



Legislation Text

File #: Res 1907-2009, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1907

Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 090082 HAK, approving the designation of property located at Block 4444, p/o Lot 1 (p/o Site 3a of the Fresh Creek Urban Renewal Area); Block 4445-4446, Lot 1 (Sites 3b, 3e, 3f and p/o Site 3a of the Fresh Creek Urban Renewal Area), Block 4447, p/o Lot 1 (p/o Site 4 of the Fresh Creek Urban Renewal Area); Block 4448-4449, Lot 1 (Sites 6a, 6b, 14a, 14c and p/o Site 4 of the Fresh Creek Urban Renewal Area); Block 4452, Lots 600 and 700, and p/o Lots 170 and 400 (Sites 3c, 3d, 7a-c, 8a-f, 10, 12a-e, 16c, 19b, 20a-b and p/o Sites 13a and 24 of the Fresh Creek Urban Renewal Area); and Block 4586, p/o Lot 1 (Sites 29, 31, 27, 28, and p/o Sites 13a and 24 of the Fresh Creek Urban Renewal Area), Borough of Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 1012; C 090082 HAK).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on February 17, 2009 its decision dated February 17, 2009 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of property located at at Block 4444, p/o Lot 1 (p/o Site 3a of the Fresh Creek Urban Renewal Area); Block 4445-4446, Lot 1 (Sites 3b, 3e, 3f and p/o Site 3a of the Fresh Creek Urban Renewal Area), Block 4447, p/o Lot 1 (p/o Site 4 of the Fresh Creek Urban Renewal Area); Block 4448-4449, Lot 1 (Sites 6a, 6b, 14a, 14c and p/o Site 4 of the Fresh Creek Urban Renewal Area); Block 4452, Lots 600 and 700, and p/o Lots 170 and 400 (Sites 3c, 3d, 7a -c, 8a-f, 10, 12a-e, 16c, 19b, 20a-b and p/o Sites 13a and 24 of the Fresh Creek Urban Renewal Area); and Block 4586, p/o Lot 1 (Sites 29, 31, 27, 28, and p/o Sites 13a and 24 of the Fresh Creek Urban Renewal Area), as an Urban Development Action Area (the "Area");
- b) an Urban Development Action Area Project for such area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by the Department of Housing Preservation and Development to facilitate development of a new mixed use community, containing regional and local retail, housing, community and public facilities, and open space, tentatively known as Gateway Estates II, within the Fresh Creek Urban Renewal Area, (the "Disposition"), Community District 5, Borough of Brooklyn (ULURP No. C 090082 HAK) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 090078 HUK (L.U. No.

1009), the third amendment to the Fresh Creek Urban Renewal Plan for the Fresh Creek Urban Renewal Area; C 090079 ZMK (L.U. No. 1010), an amendment to the Zoning Map changing from R6 to R7A, C2-4 and C4-2; C 090081 ZSK (L.U. No. 1011), a special permit for General Large Scale Development to modify certain sign regulations pursuant to Section 74-744 of the New York City Zoning Resolution; and C 080089 MMK (L.U. No. 1013), an amendment of the New York City Map to eliminate, map, realign and extend certain streets and to relocate park lands within the Fresh Creek Urban Renewal 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 Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its recommendations regarding the Application on February 27, 2009;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on March 4, 2009;

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

WHEREAS, the Council has considered the relevant environmental review (CEQR No. 07HPD021K) and the fact that the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on February 4, 2009;

RESOLVED:

Having considered the FEIS, with respect to the 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 thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
 - (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable
- (2) The Decision and the FEIS constitute 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 197-d, the Council approves the decision of the City Planning Commission (C 090081 HAK).

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 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 approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Council approves the disposition of such property to a developer selected by the Department of Housing Preservation and Development.

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 2, 2009, on file in this office.

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City Clerk, Clerk of The Council