



## CITY PLANNING COMMISSION

---

December 13, 2000/Calendar No. 21

C 000024 ZMK

---

**IN THE MATTER OF** an application submitted by Shaya B. Developers, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 16c**, changing from an M1-1 District to a C4-4A District property bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northeasterly of Flatbush Avenue, Borough of Brooklyn, Community Districts 6 & 8, as shown on a diagram (for illustrative purposes only) dated July 10, 2000 and subject to the conditions of CEQR Declaration E-98.

---

The application for an amendment of the Zoning Map was filed by Shaya B. Developers Inc. on July 14, 1999, to change two blocks on Pacific Street between Carlton and Flatbush Avenues from an M1-1 District to a C4-4A District.

### RELATED ACTION

In addition to this amendment of the Zoning Map, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

1. N 000647 ZRK A zoning text amendment to apply the conversion regulations of Article I, Chapter 5 of the Zoning Resolution to Brooklyn Community District 8.

Please note that an application (C 000613 PPK) to remove a “Newspaper Facility” use restriction on previously disposed of city-owned properties (Block 1128, Lots 60, 65, 68, and 70), was withdrawn on December 12, 2000.

## **BACKGROUND**

The proposed rezoning together with the related action would allow the conversion of the former Daily News building, located on Pacific Street between Carlton and Sixth Avenues in Community District 8, Brooklyn for residential and commercial uses. The area proposed for rezoning is currently zoned M1-1 and includes two block fronts on Pacific Street: one is located between Carlton and 6<sup>th</sup> Avenues in Community District 8 and contains the former Daily News building, and the second is located to the west between 6<sup>th</sup> and Flatbush Avenues in Community District 6. The building's loading dock and a landscaped open area are located on Dean Street in an R6B district and are not a subject of the rezoning action.

The applicant intends to convert the Daily News building to a mix of retail, office and residential uses with accessory parking in the cellar. The current complex is comprised of three buildings ranging in height from two through nine stories and a loading dock and landscaped area on Dean Street. The first, second and mezzanine floors of the building are anticipated to have 113,000 square feet of retail uses and the third floor is intended to have 46,000 square feet of office uses. All retail and commercial uses would be accessed by entrances on Pacific Street. Floors four through ten would be converted to approximately 90 market-rate housing units with an entrance on Dean Street. Seventy accessory parking spaces would be provided in the building's cellar accessed via a curb cut on Pacific Street. Although retail tenants have not yet been selected, the developer anticipates that there would be a variety of permitted uses, such as restaurants, coffee

bars, bookstores, music stores, or video stores. Seventy additional spaces are to be provided in a public parking lot on the corner of Pacific Street and Carlton Avenue on Block 1129, immediately to the east, in an M1-1 district on a lot owned by the applicant.

The area north and northwest of the rezoning area has had significant new development in the last decade. North of Pacific Street and the LIRR tracks is the Atlantic Terminal Urban Renewal Area which has been redeveloped with retail and residential uses in the last five years. Atlantic Center, the retail portion of the urban renewal area contains 400,000 square feet of retail space developed in 1996. A second phase of retail development is planned for the area above the Flatbush Avenue LIRR terminal. The residential component contains 320 units of housing sponsored by the NYC Partnership, completed in 1998 with another 96 Partnership units and 100 units of senior citizen housing currently under construction. Northeast of the former Daily News building site, between Vanderbilt and Clermont Avenues, is a 750,000 square foot vacant industrial building which is being renovated for high technology uses. Southeast of the rezoning area, 31 three-family homes are being developed on the block bounded by Dean and Bergen Streets and Vanderbilt and Underhill Avenues in the Crown Heights Urban Renewal Area. The area south of the proposed rezoning area is the residential neighborhood of Prospect Heights. To the east, as-of-right commercial redevelopment is occurring in an M1-1 district containing underused, older industrial buildings. To the west is the Flatbush Avenue commercial corridor and the residential neighborhood of Park Slope in Community District 6.

The intersection of Atlantic and Flatbush Avenues, 2 blocks west of the rezoning area, is a major mass transit hub. It is the terminus of the LIRR, as well as a major transfer point for the 2, 3, 4, 5, D, Q, M, N, R and B subway lines all of which stop at Atlantic Avenue. The B41 and B67 bus lines run on Flatbush Avenue, the B45 on Atlantic Avenue and the B63 runs along Fifth Avenue.

In 1983, to retain the Daily News' printing operations in New York City, the City Planning Commission and the Board of Estimate approved a series of actions to allow the expansion and modernization of its printing plant, including disposition of city owned property, zoning map changes, a special permit for parking, and an Urban Renewal Plan Amendment.

Simultaneously, the Board of Standards and Appeals approved a variance for the construction of the new loading docks on Dean Street in an R6 district (now R6B). As a condition of its approval, the BSA (62-83-BZ) required lots 65, 68 and 70 to be landscaped and fenced and the variance was restricted to the facility being owned by the Daily News and used to print and distribute newspapers. The Daily News continued operations until 1997 when printing was moved to New Jersey. The building has been vacant since then. During the course of its review, the Commission became aware that construction was being carried on in the building that should not be done without the approval of this application. Staff of the Department of City Planning advised the Department of Buildings of this situation. The Department of Buildings subsequently required the applicant to stop such construction, and to remove from the premises those fixtures which were inconsistent with the approval they had received from the Department of Buildings.

To facilitate this proposal, the applicant has requested a zoning change for the two block frontages of Pacific Street from Carlton Avenue to Flatbush Avenue. The rezoning area contains a mix of residential, commercial and industrial uses. The two through nine story former Daily News complex, comprising most of the block between Carlton Avenue and 6<sup>th</sup> Avenue, contains 315,000 square feet of floor area and are the only buildings in the rezoning area owned by the applicant. Other buildings on this block include three two-story industrial buildings occupied by a restaurant equipment manufacturer; a three-story building occupied by a textile warehouse, and an artist's studio on the ground floor and vacant above.

The block from 6th Avenue to Flatbush Avenue, in Community District 6, contains the Spalding Building, a former play equipment manufacturing plant which is currently being converted to residential use pursuant to a BSA variance approved in 1997. Other buildings include a Fire Department storage facility; a three story building with a hand printmaking firm on the first two floors and an artist's studio and housing on the third floor; a two story commercial building; an eight story fireproof storage facility; a one story office building; and a four story mixed use building with a vacant store on the ground floor and three apartments above.

The area proposed for rezoning is currently zoned M1-1, a light manufacturing district with an FAR of 1.0, which permits most commercial uses in addition to manufacturing uses but does not permit new residential uses. The proposed C4-4A is a regional commercial district with a maximum FAR of 4.0 for residential, commercial and community facility uses that permits new

residential uses and a wide range of commercial uses. The proposed C4-4A district would permit large retail uses as well as limited warehousing, thereby permitting some of the existing uses in commercial and manufacturing buildings to remain complying and also permit large retail uses in the Daily News building as proposed by the applicant. Since the applicant is considering certain large retail uses which are limited in C1 and C2 overlay districts to 10,000 square feet it was necessary to request a C4-4A. It is a contextual district which requires that new construction be built to the streetline, with a streetwall height of 40 - 65 feet, and a maximum building height of eighty feet. The C4-4A extends the contextual zoning of the R6B immediately to the south and the R7A to the west along Flatbush Avenue. It also extends the commercial districts southward from the Atlantic Terminal development.

The proposed action would permit the conversion of the Daily News building and bring the existing residential uses into conformance. It would, however, make three buildings nonconforming: 1) a restaurant equipment manufacturer, 2) a textile warehouse, and 3) a warehouse containing fireproof storage. A fourth building contains both residential and industrial uses. The industrial use would become non-conforming while the residential use would become conforming.

In order for the developer's project to proceed a zoning text amendment (N000647 ZRK) is being considered concurrently. The developer's proposal will also require an amendment of the BSA variance (62-83-BZ) granted in 1983 to permit loading docks in a residential zoning district.

The proposed zoning text amendment would make the conversion provisions of Article I, Chapter 5 of the Zoning Resolution ( Sections 15-00 -- 15- 026) applicable to Brooklyn Community District 8. These provisions provide regulations for the conversion of pre-1961 non-residential buildings to dwelling units in certain Community Districts in Manhattan, Brooklyn and Queens. Brooklyn Community Districts 2 and 6 immediately abutting Community District 8 are already covered by the provisions of this article. The regulations prescribe minimum standards for the size of dwelling units, access to light and air and impose roof open space requirements. No changes to any of the requirements are proposed.

The disposition of four city-owned lots (Block 1128, Lots 60, 65, 68 and 70) was approved with a "newspaper facility" use restriction on June 6, 1983 (ULURP No. C 830862 PPK) by the City Planning Commission to facilitate the enlargement of the newspaper printing facility. A disposition application (C 000613 PPK) to remove the restriction was originally proposed by the City to facilitate the proposal under review. It was subsequently discovered however that the disposition restriction had lapsed and the Commission action to remove the restriction was no longer necessary. The application was subsequently withdrawn on December 12, 2000.

## **ENVIRONMENTAL REVIEW**

This application (C 000024 ZMK ), in conjunction with the application for the related actions (C

000613 PPK) and (N 000647 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.00DCP020K. .The lead is.the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on July 10, 2000 which includes (E) designations (E 98) for noise (window /wall attenuation) on Block 1127, Lots 22, 27, 29, and 30; and Block 1128, Lots 4, 9, 11,13,16, 18, 37; and for hazardous materials on Block 1127, Lots 22, 27, 29, and 30; and Block 1128, Lots 4, 9, 11, and 13.

#### **UNIFORM LAND USE REVIEW**

This application (C 000024 ZMK), in conjunction with the applications for the related action (C 000613 PPK), was certified as complete by the Department of City Planning on July 10, 2000.

This application (C 000024 ZMK) was duly referred to Community Boards 6, 8, the Borough President and the Borough Board in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP text change application (N 000647 ZRK) which was sent to Community Board 8 and the Borough President for information and review.

## **Community Board Public Hearing**

Community Board 8 held a public hearing on this application on September 14, 2000, and on that date, by a vote of 18 to five with nine abstentions, adopted a resolution recommending approval of the application with conditions:

- 1) All deliveries, garbage removal, and loading docks be located on Pacific Street. The present loading docks on Dean Street shall be demolished and the lots landscaped.
- 2) All entrances shall be on Pacific Street. The three center lots on dean street are to be maintained and improved as green space.
- 3) To discourage extra on-street parking, the 70 parking spaces in the building should be free to the residents, the planned lot should be priced to encourage its use and the developer should develop other additional appropriate parking sites.
- 4) The developer shall to the extent feasible recruit and employ local residents during the construction and operation of the project.
- 5) The board requests that the City of New York and other interested parties immediately work to transform the empty and possibly obsolete factories in District 8 into new commercial operations, which can provide high wage employment to our local residents.

Community Board 6 held a public hearing on this application on September 13, 2000, and on that date, by a vote of 32 to one with no abstentions, adopted a resolution recommending approval of the application with conditions:

CB 6 recommends its support for this proposed mapping amendment on the condition that the applicant undertake a traffic/transportation study of the area to demonstrate and ensure that there will be no negative impact on the surrounding local street network.

## **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on October 8, 2000.

The Borough President's recommendation included the following conditions:

- 1) That the applicant conducts a traffic study of the area one year after the completion of the project;
- 2) That the applicant conduct a study to determine the engineering, architectural and economic feasibility of relocating the loading docks to Pacific Street. A copy of such study shall be submitted to the Borough President not later than October 16, 2000. If it is determined that it is feasible to relocate all of the loading docks, the applicant shall do so. If it is determined not to be feasible, then no more than the two enclosed docks on the Dean Street side of the project shall be allowed to remain;
- 3) That the applicant submit copies of the findings of the aforementioned studies to the City Planning Commission, the Brooklyn Borough President, the affected City Councilmembers, and Brooklyn Community Boards 6 and 8.

### **Borough Board Recommendation**

This application was considered by the Borough Board, which issued a recommendation approving the application with conditions on September 19, 2000.

The Borough Board's recommendation included the following conditions:

- 1) That the applicant conducts a traffic study of the area one year after the completion of the project;
- 2) That the applicant conduct a study to determine the engineering, architectural and economic feasibility of relocating the loading docks to Pacific Street. A copy of such study shall be submitted to the Borough President not later than October 16, 2000. If it is determined that it is feasible to relocate all of the loading docks, the applicant shall do so. If it is determined not to be feasible, then no more than the two enclosed docks on the Dean Street side of the project shall be allowed to remain;
- 3) That off-street parking be provided to residents at a reduced rate so as to discourage on-street parking; and
- 4) That the applicant recruit and employ local residents during the construction and operation of the project.

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

On October 18, 2000 (Calendar No.1), the City Planning Commission scheduled November 1,

2000, for a public hearing on this application (C 000024 ZMK). The hearing was duly held on November 1, 2000 (Calendar No. 8), in conjunction with the public hearings on the applications for the related actions (C 000613 PPK) and (N 000647 ZRK). There were three speakers in opposition and one speaker in favor of the application.

The applicant's attorney testified in favor, stating that the zoning map amendment reflects trends in the area and would permit the conversion of the vacant former Daily News printing plant.

A representative of the Housing Committee of Brooklyn Community Board 8 reiterated the five conditions in the Community Board's resolution. A representative of the Carlton, Dean, Bergen Neighborhood Association said that the Dean Street loading docks should be relocated to Pacific Street since Dean Street contains residential uses and is residentially zoned, and that building's residential entrance should not be located in the green space on Dean Street.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map is appropriate.

This rezoning would facilitate the conversion of the former Daily News building, now vacant, for residential, retail and office uses. The proposal would reinforce improvements and redevelopments that have taken place in the area near the proposed rezoning in the last decade.

To the north, significant commercial and residential development has occurred including the 400,000 square foot Atlantic Center Mall, with a second phase of retail and office development planned above the Atlantic Terminal, and the completion of approximately 500 units of Partnership housing in the Atlantic Terminal Urban Renewal Area. Northeast of the rezoning area is a 750,000 square foot vacant manufacturing building that is being renovated for high tech uses and to the east as-of-right commercial redevelopment is occurring in an M1-1 district containing formerly underused older industrial buildings. Southeast of the rezoning area new residential units are being developed in the Crown Heights Urban Renewal Area on previously vacant land.

The rezoning area contains a mix of residential, commercial and industrial uses. The 2 - 9 story former Daily News complex contains 315,000 square feet and comprises the bulk of the block from Carlton Avenue to 6<sup>th</sup> Avenue which is in Community District 8. Other buildings on this block in the rezoning area include three two-story industrial buildings occupied by a restaurant equipment manufacturer; a three-story building occupied by a textile warehouse and an artist's studio on the ground floor and vacant above.

The block from 6th Avenue to Flatbush Avenue, in Community District 6, contains the Spalding Building, a former play equipment manufacturing plant which is being converted to residential use pursuant to a BSA variance approved in 1997. Other buildings include a Fire Department facility; a three story building with a hand printmaking firm on the first two floors and an artist's studio and housing on the third floor; a two story commercial building; an eight story fireproof storage facility; a one story office building; and a four story mixed use building with a vacant

store on the ground floor and three apartments above.

The proposed commercial district would permit the continued expansion of residential uses in the area, would increase the mix of commercial uses permitted including large retail stores, and would facilitate the reuse of former Daily News Building, which is not suited to current manufacturing requirements, for residential uses. The proposed residential and commercial uses would provide an appropriate expansion of Prospect Heights to the south.

The Commission notes the Borough President's and Community Board 8's recommendation that the applicant conduct a traffic study one year after the project has been completed and the Borough President's recommendation that the applicant conduct a study to determine the feasibility of moving the loading docks from Dean Street to Pacific Street. A traffic study was completed as part of the environmental review for this application, which examined traffic associated with the proposal and the loading docks on Dean Street. This review concluded that there would be no significant impacts.

The Commission is equally aware of Community Board 8's recommendations that all deliveries, garbage removal and loading docks be moved from Dean Street to Pacific Street, that the Dean Street dock area be landscaped, and that all entrances be located on Pacific Street. The Commission notes that relative to the concerns of the Borough President, the Community Board and Commission, the applicant in a letter dated December 5, 2000 has agreed to modify the pending BSA variance in the following manner: 1) the applicant has agreed to use only the two

enclosed loading docks on Dean Street, 2) plant materials will be provided between the public sidewalk and the fence closest to Dean Street to screen the landscaped area in front of the vacated open loading docks, 3) the plans will be revised to show a pedestrian entrance from Dean Street to the building entrance, 4) the landscaped area in front of the residential entrance will include a seating area, and 5) the plans must note the hours the Dean Street space is open to the public and such hours must be publicly posted.

Community Board 8 also recommended that the 70 parking spaces in the building be free to residents, that the planned lot be priced to encourage its use and that the developer find other appropriate parking sites, and employ local residents during the construction and operation of the project. The Commission notes that these recommendations are outside the scope of this action.

Regarding Community Board 8's recommendation that the City of New York work to transform empty factories into new commercial operations the Commission notes that in June 2000 both houses of the New York State legislature passed, and the governor signed, the Commercial Revitalization Program at the Mayor's request. This program provides a variety of financial incentives for the revitalization of underutilized or vacant industrial space through the Department of Finance and the Economic Development Corporation.

The Commission believes that the proposed commercial district is an appropriate response to the changing landuses in the area. These two block fronts, located at the edge of a stable residential community to the south and a vibrant commercial street to the west, contain a number of vacant

and underutilized buildings, the largest one being the former Daily News plant. The proposed rezoning would revitalize this area by permitting much needed new housing and expanding the range of permitted commercial uses in the area.

A related application: (ULURP No. N 000647 ZRK) to extend the applicability of Article I, Chapter 5 of the Zoning Resolution to Community Board 8, Brooklyn is also being approved by the Commission. The regulations of Article I, Chapter 5 prescribe minimum standards for the size of dwelling units and access to light and air and will facilitate the applicant's proposal. The Commission anticipates other conversions in Community District 8 and wishes to insure they are done to appropriate standards.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16c,

changing from an M1-1 District to a C4-4A District property bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northeasterly of Flatbush Avenue,

Borough of Brooklyn, Community Districts 6, and 8 as shown on a diagram (for illustrative

purposes only) dated July 10, 2000 (C 000024 ZMK) and which includes the environmental designation E-98.

The above resolution (C 000024 ZMK), duly adopted by the City Planning Commission on December 13, 2000 (Calendar.No. 21), 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.

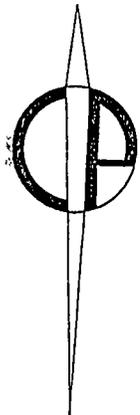
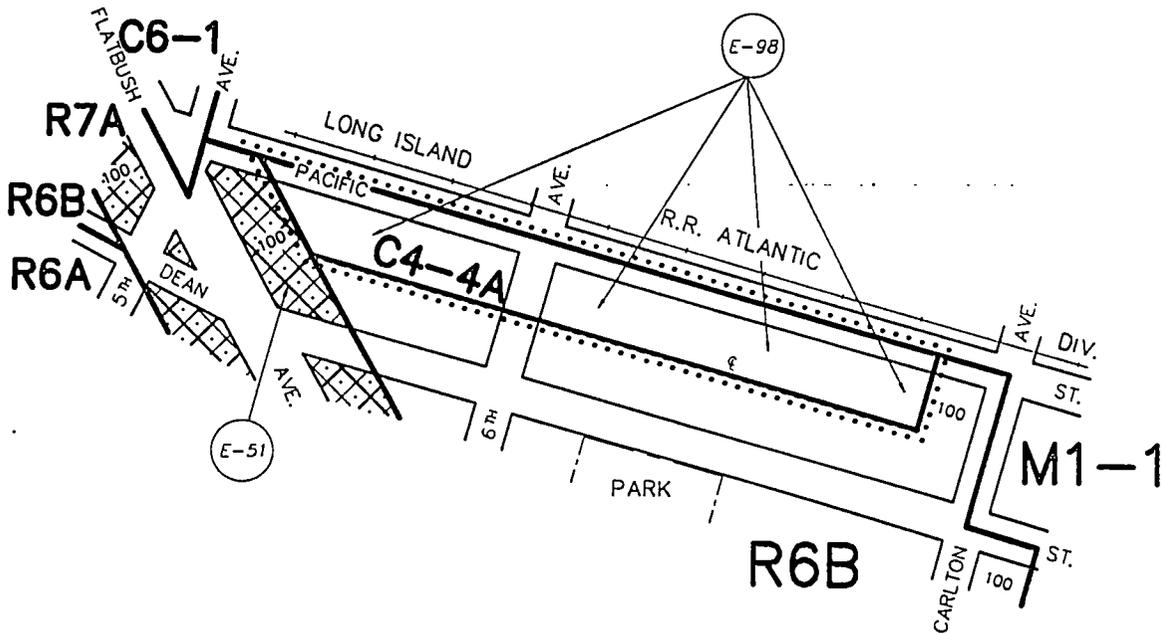
**JOSEPH B. ROSE**, Chairman

**VICTOR G. ALICEA**, Vice-Chairman

**ALBERT ABNEY, ANGELA M. BATTAGLIA, AMANDA M. BURDEN, A.I.C.P.,**

**ANGELA R. CAVALUZZI, KATHY HIRATA CHIN, ESQ.,**

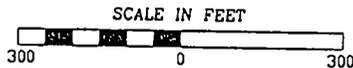
**ALEXANDER GARVIN, KENNETH J. KNUCKLES, ESQ., JOHN MEROLO, EDWARD T. ROGOWSKY**, Commissioners



CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**16c**  
 BOROUGH OF  
**BROOKLYN**

*[Signature]*  
 Director of Technical Review

New York, Certification Date  
 JULY 10, 2000



- NOTE:**
- Indicates Zoning District boundary.
  - The area enclosed by the dotted line is proposed to be rezoned by changing an M1-1 District to a C4-4A District.
  - Indicates a C2-4 District.
  - Indicates a City Environmental Quality Review Declaration, refer to C.E.Q.R. sheet.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

# 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 applicants representatives as indicated on the Notice of Certification.

APPLICATION #      000024 ZMK, 000613 PPK

DESCRIPTION        NewsWalk

COMMUNITY DISTRICT NO.

6 and 8

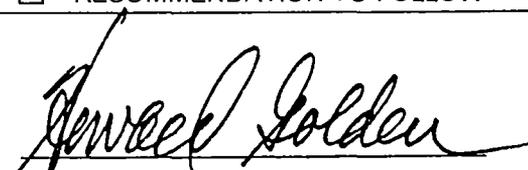
BOROUGH OF BROOKLYN

## RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION – MODIFICATIONS/CONDITIONS

- RECOMMENDATION ATTACHED
- RECOMMENDATION TO FOLLOW

  
BOROUGH PRESIDENT

October 6, 2000

DATE

**PRESIDENT OF THE BOROUGH OF BROOKLYN  
RECOMMENDATION REPORT  
NEWSWALK/700 PACIFIC STREET  
000024 ZMK, 000613 PPK & N000647 ZRK**

The Department of City Planning (DCP), the Department of Citywide Administrative Services (DCAS) and Shaya B. Developers, Inc., have submitted three related applications to facilitate the conversion of a vacant newspaper printing plant to residential and commercial use in Community Districts 6 and 8. A zoning map change, disposition and text amendment are necessary in order to convert the vacant Daily News printing plant located on Pacific Street to a mix of residential, retail and office use. To facilitate the project, approvals are being sought for the following Uniform Land Use Review Procedure (ULURP) actions:

1. A rezoning of portions of two blocks between Carlton Avenue and Flatbush Avenue from M1-1 to C4-4A; and
2. A disposition of city-owned property to remove a use restriction to "newspaper facility" from portions of the Dean Street frontage of the site.

Simultaneously, the DCP is applying for a zoning text change to make conversion regulations of Article 1, Chapter 5 of the Zoning Resolution applicable in Brooklyn Community District 8.

**PUBLIC HEARING**

Because the proposed project, known as Newswalk, affects both Community Districts 6 and 8, the Brooklyn Borough Board held a public hearing on these applications on September 19, 2000. The one item requiring a vote by the Borough Board was the ULURP application for the rezoning of an M1-1 district to a C4-4 district. The area is bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northeasterly of Flatbush Avenue.

While the Borough President did not hold a separate public hearing for the other applications, he noted that he would use the Borough Board public hearing to facilitate his review of the two additional applications which are integral parts of the project: the removal of a use restriction requiring portions of the Dean Street frontage of the site to be used as a newspaper facility; and a zoning text change to make the conversion regulations of Article 1, Chapter 5 of the Zoning Resolution applicable in Community District 8. The zoning text change would require residential and retail loft conversions in Community District 8 to accord to standardized specifications for light, air and apartment layouts.

The Borough President noted that on September 13, 2000, Community Board 6 voted to recommend approval of the Newswalk project with one condition calling for a traffic study to assess the project's impact on the community.

Community Board 8 voted on September 14 to recommend approval of the project. The board adopted several conditions regarding the location of loading docks, the placement of entrances, availability of parking and employment of local residents. The Brooklyn Borough Board used these conditions in the resolution that it adopted that evening.

The attorney for the developer was the sole speaker on these related actions. He made a presentation of the project and answered questions from the Borough Board. In response to the Borough President's question regarding the concern of Community Board 6 about the potential traffic impacts of the project, the attorney responded that the developer would indeed comply with the Board's request. One year after the project is completed, the developer would conduct a traffic analysis to gauge Newwalk's impact on the surrounding neighborhood.

The Borough President noted that Community Board 8 had asked that the loading docks, garbage removal and residential entrance be relocated from Dean Street to Pacific Street. The Borough President asked why these functions were located on Dean Street, and whether it was feasible to relocate them. The developer's attorney responded that the cost of relocating these functions to Pacific Street was prohibitive, but pledged that the developer would make a good faith effort to investigate the possibility of utilizing only one or perhaps two of the loading docks on Dean Street.

The Borough President then asked about parking. As the public parking lot that the developer intends to construct at the corner of Carlton Avenue and Pacific Street would be located in a manufacturing zone, the Borough President asked the developer to assure the Borough Board that this lot will remain for parking and that no industrial uses will be sited there in the future. The developer's attorney responded that although the current zoning does not require parking, 140 parking spaces would be provided as part of the project. He expressed his belief that the parking lot on Carlton Avenue would be utilized as such indefinitely. However, he concluded by stating that the developer could not make guarantees that the parking lot would remain in perpetuity.

The Borough President inquired about plans to reconstruct the sidewalks and landscape the area surrounding Newwalk, particularly on the Pacific Street side of the project. The attorney of the developer stated that as part of the project the sidewalks would be rebuilt and that landscaping on Pacific Street would occur. After the public hearing, the Borough President's staff received preliminary sketches for the landscaping work to be undertaken on Pacific Street.

The Borough President concluded his questions by inquiring about the type of retail uses envisioned for Newwalk. He also asked if the developer had received any firm commitments from specific retailers to date. The attorney stated that the developer anticipated, pursuant to current zoning, that such retail uses as bookstores, record shops, and coffee shops would be located at Newwalk. However, he also explained, no firm commitments had yet been made.

The chairman of Community Board 3 expressed his interest in seeing the developer hire local residents for the remaining construction jobs, as well as permanent jobs once Newswalk is fully occupied. The developer's attorney enthusiastically responded that it was the developer's intent to encourage future retailers at Newswalk to hire locally.

The Brooklyn Borough Board voted to recommend approval of the project subject to four conditions that were reflected in its resolution. The developer's attorney pledged that the developer would make every effort to comply with the resolution's points which included: that the applicant conduct a traffic study of the area one year after the completion of the project; that the applicant conduct a study to determine the engineering, architectural and economic feasibility of relocating the loading docks to Pacific Street; that off-street parking be provided to residents at a reduced rate so as to discourage on-street parking; and that the applicant recruit and employ local residents during the construction and operation of the project.

### **CONSIDERATION**

The Brooklyn Borough Board recommended approval of this application on September 19, 2000. (The block containing the former printing plant is located in Community District 8 and the block to its west is located in Community District 6; therefore the proposed rezoning affects both community districts.)

Borough President Golden views the Newswalk project as an integral part of the continued revitalization of the Flatbush Avenue/Pacific Street area. The proposed rezoning will link the affected area to the Atlantic Center/mixed-use development districts located to the west and north.

The rezoning is consistent with and reinforces emerging land use trends in the area. North of Pacific Street and the LIRR tracks is the Atlantic Terminal Urban Renewal Area, which continues to attract major retail as well as residential development. Atlantic Center, with over 400,000 square feet of retail, and the New York City Partnership housing development have had a stabilizing effect on the area. The Borough President is pleased that Newswalk will also complement the new residential units that have been developed by the New York City Partnership east of Atlantic Center, on the block bounded by Dean Street, Vanderbilt Avenue, Bergen Street and Underhill Avenue.

The Borough President also supports the zoning text change which would make the regulations of Article 1, Chapter 5 of the Zoning Resolution applicable to the conversion of manufacturing and commercial buildings to residential use in Brooklyn Community District 8. The Borough President is aware that these regulations (currently applicable in Manhattan Community Districts 1-6, Brooklyn Community Districts 1, 2 and 6, and Queens Community Districts 1 and 2) establish minimum standards for light, air and apartment layouts to insure habitable living spaces and required open space.

The third action would remove a restriction to newspaper facility use that was attached as a condition to the disposition of four city-owned tax lots on Dean Street to the Daily News as part of the News' 1983 expansion. The Borough President supports the removal of this restriction, which would allow these properties to be incorporated into the proposed project.

Overall, the Newswalk project is consistent with the Borough President's land use policy of encouraging the creation of new housing opportunities for the residents of Brooklyn. The Borough President believes it is critical, in light of a dearth of available land for new housing construction, to adaptively reuse underutilized buildings to alleviate Brooklyn's housing crisis. The Borough President also believes that the retail and commercial components of the project are consistent with and reinforce emerging land use trends in the area. The creation of complementary retail and office uses to support new housing would strengthen the well-established commercial area along Flatbush Avenue.

The Borough President shares the community boards' concerns about the potential negative impact of the project on local traffic and parking availability. The proposed project is in close proximity to a local police precinct, a firehouse, and a populous residential neighborhood.

## **RECOMMENDATION**

Whereas, Brooklyn Community Districts 6 and 8 voted to recommend approval of these applications with conditions on September 13, 2000 and September 14, 2000, respectively; and

Whereas, the Brooklyn Borough Board voted to recommend approval of the rezoning application with conditions on September 19, 2000; and

Whereas, the former Daily News printing plant is a ten-story vacant building that has a significant blighting effect on the surrounding community; and

Whereas, the Newswalk project will adaptively reuse the former Daily News printing plant, providing 90 residential units for ownership, approximately 113,000 square feet of retail space and approximately 46,000 square feet of office space; and

Whereas, the Newswalk project is consistent with the Borough President's land use policy of promoting new housing opportunities for the residents of Brooklyn; and

Whereas, the adaptive reuse of underutilized buildings for residential use is a development concept that the Borough President has long advocated; and

Whereas, the project may result in increased traffic in the adjacent area given its proximity to a local police precinct, firehouse, and residential neighborhoods; and

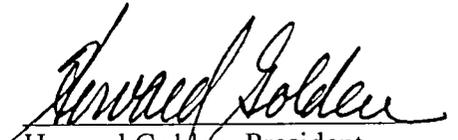
Whereas, the project may generate additional truck traffic on Dean Street, a residential block; now, therefore be it

Resolved, that the President of the Borough of Brooklyn, pursuant to Section 197-c of the New York City Charter and based upon the consideration described in this report, recommends approval of these applications subject to the following conditions:

1. That the applicant conduct a traffic study of the area one year after completion of the project; and

2. That the applicant conduct a study to determine the engineering, architectural and economic feasibility of relocating the loading docks to Pacific Street. A copy of such study shall be submitted to the Borough President not later than October 16, 2000. If it is determined that it is feasible to relocate all of the loading docks, the applicant shall do so. If it is determined not to be feasible, then no more than two enclosed loading docks on the Dean Street side of the project shall be allowed to remain.

3. That the applicant submit copies of the findings of the aforementioned studies to the City Planning Commission, the Brooklyn Borough President, the affected City Councilmembers, and Brooklyn Community Boards 6 and 8.

  
Howard Golden, President,  
Borough of Brooklyn

# Community/Borough Board Recommendation

CITY PLANNING COMMISSION  
22 Beade Street New York, NY 10007  
FAX # (212) 220 3244

## INSTRUCTIONS

1. Review the application form with all attachments to the agenda distributed to you. City Planning Commission Room 22 Beade Street New York, NY 10007

2. Review the application form with the applicant and the applicant's representative. The applicant's representative should be present at the public hearing. The applicant should be present at the public hearing and may apply to the Borough Board when applicable.

APPLICATION # C 000024

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by SHAW, INC. for a proposed amendment to Sections 137-c and 201 of the New York City Charter for an amendment of the zoning map, Section No. 10, covering from an R1-1 District to a C1-1A District property bounded by Pacific Street, a line 100 feet west of Carlisle Avenue, a line 100 feet east of Carlisle Avenue, and a line 100 feet north of Carlisle Avenue, as shown on a diagram (for illustrative purposes only) attached hereto, lot 100, 2000.

COMMUNITY BOARD NO. 6 & 8  
BOROUGH BROOKLYN

BOROUGH BOARD Brooklyn

DATE OF PUBLIC HEARING August 17, 2000

WAS QUORUM PRESENT? YES  NO

VOLE ADOPTING RECOMMENDATION TAKEN  
DATE September 13, 2000

LOCATION Pacific Branch Library  
25 4th Avenue, Bklyn  
1121

LOCATION NY Methodist Hospital  
506 Sixth Street, Bklyn 11

## RECOMMENDATION

APPROVE  APPROVE WITH MODIFICATIONS/CONDITIONS  
 DISAPPROVE  DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION MODIFICATION/CONDITIONS (attach additional sheets if necessary)  
CB6 recommends its support for this proposed mapping amendment on the condition that the applicant undertake a traffic/transportation study of the area to demonstrate and ensure that there will be no negative impact on the surrounding local street network.

64

## VOTING

IN FAVOR 32 AGAINST 1

ABSTAINING 0

TOTAL MEMBERS APPOINTED TO BOARD 43  
Craig R. Hammer  
COMMUNITY/BOROUGH BOARD OFFICER

53

Community/Borough Board  
Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3244

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 a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 000024

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Snaya B. Developers, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-1 District to a C4-4A District property bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, & a line 100 feet northeasterly of Flatbush Avenue, Borough of Brooklyn, Community Districts 8 and 9, as shown on a diagram (for illustrative purposes only) dated July 10, 2000.

CITY PLANNING COMMISSION  
00 SEP 19 PM 1:31  
DEPT. OF CITY PLANNING

COMMUNITY BOARD NO. 688

BOROUGH Brooklyn

BOROUGH BOARD Brooklyn

DATE OF PUBLIC HEARING September 14, 2000

Center For Nursing & Rehab  
LOCATION 520 Prospect Place, Bklyn

WAS QUORUM PRESENT?  YES  NO

(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN

DATE September 14, 2000

LOCATION 520 Prospect Place, Bklyn

RECOMMENDATION

APPROVE  APPROVE WITH MODIFICATIONS/CONDITIONS  
 DISAPPROVE  DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

- 1) All deliveries, garbage removal and loadingdocks be located on Pacific Street. The present loading docks on Dean Street shall be demolished and the lot landscaped.
- 2) All entrances shall be on Pacific Street. The three center lots on Dean Street to be maintained and improved as green space.
- 3) To discourage extra on-street parking, the 70 parking spaces in the building should be free to the residents, the planned lot should be priced to encourage its use and the developer should develop other additional appropriate parking sites.
- 4) The developer shall to the extent feasible recruit and employ local residents during the construction and operation of the project.
- 5) The board request that the City of New York and other interested parties immediately work to transform the empty and possibly obsolete factories in District 8 into new commerical operations, which can provide high wage employment to our local residents.

VOTING

IN FAVOR 18 AGAINST 5 ABSTAINING 9

TOTAL MEMBERS APPOINTED TO BOARD 44

Gary Matheson  
COMMUNITY/BOROUGH BOARD OFFICER

Chairman

Community/Borough Board Recommendation

CITY PLANNING COMMISSION 22 Reade Street, New York, NY 10007 FAX # (212) 720-3244

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 1E at the above address.

2. Send a copy of the completed form with the attachments to the applicant representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 000024

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Shaya B. Developers, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-1 District to a C4-4A District, property bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northeasterly of Flatbush Avenue, Borough of Brooklyn, Community Districts 6 and 8, as shown on a diagram (for illustrative purposes only) dated July 10, 2000.

COMMUNITY BOARD NO. 6 & 8 BOROUGH Brooklyn

BOROUGH BOARD Brooklyn

DATE OF PUBLIC HEARING September 19, 2000

LOCATION Brooklyn Borough Hall

WAS QUORUM PRESENT? X YES NO

(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN DATE September 19, 2000

LOCATION Brooklyn Borough Hall

RECOMMENDATION

APPROVE X APPROVE WITH MODIFICATIONS/CONDITIONS DISAPPROVE DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

Resolution attached

Handwritten signature and scribbles, including the number 65.

VOTING IN FAVOR 12 AGAINST 0 ABSTAINING 0

TOTAL MEMBERS APPOINTED TO BOARD 36. Note: 20 members were eligible to vote on this matter.

COMMUNITY/BOROUGH BOARD OFFICER

Handwritten signature: Howard Golden

September 21, 2000

**Resolution of the Brooklyn Borough Board  
September 19, 2000  
Regarding the Newswalk Project (000024 ZMK)**

WHEREAS, the former Daily News printing plant is a ten story vacant building that has a significant blighting effect on the surrounding community; and

WHEREAS, the Newswalk project will adaptively reuse the former Daily News printing plant, providing approximately 90 residential units for ownership, approximately 113,000 square feet of retail space and approximately 46,000 square feet of office space; and

WHEREAS, the Newswalk project is consistent with the Brooklyn Borough Board's land use policy of encouraging the creation of new housing opportunities for the residents of Brooklyn; and

WHEREAS, the Brooklyn Borough Board believes it is critical, in light of a dearth of available land for new housing construction, to adaptively reuse underutilized buildings to alleviate Brooklyn's housing crisis; and

WHEREAS, the Newswalk project is consistent with and reinforces emerging land use trends in the area by proposing the creation of complementary retail and office uses to support new housing and strengthen the well-established commercial area along Flatbush Avenue; and

WHEREAS, the project may result in increased traffic in the surrounding area given its proximity to a local police precinct, firehouse and residential block; and

WHEREAS, the project may generate additional truck traffic on Dean Street, a residential block; and

WHEREAS, the project may create greater demand for on street parking; and

WHEREAS, there is a need to increase employment opportunities for area residents; now, therefore be it

RESOLVED that the Brooklyn Borough Board, pursuant to Section 197-c of the New York City Charter, recommends approval of this application subject to the following conditions:

- 1) That the applicant conducts a traffic study of the area one year after the completion of the project;
- 2) That the applicant conducts a study to determine the engineering, architectural and economic feasibility of relocating the loading docks to Pacific Street. A copy of such study shall be submitted to the Borough President and the Borough Board not later than October 16, 2000. If it is determined that it is feasible to relocate all of the loading docks, the applicant shall do so. If it is determined not to be feasible, then no more than the two enclosed docks on the Dean Street side of the project shall be allowed to remain;
- 3) That off-street parking be provided to residents at a reduced rate so as to discourage on-street parking; and
- 4) That the applicant recruit and employ local residents during the construction and operation of the project.

