

CITY PLANNING COMMISSION

September 8, 1993/Calendar No. 11

C 920421 PPK

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for disposition of two (2) city-owned properties pursuant to zoning, Community District 17, Borough of Brooklyn.

The application for disposition of city-owned property was filed by the Department of General Services, Division of Real Property (DRP) on March 2, 1992, to dispose of two city-owned properties in Brooklyn Community District 17.

BACKGROUND

The Division of Real Property proposes to dispose at public auction two City-owned lots in the East Flatbush section of Brooklyn, Community District 17.

(Block 4591, Lot 39) is a 20' X 100' vacant lot on the West side of East 51st St., between Rutland Road and Remsen Avenue in an R6 (C1-3) zoning district. This property has located to its north five multi-family, walk-up residential buildings and a 23,000 square foot, privately-owned parking lot. Immediately south of the lot along Rutland Rd. are five mixed residential and commercial buildings. On the west side of the block fronting on Remsen Avenue are auto related uses.

1079-1083 Schenectady Avenue (Block 4732, Lot 46) is a 35' X 100' vacant lot located between Tilden Avenue and Beverly Road in an R4 zoning district. The lot is relatively clean and is surrounded by one- and two-family homes. There are several privately owned vacant lots on the block fronting on Schenectady Avenue. The lot is located across Schenectady Avenue from Holy Cross Cemetery. The surrounding area is comprised primarily of one- and two- family homes.

ENVIRONMENTAL REVIEW

This application (C 920421 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977.

This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 920421 PPK) was certified as complete by the Department of City Planning on April 19, 1993, and was duly referred to Brooklyn Community Board 17 and the Brooklyn Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Brooklyn Community Board 17 held a public hearing on this application on June 16, 1993, and on that date, by a vote of 25 to 0 with no abstentions, adopted a resolution recommending approval of the application with the following conditions:

"Recommend disposition of both properties with the restriction that use remain residential."

Borough President Recommendation

This application was considered by the Brooklyn Borough President, who issued a recommendation disapproving the action on July 8, 1993.

The Borough President's recommendation included the following comments:

"That either the Division of Real Property or the City Planning Commission modify this application to require:

- 1) That the city-owned property located at the West side of East 51st Street (Block 4591, Lot 39) be disposed with accessory use restrictions. If such a restriction is not appropriate, with clean and fence restrictions. A restriction requiring maintenance of the site should be added to the

terms of sale. The adjacent owner(s) should be notified of any potential sale proposal.

- 2) That the city-owned property located at 1079-1083 Schenectady Avenue (Block 4732, Lot 46) be held from auction until the discretionary redemption period has ended, September 23, 1993. If the former owner has not redeemed the property by that time, the property should be sold under the regular auction terms with clean and fence restrictions. A restriction requiring maintenance of the site should be added to the terms of sale. The adjacent owner(s) should be notified of any potential sale proposal."

City Planning Commission Public Hearing

On July 21, 1993 (Calendar No. 3), the City Planning Commission scheduled August 4, 1993 for a public hearing on this application (C 920421 PPK). The hearing was duly held on August 4, 1993 (Calendar No. 9). There were no appearances and the hearing was closed.

CONSIDERATION

The Commission believes that this disposition of city-owned property is appropriate.

Regarding the Community Board's recommendation for both of these properties, the Commission notes that both sites are zoned residential (although the lot located on East 51st has a C1-3 overlay). Nevertheless the Commission believes that a clean and fence restriction should be placed on both properties.

Regarding the Borough President's recommendation that the subject lot located on the West side of East 51st Street (Block 4591, Lot 39) be restricted to accessory use, the Commission notes that the property is located between residentially and commercially developed properties and concurs that an accessory use would be the most appropriate use of this property. Since 1079 - 1083 Schenectady Avenue (Block 4732, Lot 46) is currently unfenced, the property should be sold with a clean and fence restriction.

RESOLUTION

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that the application of the Department of General Services Division of Real Property for the disposition of two city-owned properties, Borough of Brooklyn, Community District 17, is approved in part with the following conditions:

- 1) That the city-owned property located on the West side of East 51st Street, 80 feet north of Rutland Road (Block 4591, Lot 39) be

Department of General Services Division of Real Property for the disposition of two city-owned properties, Borough of Brooklyn, Community District 17, is approved in part with the following conditions:

1) That the Division of Real Property require, as a condition of sale of the city-owned property located on the West side of East 51st Street, 80 feet north of Rutland Road (Block 4591, Lot 39), that the properties be maintained in a fenced and clean condition until such time as it is developed.

2) That the Division of Real Property require, as a condition of sale of the city-owned property located at 1089-1083 Schnectady Avenue (Block 4732, Lot 46), that the property be maintained in a fenced and clean condition until such time as it is developed.

The above resolution (C 920421 PPK), duly adopted by the City Planning Commission on September 8, 1993 (Calendar No. 11), is filed with the Office of the Speaker, City Council, and the Office of the Brooklyn Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

RICHARD L. SCHAFFER, Chairman
VICTOR G. ALICEA, Vice-Chairman
EUGENIE L. BIRCH, A.I.C.P., AMANDA M. BURDEN, ANTHONY GIACOBBE,
MAXINE GRIFFITH, JAMES C. JAO, BRENDA LEVIN, JOEL A. MIELE, SR.,
P.E., RONALD SHIFFMAN, A.I.C.P., ANALISA TORRES, JACOB B. WARD,
Commissioners

EDWARD T. ROGOWSKY, Commissioner, abstaining

920421PPK

RECEIVED

MAR 02 1992

CENTRAL INTAKE
CITY PLANNING

BOROUGH OF BROOKLYN

<u>CB</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>ZONING</u>	<u>SIZE</u>	<u>TYPE OF PROPERTY</u>	<u>ASSESSED VALUE</u>	<u>LOCATION</u>	<u>CLC APPROVAL</u>	<u>ULURP APPLICATION LANGUAGE</u>
17	4591	39	R6, C1-3	20x100	Vacant Land	3,150	West side of East 51st St., 80 feet north of Rutland Rd.	ORP auction without restrictions	Pursuant to zoning.
17	4876	37	R5, C2-2	40x94	1-Story Building	33,300	3913-15 Church Ave.	ORP auction without restrictions	Pursuant to zoning.
17	4732	46	R4	35x100	Vacant Land	18,405	1079-1083 Schenectady Avenue	ORP auction without restrictions	Pursuant to zoning.
17	4912	55	R4	25x100	Vacant Land	2,968	East side of Troy Ave., 200 feet south of Snyder Ave.	ORP auction without restrictions	Pursuant to zoning.

~~DELETED~~

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Community/Borough Board
Recommendation

6-28
PP

CITY PLANNING COMMISSION
22 Rensselaer 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 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 920421 PPK

DOCKET DESCRIPTION

orig.
Brooklyn office
C. J. Richards, P. Sperling

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of four (4) city-owned properties pursuant to zoning.

B1. #4591 lot 39- west side of East 51 Street, 80 feet north of Rutland Road, vacant land, 20x100-zoned R6, C1-3.

B1.#4732 lot 46- 1079 Schenectady Avenue, vacant land 35x100 -zoned R4

DEPT. OF CITY PLANNING
JUN 28 1993
BROOKLYN OFFICE 10

COMMUNITY BOARD NO. 17
BOROUGH Brooklyn

BOROUGH BOARD _____

DATE OF PUBLIC HEARING June 16, 1993
WAS QUORUM PRESENT? X YES NO

LOCATION IS 285

(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 June 16, 1993

LOCATION IS 285

RECOMMENDATION

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

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

Recommend disposition of both properties with the restriction that use remain residential.

93 JUN 23 PM 1:14
DEPT. OF CITY PLANNING

VOTING

IN FAVOR 25 AGAINST 0 ABSTAINING 0

TOTAL MEMBERS APPOINTED TO BOARD 46

Melville B. Nerson
COMMUNITY/BOROUGH BOARD OFFICER

DATE June 23, 1993

Chairperson

FAXED AND MAILED

TITLE

cc: James Zimmerman, 1st Vice Chair/Desmond A. Reid, 2nd Vice Chair w/ Asquith Reid, Land Use Chair/ Borough President Golden

**Brooklyn Borough President
Recommendation**

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX# (212) 720-3358

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 representative as indicated on the Notice of Certification.

APPLICATION # 920421 PPK
DESCRIPTION

DISPOSITION OF CITY-OWNED PROPERTIES (2 properties)

COMMUNITY DISTRICT NO. 17

BOROUGH OF BROOKLYN

RECOMMENDATION

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

EXPLANATION OF RECOMMENDATION — MODIFICATIONS/CONDITIONS

- RECOMMENDATION ATTACHED
- RECOMMENDATION TO FOLLOW

Howard Golden
BOROUGH PRESIDENT

07/08/93
DATE

DISPOSITION OF CITY-OWNED PROPERTY
(920121 PPK)

RECOMMENDATION REPORT BY THE PRESIDENT
OF THE BOROUGH OF BROOKLYN

Background

The Division of Real Property (DRP) has filed an application seeking authorization for unrestricted disposition of four city-owned parcels in Community District 17.

Two of the properties included in the application were withdrawn before the public hearing because they had been released to the former owners. The remaining properties are:

<u>Block/Lot</u>	<u>Address</u>
4591/39	Westside of East 51st Street, north of Rutland Road
4732/46	1079-1083 Schenectady Avenue

Borough President's Public Hearing

On June 24, 1993 the Borough President held a public hearing on the application. There was one speaker on this item, a representative from the Division of Real Property (DRP).

In response to a question from the Borough President's Executive Assistant concerning the property located at 1079-1083 Schenectady Avenue, the representative from the Division of Real Property stated that the agency had not heard from the former owner concerning his interest in redeeming the property. He stated that although the discretionary redemption period does not expire until September 23, 1993, the property will not have completed the processing and be offered for auction until after the discretionary period has ended. If the former owner comes forward before that date to apply to redeem, the auction processing would stop.

Consideration

On June 16, 1993, Community Board 17 voted to recommend approval of the application and added a condition to its recommendation. The added condition stipulates residential use of the both properties affected by the application.


The property located at the Westside of East 51st Street (Block 4591, Lot 39) is a vacant lot located in a R6 zoning district with a C1-3 overlay and comprises a site that is 2,000 square feet in size.

Whereas, it is the land use policy of the President of the Borough of Brooklyn to require cleaning, fencing and maintenance restrictions as a condition of the sale of vacant lots by the City of New York; now, therefore be it

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

That either the Division of Real Property or the City Planning Commission modify this application to require:

- 1) That the city-owned property located at the Westside of East 51st Street (Block 4591, Lot 39) be disposed with accessory use restrictions. If such a restriction is not appropriate, the property should be sold under the regular auction terms with clean and fence restrictions. A restriction requiring maintenance of the site should be added to the terms of sale. The adjacent owner(s) should be notified of any potential sale proposal.
- 2) That the city-owned property located at 1079-1083 Schenectady Avenue (Block 4732, Lot 46) be held from auction until the discretionary redemption period has ended, September 23, 1993. If the former owner has not redeemed the property by that time, the property should be sold under the regular auction terms with clean and fence restrictions. A restriction requiring maintenance of the site should be added to the terms of sale. The adjacent owner(s) should be notified of any potential sale proposal.


Howard Golden, President
of the Borough of Brooklyn