

CITY PLANNING COMMISSION

February 24, 2016 / Calendar No. 6

C 160042 HDK

IN THE MATTER OF an application, submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property comprising Site A (Block 4142, Lot 32), within the Dinsmore-Chestnut Urban Renewal Area Borough of Brooklyn, Community District 5.

This application for the disposition of City-owned property comprising Site A (Block 4142, Lot 32), within the Dinsmore-Chestnut Urban Renewal Area, C 160042 HDK, was filed by the Department of the City Planning on September 18, 2015.

RELATED ACTIONS

In addition to the amendment to the Zoning Resolution which is the subject of this report (C 160042 HDK), implementation of the proposed project also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

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|---------------------|---|
| C 160035 ZMK | Amendment to the Zoning Map to change R5, R6, C8-1, C8-2, M1-1 and M1-2 districts to R5B, R6B, R6A, R7A, R7D, R8A, C4-4D, C4-5D, M1-1/R6A, M1-1/R7D and M1-1/R8A districts, eliminate and establish new commercial overlays, establish a Special Mixed Use District, and establish Special Enhanced Commercial Districts. |
| N 160036 ZRK | Amendment to the Zoning Resolution to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable. |
| C 160037 HUK | Amendment to the Dinsmore Chestnut Urban Renewal Plan |
| N 160050 ZRK | Amendment to the Zoning Resolution to establish Special Mixed Use District 16, establish Enhanced Commercial Districts, and establish a Mandatory Inclusionary Housing area. |

Together, all of these actions would facilitate the East New York Community Plan, a coordinated neighborhood plan for new housing with requirements for the inclusion of housing affordable to

low-income residents, active local retail corridors, new commercial development opportunities and community facilities to serve area residents.

BACKGROUND

A description of this application, the surrounding area and the proposed project is included in the report on the related action for an Amendment to the Zoning Map (C 160035 ZMK).

ENVIRONMENTAL REVIEW

This application (C 160042 HDK), in conjunction with the related applications (C 160035 ZMK, N 160036 ZRK, C 160037 HUK, and N 160050 ZRK), 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 15DCP102K. The lead agency is the City Planning Commission.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS), issued on February 12, 2016, appears in the report on the related application for an Amendment to the Zoning Map (C 160035 ZMK).

PUBLIC REVIEW

The application (C 160042 HDK) and the applications for the related ULURP items (C 160035 ZMK, C 160037 HUK), were certified as complete by the Department of City Planning on September 21, 2015, and were duly referred to Community Boards 5 and 16 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b). The applications for the related non-ULURP item (N 160036 ZRK and N 160050 ZRK) were duly referred on September 21, 2015, to Community Boards 5 and 16 and the Brooklyn

Borough President for information and review, in accordance with the procedure for referring non-ULURP matters.

Community Board Public Hearing

Community Board 5 held a public hearing on this application (C 160042 HDK) on October 28, 2015 and on November 18, 2015, by a vote of 17 to 0 with 5 abstaining, adopted a resolution recommending disapproval of this application with conditions as described in the report on the related application for an amendment to the Zoning Map (C160035 ZMK).

Borough President Recommendation

This application (C 160042 HDK) was considered by the Borough President of Brooklyn, who issued a recommendation on December 30, 2015 disapproving the application with conditions as described in the report on the related application for an amendment to the Zoning Map (C160035 ZMK).

City Planning Commission Public Hearing

On December 16, 2015 (Calendar No. 6), the City Planning Commission scheduled January 6, 2016 for a public hearing on this application (C 160042 HDK). The hearing was duly held on January 6, 2016 (Calendar No. 21), in conjunction with the public hearing on the related applications (C 160035 ZMK, N 160036 ZRK, C 160037 HUK, and N 160050 ZRK).

32 speakers offered testimony in favor of the project, and 34 spoke in opposition, as described in the report on the related application for an amendment to the Zoning Map (C160035 ZMK), and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that the proposed disposition of City-owned property within the Dinsmore-Chestnut Urban Renewal Area is appropriate.

The City Planning Commission finds that the proposed disposition of city-owned property consisting of Site A (Block 4142, Lot 32) conforms to the objectives and provisions of the Amended Dinsmore-Chestnut Urban Renewal Plan (C 160037 HUK) which is being considered concurrently with this application.

A full consideration and analysis of the issues, and the reasons for approving the application appear in the report on the related action for an Amendment to the Zoning Map (C 160035 ZMK).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on February 12, 2016, with respect to this application (CEQR No. 15DCP102K), and the Technical Memorandum (Technical Memorandum 001), dated February 24, 2016, 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 the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action.

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, that based on the environmental determinations and the consideration described in this report, the application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property comprising Site A (Block 4142, Lot 32), within the Dinsmore-Chestnut Urban Renewal Area Borough of Brooklyn, Community District 5, is approved (C 160042 HDK).

The above resolution (C 160042 HDK), duly adopted by the City Planning Commission on February 24, 2016 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough Presidents in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, *Chairman*
KENNETH J. KNUCKLES, Esq., *Vice Chairman*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ,**
Commissioners

MICHELLE R. DE LA UZ, *Commissioner*, Voting No