



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1125

Resolution approving the decision of the City Planning Commission on ULURP No. C 190116 MMK, an amendment to the City Map (L.U. No. 521).

By Council Members Salamanca and Adams

WHEREAS, the New York City Department of Correction filed an application pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of State Street between Boerum Place and Smith Street below an upper limiting plane;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2753 dated March 25, 2019 revised on July 22, 2019 and signed by the Borough President, (ULURP No. C 190116 MMK), Community District 2, Borough of Brooklyn (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 3, 2019, its decision dated September 3, 2019 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 190333 PSY (L.U. No. 518), a site selection for four new borough-based jail facilities; N 190334 ZRY (Pre. L.U. No. 513), a text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system; C 190335 ZSX (L.U. No. 519), a special permit pursuant to ZR Section 74-832; C 190336 ZMX (Pre. L.U. No. 514), a zoning map amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X; N 190337 ZRX (Pre. L.U. No. 515), a zoning text amendment to Appendix F to establish a new Mandatory Inclusionary Housing (MIH) area; C 190338 HAX (Pre. L.U. No. 516), a designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development; C 190339 ZSK (L.U. No. 520), a special permit pursuant to ZR Section 74-832; C 190340 ZSM (L.U. No. 522), a special permit pursuant to ZR Section 74-832; C 190341 PQM (L.U. No. 523), an acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet; C 190252 MMM (L.U. No. 524), a city map amendment to demap White Street between Centre Street and Baxter Street and

reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way; C 190342 ZSQ (L.U. No. 525), a special permit pursuant to ZR Section 74-832; and C 190117 MMQ (L.U. No. 526), a city map amendment to demap 82nd Avenue between 126th Street and 132nd Street;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 18, 2019;

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

WHEREAS, the Council has considered the relevant environmental issues, including the positive declaration issued on August 14, 2018 (CEQR No. 18DOC001Y) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 23, 2019, in which the proposed development as analyzed in the FEIS identified significant adverse impacts for the selected Bronx site with respect to transportation (traffic) and construction (traffic, pedestrians and noise); for the selected Brooklyn site with respect to transportation (traffic), construction (traffic, pedestrians and noise), and historic and cultural resources; for the selected Manhattan site with respect to transportation (traffic), construction (pedestrians), and historic and cultural resources; and for the selected Queens site with respect to transportation (traffic) and construction (traffic, pedestrians and noise).

RESOLVED:

Having considered the FEIS 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 that 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 incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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 this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter, and Section 5-430 et seq. of the New York City Administrative Code on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 190116 MMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of State Street between Boerum Place and Smith Street below an upper limiting plane;

- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 2, Borough of Brooklyn, in accordance with Map No. X-2753 dated March 25, 2019 revised on July 22, 2019 and signed by the Borough President is approved.

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. X-2753 dated March 25, 2019 revised on July 22, 2019 providing for the discontinuance and closing of State Street between Boerum Place and Smith Street below and upper limiting plane being more particularly described as follows:

IN THE MATTER OF DISCONTINUING AND CLOSING OF STATE STREET BETWEEN BOERUM PLACE AND SMITH STREET BELOW AN UPPER LIMITING PLANE DEFINED AT 16 FEET BELOW LEGAL GRADE, BOROUGH OF BROOKLYN, KINGS COUNTY, AS SHOWN ON THE BROOKLYN BOROUGH PRESIDENT'S MAP ACC NO. X-2753, DATED MARCH 25, 2019, REVISED ON JULY 22, 2019.

Starting at the point of intersection of the easterly line of Boerum Place and southerly line of Schermerhorn Street, thence running 200.35 feet southerly, along the easterly line of Boerum Place, to the point or place of beginning;

- 1) Thence, running 332.93 feet, in an easterly direction to a point, which makes an external angle to the left of the previous course of 85 degrees 52 minutes and 13 seconds;
- 2) Thence, running 60.00 feet, in a southerly direction to a point, which makes an internal angle with the previous course of 85 degrees 52 minutes and 23 seconds;
- 3) Thence, running 332.70 feet, in a westerly direction to a point, which makes an internal angle with the previous course of 93 degrees 30 minutes and 49 seconds;
- 4) Thence, running 56.43 feet, in a northerly direction, which makes an interior angle with the previous course of 86 degrees, 28 minutes and 59 seconds, to the point or place of beginning;

Said State Street to be discontinued and closed below an upper limiting plane contains an area of 19,332.1 square feet, more or less.

RESOLVED that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface and the requirements of other facilities located therein;

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2753 dated March 25, 2019, revised on July 22, 2019 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

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 October 17, 2019, on file in this office.

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City Clerk, Clerk of The Council