a line 225 feet southeasterly of Avenue K, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, East 99<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Avenue M, and Rockaway Parkway;
16. changing from an R4 District to an R5 District property bounded by:
- a. Avenue N, Remsen Avenue, a line 150 feet southeasterly of Avenue N, a line midway between East 89<sup>th</sup> Street and Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, Remsen Avenue, Seaview Avenue, and a line midway between East 88<sup>th</sup> Street and

East 89<sup>th</sup> Street, and

- b. Avenue N, East 95<sup>th</sup> Street, a line 250 feet northwesterly of Seaview Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, Seaview Avenue, East 92<sup>nd</sup> Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street and its northwesterly prolongation;
17. changing from a C3 District to an R5 District property bounded by the southwesterly centerline prolongation of Paerdegat 12th Street, Paerdegat Avenue North, a northwesterly boundary line of Canarsie Beach Park, and a U.S. Pierhead and Bulkhead Line;
18. changing from an R4 District to an R5B District property bounded by :
- a. a line 100 feet northwesterly of Foster Avenue, East 93<sup>rd</sup> Street, Foster Avenue, and East 92<sup>nd</sup> Street;
  - b. a line 100 feet northwesterly of Foster Avenue, East 96<sup>th</sup> Street, Foster Avenue, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 175 feet southeasterly of Foster Avenue, East 96<sup>th</sup> Street, a line 275 feet southeasterly of Foster Avenue, a line midway between East 95<sup>th</sup> Street and East 96<sup>th</sup> Street, Foster Avenue, and East 94<sup>th</sup> Street; and
  - c. a line 100 feet northwesterly of Avenue J, Remsen Avenue, a line 100 feet southeasterly of Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Avenue K, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Church Lane and its southwesterly centerline prolongation, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street;
19. changing from an R5 District to an R5B District property bounded by:
- a. a line 200 feet southeasterly of Foster Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Foster Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Farragut Road, East 86<sup>th</sup> Street, a line 100 feet southeasterly of Glenwood Road, East 85<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line 100 feet southwesterly of East 78<sup>th</sup> Street, Flatlands Avenue, the southeasterly centerline prolongation of East 77<sup>th</sup> Street, Glenwood Road, Ralph Avenue, East 79<sup>th</sup> Street, Glenwood Road, East 80<sup>th</sup> Street, Farragut Road, and East 81<sup>st</sup> Street;
  - b. a line 100 feet southeasterly of Flatlands Avenue, East 81<sup>st</sup> Street, Flatlands Avenue, East 84<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 85<sup>th</sup> Street, Flatlands Avenue, East 86<sup>th</sup> Street, a line 100 feet northwesterly of Avenue J, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Church Lane and its southwesterly centerline prolongation, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Avenue K, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, a line 100 feet southeasterly of Avenue K, East 87<sup>th</sup> Street, a line 275 feet northwesterly of Avenue L, a line midway between East 86<sup>th</sup> Street and East 87<sup>th</sup> Street, Avenue L, East 85<sup>th</sup> Street, Avenue M, East 82<sup>nd</sup> Street, Avenue K, a line midway between East 81<sup>st</sup> Street and East 82<sup>nd</sup> Street, Avenue J, East 80<sup>th</sup> Street, a line midway between

Paerdegat 2nd Street and Paerdegat 3<sup>rd</sup> Street, a line perpendicular to the northwesterly street line of Paerdegat 2<sup>nd</sup> Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 80<sup>th</sup> Street and the northwesterly street line of Paerdegat 2<sup>nd</sup> Street, a line midway between Paerdegat 1<sup>st</sup> Street and Paerdegat 2<sup>nd</sup> Street, Paerdegat Avenue, and East 76<sup>th</sup> Street;

- c. a line 100 feet southeasterly of Flatlands Avenue, East 103<sup>rd</sup> Street, Flatlands Avenue, East 104<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 106<sup>th</sup> Street, Flatlands Avenue, East 107<sup>th</sup> Street, Avenue J, East 108<sup>th</sup> Street, Flatlands 1<sup>st</sup> Street and its southwesterly centerline prolongation, East 104<sup>th</sup> Street, Avenue J, East 103<sup>rd</sup> Street, Avenue K, East 104<sup>th</sup> Street, Avenue L, East 102<sup>nd</sup> Street, Avenue K, and East 101<sup>st</sup> Street;
  - d. a line 100 feet northwesterly of Avenue N, East 103<sup>rd</sup> Street, Seaview Avenue, East 101<sup>st</sup> Street, Avenue N, and East 102<sup>nd</sup> Street;
20. changing from an R4 District to an R5D District property bounded by:
- a. Foster Avenue, East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
  - b. a line 100 feet northwesterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street; and
  - c. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;
21. changing from an R5 District to an R5D District property bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88<sup>th</sup> Street and East 89<sup>th</sup> Street, Flatlands Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 86<sup>th</sup> Street, Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 84<sup>th</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78<sup>th</sup> Street;
  - b. Flatlands Avenue, East 98<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
  - c. Flatlands Avenue, East 103<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102<sup>nd</sup> Street;
  - d. Flatlands Avenue, East 106<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104<sup>th</sup> Street;

- e. Flatlands Avenue, a line 325 feet northeasterly of East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108<sup>th</sup> Street;
22. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. Avenue N, Rockaway Parkway, a line 100 feet northwesterly of Seaview Avenue, East 98<sup>th</sup> Street, Seaview Avenue, and a line midway between East 96<sup>th</sup> Street and Rockaway Parkway;
  - b. Glenwood Road, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 100 feet southeasterly of Glenwood Road, and East 96<sup>th</sup> Street; and
  - c. a line 100 feet southeasterly of Avenue L, a line midway between East 93<sup>rd</sup> Street and East 94<sup>th</sup> Street, a line 150 feet southeasterly of Avenue L, and East 93<sup>rd</sup> Street;
23. establishing within an existing R5 District a C1-3 District bounded by:
- a. Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, and St. Jude Place; and
  - b. a line 100 feet northwesterly of Glenwood Road, East 105<sup>th</sup> Street, Glenwood Road, and East 103<sup>rd</sup> Street;
24. establishing within a proposed R5B District a C1-3 District bounded by:
- a. Ralph Avenue, East 79<sup>th</sup> Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly of East 78<sup>th</sup> Street, a line perpendicular to the northeasterly street line of East 78<sup>th</sup> Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the easterly street line of Ralph Avenue and the northeasterly street line of East 78<sup>th</sup> Street, and East 78<sup>th</sup> Street; and
  - b. Ralph Avenue, East 77<sup>th</sup> Street, a line 150 feet easterly of Ralph Avenue, East 76<sup>th</sup> Street, and Glenwood Road; and
25. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 89<sup>th</sup> Street, Flatlands Avenue, and East 88<sup>th</sup> Street;
  - b. Glenwood Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, and Rockaway Parkway; and

- c. a line 100 feet northwesterly of Avenue L, East 95<sup>th</sup> Street, a line 100 feet southeasterly of Avenue L, and East 91<sup>st</sup> Street;
26. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. Avenue M, East 98<sup>th</sup> Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway;
  - b. a line 50 feet northwesterly of Glenwood Road, a line 200 feet northeasterly of Rockaway Parkway, Glenwood Road, and a line 100 feet northeasterly of Rockaway Parkway;
  - c. Conklin Avenue, a line midway between East 92<sup>nd</sup> Street and East 93<sup>rd</sup> Street, a line 100 feet northwesterly of Flatlands Avenue, and a line 150 feet southwestly of East 92<sup>nd</sup> Street; and
  - d. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, a line 220 feet southeasterly of Avenue L, and East 96<sup>th</sup> Street;
27. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet northwesterly of Avenue L, East 96<sup>th</sup> Street, a line 100 feet northwesterly of Avenue L, and East 95<sup>th</sup> Street;
28. establishing within an existing R5 District a C2-3 District bounded by:
- a. Flatlands Avenue, East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwestly prolongation of a U.S. Pierhead and Bulkhead Line, East 108<sup>th</sup> Street, a line 400 feet southeasterly of Flatlands Avenue, and East 107<sup>th</sup> Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96<sup>th</sup> Street;
29. establishing within a proposed R5D District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 88<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 86<sup>th</sup> Street, Flatlands Avenue, East 85<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 84<sup>th</sup> Street, Flatlands Avenue, East 81<sup>st</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 76<sup>th</sup> Street, Flatlands Avenue, and a line 100 feet southwestly of East 78<sup>th</sup> Street;
  - b. a line 100 feet northwesterly of Flatlands Avenue, a line 125 feet northeasterly of Remsen Avenue, Flatlands Avenue, and East 89<sup>th</sup> Street,
  - c. a line 100 feet northwesterly of Flatlands Avenue, East 93<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, East 91<sup>st</sup> Street, Flatlands Avenue, and a line 150 feet southwestly of East 92<sup>nd</sup> Street;
  - d. Foster Avenue, East 98<sup>th</sup> Street, a line 200 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - e. a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 225 feet northwesterly

of Farragut Road, Rockaway Parkway, a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98<sup>th</sup> Street and its southeasterly prolongation, and Glenwood Road;

- f. Flatlands Avenue, East 98<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- g. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 94<sup>th</sup> Street;
- h. Flatlands Avenue, East 103<sup>rd</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102<sup>nd</sup> Street;
- ii. Flatlands Avenue, East 106<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104<sup>th</sup> Street; and
- j. Flatlands Avenue, a line 325 feet northeasterly of East 108<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108<sup>th</sup> Street;

Community District 18, Borough of Brooklyn . as shown on a diagram (for illustrative purposes only) dated February 17, 2009 and which includes CEQR Designation E-230,.

The above resolution (C 090313 ZMK), duly adopted by the City Planning Commission on June 3, 2009 (Calendar No 7), is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**IRWIN G. CANTOR, P.E., ANGELA R.CAVALUZZI, AIA,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,**  
**KAREN A. PHILLIPS, Commissioners**

**RAYANN BESSER, Abstained**