



## **CITY PLANNING COMMISSION**

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June 9, 2010/ Calendar No. 5

C 100204PPK

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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 New York City Economic Development Corporation of one (1) city-owned property, generally bounded by 39<sup>th</sup> Street (1<sup>st</sup> and 2<sup>nd</sup> Avenues) and the western portion of 2<sup>nd</sup> Avenue, from 37<sup>th</sup> to 29<sup>th</sup> streets (Block 662, p/o Lot 1), in the South Brooklyn Marine Terminal (SBMT), restricted to parking and accessory use only, Community District 7, in the Borough of Brooklyn.

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This application for the disposition of city-owned property was filed by the Department of Small Business Services on January 11, 2010.

### **BACKGROUND**

The Department of Small Business Services (SBS) is seeking the disposition of city-owned property to facilitate a long-term lease for parking within the South Brooklyn Marine Terminal (SBMT). The 4.3 acre project site is located within the 88-acre SBMT, which extends from 29<sup>th</sup> Street to 39<sup>th</sup> Street and from Second Avenue to the pier line along the Upper New York Bay in an M3-1 district along the Sunset Park industrial waterfront in Brooklyn, Community District 7.

Upon approval of the disposition, SBS intends to dispose of the property to the New York City Economic Development Corporation (EDC). EDC would then lease it to Industry City Associates (ICA), who would use it for parking. Currently, ICA already has a year-to-year lease within SBMT for parking and, with this action, ICA would enter into a 15-year lease (with one 5-year extension), creating a longer term facility, with a different configuration. The reconfigured parking facility would accommodate an infrastructure rehabilitation project taking place at SBMT. The number of spaces would increase slightly from the current 306 spaces on 3.9 acres to 336 spaces on 4.3 acres under the proposed plan.

SBMT is primarily occupied by Axis Groups, Inc., a specialized vehicle logistics services company that uses the site for processing, storage and distribution of automobiles, as well as distribution and storage of general maritime cargo. Immediately to the east of the site along the east side of Second Avenue are several industrial buildings owned and managed by ICA that are used mainly for light industry, artist, and storages uses. The project site would serve as an accessory parking lot for employees and visitors of ICA.

## **ENVIRONMENTAL REVIEW**

This application (C 100204 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 09SBS006K.

After a study of the environmental impacts of the proposed action, a negative declaration was issued on November 20, 2009.

## **UNIFORM LAND USE REVIEW**

This application (C 100204 PPK) was certified as complete by the Department of City Planning on January 25, 2010, and was duly referred to Community Board 7 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 7 held a public hearing on March 15, 2010 on this application (C 100204 PPK) and on May 22, 2010 by a vote of 26 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 May 5, 2010.

## **City Planning Commission Public Hearing**

On April 28, 2010 (Calendar No. 1), the City Planning Commission scheduled May 12, 2010 for a public hearing. The hearing was duly held on May 12, 2010 (Calendar No. 16). Two speakers spoke in favor of the application: a representative from EDC and an architect representing ICA. They described the project and how a long-term lease for parking for ICA fits in with the overall plans for the retention of industry and manufacturing jobs in the area. The architect representing ICA pointed out improvements that would be made to the parking lot and how they would create an improved street presence.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the disposition of the city-owned property, located generally between 39<sup>th</sup> and 29<sup>th</sup> streets between First and Second avenues (Block 662, p/o Lot 1) in the South Brooklyn Marine Terminal, is appropriate.

The Commission notes that the approval of this application would give ICA a longer term parking facility adjacent to their buildings, which would support the light manufacturing and industrial uses in the building. ICA already has a parking lot within SBMT, and the Commission believes that it would be an appropriate continuation of the use there.

The Commission also notes that the disposition of this property would allow ICA to reconfigure its parking area in order to accommodate a proposed infrastructure rehabilitation project taking place at SBMT.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission pursuant to Section 197-c of the New York City Charter, for disposition to the New York City Economic Development Corporation of one (1) city-owned property, generally bounded by 39<sup>th</sup> Street (1<sup>st</sup> and 2<sup>nd</sup> Avenues) and the western portion of 2<sup>nd</sup> Avenue, from 37<sup>th</sup> to 29<sup>th</sup> streets (Block 662, p/o Lot 1), in the South Brooklyn Marine Terminal (SBMT), restricted to parking and accessory use only, in the Borough of Brooklyn, Community District 7, proposed in an application by the Department of Small Business Services, dated January 11, 2010, is approved.

The above resolution (C 100204 PPK), duly adopted by the City Planning Commission on June 9, 2010 (Calendar No. 5), 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,**  
**ANGELA M. BATTAGLIA, 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**

# Community/Borough Board Recommendation

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

Application # **C100204PPK**  
 CEQR # **09SBS006K**  
 Community District No. 07 Borough: Brooklyn  
 Community District No. 7 Borough: \_\_\_\_\_  
 Project Name: \_\_\_\_\_

**INSTRUCTIONS**

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

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 New York City Charter, for disposition to the New York City Economic Development Corporation of one (1) city-owned property, generally bounded by 39<sup>th</sup> Street (1<sup>st</sup> and 2<sup>nd</sup> Avenues) and the western portion of 2<sup>nd</sup> Avenue, from 37<sup>th</sup> to 29<sup>th</sup> streets (Block 662, p/o Lot 1), in the South Brooklyn Marine Terminal (SBMT), restricted to parking and accessory use only.

*Applicant(s):*

**NYC Dept. of Small Business Services**  
 110 William Street  
 New York, NY 10038

*Applicant's Representative:*

**H. Hardy Adasko, Senior Vice President of Planning**  
**NYC Economic Development Corporation**  
 110 William Street  
 New York, NY 10038  
 212-312-3703

Community Board No. 7 Borough: **Brooklyn**

Borough Board

Date of public hearing: 3/15/10

Location: 4201 4<sup>th</sup> Avenue, Brooklyn

Was a 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: 3/18/10  
18  
13  
5  
32

Location: 4201 4<sup>th</sup> Ave, Brooklyn

**RECOMMENDATION**

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

*Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)*

**Voting**

In Favor: 26 Against: 0 Abstaining: 0

Total members appointed to the board: 42

Jeremy Laiter  
 Community/Borough Board Officer

District Manager  
 Title

Date 3/22/10

v.012006w

\* Indicates application was certified by the CPC pursuant to Section 197-C(c) of the City Charter.

# 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 # 100204 PPK South Brooklyn Marine Terminal

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 New York City Economic Development Corporation of one city-owned property in the South Brooklyn Marine Terminal (SBMT).

COMMUNITY DISTRICT NO. 7

BOROUGH OF BROOKLYN

## RECOMMENDATION

APPROVE

APPROVE WITH

MODIFICATIONS/CONDITIONS

DISAPPROVE

DISAPPROVE WITH

MODIFICATIONS/CONDITIONS

The borough president supports the initiative of the Economic Development Corporation (EDC) to establish long-term, accessory parking for the operations of Industry City Associates (ICA) at the perimeter of the South Brooklyn Marine Terminal. The borough president understands that ICA intends to coordinate the aesthetics of the perimeter it will share with the proposed Brooklyn Greenway as the parking layout is reconfigured. He appreciates ICA's sensitivity to his aspiration of a resulting greenway that will make Brooklyn proud.

The amount of vacant and underutilized space remaining throughout the borough is continually on the decline. The borough president believes that this parking area presents an opportunity for more creative uses during times in which it is in minimal use. The borough president is willing to work with ICA and the EDC to strategize ways in which areas such as this can be efficiently utilized. It is important for the leasing agreement to not preclude opportunities that may be identified during the term of this lease.

Be it resolved that the borough president of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve this disposition of property.



\_\_\_\_\_  
BOROUGH PRESIDENT

May 5, 2010

\_\_\_\_\_  
DATE