



CITY PLANNING COMMISSION

August 19, 2009/Calendar No. 22

C 090444 ZMK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M1-2 District to an R8 District property bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue; and
2. establishing within the proposed R8 District a C2-4 District bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue;

Borough of Brooklyn, Community District 2, as shown in a diagram (for illustrative purposes only) dated June 1, 2009.

The application for an amendment of the Zoning Map was filed by the New York City Department of Housing Preservation and Development on May 18, 2009, for an amendment to the Zoning Map changing an M1-2 district to an R8/C2-4 District in the Wallabout neighborhood of Community District 2, Brooklyn.

RELATED ACTIONS

In addition to the amendment of the Zoning Map which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 090445 ZSK Special permit pursuant to Section 78-312(d) to modify height and setback

requirements within a Large-Scale Residential Development

C090446 HAK UDAAP Designation, project approval and disposition of City-owned property

BACKGROUND

A full background discussion and description of this project appears in the report on the related application for UDAAP designation, project approval and disposition of City-owned property (C 090446 HAK).

ENVIRONMENTAL REVIEW

This application (C 090444 ZMK), in conjunction with the applications for the related actions (C 090445 ZSK and C 090446 HAK), 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 09HPD030K. The lead agency is the New York City Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on May 20, 2009.

UNIFORM LAND USE REVIEW

This application (C 090444 ZMK), in conjunction with the applications for the related actions (C 090445 ZSK and C 090446 HAK) was certified as complete by the Department of City Planning on June 1, 2009, and was duly referred to Community Board 2 and the 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 2 held a public hearing on this application on June 10, 2009, and on that date by a vote of 37 to 0 with 1 abstention adopted a resolution recommending approval of the application with conditions.

A full discussion of Community Board 2's recommendation appears in the report on the related application for UDAAP designation and disposition of City-owned property (C090446 HAK.)

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on July 17, 2009 approving the application with conditions.

A full discussion of the Borough President's recommendation appears in the report on the related application for UDAAP designation and disposition of City-owned property (C090446 HAK).

City Planning Commission Public Hearing

On July 1, 2009 (Calendar No. 3), the City Planning Commission scheduled July 22, 2009, for a public hearing on this application (C 090444 ZMK). The hearing was duly held on July 22, 2009 (Calendar No. 17), in conjunction with the public hearings on the applications for the related actions (C 090445 ZSK and C 090446 HAK).

There were a number of speakers, as described in the report on the related application for UDAAP designation and disposition of City-owned property (C090446 HAK,) 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), 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 09-028.

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 (C 090444 ZMK) for a zoning map amendment is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related application for UDAAP designation, project approval and disposition of City-owned property (C090446 HAK.)

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment:

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

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 and findings 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 No. 12d:

1. changing from an M1-2 District to an R8 District property bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue; and
2. establishing within the proposed R8 District a C2-4 District bounded by Flushing Avenue, Vanderbilt Avenue, a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Vanderbilt Avenue and northerly street line of Park Avenue, and Clermont Avenue;

Borough of Brooklyn, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 1, 2009.

The above resolution (C 090444 ZMK), duly adopted by the City Planning Commission on August 19, 2009 (Calendar No. 22), 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, RAYANN BESSER,
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA,
ALFRED C. CERULLO, III, RICHARD W. EADDY,
NATHAN LEVENTHAL, SHIRLEY A. MCRAE,
KAREN A. PHILLIPS, Commissioners