



## **CITY PLANNING COMMISSION**

May 10, 2004/Calendar Nos. 1, 2, 3 and 4

C 030514 MMK - C 030517 MMK

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

C 030514 MMK

- the elimination, discontinuance and closing of Pearl Street between Willoughby Street and Fulton Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto;

C 030515 MMK

- the elimination, discontinuance and closing of Red Hook Lane between Boerum Place and Fulton Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto;

C 030516 MMK

- the widening of Willoughby Street between Albee Square and Flatbush Avenue Extension;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto;

C 030517 MMK

- the elimination, discontinuance and closing of Fair Street between Prince Street and Fleet Place and Prince Street between Myrtle Avenue and Flatbush Avenue Extension;
- the establishment and widening of Fleet Place between Willoughby Street and Myrtle Avenue;
- the widening of Myrtle Avenue between Flatbush Avenue Extension and Fleet Place;
- the modification of a sewer easement at Fleet Place;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto;

in Community District 2, Borough of Brooklyn, in accordance with Map Nos. V-2663, V-2664, X-2665, X-2666, X-2667, Y-2668 and X-2669 dated November 20, 2003 and signed by the Borough President.

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The applications for amendments to the City Map were filed by the Department of City Planning on April 1, 2003 pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code. It involves the following actions: (C 030514 MMK) the elimination, discontinuance and closing of Pearl Street between Willoughby Street and Fulton Street; (C 030515 MMK) the elimination, discontinuance and closing of Red Hook Lane between Boerum Place and Fulton Street; (C 030516 MMK) the

widening of Willoughby Street between Albee Square and Flatbush Avenue Extension; (C 030517 MMK) the elimination, discontinuance and closing of Fair Street between Prince Street and Fleet Place and Prince Street between Myrtle Avenue and Flatbush Avenue Extension, the establishment and widening of Fleet Place between Willoughby Street and Myrtle Avenue, the widening of Myrtle Avenue between Flatbush Avenue Extension and Fleet Place, the modification of a sewer easement at Fleet Place; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto; in Community District 2 in Brooklyn.

### **RELATED ACTIONS**

In addition to the amendments to the City Map which are the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application.

1. N 040172 ZRK Amendments of the Zoning Resolution Section 37-03 (Off Street Relocation or Renovation of a Subway Stair), Article VII, Chapter 4 (Special Permits by the City Planning Commission) and Article X, Chapter 1 (Special Downtown Brooklyn District).
2. C 040173 HUK Fifth amendment to the Brooklyn Center Urban Renewal Plan.
3. C 040174 HUK Second amendment to the MetroTech Urban Renewal Plan for the MetroTech Urban Renewal Area to develop open space.
4. C 040175 HUK Tenth amendment to the Atlantic Terminal Urban Renewal Plan for the Atlantic Terminal Urban Renewal Area to facilitate residential development on Site 6A and a public library and other community facility use with below-grade parking on Site 20.
5. N 040176 HGK Designation of properties in the Brooklyn Center Urban Renewal Plan;

6. C 040177 HDK Disposition of city-owned properties within the Brooklyn Center Urban Renewal Area.
7. C 040178 HDK Disposition of city-owned property in the MetroTech Urban Renewal Area.
8. C 040179 HDK Disposition of city-owned properties within the Atlantic Terminal Urban Renewal Area.
9. C 040180 PPK Disposition of one city-owned property located at 370 Jay Street (Block 140, lot 111), pursuant to zoning.
10. C 040181 ZSK Special Permit for an unattended public parking garage with a maximum capacity of 694 spaces on a portion of the ground level, in the cellar and three sub-cellars on property located on the southerly side of Willoughby Street between Duffield Street and Gold Street, in a C6-4.5 District.
11. C 040182 ZSK Special Permit for an attended public parking garage with a maximum capacity of 465 spaces on a portion of the first floor and in the cellar of a proposed mixed-use development to be constructed on property generally bounded by Fulton Street, Ashland Place, Lafayette Street and Rockwell Place (Block 2107, Lots 2, 15, 24, 30, 36, 40 and 41), in a C6-4 District.
12. C 040183 ZSK Special Permit for an attended public parking garage with a maximum capacity of 466 spaces on a portion of the ground floor, in the cellar and the sub-cellar of a proposed mixed use development to be constructed on property bounded by Lafayette Avenue, Ashland Place and Flatbush Avenue (Block 2110, Lot 3), in a C6-1 District.
13. C 040184 ZSK Special Permit for an unattended public parking garage with a maximum capacity of 457 spaces on portions of the cellar, ground floor, 2nd floor and 3rd floor and to allow the floor area below a height of 23 feet above curb level to be exempted from the definition of floor area on property bounded by Myrtle Avenue, Fleet Place, Willoughby Street and Flatbush Avenue Extension in a C6-4 District.

14. C 040185 PSK Site selection for property located on block 2110, lot 3, on the block bounded by Flatbush Avenue, Lafayette Avenue and Ashland Place, for use as a public library.
15. C 040171 ZMK Amendment of the Zoning Map, Section Nos. 12d and 16c to rezone seven areas to C6-2, C6-4, C6-4.5 and R7-1/C2-4 in the Special Downtown Brooklyn District .
16. M 930481(E)ZSK Modification of the MetroTech General Large-Scale Development Special Permit to increase the maximum permitted floor area and allow the distribution of floor area from zoning lot C to zoning lot A.
17. M 000592(A)ZSK Modification of the MetroTech General Large Scale Development Special Permit to authorize bulk modifications and floor area.
18. M 860689(B)ZSK Modification of a Special Permit to change the allowable floor area of Building D and removing preserved but not built floor area.

## **BACKGROUND**

The applicant proposes a change in the City Map involving the establishment, realignment, widening, elimination, discontinuance and closing of several streets; modification of a sewer easement; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

An interagency conference was held on July 8, 2003 and no city agency had any objections to these proposals.

A full background discussion and description of these applications appear in the report on the related application for an amendment of the zoning map (C 040171 ZMK).

## **ENVIRONMENTAL REVIEW**

These applications (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK),

in conjunction with the applications for the related actions (C 040171 ZMK, N 040172 ZRK, C 040173 HUK, C 040174 HUK, C 040175 HUK, N 040176 HGK, C 040177 HDK, C 040178 HDK, C 040179 HDK, C 040180 PPK, C 040181 ZSK, C 040182 ZSK, C 040183 ZSK, C 040184 ZSK, C 040185 PSK, M860689(B) ZSK), M 930481(E) ZSK, M 000592(A) ZSK,) were 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 03DME016K. The lead agency is Office of the Deputy Mayor for Economic Development and Rebuilding.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for an amendment of the Zoning Map (C 040171 ZMK).

### **UNIFORM LAND USE REVIEW**

These applications (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK) in conjunction with the related applications (C 040171 ZMK, C 040173 HUK, C 040174 HUK, C 040175 HUK, C 040177 HDK, C 040178 HDK, C 040179 HDK, C 040180 PPK, C040181 ZSK, C040182 ZSK, C040183 ZSK, C040184 ZSK, C040185 PSK), were certified as complete by the Department of City Planning on December 1, 2003 and were duly referred to Community Board 2 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP applications ( M860689(B) ZSK, M 930481(E) ZSK, M 000592(A) ZSK, N 040172 ZRK, N 040176 HGK), which were sent to the board and the

Borough President for information and review.

### **Community Board Public Hearing**

The Community Board 's action is described in the related application for an amendment of the zoning map (C 040171 ZMK).

### **Borough President's Recommendation**

The applications (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK) together with the related applications, were considered by the Borough President . On February 18, 2004 the Borough President held a public hearing and on March 9, 2004 issued an approval of the applications and related applications with conditions.

A summary of the Borough President's recommendation appears in the report on the related application for an amendment of the zoning map (C 040171 ZMK).

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

On March 10, 2004 (Calendar Nos. 2, 3, 4 and 5), the City Planning Commission scheduled March 24, 2004 for a hearing on these applications (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK). The hearing was duly held on March 24, 2004, (Calendar Nos. 11, 12, 13 and 14), in conjunction with the public hearings for the related actions (C 030172 ZRK, C 040173 HUK, C 040174 HUK, C 040175 HUK, N 040176 HGK, C 040177 HDK, C 040178 HDK, C 040179 HDK, C 040180 PPK, C 040181 ZSK, C 040182 ZSK, C 040183 ZSK, C 040184 ZSK, C 040185 PSK, and C 040171 ZMK).

There were a number of appearances, as described in the report on the related application for an amendment of the zoning map (C 040171 ZMK) and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the amendments to the City Map as described above are appropriate.

A full consideration of the issues and the reasons for approving these applications appear in the report on the related application for an amendment of the zoning map (C 040171 ZMK).

### **RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendments to the City map and any related acquisition or disposition of properties to be appropriate, adopts the following resolution:

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a notice of completion was issued on April 16, 2004, with respect to these applications (CEQR No. 03DME016K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the environmental impact statement will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this

approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, 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**, by the City Planning Commission, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, that based on the environmental determination and the consideration described in this report, the applications for the amendments to the City Map involving: (C 030514 MMK) the elimination, discontinuance and closing of Pearl Street between Willoughby Street and Fulton Street; (C 030515 MMK) the elimination, discontinuance and closing of Red Hook Lane between Boerum Place and Fulton Street; (C 030516 MMK) the widening of Willoughby Street between Albee Square and Flatbush Avenue Extension; (C 030517 MMK) the elimination, discontinuance and closing of Fair Street between Prince Street and Fleet Place and Prince Street between Myrtle Avenue and Flatbush Avenue Extension; the establishment and widening of Fleet Place between Willoughby Street and Myrtle Avenue; the widening of Myrtle Avenue between Flatbush Avenue Extension and Fleet Place; the modification of a sewer easement at Fleet Place; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto; in Community District 2, Borough of Brooklyn, in accordance with Map Numbers V-2663, V-2664, X-2665, X-2666, X-2667, Y-2668 and X-2669 dated November 20, 2003 and signed by the Borough President, are approved.

and be it further

**RESOLVED** that, pursuant to Section 5-432 of the New York City Administrative Code, the



City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

**RESOLVED** that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map Nos. V-2664, X-2666, and X-2669 dated November 20, 2003 providing for the discontinuance and closing of the following streets:

**(Map No. V-2664) Discontinuance and closing of Pearl Street between Willoughby Street and Fulton Street, more particularly described as follows:**

**Beginning** at a point located at the intersection of the southerly line of Willoughby Street and the former westerly line of Pearl Street (discontinued and closed), said point lying 105.73 feet easterly along the southerly line of Willoughby Street from its intersection with the easterly line of Adams Street/Brooklyn Bridge Boulevard, as those streets were heretofore laid out on the City Map, thence;

- 1) **Running** 50.00 feet in an easterly direction, along the newly established southerly line of Willoughby Street, to its point of intersection with the former easterly line of Pearl Street (discontinued and closed), thence;
- 2) **Running** 104.61 feet in a southerly direction, along the former easterly line of Pearl Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 89 degrees 22 minutes 24 seconds, to its point of intersection with the northerly line of Fulton Street, thence;
- 3) **Running** 55.43 feet in a northwesterly direction, along the newly established northerly line of Fulton Street, said course forming a deflection angle to the right with the previous course

of 115 degrees 33 minutes 56 seconds, to its point of intersection with the former westerly line of Pearl Street (discontinued and closed), thence;

- 4) **Running** 81.24 feet in a northerly direction, along the former westerly line of Pearl Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 64 degrees 26 minutes 4 seconds, to its point of intersection with the southerly line of Willoughby Street, the Point or Place of **Beginning**.

**(Map No. X-2666) Discontinuance and closing of Red Hook Lane between Boerum Place and Fulton Street, more particularly described as follows:**

Starting at the **Point of Beginning** located at the point of intersection of the southerly line of Fulton Street and the former northwesterly line of Red Hook Lane (discontinued and closed), said point lying 130.27 feet easterly along the southerly line of Fulton Street from its intersection with the easterly line of Boerum Place, as those streets were heretofore laid out on the City Map, thence;

- 1) **Running** 34.83 feet in a southeasterly direction, along the newly established southerly line of Fulton Street, to its point of intersection with the former southeasterly line of Red Hook Lane (discontinued and closed), thence;
- 2) **Running** 331.30 feet in a southwesterly direction, along the former southeasterly line of Red Hook Lane (discontinued and closed), said course forming a deflection angle to the right with the previous course of 108 degrees 40 minutes 41 seconds, to the point of intersection of the newly established easterly line of Boerum Place and the northerly line of Livingston Street, thence;
- 3) **Running** 60.80 feet in a northerly direction, along the newly established easterly line of

Boerum Place, said course forming a deflection angle to the right with the previous course of 147 degrees 7 minutes 48 seconds, to its point of intersection with the former northwesterly line of Red Hook Lane (discontinued and closed), thence;

- 4) **Running** 269.08 feet in a northeasterly direction, along the former northwesterly line of Red Hook Lane (discontinued and closed), said course forming a deflection angle to the right with the previous course of 32 degrees 52 minutes 12 seconds, to its point of intersection with the southerly line of Fulton Street, the **Point or Place of Beginning**.

**(Map No. X-2669) Discontinuance and closing of Prince Street between Myrtle Avenue and Flatbush Avenue Extension, more particularly described as follows:**

Starting at the **Point of Beginning** located at the point of intersection of the northeasterly line of Flatbush Avenue Extension and the former easterly line of Prince Street (discontinued and closed), said point lying 110.12 feet northwesterly along the northeasterly line of Flatbush Avenue Extension from its intersection with the northerly line of Willoughby Street, as those streets were heretofore laid out on the City Map, thence;

- 1) **Running** 128.82 feet in a northwesterly direction, along the newly established northeasterly line of Flatbush Avenue Extension, to its point of intersection with the former westerly line of Prince Street (discontinued and closed), thence;
- 2) **Running** 266.92 feet in a northerly direction, along the former westerly line of Prince Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 22 degrees 50 minutes 21 seconds, to its point of intersection with the newly

established southerly line of Myrtle Avenue, thence;

- 3) **Running** 50.09 feet in an easterly direction, along the newly established southerly line of Myrtle Avenue, said course forming a deflection angle to the right with the previous course of 86 degrees 33 minutes 7 seconds, to its point of intersection with the former easterly line of Prince Street (discontinued and closed), thence;
- 4) **Running** 388.65 feet in a southerly direction, along the former easterly line of Prince Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 93 degrees 26 minutes 53 seconds, to its point of intersection with the northeasterly line of Flatbush Avenue Extension, the **Point or Place of Beginning**.

**(Map No. X-2669) Discontinuance and closing of Fair Street between Prince Street and Fleet Place, more particularly described as follows:**

Starting at the **Point of Beginning** located at the point of intersection of the former easterly line of Prince Street (discontinued and closed) and the former southerly line of Fair Street (discontinued and closed), said point lying 189.22 feet northerly along the former easterly line of Prince Street (discontinued and closed) from its intersection with the northeasterly line of Flatbush Avenue Extension, as those streets were heretofore laid out on the City Map, thence;

- 1) **Running** 50.00 feet in a northerly direction, along the projection of the former easterly line of Prince Street (discontinued and closed), to its point of intersection with the former northerly line of Fair Street (discontinued and closed), thence;

- 2) **Running** 160.03 feet in an easterly direction, along the former northerly line of Fair Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 90 degrees 38 minutes 24 seconds, to its point of intersection with the newly established westerly line of Fleet Place, thence;
- 3) **Running** 50.00 feet in a southerly direction, along the newly established westerly line of Fleet Place, said course forming a deflection angle to the right with the previous course of 89 degrees 20 minutes 57 seconds, to its point of intersection with the former southerly line of Fair Street (discontinued and closed), thence;
- 4) **Running** 160.04 feet in a westerly direction, along the former southerly line of Fair Street (discontinued and closed), said course forming a deflection angle to the right with the previous course of 90 degrees 39 minutes 3 seconds, to its point of intersection with the former easterly line of Prince Street (discontinued and closed), the Point or Place of **Beginning**.

and be it further

**RESOLVED**, that pursuant to Section 5-434 of the New York City Administrative Code, the discontinuance and closing map may be an acquisition map, and that the Mayor is hereby authorized to sign said acquisition map as well as an Order of the Mayor acquiring fee title to the land intended to be acquired by the City within the discontinued and closed street;

all such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on

which certified counterparts of Map Nos. V-2663, V-2664, X-2665, X-2666, X-2667, Y-2668 and X-2669 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and

- b. the subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

The above resolutions, duly adopted by the City Planning Commission on May 10, 2004 (Calendar Nos. 1 - 4), are 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, AICP, Chair**

**KENNETH J. KNUCKLES, Esq., Vice-Chairman**

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,  
ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN  
A. PHILLIPS, DOLLY WILLIAMS, Commissioners**

**RICHARD W. EADDY, Commissioner, Recused**