

CITY PLANNING COMMISSION

November 24, 1999/Calendar No. 13

C 990602 PPK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of thirteen (13) city-owned properties pursuant to zoning, Borough of Brooklyn, Community District 8.

The application for the disposition of city-owned property was filed by the Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) on April 30, 1999.

BACKGROUND

The Division of Real Estate Services, proposes to dispose of thirteen (13) city-owned properties pursuant to zoning in Community District 8, Crown Heights, Brooklyn.

735 Dean Street (Block 1130, Lot 53) is a two-story vacant building on a 25 foot x 120 foot (3,000 square feet) lot located on Dean Street between Vanderbuilt and Underhill avenues in an R6B zoning district. The subject property is adjacent to a privately-owned vacant lot and a four-story residential building. Block 1130 also contains two- to four-story residential buildings, a one-story manufacturing building and St. Joseph's Roman Catholic Church and rectory.

Dean Street (Block 1136, Lot 39) is a one foot x 110 foot (110 square feet) vacant lot on Dean Street between 6th and Carlton avenues in an R6B zoning district. The subject property is a sliver lot adjacent to a two-story and a four-story residential building. Block 1136 also contains three- and four-story residential buildings, a New York Fire Department Stationhouse, an NYPD 78th

Precinct, a city-owned parking lot and a playground under the jurisdiction of Department of Parks and Recreation.

904 Bergen Street (Block 1149, Lot 30) is a 20 foot x 100 foot (2,000 square feet) vacant lot on Bergen Street between Classon and Franklin avenues in an R6 zoning district. The subject property is adjacent to a three-story residential building and an accessory parking lot for St. John's Inter Faith Medical Center. Block 1149 also contains two- to four-story residential buildings with commercial activities on the ground floor, two day care centers, auto repair establishments, two manufacturing properties and four city-owned vacant lots under the jurisdiction of DCAS.

Prospect Place (Block 1153, Lot 70) is a 25 foot x 42 foot (1,050 square feet) interior vacant lot located mid-block between Underhill and Washington avenues in an R6B zoning district. The subject property is adjacent to a two-story and a four-story residential building. Block 1153 also contains two- to four-story residential buildings, four manufacturing properties, three-story residential buildings with commercial activities on the ground floor and three city-owned vacant buildings under the jurisdiction of Housing Preservation and Development (HPD).

1777 Pacific Street (Block 1336, Lot 63) is a 16 foot x 100 foot (1,600 square feet) vacant lot on Pacific Street between Schenectady and Utica avenues in an M1-1 zoning district. The subject property is adjacent to two privately-owned vacant lots.

Block 1336 also contains two- to four-story residential buildings, two city-owned vacant lots under the jurisdiction of DCAS, auto related establishments and three manufacturing properties.

65 Utica Avenue (Block 1337, Lot 4) is a 16 foot x 80 foot (1,280 square feet) vacant lot on Utica Avenue between Atlantic Avenue and Pacific Street in an M1-1 zoning district. The subject property is adjacent to a privately-owned vacant lot and Lot 5, a vacant city-owned lot, which is also a subject of this application.

63-A Utica (Block 1337, Lot 5) is 16 foot x 80 foot (1,280 square feet) vacant lot on Utica Avenue between Atlantic Avenue and Pacific Street in an M1-1 zoning district. The subject property is adjacent to a two-story residential building and Lot 4, a vacant city-owned lot, which is also a subject of this application.

The remainder of Block 1337 contains two auto body repair shops, a gas station, four two-story residential buildings and six manufacturing uses. The subject properties are the only city-owned parcels on the block.

1554 Pacific Street (Block 1340, Lot 18) is a 20 foot x 107 foot (2,140 square feet) vacant lot on Pacific Street between Albany and Troy avenues in an R6 zoning district. The subject property is adjacent to a four-story residential building and a privately-owned lot. Block 1340 also contains one- and two-story buildings for storage facilities, two- to four-story residential buildings and three vacant city-owned buildings under the jurisdiction of HPD.

1433 Prospect Place (Block 1361, Lot 169) is a 20 foot x 127 foot (2,540 square feet) vacant lot on Prospect Place between Utica and Rochester avenues in an R6 zoning district. The subject parcel is adjacent to a New York Department of Social Services Day Care Center and Lot 70, a city-owned vacant lot, which is also a subject of this application.

1431 Prospect Place (Block 1361, Lot 70) is a 20 foot x 127 foot (2,540 square feet) vacant lot on Prospect Place between Utica and Rochester avenues in an R6 zoning district. The subject property is adjacent to two city-owned vacant parcels, Lots 70 and 169, which are also subjects of this application.

1429 Prospect Place (Block 1361, Lot 71) is a 20 foot x 127 foot (2,540 square feet) vacant lot on Prospect Place between Utica and Rochester avenues in an R6 zoning district. The subject property is adjacent to a two-story abandoned residential building and a city-owned lot, Lot 70, which is also a subject of this application.

1425 Prospect Place (Block 1361, Lot 73) is a 20 foot x 127 foot (2,540 square feet) vacant lot on Prospect Place between Utica and Rochester avenues in an R6 zoning district. The subject property is adjacent to a privately-owned lot and a two-story abandoned residential building.

The remainder of Block 1361 contains two- to four-story residential buildings, an auto repair shop, a plumbing supplies office, a city-owned vacant building and four city-owned lots, which are the subject of this application.

1275 Sterling Place (Block 1371, Lot 1) is a 77 foot x 100 foot (7,700 square feet) vacant lot on Sterling Place between Troy and Schenectady avenues in an R6/C1-3 zoning district. The subject property is adjacent to a privately-owned lot and a three-story residential building. Block 1371 also contains two- to four-story residential buildings and one city-owned residential building under the jurisdiction of HPD.

ENVIRONMENTAL REVIEW

This application (C 990602 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. The lead agency is the Department of Citywide Administrative Services.

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

UNIFORM LAND USE REVIEW

This application (C 990602 PPK) was certified as complete by the Department of City Planning on June 28, 1999, and was duly referred to Community Board 8 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 8 held a public hearing on this application on September 9, 1999, and on that day by a vote of 26 to 0 with 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

Community Board 8 voted unanimously in support of the sale of Eight (8) of the properties, and requested that the properties listed below be removed from the auction list for the following reasons:

735 Dean Street be removed for four (4) months to determine if there is any community need or group which could use the site.

1433, 1431, 1429 and 1425 Prospect Place be removed for off-street parking for the 77th Precinct. These lots are located within two blocks of the Precinct. Off-street parking in the vicinity of the station house will reduce congestion caused by local parking regulations and precinct generated parking.

However, the Board's recommendation was non-complying, since it was received after the expiration of the Community Board's 60-day time period.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on September 28, 1999 disapproving this application with the following conditions:

That either the City Planning Commission or the City Council require:

- 1) That the following property be sold with an accessory, extension or enlargement use restriction, at first attempt:

<u>Block/Lot</u>	<u>Address</u>
1153/70	Prospect Place(Interior lot)
- 2) That the following properties be withdrawn to allow the development of an outdoor play lot George C. Conliffie Child Care Center:

Block/Lot
1361/169,70 and 71

Address
1429-1433 Prospect Place

City Planning Commission Public Hearing

On October 6, 1999 (Calendar No.2), the City Planning Commission scheduled October 20, 1999, for a public hearing on this application (C 990602 PPK). The hearing was duly held on October 20, 1999 (Calendar No. 16). There were no speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of these city-owned properties is appropriate.

Regarding the Borough President's recommendation for Prospect Place, (Block 1153, Lot 70), the Commission concurs with the Borough President that the subject property is a small interior lot, and as such cannot be sold pursuant to zoning. The Commission further notes that disposition of this property as an accessory, extension or enlargement use restriction, at first attempt, is appropriate.

Regarding the properties located at 65 and 63-A Utica Avenues, (Block 1337, Lots 4 and 5), the Commission notes that these subject properties are adjacent to each other and as such shall be sold as an assemblage, at first attempt.

Regarding the Community Board and the Borough President's recommendation for 1433, 1431 and 1429 Prospect Place, (Block 1361, Lots 169, 70 and 71), the Commission notes the staff

contacted both the New York Police Department (77th Precinct) and the Agency for Children Services (ACS). The Police Department agreed to relinquish their interest in these properties, since ACS is interested in developing the lots as an outdoor play area for the adjacent George C. Conliffie Child Care Center. ACS is prepared to request a hold for an outdoor play lot. The Commission further notes that if the hold is granted, DCAS will not auction the property and it will be transferred to ACS' jurisdiction.

Regarding the property located at 1425 Prospect Place (Block 1361, Lot 73), the Community Board recommended that this property be disposed of together with 1433, 1431 and 1429 Prospect Place to the 77th Precinct for an off-street parking. However, due to the fact that there is an intervening two-story vacant building, which does not make the subject property contiguous with the other three properties, the Borough President recommended disposition pursuant to zoning. The Commission concurs with the Borough President and notes that the disposition of this property pursuant to zoning is appropriate.

Regarding the Community Board's recommendation for 735 Dean Street, (Block 1130, Lot 53), the Commission notes that if there is a Community group or organization interested in this two-story building it can be acquired at public auction.

RESOLUTION

RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that the disposition of thirteen (13) city-owned properties pursuant to zoning, Borough

of Brooklyn, Community District 8, proposed in an application by the Department of Citywide Administrative Services, dated April 30, 1999, is approved with the following condition:

65 and 63-A Utica Avenue, (Block 1337, Lots 4 and 5) shall be sold, at first attempt, as one assemblage.

Prospect Place, (Block 1153, Lot 70) shall be sold as an accessory, extension or enlargement use restriction, at first attempt. If unsuccessful, then disposition shall be pursuant to zoning.

The above resolution (C 990602 PPK), duly adopted by the City Planning Commission on November 24, 1999 (Calendar No. 13), 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, KATHY HIRATA CHIN, ESQ.,
ALEXANDER GARVIN, ANTHONY I. GIACOBBE, ESQ.,
WILLIAM J. GRINKER, BRENDA LEVIN., Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION 22 Rouse 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 990602 PPK

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Service pursuant to Section 197-c of the New York City Charter, for the disposition of thirteen (13) city-owned properties pursuant to zoning.

CITY PLANNING COMMISSION 99 SEP 17 PM 2:48 DEPT. OF CITY PLANNING

COMMUNITY BOARD NO. 8 BOROUGH Brooklyn BOROUGH BOARD Boro 8
DATE OF PUBLIC HEARING September 9, 1999 LOCATION Berean Baptist Church 1641 Bergen Street, Bklyn
VAS QUORUM PRESENT? X YES NO (A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event less than seven such members.)
NOTE ADOPTING RECOMMENDATION TAKEN DATE September 9, 1999 LOCATION Same as above

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

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)
Community Board 8 voted unanimously in support of the sale of Eight (8) of the properties, and requested that the properties listed below be removed from the auction list for the following reasons:
735 Dean Street be removed for four (4) months to determine if there is any community need or group which could use the site.
1433, 1431, 1429 and 1425 Prospect Place be removed for off-street parking for the 77th Precinct. These lots are located within two block of the Precinct. Off-street parking in the vicinity of the station house will reduce congestion caused by local parking regulations and precinct generated parking.

ATTENDING :
FOR FAVOR 26 AGAINST 0 ABSTAINING 0
TOTAL MEMBERS APPOINTED TO BOARD 46

September 9, 1999
Chairman
TITLE

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 # 990602 PPK
DESCRIPTION Disposition of city-owned property

DEPT. OF CITY PLANNING

SFP 30, 1999

BROOKLYN OFFICE

COMMUNITY DISTRICT NO. 8 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 *gm*

September 28, 1999

DATE

SFP 30 1999

PRESIDENT OF THE BOROUGH OF BROOKLYN
RECOMMENDATION REPORT

BROOKLYN OFFICE

DISPOSITION OF CITY-OWNED PROPERTY
990602 PPK

The Division of Real Estate Services (DRES) has filed an application seeking authorization for the unrestricted disposition of the following city-owned parcels located in Community District 8.

<u>Block/Lot</u>	<u>Address</u>	<u>Lot Size</u>	<u>Zone</u>
1130/53	735 Dean Street	25 X 120	R6B
1136/39	Dean Street	5 X 110	R6B
1149/30	904 Bergen Street	20 X 100	R6
1153/70	Prospect Place	25 X 42	R6B
1336/63	1777 Pacific Street	16 X 100	M1-1
1337/4 & 5	65 & 65A Utica Avenue	32 X 80	M1-1
1340/18	1554 Pacific Street	20 X 107	R6
1361/70, 71, 73 & 169	1425, 1429-1433 Prospect Place	80 X 127	R6
1371/1	1275 Sterling Place	100 X 77	R6/C1-3

PUBLIC HEARING

On September 7, 1999, the Borough President held a public hearing on this application. There were no speakers at the hearing. The Borough President sent a letter to DRES on September 3, 1999, inquiring about some of the properties.

CONSIDERATION

Community Board 8 recommended approval of this application on September 9, 1999. The board recommends that 735 Dean Street, a former firehouse, be held for four months pending its review for use by a community group. The board also requested that 1429-1433 Prospect Place be withdrawn for off-street parking for the 77th Police Precinct.

The Borough President believes that the following properties should be sold pursuant to zoning:

735 Dean Street is a vacant two-story brick building and is adjacent to an occupied building managed by the Department of Housing Preservation and Development.

Block 1136/Lot 39, located on Dean Street, is a narrow six-inch wide strip of land between two large apartment buildings.

904 Bergen Street, 1554 and 1777 Pacific Street are fenced and vacant lots adjacent to residential buildings or other vacant lots.

The Borough President believes that the following property should be sold pursuant to zoning with an accessory, extension or enlargement use restriction, at first attempt:

Block 1153/Lot 70 is an interior lot.

The Borough President believes that the following properties should be sold pursuant to zoning:

65 and 65A Utica Avenue are fenced vacant lots with abandoned vehicles on them. DRES does not lease these properties. The abandoned vehicles should be removed before disposition. The Borough President wrote to DRES concerning the removal of the unauthorized vehicles from these properties. A response was received, dated September 17, 1999 from the Director of the Land Use Planning Bureau of DRES. The agency's Property Management Bureau has been notified regarding the use of these lots for vehicle storage and it will initiate the appropriate action.

The Borough President believes that the following properties should be withdrawn to allow for the scheduled development of an outdoor play lot for the adjacent George C. Conliffie Child Care Center under the Agency for Children Services. The Borough President allocated capital budget money for the construction of this play lot and the Department of Design and Construction prepared the scope of work. The Borough President wrote to DRES concerning the agency's submission of a ULURP application seeking approval for unrestricted disposition of this property. In his response letter of September 17, 1999 the Director of the Land Use Planning Bureau of DRES indicated that the construction of the play lot requires a site selection ULURP application. The Borough President's office contacted the Agency for Children Services and asked that a formal request be made to hold this property and informed them that submission of a ULURP application is required.

1429-1433 Prospect Place are fenced vacant lots, adjacent to a child care center.

The Borough President believes that the following properties should be sold pursuant to zoning:

1425 Prospect Place is a fenced vacant lot that is separated from 1429-1433 Prospect Place by a vacant two-story building.

1275 Sterling Place is a fenced vacant lot utilized by a DRES tenant for off-street accessory parking in an R6 zoning district with a commercial overlay of C1-3. The

Borough President wrote to DRES concerning the non-conforming use. In his response letter of September 17th, the Director of the Land Use Planning Bureau of DRES stated that the agency's Property Management Bureau has been notified regarding the use of these lots for vehicle storage and it will initiate the appropriate action.

RECOMMENDATIONS

Whereas, on September 9, 1999 Community Board 8 recommended approval of this application with conditions;

Whereas, it is the land use policy of the President of the Borough of Brooklyn that the disposition of city-owned properties should be based on a land use program of a comprehensive neighborhood plan or an urban renewal plan;

Whereas, it is the land use policy of the President of the Borough of Brooklyn that the unrestricted disposition of city-owned property should not be approved unless it has been determined that these parcels cannot be utilized for either residential, commercial, recreational, community facility or open space purposes;

Whereas, it is the land use policy of the President of the Borough of Brooklyn to encourage opportunities for owners of properties adjacent to city-owned parcels to purchase these properties for accessory, extension or enlargement purposes;

Whereas, it is the land use policy of the President of the Borough of Brooklyn to encourage the appropriate reuse and development of vacant land in residential areas;

Whereas, there is a need to clean and maintain vacant lots in the Borough of Brooklyn; now therefore be it,

Resolved, the President of the Borough of Brooklyn, pursuant to Section 197-c of the New York City Charter that, based on the considerations and recommendations described in this report, recommends against approval of this application subject to the following modifications.

That either the City Planning Commission or the City Council require:

- 1) That the following property be sold with an accessory, extension or enlargement use restriction, at first attempt:

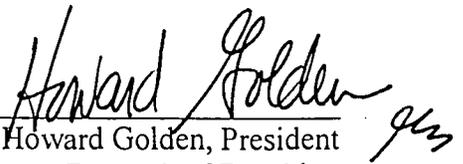
Block/Lot
1153/70

Address
Prospect Place (Interior Lot)

2) That the following properties be withdrawn to allow the development of an outdoor play lot George C. Conliffie Child Care Center:

Block/Lot
1361/169, 70 & 71

Address
1429-1433 Prospect Place


Howard Golden, President
Borough of Brooklyn