

CITY PLANNING COMMISSION

July 27, 1992/Calendar No. 4

C 900909 HDK

IN THE MATTER OF the designation and disposition of city-owned property (Block 5291, Lot 33), 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, 12th Avenue, 38th Street and Fort Hamilton Parkway (Block 5291, Lot 33), known as Culver El Site 1;
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, comprised of vacant land, will facilitate the construction of a twelve, 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 1 property which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following actions which are being considered concurrently with this application:

C 900908 ZMK: Amendment to the Zoning Map, Section 22c, changing from an M1-2 District to an R6 District property bounded Fort Hamilton Parkway, 37th Street, 12th Avenue and 39th Street; and establishing within the proposed R6 District, a C2-3 District bounded by Fort Hamilton Parkway, 37th Street, a line 100 feet southeasterly of Fort Hamilton Parkway and 39th Street.

C 900910 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 approximately 36 residential units (tentatively known as Culver El Site 1).

ENVIRONMENTAL REVIEW

This application (C 900909 HDK), in conjunction with the related applications for the amendment to the Zoning Map (C 900908 ZMK) and the grant of a special permit (C 900910 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 89-247K.

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 900909 HDK), in conjunction with the above-described related applications for the amendment to the Zoning Map (C 900908 ZMK) and the grant of a special permit (C 900910 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 disposition of Culver El Site 1 (C 900909 HDK), the amendment to the Zoning Map (C 900908 ZMK) and the grant of a special permit

(C 900910 ZSK) on April 6, 1992, and, on April 28, 1992, voted to recommend approval of the applications, by a vote of 32-1-1.

Borough President Recommendation

The applications for the disposition of Culver El Site 1 (C 900909 HDK) and the related amendment to the Zoning Map (C 900908 ZMK) and grant of a special permit (C 900910 ZSK) were considered by the Office of the Borough President which issued a recommendation approving the application on May 28, 1992.

City Planning Commission Public Hearing

On May 28, 1992 (Calendar Nos. 5, 6 and 7), 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 1 (C 900909 HDK), the amendment to the Zoning Map (C 900908 ZMK), and the grant of a special permit (C 900910 ZSK). On June 10, 1992 (Calendar Nos. 9, 10 and 11), a public hearing was duly held. There were no appearances and the hearing was closed.

CONSIDERATION

A full consideration of the issues and the reason for approving these applications, appear in the report on the related application for the grant of a special permit (C 900910 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 1 (Block 5291, Lot 33), 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 1 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 900909 HDK).

The above resolution, duly adopted by the City Planning Commission on July 27, 1992 (Calendar No. 4), 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
AMANDA M. BURDEN, A.I.C.P., ANTHONY I. GIACOBBE,
MAXINE GRIFFITH, JAMES C. JAO, R.A.,
BRENDA LEVIN, JOEL A. MIELE, SR., P.E.,
EDWARD T. ROGOWSKY, Commissioners