



CITY PLANNING COMMISSION

August 25, 2010 / Calendar No. 7

C 100347 HAK

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 1284 37th Street (Block 5295, Lot 4), and 1300 37th Street (Block 5300, Lot 9), 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 to be selected by HPD;

to facilitate the development of seventeen 4-story buildings with a total of approximately 68 units of affordable housing.

Approval of three separate matters are required:

1. The designation of the property at 1248 37th Street (Block 5295, Lot4) and 1300 37th Street (Block 5300, Lot9) 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.

The application for the Urban Development Action Area designation, project approval and disposition of city-owned property was filed by the Department of Housing Preservation and Development on May 4, 2010.

Approval of this application would facilitate construction of seventeen 4-story, 4 unit apartment buildings, with a total of 68 affordable housing units, and 48 accessory community facility parking spaces for existing neighborhood community facilities.

The project area consists of underutilized property which tends 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 Project pursuant to Article 16 of the General Municipal Law.

RELATED ACTIONS

In addition to the application for an amendment to the Zoning Resolution, which is the subject of this report (C 100347 HAK), implementation of the proposed zoning text amendment also requires action by the City Planning Commission on the following applications which are considered concurrently with this application:

C 100345 ZMK: An amendment to the Zoning Map Section No. 22c, changing existing M1-2, and M2-1 Districts to (MX) M1-2/R6A, (MX) M1-2/R6B, R5, R5/C2-3 and C2-4A Districts in an area bounded by 36th Street on the north, Old New Utrecht Road and 14th Avenue on the east, 40th Street on the south, and 12th Avenue on the west.

N 100346 ZRK: An amendment to the Zoning Resolution, Section 123-90 (Special Mixed Use Districts) to establish a Special Mixed Use District (MX 12) within the Borough park neighborhood of Brooklyn's Community District 12.

**C 100348 ZSK –
C 100361 ZSK:** Applications submitted by the Department of Housing Preservation and Development for grants of 14 special permits pursuant to Section 74-681 of the Zoning Resolution to allow portions of a railroad or transit right-of-way which has been permanently discontinued or terminated to

be included in the lot area in connection with the development of seventeen, 4-story residential buildings, and three accessory community facility parking lots on property located on Block 5300, Lot 9 and Block 5295, Lot 4.

BACKGROUND

A full background discussion and project description appears in the report on the related Zoning Map amendment application (C 100345 ZMK).

ENVIRONMENTAL REVIEW

This application (C 100347 HAK), in conjunction with the related applications (C 100345 ZMK, N 100346 ZRK, C 100348 ZSK – C 100361 ZSK), 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 10DCP029K. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on May 10, 2010, which included (E) designations (E-252) to avoid the potential for hazardous materials, air quality and noise impacts. A summary of the environmental review appears in the report on the related Zoning Map amendment application (C 100345 ZMK).

UNIFOR LAND USE REVIEW

This application (C 100347 HAK), in conjunction with the related applications (C 100345 ZMK, and C 100348 ZSK – C 100361 ZSK), was certified as complete by the Department of City Planning on May 10, 2010, and was duly referred to Community Board 12 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related non-ULURP application (N 100346 ZRK) which was duly referred to Community Board 12 and the Borough President, in accordance with the procedure for referring non-ULURP matters.

Community Board Public Hearing

Community Board 12 held a public hearing on this and the related applications on June 22, 2010 and on June 23, 2010, by a vote of 32 to 2 with 2 abstaining, adopted a resolution recommending approval of this and the related applications.

Borough President Recommendation

This application (C 100347 HAK) and the related applications were considered by the Office of President of the Borough of Brooklyn, who issued a recommendation on July 26, 2010 approving the application with conditions. A summary of Borough President's recommendation appears in the report on the related zoning map amendment (C 100345 ZMK).

City Planning Commission Public Hearing

On July 14, 2010 (Calendar No. 6), the City Planning Commission scheduled July 28, 2010 for a public hearing on this application (C 100347 HAK). The hearing was duly held on July 28, 2010 (Calendar No.23), in conjunction with the public hearing on the related applications (C 100345 ZMK, N 100346

ZRK, C 100348 ZSK – C 100361 ZSK). There were a number of speakers as described in the related zoning map amendment application (C 100345 ZMK) and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval, and disposition of the city-owned property (C 100347 HAK), located at 1248 37th Street (Block 5295, Lot 4), and 1300 37th Street (Block 5300, Lot9) is appropriate.

A full consideration and analysis of the issues and the reasons for approving this application appears in the report on the related zoning map amendment application (C 100345 ZMK).

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of the property located at 1248 37th Street (Block 5295, Lot4) and 1300 37th Street (Block 5300, Lot 9) 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 1248 37th Street (Block 5295, Lot4) and 1300 37th Street (Block 5300, Lot 9) as an Urban Development Action Area; and
- b) an Urban development Action Area Project for such area;

BE IT FURTHER RESOLVED, by 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 1248 37th Street (Block 5295, Lot4) and 1300 37th Street (Block 5300, Lot 9) in Community District 12, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 100347 HAK).

The above resolution (C 100347 HAK), duly adopted by the City Planning Commission on August 25, 2010 (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
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