

CITY PLANNING COMMISSION

June 16, 1999/Calendar No. 17

C 990192 ZSK

IN THE MATTER OF an application submitted by the Fire Department pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution:

- a) to allow the location of a Fire Department ambulance station; and
- b) the modification of Section 23-141 of the Zoning Resolution to allow the maximum lot coverage regulations to be increased to that permitted by Sections 24-11 and 24-12;

in a proposed 1-story development on property located at 600/610 Clarkson Avenue (Block 4846, Lot 1), in an R5 District, Borough of Brooklyn, Community District 17.

The application for the grant of a special permit was filed by the Fire Department of New York (FDNY) on November 6, 1998, to allow an ambulance station to be located in an R5 District, on a zoning lot at 600/610 Clarkson Avenue (Block 4846, Lot 1), Borough of Brooklyn, Community District 17.

RELATED ACTIONS

In addition to the special permit 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:

C 990070 PCK An application for site selection and acquisition of property located at 600/610 Clarkson Avenue (Block 4846, Lot 1), Borough of Brooklyn, Community District 17, for use as an ambulance station.

BACKGROUND

The FDNY is proposing to occupy property located at 600/610 Clarkson Avenue (Block 4846, Lot 1), Borough of Brooklyn, Community District 17, for use as an ambulance station for former Emergency Medical Services crews and vehicles that are now part of the FDNY. This proposed ambulance station will occupy a 9,212 square-foot lot developed for use as an automobile service station which will be removed. The site will be developed with a one-story, 6,000 square-foot station, with exterior underground diesel fuel storage, for up to six active ambulance units and 57 emergency personnel.

The ambulance station is located in an R5 zoning district. "Ambulance Station" is not identified as a use by the Zoning Resolution. For zoning purposes, "Fire Station" (Use Group 6) has been interpreted to include ambulance stations. This use is permitted in residential districts by special permit (Section 74-67 of the Zoning Resolution), which also allows the community facility bulk regulations to be applied.

The proposed ambulance station will comply with the floor area and lot coverage regulations for community facilities in R5 districts (Sections 24-11 and 24-12 of the Zoning Resolution). It will not, however, be in compliance with the yard regulations for front and side yards (Sections 24-34 and 24-35 of the Zoning Resolution) or with the requirements for off-street accessory

parking (Sections 25-31 and 35-33 of the Zoning Resolution). In this instance, the city is exercising its power not to be subject to its zoning requirements when performing a governmental function.

A full background discussion and description of this project appears in the report on the related application for the site selection and acquisition of property (C 990070 PCK).

ENVIRONMENTAL REVIEW

This application (C 990192 ZSK), in conjunction with the application for the related action (C 990070 PCK), 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 lead agency is the Fire Department of New York.

A summary of the environmental review appears in the report on the related application for the site selection and acquisition (C 990070 PCK).

UNIFORM LAND USE REVIEW

This application (C 990192 ZSK), in conjunction with the application for the related action (C 990070 PCK), was certified

as complete by the Department of City Planning on February 1, 1999 and was duly referred to Community Board 17 and the Borough President of Brooklyn, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 17 did not hold a public hearing or submit a recommendation on this application.

Borough President Recommendation

This application (C 990192 ZSK) was considered by the Borough President of Brooklyn, who issued a recommendation approving the application on May 10, 1999.

City Planning Commission Public Hearing

On May 5, 1999 (Calendar No. 6), the City Planning Commission scheduled May 19, 1999 for a public hearing on this application (C 990192 ZSK). The hearing was duly held on May 19, 1999 (Calendar No. 10), in conjunction with the application for the related action (C 990070 PCK). A representative of the Fire Department spoke in favor of the application. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application by the Fire Department of New York for the grant of a special permit pursuant

to Section 74-67 of the Zoning Resolution to allow an ambulance station to be located in an R5 District, on a zoning lot at 600/610 Clarkson Avenue (Block 4846, Lot 1), in an R5 District, Borough of Brooklyn, Community District 17, is appropriate.

Ambulance stations are being established in service areas coterminous with Fire Department battalions, depending on the size of the available sites and call volume and response time. The proposed ambulance station will serve the area within a three-mile radius of the Kings County Hospital Center. There are no available, commercially zoned properties, in which ambulance stations are permitted as of right, within the proposed service area.

The proposed site is located at the intersection of Clarkson Avenue and Albany Avenue, both major thoroughfares which provide access to the entire service area. The use of these streets will minimize the movement of vehicles through local streets in residential areas.

The proposed site is a 9,212 square-foot lot. The FDNY needs to develop a one-story, 6,000 square-foot station, to adequately service the catchment area. Because of the lot's size and physical limitations, such a building cannot be designed in a manner which complies with the residential bulk regulations in the R5 district. The proposed ambulance station will comply with

the floor area and lot coverage regulations for community facilities in R5 districts (Sections 24-11 and 24-12 of the Zoning Resolution). It will not, however, be in compliance with the yard regulations for front and side yards (Sections 24-34 and 24-35 of the Zoning Resolution) or with the requirements for off-street accessory parking (Sections 25-31 and 35-33 of the Zoning Resolution). In this instance, the city is exercising its power not to be subject to its zoning requirements when performing a governmental function.

A full consideration and the reasons for approving this application, appear in the report on the related site selection application (C 990070 PCK).

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-67 (Fire or Police Stations) of the Zoning Resolution:

- (a) That such *use* will serve the *residential* area within which it is provided to be located; that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the *residential* area, which make it necessary to locate such *use* within a *Residential District*; and
- (b) in the case of fire stations, that such *use* is so located as to minimize the movement of fire apparatus through local *streets* in *residential* areas.

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 201 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by the Fire Department pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution:

- a) to allow the location of a Fire Department ambulance station; and

- b) the modification of Section 23-141 of the Zoning Resolution to allow the maximum lot coverage regulations to be increased to that permitted by Sections 24-11 and 24-12; in a proposed 1-story development on property located at 600/610 Clarkson Avenue (Block 4846, Lot 1), in an R5 District, Borough of Brooklyn, Community District 17, is approved pursuant to Sections 74-67 of the Zoning Resolution, subject to the following terms and conditions:
 - 1. The property that is the subject of this application (C 970192 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Beyhan Karahan & Associates,

Architects, filed with this application and incorporated into this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
U-1	Site Plan	11-25-98

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 990192 ZSK), duly adopted by the City Planning Commission on June 16, 1999 (Calendar No. 17), 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.,
IRWIN CANTOR, P.E., KATHY HIRATA CHIN, Esq., ALEXANDER GARVIN,
ANTHONY I. GIACOBBE, Esq., WILLIAM GRINKER, BRENDA LEVIN,
EDWARD T. ROGOWSKY, JACOB B. WARD, Esq., Commissioners.

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 # 990192 ZSK, 990070 PCK

DESCRIPTION Wingate Ambulance Station

COMMUNITY DISTRICT NO. 17

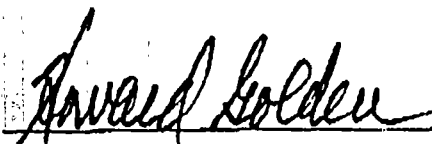
BOROUGH OF BROOKLYN

RECOMMENDATION

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

EXPLANATION OF RECOMMENDATION - MODIFICATIONS/CONDITIONS

- RECOMMENDATION ATTACHED
- RECOMMENDATION TO FOLLOW



 BOROUGH PRESIDENT

May 10, 1999

DATE

RECOMMENDATION REPORT BY THE
PRESIDENT OF THE BOROUGH OF BROOKLYN
WINGATE AMBULANCE STATION
990192 ZSK, 990070 PCK

BACKGROUND

The New York City Fire Department requests the site selection of a privately owned lot and one-story building at 600-610 Clarkson Avenue (Block 4846, Lot 1) for use as a neighborhood ambulance station in Community District 17. The lot covers approximately 9,200 square feet and is zoned R5. The special permit application is required for an exemption from the Zoning Resolution as it relates to accessory off street parking and lot coverage.

BOROUGH PRESIDENT PUBLIC HEARING

On April 27, 1999 the President of the Borough of Brooklyn held a public hearing on the application. There was one speaker representing the New York City Fire Department (FDNY).

The representative of the FDNY gave a brief presentation on the proposed ambulance station, which would house up to six ambulances and one command vehicle. The current building on the site is approximately 2,100 square feet and is used to service and store livery vehicles. The building would be demolished and replaced by a new 6,000 square foot ambulance station.

Responding to a question from the President of the Borough of Brooklyn, the FDNY representative indicated that the proposed design for the ambulance station has already been presented to the community board in concept sketch form.

The Borough President expressed concern about the lack of off street parking, which will lead to competition for on-street parking with local residents. The representative of the FDNY indicated that the lot's size and proposed building footprint will not allow for off-street parking. However, the FDNY representative indicated that a search of the area was conducted for off-street parking sites. The only available parking area is located on the grounds of Kings County Hospital. The FDNY has conducted preliminary talks with the hospital regarding use of parking spaces and will pursue this matter as construction of the ambulance station gets underway.

CONSIDERATION

Community Board 17 expressed support for the project.

The Borough President is supportive of the FDNY's plans to create a network of 12 neighborhood ambulance stations in Brooklyn. The ambulance stations should contribute to a decline in response times for

medical emergencies. The location of this particular site is within three blocks of Kings County Hospital's emergency room, one of the busiest Emergency Medical Services (EMS) receiving sites in the city. If the projected reconstruction of the hospital occurs, the new emergency room will be located directly across the street from the proposed ambulance station.

As with all such facilities there are impacts on the host communities. The Borough President believes it is the FDNY's responsibility to ensure that these impacts are minimized. To that end, the FDNY should make every effort to find off-street parking near the facility.

RECOMMENDATION


Whereas, the President of the Borough of Brooklyn is supportive of the plan to create a network of local ambulance stations in order to reduce response times to medical emergencies;

Whereas, this proposed ambulance station is located within three blocks of one of the busiest EMS receiving hospitals in the city;

Whereas, the President of the Borough of Brooklyn believes that the impacts associated with the siting of city facilities must be minimized; and

Whereas, the New York City Fire Department will attempt to secure off-street parking for the employees of the proposed ambulance station within the Kings County Hospital campus; now therefore be it

Resolved, the President of the Borough of Brooklyn, pursuant to Section 197-c of the New York City Charter, recommends approval of this application.


Howard Golden, President
of the Borough of Brooklyn