



## **CITY PLANNING COMMISSION**

May 25, 2011/ Calendar No. 3

C 110169 PPK

---

**IN THE MATTER OF** an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Brooklyn Navy Yard at 63 Flushing Avenue, Unit 300, (Block 2023, Lots 1 and 150), Borough of Brooklyn, Community District 2, pursuant to zoning.

---

This application for the disposition of city-owned property was filed by the Department of Small Business Services on December 7, 2010.

### **BACKGROUND**

The Department of Small Business Services (SBS) is seeking the disposition of city-owned property at the Brooklyn Navy Yard to the Brooklyn Navy Yard Development Corporation (BNYDC) to facilitate the further use, rehabilitation and redevelopment of the Navy Yard. The 300-acre Brooklyn Navy Yard property, which includes two parcels (Block 2023, Lots 1 and 150), is located between Kent Avenue, Flushing Avenue, Navy Street and the pier line along the East River. It is in M3-1 and M1-2 zoning districts in Brooklyn, Community District 2.

The BNYDC currently has a 99-year lease with the City of New York for Block 2023, Lot 1. That lease was originally executed in 1971, with subsequent amendments in 1973, 1977, 1982, and 1984. As of December 2010, 61 years remained on that lease. In 2005, Block 2023, Lot 150, was approved for acquisition and disposition to the Brooklyn Navy Yard under a 99-year lease (C050463 PPK and C050464 PPK).

The proposed disposition would combine Lot 1 and Lot 150 under one master lease, and would extend the lease to 99 years from the date of approval of the disposition. The proposal is intended to facilitate further economic development at the Brooklyn Navy Yard by reducing potential impediments to private financing of improvements in the Navy Yard.

## **ENVIRONMENTAL REVIEW**

This application (C 110169 PPK) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the New York City Department of Small Business Services. The designated CEQR number is 11SBS004K.

This application was determined to be a Type II action which requires no further environmental review.

## **UNIFORM LAND USE REVIEW**

This application (C 110169 PPK) was certified as complete by the Department of City Planning on January 3, 2011, and was duly referred to Community Board 2 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Review**

Community Board 2 held a public hearing on January 19, 2011, on this application (C 110169 PPK) and on February 9, 2011, by a vote of 35 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Review**

This application was considered by the Borough President, who issued a recommendation approving the application on March 16, 2011.

## **City Planning Commission Public Hearing**

On April 13, 2011 (Calendar No. 2), the City Planning Commission scheduled April 27, 2011, for a public hearing. The hearing was duly held on April 27, 2011 (Calendar No. 5). One speaker, the Vice President and Director of Planning and Development for the Brooklyn Navy Yard, spoke in favor of the proposal. The speaker described the proposal and how a long-term lease to the Brooklyn Navy Yard Development Corporation would support development within the Brooklyn Navy Yard and would help to further plans for the growth of industry and manufacturing jobs in the area.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the disposition of the city-owned property at the Brooklyn Navy Yard, located between Kent Avenue, Flushing Avenue, Navy Street and the pier line along the East River (Block 2023, Lots 1 and 150), is appropriate.

Approval of this application would extend the current Brooklyn Navy Yard Development Corporation lease and would support the Corporation's efforts to develop and renovate manufacturing and industrial space within the Brooklyn Navy Yard in order to support and attract industrial jobs in the City of New York. The Commission notes that the Brooklyn Navy Yard Development Corporation and its tenants seek to develop or renovate approximately 1.5 million square feet of space in the coming years, which the Brooklyn Navy Yard Development Corporation states could double the employment at the Navy Yard. The Commission believes that having a long-term master lease would increase certainty for private lenders and would help to facilitate this planned development.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation of two (2) city-owned lots, generally bounded by Kent Avenue, Flushing Avenue, Navy Street and the pier line along the East River (Block 2023, Lots 1 and 150), in the Brooklyn Navy Yard, pursuant to zoning, in the Borough of Brooklyn, Community District 2, proposed in an application by the Department of Small Business Services, dated December 7, 2010, is approved.

The above resolution (C 110169 PPK), duly adopted by the City Planning Commission on May 25, 2011 (Calendar No. 3), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d f the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**

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

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**

**BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,**

**NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. MCRAE,**

**KAREN A. PHILLIPS, Commissioners**

<b>NYC PLANNING</b> DEPARTMENT OF CITY PLANNING CITY OF NEW YORK		<b>Community/Borough Board Recommendation</b> Pursuant to the Uniform Land Use Review Procedure	
Application #: <b>C110169 PPK</b>		Project Name: <b>Brooklyn Navy Yard Lease Ext.</b>	
CEQR Number: 11SBS004K		Borough(s): Brooklyn Community District Number(s): 2	
Please use this address for all correspondence concerning this application.			

SUBMISSION INSTRUCTIONS	
1. Complete this form and return to the Department of City Planning by one of the following options: • <b>EMAIL (recommended):</b> Send email to <a href="mailto:CalendarOffice@planning.nyc.gov">CalendarOffice@planning.nyc.gov</a> and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C1000025Q" • <b>MAIL:</b> Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007 • <b>FAX:</b> (212) 720-3356 and note "Attention of the Calendar Office"	
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.	

*Docket Description:*

IN THE MATTER OF an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Brooklyn Navy Yard at 63 Flushing Avenue, Unit 300, (Block 2023, Lots 1 and 150), Community District 2, pursuant to zoning.

<b>Applicant(s):</b> New York City Department of Small Business Services 110 William Street, NY 10038		<b>Applicant's Representative:</b> Shani Leibowitz, AICP, VP Development and Planning Brooklyn Navy Yard Development Corporation 63 Flushing Avenue, Unit 300, Bldg 292 Brooklyn, NY 11205	
<b>Recommendation submitted by:</b> Brooklyn Community Board 2			
<b>Date of public hearing:</b> January 19, 2011		<b>Location:</b> Room LC400 of the Diner Building, Polytechnic Institute, 5 MetroTech Center, Brooklyn, New York	
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
<b>Date of Vote:</b> February 9, 2011		<b>Location:</b> Pfizer Auditorium, Diner Building, Polytechnic Institute, 5 MetroTech Center, Brooklyn, New York	
<b>RECOMMENDATION</b>			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
<b>Voting:</b> 35		<b>48</b>	
<b># In Favor:</b> 0		<b>Total members appointed to the board:</b>	
<b># Against:</b> 0			
<b># Abstaining:</b> 0			
<b>Name:</b> John Dow		<b>Title:</b> Chairperson	
<b>Date:</b> MARCH 22, 2011			

# Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

## INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: 110169 PPK

Brooklyn Navy Yard

In the matter an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Navy Yard at 63 Flushing Avenue, Unit 300.

COMMUNITY DISTRICT NO. 2

BOROUGH OF BROOKLYN

## RECOMMENDATION

☒ APPROVE  
☐ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☐ DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

The borough president supports efforts that facilitate the growth of Brooklyn-based businesses. Approval of this action by the City is expected to improve access to readily available financing for business owners operating within the Brooklyn Navy Yard allow business owners within the Brooklyn Navy Yard to invest in their businesses – thus improving and creating City assets. The Navy Yard is City-owned land underwritten by a long-term lease. As it currently stands, businesses within the Navy Yard may face difficulty securing financing due to the duration of the underlying master lease as conventional property ownership cannot be offered as collateral. The requested action will significantly extend the term of the master lease in a manner that would eliminate financing constraints.

Be it resolved that the Brooklyn Borough President, pursuant to section 197-c of the New York City Charter, recommends the approval of this application by the City Planning Commission and City Council.



BOROUGH PRESIDENT

March 16, 2011

DATE