



CITY PLANNING COMMISSION

May 10, 2004/Calendar No. 7

C 040173 HUK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the 5th amendment to the Brooklyn Center Urban Renewal Plan for the Brooklyn Center Urban Renewal Area, Borough of Brooklyn, Community District 2.

The application for the 5th amendment to the Brooklyn Center Urban Renewal Plan was filed by the Department of Housing Preservation and Development (HPD) on November 26, 2003 and revised on April 29, 2004, to create opportunities to stimulate new commercial, residential, academic, and cultural development in Downtown Brooklyn.

RELATED ACTIONS

In addition to the 5th amendment to the Brooklyn Center Urban Renewal which 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:

1. C 030514 MMK Elimination, discontinuance and closing of Pearl Street between Willoughby Street and Fulton Street;
2. C 030515 MMK Elimination, discontinuance and closing of Red Hook Lane between Boerum Place and Fulton Street;
3. C 030516 MMK Widening of Willoughby Street between Albee Square and Flatbush Avenue Extension;
4. C 030517 MMK Elimination, discontinuance and closing of Fair Street between Prince Street and Fleet Place and Prince Street between Myrtle Avenue and Flatbush Avenue Extension; establishment and widening of Fleet Place between Willoughby Street and Myrtle Avenue; widening of Myrtle Avenue between Flatbush Avenue Extension and Fleet Place; modification of a sewer easement at Fleet Place;
5. 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

6. C 040174 HUK Second amendment to the MetroTech Urban Renewal Plan;
7. C 040175 HUK Tenth amendment to the Atlantic Terminal Urban Renewal Plan;
8. C 040177 HDK Disposition of city-owned properties within the Brooklyn Center Urban Renewal Area;
9. C 040178 HDK Disposition of city-owned property within the MetroTech Urban Renewal Area;
10. C 040179 HDK Disposition of city-owned properties within the Atlantic Terminal Urban Renewal Area;
11. C 040180 PPK Disposition of one city-owned property located at 370 Jay Street (Block 140, lot 111), pursuant to zoning;
12. 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;
13. 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;
14. 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;
15. 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;
16. 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.

17. 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);
18. N 040176 HGK Designation of properties in the Brooklyn Center Urban Renewal Plan;
19. M 860689(B)ZSK Non-ULURP Modification of a Special Permit to change the allowable floor area of Building D and removing preserved but not built floor area;
20. M 930481(E)ZSK Non-ULURP 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;
21. M 000592(A)ZSK Non-ULURP Modification of the MetroTech General Large Scale Development Special Permit to authorize bulk modifications and floor area;

BACKGROUND

The fifth amendment to the Brooklyn Center Urban Renewal Plan for the Brooklyn Center Urban Renewal Area., in concert with the rezonings and changes to the City Map would allow the development of new residential, commercial, public parking and public open space uses.

A full background discussion and description of this application appears in the report on the related application for an amendment of the Zoning Map (C 040171 ZMK).

ENVIRONMENTAL REVIEW

This application (C 040173 HUK), in conjunction with the applications for the related actions (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK, C 040171 ZMK, C 040174 HUK, C 040175 HUK, 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, N 040172 ZRK, N 040176 HGK) 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 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

This application (C 040173 HUK), in conjunction with the applications for the related actions (C 030514 MMK, C 030515 MMK, C 030516 MMK, C 030517 MMK, C 040171 ZMK, 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), was certified as complete by the Department of City Planning on December 1, 2003, and was 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 (N 040172 ZRK and 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 on the related application for an amendment of the Zoning Map (C 040171 ZMK).

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on March 10, 2004.

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 No. 8), the City Planning Commission scheduled March 24, 2004 for a public hearing on this application (C 040173 HUK). The hearing was duly held on March 24, 2004 (Calendar No. 17), in conjunction with the public hearings on the applications for the related actions (C 030514 MMK, C 030515 MMK, C 030516 MMK and C 030517 MMK, C 040171 ZMK, C 040174 HUK, C 040175 HUK, 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, N 040172 ZRK, N 040176 HGK).

There were a number of speakers, 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 amended Urban Renewal Plan for the Brooklyn Center Urban Renewal Area Urban Renewal Area is appropriate.

A full consideration of the issues, and the reasons for approving this application, appear in the report on the related application for an amendment of the Zoning Map (C 040171 ZMK).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 30, 2004, with respect to this application (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 FEIS will be minimized or avoided to

the maximum extent practicable by incorporating as conditions to the 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, that the City Planning Commission finds that the proposed Fifth Amendment to the Urban Renewal Plan, as revised by HPD on April 29, 2004, is an appropriate plan for the area involved.

The City Planning Commission certifies that the proposed Fifth Amendment to the Urban Renewal Plan for the Brooklyn Center Urban Renewal Area complies with provisions of Section 502, Article 15 of the General Municipal Law of New York State, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives.

The Commission further certifies that the proposed Fifth Amendment to the Urban Renewal Plan for the Brooklyn Center Urban Renewal Area is in conformity with the findings and designation of the Brooklyn Center Urban Renewal Area as adopted by the City Planning Commission on May 10, 2004. The Commission certifies its unqualified approval of the proposed Fifth Amendment to the Urban Renewal Plan for the Brooklyn Center Urban Renewal Area, pursuant to Section 505, Article 15 of the General Municipal Law of New York State.

RESOLVED, that the City Planning Commission, finds that pursuant to Section 197-c of the New York City Charter, the Uniform Land Use Review Procedure and Section 505, Article 15 of the General Municipal Law, and after due consideration of the appropriateness of this action, that the proposed Fifth Amendment to the Urban Renewal Plan for the Brooklyn Center Urban Renewal Area, Community District 2, Borough of Brooklyn, submitted by the Department of Housing Preservation and Development on November 26, 2003 and as revised on April 29, 2004, is approved (C 040173 HUK).

The above resolution (C 040173 HUK), duly adopted by the City Planning Commission on May 10, 2004 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, 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