



## CITY PLANNING COMMISSION

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June 17, 2009/ Calendar No.15

C 090276 HAK

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**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at:

<b>Block</b>	<b>Lot</b>	<b>Address</b>
7060	1	1918 Mermaid Avenue
7060	3	1920 Mermaid Avenue
7060	4	1922 Mermaid Avenue
7060	5	1924 Mermaid Avenue
7060	7	1928 Mermaid Avenue
7060	8	1930 Mermaid Avenue
7060	9	1932 Mermaid Avenue
7060	14	West 19th Street
7060	16	West 19th Street
7060	17	West 19th Street
7060	18	2924 West 19th Street
7060	19	2926 West 19th Street
7060	20	2930 West 19th Street
7060	21	2934 West 19th Street
7060	22	2936 West 19th Street
7060	24	1901 Surf Avenue
7060	27	1905 Surf Avenue
7060	31	2929A West 20th Street
7060	32	1917 Surf Avenue
7060	35	1923 Surf Avenue
7060	44	2923 West 20th Street
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7060	46	2919 West 20th Street
7060	47	2917 West 20th Street
7060	48	West 19th Street
7060	49	West 19th Street
7060	50	2938 West 19th Street
7060	51	2938A West 19th Street
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7061	21	2930 West 17th Street
7061	39	West 19th Street
7061	40	West 19th Street
7061	41	West 19th Street
7061	42	West 19th Street
7061	43	2921 West 19th Street
7061	45	West 19th Street

as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate mixed residential and commercial development on properties located within the proposed 19-block Coney Island rezoning area located in Community District 13, Brooklyn.

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Approval of three separate matters is required:

1. the designation of property located at:

<b>Block</b>	<b>Lot</b>	<b>Address</b>
7060	1	1918 Mermaid Avenue
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7060	4	1922 Mermaid Avenue
7060	5	1924 Mermaid Avenue
7060	7	1928 Mermaid Avenue
7060	8	1930 Mermaid Avenue
7060	9	1932 Mermaid Avenue
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7060	19	2926 West 19th Street
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7060	21	2934 West 19th Street
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7060	35	1923 Surf Avenue
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7060	46	2919 West 20th Street
7060	47	2917 West 20th Street
7060	48	West 19th Street
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7061	39	West 19th Street
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7061	41	West 19th Street
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7061	43	2921 West 19th Street
7061	45	West 19th Street

as an Urban Development Action Area; and

2. An Urban Development Action Area Project for such area; and
3. The disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development (HPD).

This application (C 090276 HAK) for an Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on January 15, 2009.

Approval of this application would facilitate the development of residential and commercial development on properties located within the Coney Island rezoning area.

The Department of Housing Preservation and Development states in its application that:

The Project Area consists of underutilized vacant properties which tend to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **RELATED ACTIONS**

In addition to the acquisition of property, which is the subject of this report, implementation of the proposal for Coney Island requires action by the City Planning Commission on the following applications which are considered concurrently with this application.

1. **N 090273 (A) ZRK:** Zoning Text amendment to create the Special Coney Island District.

2. **C 090272 ZMK:** Amendment to the Zoning Map, Section Nos. 28d, to rezone C7 and R6 districts to R7A, R7X and R7D districts with C2-4 overlays within the proposed Special Coney Island District and to rezone C7 district to R5 outside of the Special Coney Island District.
3. **C 090107 MMK:** Amendment of the City Map to eliminate and establish parkland, to eliminate, discontinue and close, establish and extend certain streets and to modify the grades of existing streets.
4. **C 090274 PQK:** Acquisition of property located within the Coney East subdistrict.
5. **C 090275 PQK:** Acquisition of property located at West 19th Street and Surf Avenue.
6. **C 090277 PPK:** Disposition of City-owned property within the Coney East subdistrict.

## **BACKGROUND**

A full background discussion and description of this application appears in the report on the related zoning text change application N 090273 (A) ZRK.

## **ENVIRONMENTAL REVIEW**

This application (C 090276 HAK), in conjunction with the related applications (C 090272 ZMK, N 090273 ZRK, N 090273 (A) ZRK, C 090107 MMK, C 090274 PQK, C 090275 PQK, and C 090277 PPK) 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 08DME007K. The lead agency is the Office of the Deputy Mayor for Economic Development.

It was determined that the proposed actions may have a significant effect on the environment. A Positive Declaration was issued on January 11, 2008, and distributed, published and filed. Summaries of the environmental review process, the Final Environmental Impact Statement

(FEIS), and the Technical Memorandum, dated June 15, 2009, appear in the report on the related zoning text change application, N 090273 (A) ZRK.

## **UNIFORM LAND USE REVIEW**

This application (C 090276 HAK) was certified as complete by the Department of City Planning on January 20, 2009, and was duly referred to Brooklyn Community Board 13 and the Brooklyn Borough President for information and review, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 13 held a public hearing on the application (C 090276 HAK) and related applications (C 090272 ZMK, N 090273 ZRK, C 090107 MMK, C 090274 PQK, C 090275 PQK and C 090277 PPK) on March 3, 2009. A full discussion of the Community Board 13 resolution appears in the report on the related zoning text change application N 090273 (A) ZRK.

### **Borough President Recommendation**

This application (C 090276 HAK) and related applications (C 090272 ZMK, N 090273 ZRK, C 090107 MMK, C 090274 PQK, C 090275 PQK and C 090277 PPK) were considered by the Brooklyn Borough President. A full discussion of the Brooklyn Borough President resolution appears in the report on the related zoning text change application N 090273 (A) ZRK.

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

On April 22, 2009, (Calendar Nos. 10), the City Planning Commission scheduled May 6, 2009, for a public hearing on the application (C 090276 HAK). The hearing was duly held on May 6, 2009, (Calendar Nos. 25), in conjunction with the public hearings on the related applications (C 090272 ZMK, N 090273 ZRK, N 090273 (A) ZRK, C 090107 MMK, C 090274 PQK, C 090275 PQK and C 090277 PPK).

There were several speakers as described in the report on the related zoning text change application N 090273 (A) ZRK, and the hearing was closed.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application, in conjunction with the applications for the related actions, 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 22, 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 WRP number is 08-097. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

## **CONSIDERATION**

The Commission believes that this application for UDAAP designation, project approval, and the disposition of city-owned property by the Department of Housing Preservation and Development (C 090276 HAK), is appropriate.

A full consideration and analysis of the issues, and reasons for approval of the application, appear in the report on the related zoning text change application N 090273 (A) ZRK.

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on June 5, 2009 with respect to this application, together with the Technical Memorandum, dated June 15, 2009, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action, together with the modifications thereto adopted

herein, and as described in the Technical Memorandum, dated June 15, 2009, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, and the Technical Memorandum, dated June 15, 2009, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

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

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at:

<b>Block</b>	<b>Lot</b>	<b>Address</b>
7060	1	1918 Mermaid Avenue
7060	3	1920 Mermaid Avenue
7060	4	1922 Mermaid Avenue
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as an Urban Development Action Area; and

**WHEREAS**, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

**THEREFORE, BE IT FURTHER RESOLVED**, that the City Planning Commission after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act;

a. the designation of property located at:

<b>Block</b>	<b>Lot</b>	<b>Address</b>
7060	1	1918 Mermaid Avenue
7060	3	1920 Mermaid Avenue
7060	4	1922 Mermaid Avenue
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as an Urban Development Action Area; and

b. an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives if any, to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The project is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at:

1. the designation of property located at:

<b>Block</b>	<b>Lot</b>	<b>Address</b>
7060	1	1918 Mermaid Avenue
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to a developer selected by HPD, is approved.

The above resolution (C 090276 HAK), duly adopted by the City Planning Commission on June 17, 2009 (Calendar No. 15), 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**  
**ANGELA M. BATTAGLIA,**  
**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, Commissioner, ABSTAINING**