
IN THE MATTER OF the designation and disposition of city-owned property (Block 5367, Lot 8), located in Community District 12, Borough of Brooklyn, pursuant to the Urban Development Action Area Act and Section 197-c of the New York City Charter and the Uniform Land Use Review Procedure.

Approval of three separate matters is required:

1. The designation as an Urban Development Action Area of property located on part of the block bounded by 37th Street, Dahill Road, 38th Street and 15th Avenue (Block 5367, Lot 8), known as Culver El Site 5;
2. Approval of an Urban Development Action Area Project for such property; and
3. Disposition of such property to a developer to be selected by the Department of Housing Preservation and Development (HPD).

The application was submitted by HPD on June 15, 1990.

The disposition of this city-owned property (which includes vacant land currently being leased month-to-month by an adjacent commercial use) will facilitate the construction of seven, three-story, three-family homes under the New York City Partnership, New Homes Program.

RELATED ACTIONS

In addition to the disposition of the Culver El Site 5 property which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following action which is being considered concurrently with this application:

- C 900907 ZSK: Grant of a special permit, pursuant to Section 74-681 of the Zoning Resolution to allow development within a permanently discontinued railroad right-of-way to facilitate the development of 21 residential units (tentatively known as Culver El Site 5).

ENVIRONMENTAL REVIEW

This application (C 900906 HDK), in conjunction with the related application for the grant of a special permit (C 900907 ZSK), 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) procedures set forth in Executive Order No. 91 of 1977. The designated CEQR number is 90-112K.

The Department of Environmental Protection and the Department of City Planning submitted to the Commission for its consideration the results of their study of the potential environmental impact of the proposed action. A negative declaration was issued on July 15, 1991.

UNIFORM LAND USE REVIEW

This application (C 900906 HDK), in conjunction with the above-described related application for the grant of a special permit (C 900907 ZSK), was certified as complete by the Department of City Planning on February 24, 1992, and were duly referred to Community Board 12 and the Brooklyn Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 12 held a public hearing on the applications for the disposition of Culver El Site 5 (C 900906 HDK) and the grant of a special permit (C 900907 ZSK) on April 6, 1992, and on April 28, 1992, voted to recommend approval of the applications, by a vote of 33-1-1.

Borough President Recommendation

The applications for the disposition of Culver El Site 5 (C 900906 HDK) and the grant of a special permit (C 900907 ZSK) were considered by the Office of the President of the Borough of Brooklyn which issued a recommendation approving the action on May 28, 1992.

City Planning Commission Public Hearing

On May 20, 1992 (Calendar Nos. 3 and 4), the City Planning Commission scheduled June 10, 1992, as the date for a combined public hearing on the applications for the disposition of Culver El Site 5 (C 900906 HDK) and the related grant of a special permit (C 900907 ZSK). On June 10, 1992 (Calendar Nos. 7 and 8), a public hearing was duly held. There was one speaker in favor of the proposed development and six opposed. A summary of the public hearing is included within the related report on the grant of a special permit (C 900907 ZSK), dated July 27, 1992.

CONSIDERATION

A full consideration of the issues and the reason for approving these applications, including a discussion of the efforts to assist the adjacent commercial use currently leasing Site 5, appear in the report on the related application for the grant of a special permit (C 900907 ZSK), dated July 27, 1992.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment.

WHEREAS the Department of Housing Preservation and Development has recommended the designation of Culver El Site 5 (Block 5367, Lot 8), located in Community District 12, Borough of Brooklyn, as an Urban Development Action Area;

WHEREAS the Department of Housing Preservation and Development has also recommended the approval of the Urban Development Action Area Project for such property; and

WHEREAS the City Planning Commission finds that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to enable the project to be undertaken; and
- c. The project is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act.

THEREFORE, be it **RESOLVED** that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act, Section 197-c of the New York City Charter and the Uniform Land Use Review Procedure adopted by the Commission on June 1, 1976, and amended on June 27, 1990: 1) the designation of the above city-owned property, Culver El Site 5, as an Urban Development Action Area; 2) an Urban Development Action Area Project for such property; and 3) the disposition of such property to a developer to be selected by the Department of Housing Preservation and Development (C 900906 HDK).

The above resolution, duly adopted by the City Planning Commission on July 27, 1992 (Calendar No. 1), is filed with the Office of the Speaker, City Council and the Brooklyn Borough President, pursuant to Section 197-d of the New York City Charter.

RICHARD L. SCHAFFER, Chairman
VICTOR G. ALICEA, Vice-Chairman
ANTHONY I. GIACOBBE, JAMES C. JAO, R.A.,
BRENDA LEVIN, JOEL A. MIELE, SR., P.E.,
EDWARD T. ROGOWSKY, Commissioners

AMANDA M. BURDEN, A.I.C.P., MAXINE GRIFFITH, Commissioners,
abstained