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Title: Resolution approving the Fifth Amendment to the Brooklyn Center Urban Renewal Plan, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 040173 HUK (L.U. No. 153).

Sponsors:

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Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 6/28

Date	Ver.	Action By	Action	Result
6/14/2004	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
6/28/2004	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 454

Resolution approving the Fifth Amendment to the Brooklyn Center Urban Renewal Plan, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 040173 HUK (L.U. No. 153).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 10, 2004 its decision and report dated May 10, 2004 (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 Fifth Amendment to the Brooklyn Center Urban Renewal Plan (the "Plan") for the Brooklyn Center Urban Renewal Area (the "Area"), Community District 2, Borough of Brooklyn (ULURP No. C 040173 HUK) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 040171 ZMK (L.U. No. 147) amendments to the Zoning Map; N 040172 ZRK (L.U. No. 148) amendments to the text of the Zoning Resolution; C 030514 MMK (L.U. No. 149), C 030515 MMK (L.U. No. 150), C 030516 MMK (L.U. No. 151), C 030517 MMK (L.U. No. 152) amendments to the City Map; C 040174 HUK (L.U. No. 154), C 040175 HUK (L.U. No. 155), urban renewal plan amendments; N 040176 HGK (L.U. No. 156), urban renewal area designation; C 040177 HDK (L.U. No. 157), C 040178 HDK (L.U. No. 158), C 040179 HDK (L.U. No. 159) disposition of city-owned properties within the urban renewal area; C 040180 PPK (L.U. No. 160) disposition of city-owned property; C 040181 ZSK (L.U. No. 161), C 040182 ZSK (L.U. No. 162), C 040183 ZSK (L.U. No. 163), C 040184 ZSK (L.U. No. 164) special permits; C 040185 PSK (L.U. No. 165) site selection of property;

WHEREAS, the City Planning Commission has certified that the Plan for the Area complies with the provisions of Section 502 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 its request dated May 3, 2004 regarding the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on June 8, 2004 and was recessed until June 10, 2004;

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 April 30, 2004 which identified significant adverse impacts and proposed mitigation measures (CEQR No. 03DME016K);

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

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) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent possible 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 this determination, 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. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment; and
6. 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.

Pursuant to Section 505 of the General Municipal Law, the Council approves the Fifth Amended Brooklyn Center Urban Renewal Plan for the Brooklyn Center Urban Renewal Area, dated May 3, 2004.

Pursuant to Section 197-d of the New York City Charter, and on the basis of the Decision and Application, 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 June 28, 2004, on file in this office.

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City Clerk, Clerk of The Council