



Legislation Details (With Text)

File #: Res 1055-2016 **Version:** * **Name:** LU 342 - Zoning, East New York Rezoning, Brooklyn (C160037HUK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 4/20/2016

Enactment date: **Enactment #:**

Title: Resolution approving the First Amended Dinsmore-Chestnut Urban Renewal Plan for the Dinsmore-Chestnut Urban Renewal Area and approving the decision of the City Planning Commission on ULURP No. C 160037 HUK (L.U. No. 342).

Sponsors: David G. Greenfield, Donovan J. Richards

Indexes:

Attachments: 1. Land Use Calendar - Week of March 7, 2016 - March 11, 2016, 2. March 9, 2016 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Zoning 3/7/16, 4. Hearing Testimony - Zoning 3-7-16, 5. Additional Meetings of the Land Use Committee and the Subcommittee on Zoning & Franchises, 6. Land Use Calendar - Week of April 11, 2016 - April 15, 2016, 7. Land Use Calendar - April 14, 8. City Planning Commission's East New York Modification Response Letter, 9. April 20, 2016 - Stated Meeting Agenda with Links to Files, 10. Committee Report, 11. Hearing Transcript - Stated Meeting 4-20-16, 12. Minutes of the Stated Meeting - April 20, 2016

Date	Ver.	Action By	Action	Result
4/14/2016	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
4/20/2016	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1055**

Resolution approving the First Amended Dinsmore-Chestnut Urban Renewal Plan for the Dinsmore-Chestnut Urban Renewal Area and approving the decision of the City Planning Commission on ULURP No. C 160037 HUK (L.U. No. 342).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on February 29, 2016 its decision and report dated February 24, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD"), pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, regarding the proposed First Amended Dinsmore-Chestnut Urban Renewal Plan (the "Plan") for the Dinsmore-Chestnut Urban Renewal Area (the "Area"), Community District 5, Borough of Brooklyn;

WHEREAS, the Application is related to applications C 160035 ZMK (L.U. No. 341), an amendment to the Zoning Map to change R5, R6, C8-1, C8-2, M1-1 and M1-2 districts to R5B, R6B, R6A, R7A, R7D, R8A, C4-4D, C4-5D, M1-1/R6A, M1-1/R7D and M1-1/R8A districts, eliminate and establish new commercial overlays, establish a Special Mixed Use District, and establish Special Enhanced Commercial Districts; C 160042 HDK (L.U. No. 343), a disposition of property within the Dinsmore-Chestnut Urban Renewal Area;

and N 160050 ZRK (L.U. No. 344), an amendment to the Zoning Resolution to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable;

WHEREAS, the City Planning Commission has certified that the Plan for the Area complies with the provisions of Article 15 of the General Municipal Law, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives, and that the Plan is in conformity with the findings and designation of the Area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the Area Designation is subject to review and action by the Council pursuant to Section 504 of the General Municipal Law;

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council on March 7, 2016 its requests and recommendations dated March 4, 2016 regarding the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on March 7, 2016;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Decision and the Plan;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (“FEIS”), for which a Notice of Completion was issued on February 12, 2016 (CEQR No. 15DCP102K), the CEQR Technical Memorandum dated February 24, 2016, and the CEQR Technical Memorandum dated April 15, 2016 (together the “CEQR Technical Memoranda”);

RESOLVED:

Having considered the FEIS and the CEQR Technical Memoranda with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes the written statement of facts, and of social,

economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 504 of the General Municipal Law, the Council approves the Designation of the Area.

Pursuant to Section 505(4) of the General Municipal Law, the Council finds that:

1. The Area is a substandard or insanitary area or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the Plan;
3. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program;
4. The Plan conforms to a comprehensive community plan for the development of the municipality as a whole;
5. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Area; and
6. The Council approves the designation of the Area pursuant to Section 504 of the General Municipal Law.

Pursuant to Section 505 of the General Municipal Law, the Council approves the First Amended Dinsmore-Chestnut Urban Renewal Plan for the Dinsmore-Chestnut Urban Renewal Area dated September 2015.

The Amended Project shall be developed upon the terms and conditions set forth in the First Amended Urban Renewal Plan, which HPD submitted to the Council on March 7, 2016, a copy of which is attached hereto and made part hereof.

Pursuant to Sections 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 160037 HUK, incorporated by reference herein, the Council approves the Decision.

Adopted.

Office of the City Clerk}
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on April 20, 2016, on file in this office.

.....
City Clerk, Clerk of The Council