



September 3, 2019/Calendar No. 8

C 190116 MMK

IN THE MATTER OF an application submitted by the New York City Department of Correction 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 State Street between Boerum Place and Smith Street below an upper limiting plane;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 2, Borough of Brooklyn, in accordance with Map No. X-2753 dated March 25, 2019 and signed by the Borough President.

This application (C 190116 MMK) for an amendment to the City Map was filed by the New York City (NYC) Department of Correction on October 24, 2018. The proposed action, along with the related actions, would facilitate the development of four detention facilities that comprise the NYC borough-based jail system in Bronx Community District 1, Brooklyn Community District 2, Manhattan Community District 1 and Queens Community District 9.

RELATED ACTIONS

In addition to the City Map amendment (C 190116 MMK) that 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:

System-wide

C 190333 PSY Site selection for four new borough-based jail facilities

N 190334 ZRY Text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system

Bronx

- C 190335 ZSX Special Permit pursuant to ZR Section 74-832
- C 190336 ZMX Zoning Map Amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X
- N 190337 ZRX Zoning Text Amendment to Appendix F to establish a new Mandatory Inclusionary Housing (MIH) area
- C 190338 HAX Designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development

Brooklyn

- C 190339 ZSK Special Permit pursuant to ZR Section 74-832

Manhattan

- C 190340 ZSM Special Permit pursuant to ZR Section 74-832
- C 190341 PQM Acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet
- C 190252 MMM City map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way

Queens

C 190342 ZSQ Special Permit pursuant to ZR Section 74-832

C 190117 MMQ City map amendment to demap 82nd Avenue between 126th Street and
132nd Street

BACKGROUND

A full background discussion and description of this application appear in the report for the related site selection action (C 190333 PSY).

ENVIRONMENTAL REVIEW

This application (C 190116 MMK), in conjunction with the applications for related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, N 190337 ZRX, C 190338 HAX, C 190339 ZSK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117 MMQ) 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 18DOC001Y. The lead agency is the Department of Correction.

A summary of the environmental review appears in the report on the related application for a site selection action (C 190333 PSY).

UNIFORM LAND USE REVIEW

This application (C 190116 MMK), in conjunction with the related applications (C 190333 PSY, N 190334 ZRY and C 190339 ZSK) was certified as complete by the Department of City Planning on March 25, 2019 and was duly referred to Brooklyn Community board 2 in

accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) and in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on this application (C 190116 MMK), in conjunction with the related actions, on April 11, 2019 and on June 12, 2019, by a vote of 32 in favor, two opposed and four abstaining, adopted a resolution recommending disapproval of the proposed application. A summary of the Community Board's recommendation appears in the report for the related site selection action (C 190333 PSY).

Borough President Recommendation

This application (C 190116 MMK), in conjunction with the related actions, was considered by the Brooklyn Borough President, who held a public hearing on this application on June 6, 2019 and issued a recommendation to approve the application with conditions.

A summary of the Borough President's recommendation appears in the report for the related site selection action (C 190333 PSY).

City Planning Commission Public Hearing

On June 19, 2019 (Calendar No. 8), the City Planning Commission scheduled July 10, 2019 for a public hearing on this application (C 190116 MMK). The hearing was duly held on July 10, 2019 (Calendar No. 15) in conjunction with the public hearing on the applications for the related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, N 190337 ZRX, C 190338 HAX, C 190339 ZSK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117 MMQ).

There were a number of speakers, as described in the report for the related site selection action (C 190333 PSY), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a City Map amendment (C 190116 MMK), in conjunction with the related applications, is appropriate as modified.

A full description of the Commission's consideration appears in the report for the related site selection action (C 190333 PSY).

RESOLUTION

Therefore, the City Planning Commission, deeming the proposed amendment to the City Map and any related acquisition or disposition of real property related thereto 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 23, 2019, with respect to this application (CEQR No. 18DOC001Y) 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 available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those project components related to the environmental and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitute 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 Section 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 application (C 190116 MMK), for an amendment to the City Map involving:

- the elimination, discontinuance and closing of State Street between Boerum Place and Smith Street below an upper limiting plane;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in accordance with Map No. X-2753 dated March 25, 2019 revised on July 22, 2019 and signed by the Borough President is 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 Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. X-2753 dated March 25, 2019 revised on July 22, 2019 providing for the discontinuance and closing of State Street between Boerum Place and Smith Street below and upper limiting plane being more particularly described as follows:

**IN THE MATTER OF DISCONTINUING AND CLOSING OF STATE STREET
BETWEEN BOERUM PLACE AND SMITH STREET BELOW AN UPPER LIMITING**

**PLANE DEFINED AT 16 FEET BELOW LEGAL GRADE, BOROUGH OF BROOKLYN,
KINGS COUNTY, AS SHOWN ON THE BROOKLYN BOROUGH PRESIDENT'S MAP
ACC NO. X-2753, DATED MARCH 25, 2019, REVISED ON JULY 22, 2019.**

Starting at the point of intersection of the easterly line of Boerum Place and southerly line of Schermerhorn Street, thence running 200.35 feet southerly, along the easterly line of Boerum Place, to the point or place of beginning;

- 1) Thence, running 332.93 feet, in an easterly direction to a point, which makes an external angle to the left of the previous course of 85 degrees 52 minutes and 13 seconds;
- 2) Thence, running 60.00 feet, in a southerly direction to a point, which makes an internal angle with the previous course of 85 degrees 52 minutes and 23 seconds;
- 3) Thence, running 332.70 feet, in a westerly direction to a point, which makes an internal angle with the previous course of 93 degrees 30 minutes and 49 seconds;
- 4) Thence, running 56.43 feet, in a northerly direction, which makes an interior angle with the previous course of 86 degrees, 28 minutes and 59 seconds, to the point or place of beginning;

Said State Street to be discontinued and closed below an upper limiting plane contains an area of 19,332.1 square feet, more or less.

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 No. X-2753 dated March 25, 2019, revised on July 22, 2019 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 resolution (C 190116 MMK), duly adopted by the City Planning Commission on September 3, 2019 (Calendar No. 8), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ, *Commissioners*

ALFRED C. CERULLO III, ORLANDO MARIN, RAJ RAMPERSHAD,
Commissioners, Voting No