



## Legislation Text

File #: Res 0752-2015, Version: \*

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 752

**Resolution approving an amendment to a previously approved Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Sections 693 and 694 of the General Municipal Law; and granting a tax exemption pursuant to Section 696 of the Private Housing Finance Law for property located at 2425 Mermaid Avenue (Block 7014, Lot 52), 2427 Mermaid Avenue (Block 7014, Lot 53), 3216 Mermaid Avenue (Block 7048, Lot 6), 2816 West 16<sup>th</sup> Street (Block 7021, Lot 16), and 3566 Canal Avenue (Block 6978, Lot 22), Borough of Brooklyn (L.U. No. 230; 20155634 HAK).**

**By Council Members Greenfield and Dickens**

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 1, 2015 its request dated April 6, 2015 that the Council take the following actions regarding an Amended Urban Development Action Area Project (the "Amended Project") located at 2425 Mermaid Avenue (Block 7014, Lot 52), 2427 Mermaid Avenue (Block 7014, Lot 53), 3216 Mermaid Avenue (Block 7048, Lot 6), 2816 West 16<sup>th</sup> Street (Block 7021, Lot 16), and 3566 Canal Avenue (Block 6978, Lot 22); Community District 13, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Disposition Area from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

WHEREAS, the Disposition Area was subject to a prior project approval by the New York City Council, Resolution number 1444, adopted on May 28, 2008;

WHEREAS, the Amended Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on June 2, 2015;

WHEREAS, the Council has considered the land use, environmental and financial implications and other policy issues relating to the Amended Project;

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Amended Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Amended Project shall be developed upon the terms and conditions in the Project Summary HPD submitted to the Council on May 1, 2015, a copy of which is attached hereto and made part hereof.

The Tax Exemption for the Disposition Area from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1st following the date of issuance of the first temporary or permanent Certificate of Occupancy for a building located on the Disposition Area, during the last ten years of which such exemption shall decrease in equal annual decrements.
- b. The partial tax exemption granted hereunder shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance

specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

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 June 10, 2015, on file in this office.

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City Clerk, Clerk of The Council