



## **CITY PLANNING COMMISSION**

September 8, 2004/Calendar No. 27

C 030412 MMK

**IN THE MATTER OF** an application, submitted by Ikea Properties, Inc., 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:

- the elimination, discontinuance and closing of Otsego Street between Beard Street and the United States Bulkhead Line;
- the elimination, discontinuance and closing of Halleck Street between segments of Columbia Street;
- the widening of Beard Street between Otsego Street and Richards Street;
- the establishment of Ikea Plaza/Beard Street between Otsego Street and Richards Street;
- adjustment of grades necessitated thereby; and
- acquisition or disposition of real property related thereto,

Community District 6, Borough of Brooklyn, in accordance with Map Nos. Y-2661 and X-2662 dated April 14, 2004 and signed by the Borough President.

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The application for amendments to the City Map was filed by Ikea Properties, Inc., on March 31, 2003 involving: the elimination, discontinuance and closing of Otsego Street between Beard Street and the United States Bulkhead Line; the elimination, discontinuance and closing of Halleck Street between segments of Columbia Street; the widening of Beard Street between Otsego Street and Richards Street; the establishment of Ikea Plaza/Beard Street between Otsego Street and Richards Street; adjustment of grades necessitated thereby; and acquisition or disposition of real property related thereto.

### **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. C 030413 ZMK A zoning map amendment from M3-1 to M1-1;
2. C 030414 ZSK A special permit to allow a large retail establishment in an M1-1 district. This special permit would allow a Use Group 10A furniture store as well as three other Use Group 6 or 10 retail establishments with no limitation on floor area;

3. C 030415 ZSK A special permit to modify the waterfront bulk regulations pursuant to Section 62-736 to permit a building exceeding 30 feet in height;
4. N 030416 ZAK An authorization to modify the waterfront public access and visual corridor regulations pursuant to Section 62-722; and
5. N 030418 ZCK Certification by the Chair of the City Planning Commission pursuant to Section 62-711 that a site plan has been submitted showing compliance with the waterfront zoning regulations.

### **BACKGROUND**

The applicant is requesting a change in the City Map involving the elimination, discontinuance and closing of Otsego Street between Beard Street and the United States Bulkhead Line; the elimination, discontinuance and closing of Halleck Street between the segments of Columbia Street; the widening of Beard Street between Otsego Street and Richards Street; and the establishment of Ikea Plaza/ Beard Street between Otsego Street and Richard Street to facilitate construction of a 346,000 square feet Ikea Furniture and home furnishing store on a 22 acre parcel in Red Hook, Brooklyn. In addition to Ikea, the proposed project will include approximately 54,400 square feet of adjacent restaurants/retail establishments, approximately 1,440 parking spaces and 5.5 acres of waterfront esplanade.

An interagency conference was held on April 28, 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 the grant of a special permit (C 030414 ZSK).

### **ENVIRONMENTAL REVIEW**

This application (C 030412 MMK), in conjunction with the applications for the related actions (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK, N 030416 ZAK, N 030418 ZCK) 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 03DCP041K. The lead agency is the Department of City Planning.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for the grant of a special permit (C 030414 ZSK).

### **UNIFORM LAND USE REVIEW**

This application (C 030412 MMK), in conjunction with the related applications (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK), was certified as complete by the Department of City Planning on April 26, 2004 and was duly referred to Community Board 6 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 (N 030416 ZAK, N 030418 ZCK), which were sent to the Community Board and the Borough President for information and review.

### **Community Board Public Hearing**

Community Board 6 held a public hearing on this application (C 030412 MMK), together with related applications (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK) on May 13, 2004, and on that day, by a vote of 34 to 4 with 2 abstentions, adopted a resolution recommending the approval of the application with conditions.

A summary of the Community Board recommendations appears in the report on the related application for the grant of a special permit (C 030414 ZSK).

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

The application (C 030412 MMK) together with the related applications (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK, N 030416 ZAK, N 030418 ZCK), was considered by the Borough President who issued a recommendation approving the application with conditions on July 12, 2004.

A summary of the Borough President's recommendation appears in the report on the related

application for the grant of a special permit (C 030414 ZSK).

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

On July 14, 2004 (Calendar No. 5), the City Planning Commission scheduled July 28, 2004 for a public hearing on this application (C 030412 MMK). The public hearing was duly held on July 28, 2004, (Calendar No. 27), in conjunction with the public hearings for the related actions (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK).

There were a number of appearances, as described in the report on the related application for the grant of a special permit (C 030414 ZSK) and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review and Findings**

This application (C 030412 MMK), in conjunction with those for the related actions (C 030413 ZMK, C 030414 ZSK, C 030415 ZSK, N 030416 ZAK, N 030418 ZCK), 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 03-019).

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

### **CONSIDERATION**

The Commission believes that the amendment to the City Map is appropriate.

A full consideration of the issues and the reasons for approving this application appears in the report on the related application for the grant of a special permit (C 030414 ZSK).

### **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 August 27, 2004, with respect to these applications (CEQR No. 03DCP041K), 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: the elimination, discontinuance and closing of Otsego Street between Beard Street and the United States Bulkhead Line; the elimination, discontinuance and closing of Halleck Street between segments of Columbia Street; the widening of Beard Street between Otsego Street and Richards Street; the establishment of Ikea Plaza/Beard Street between Otsego Street and Richards Street; adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto, in Community District 6, Borough of Brooklyn, in accordance with Map Nos. Y-2661 and X-2662 dated April 14, 2004 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 No. X-2662 dated April 14, 2004 providing for the discontinuance and closing of the following streets:

**Otsego Street between Beard Street and the U.S. Bulkhead Line, Borough of Brooklyn, City and State of New York, in accordance with Borough President Map No. X-2662:**

**Beginning** at a Point located at the intersection of the southerly street line of Halleck Street and the former easterly street line of Otsego Street, discontinued and closed, said point being distant 555.00 feet westerly along the southerly street line of Halleck Street from its intersection with the easterly street line of Columbia Street, as those streets were hereinbefore laid out on the City Map;

1. Running thence southerly, along the former easterly street line of Otsego Street, discontinued and closed, said course forming a deflection to the left with the last mentioned course of 90 degrees 00 minutes 00 seconds, 865.63 feet to a point;
2. Running thence westerly, along a line coterminous with the prolongation of the former south line of Cuba Street, now closed, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 80.00 feet to a point in the former westerly street line of Otsego Street, discontinued and closed;
3. Running thence northerly, along the former westerly street line of Otsego Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 865.63 feet to its point of intersection with the prolongation of the southerly street line of Halleck Street;
4. Running thence easterly, along the newly established southerly street line of Halleck Street and prolongation thereof, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 80.00 feet to a point in the southerly street line of Halleck Street, the Point or Place of **Beginning**.

**Halleck Street between segments of Columbia Street, Borough of Brooklyn, City and State of New York, in accordance with Borough President Map No. X-2662:**

**Beginning** at a Point located at a newly established angle point in the easterly street line of the westerly segment of Columbia Street, said point being the following two courses from the intersection of the easterly street line of the westerly segment of Columbia Street and the southerly street line of Halleck Street, as those streets were hereinbefore laid out on the City Map: a) running thence distant 104.38 feet northerly along the easterly street line of the westerly segment of Columbia Street from its intersection with the southerly street line of Halleck Street to an angle point; b) running thence distant 10 feet easterly along said easterly street line of the westerly segment of Columbia Street, said course forming an angle with the last mentioned course of 90 degrees 00 minutes 00 seconds, to the Point of Beginning;

1. Running thence northerly, along the newly established easterly street line of the westerly segment of Columbia Street, said course forming a deflection angle to the left with the last mentioned course of 90 degrees 00 minutes 00 seconds, 60.00 feet to its point of intersection with the former northerly street line of Halleck Street, discontinued and closed;
2. Running thence easterly, along the former northerly street line of Halleck Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 57.13 feet to its point of intersection with the newly established westerly street line of the easterly segment of Columbia Street;
3. Running thence southeasterly, along the newly established westerly street line of the easterly segment of Columbia Street, said course forming a deflection angle to the right with the last mentioned course of 56 degrees 56 minutes 05 seconds, 47.42 feet to an angle point in the newly established westerly street line of the easterly segment of Columbia Street;
4. Running thence southerly, along the newly established westerly street line of the easterly segment of Columbia Street, said course forming a deflection angle to the right with the last mentioned course of 33 degrees 03 minutes 55 seconds, 20.26 feet to its point of intersection with the former southerly street line of Halleck Street, discontinued and closed;
5. Running thence westerly, along the former southerly street line of Halleck Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course

of 90 degrees 00 minutes 00 seconds, 83.00 feet to its point of intersection with the newly established easterly street line of the westerly segment of Columbia Street, the Point or Place of **Beginning**.

and be it further

**RESOLVED** that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein;

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. Y-2661 and X-2662 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;
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition (a) above until the applicant shall have executed an agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission. If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission; and
- c. 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 September 8, 2004 (Calendar No. 27), 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 Chair**

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