



## **CITY PLANNING COMMISSION**

October 21, 2009 / Calendar No. 7

C 100014 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 371 Van Siclen Avenue (Block 4026, Lot 2), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a four-story building, tentatively known as Cypress Village, with approximately 8 residential units, to be developed under the Department of Housing Preservation and Development's New Foundations Program, Community District 5, Borough of Brooklyn.

Approval of three separate matters is required:

1. the designation of property located at 371 Van Siclen Avenue (Block 4026, Lot 2), as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property, to a developer selected by HPD.

The application (C 100014 HAK) for an Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on July 8, 2009.

Approval of this application would facilitate the development of a residential building with 8 affordable residential units under HPD's New Foundations Program.

The Department of Housing Preservation and Development states in its application that:

The project area consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

The New York City Department of Housing Preservation and Development (HPD) is seeking approval of an Urban Development Action Area designation, project approval, and disposition of city-owned property, to facilitate the development of an eight-unit affordable homeownership building under HPD's New Foundations Program.

The project site consists of one City-owned vacant lot (Block 4026, Lot 2), which is located on a block bounded by Van Sicten, Sutter and Belmont Avenues and Hendrix Street in the East New York neighborhood of Brooklyn Community District 5. The project site has a lot area of approximately 5,000 square feet. The southern half of the site is zoned R6/C1-3 and the northern half R6.

The proposed project would be developed under the Quality Housing Program and would consist of the new construction of one 4-story elevator building with a cellar. The proposed building would have a total floor area of 10,927 square feet and would provide eight two- and three-bedroom condominium units, each equipped with a washer and dryer, that would be affordable at 69 to 80 percent AMI. The street wall and building height would be 39'-8".

The project would incorporate energy efficient elements, including permanent exterior shades, a high efficiency central heating and cooling system with individual controls for each unit and double-paned, argon-filled windows. The project would also feature diverse sustainable building and finishing materials, such as permeable grass pavers, recycled content tiles, bamboo floors, low and no VOC paints and adhesives. All plumbing fixtures would be low-flow, including dual-flush toilets and all appliances would be Energy Star. Other amenities would include a community room, tenant storage area and 1,767 square feet of outdoor recreational space in the rear of the building that would be accessible to all residents. The garden would feature plantings, benches, outdoor tables and chairs and play equipment on a safety surface. Two street trees will be planted along Van Sicten Avenue and the parking requirements for this project would be waived pursuant to ZR Section 25-25.

Several additional City-owned vacant lots in the surrounding area are proposed for development

through HPD's New Foundations Program and would constitute Cypress Village. Two 3-family homes would be constructed on Van Siclen Avenue, between Belmont and Pitkin Avenues (Block 4009, Lot 47 and Block 4010, Lot 6). North of the project site on Glenmore Avenue, between Bradford Street and Miller Avenue (Block 3725, Lots 12, 13), two 2-family homes would be constructed. These sites are not part of this application.

The western half of the block including the development site is zoned R6 and the eastern half R5 with a 150 feet deep C1-3 overlay along Sutter Avenue. The block is occupied by a two story church, a parking lot and small, two-story, 1-family and 2-family homes, many of which were developed under the Nehemiah Housing Program.

The surrounding area consists primarily of small, two-story, 1-family and 2-family homes and is zoned R6 to the west and R5 to the east of the project site. Many of the homes were built under the Nehemiah Housing Program. East of the project site on Hendrix Street, extending from Belmont Avenue to Blake Avenue is Sutter Gardens, a three-story, 258-unit multi-family development. Two blocks east of the project site is the Sutter Avenue Ballfield. The Belmont-Sutter Area Houses, a three story, 72-unit NYCHA project, is located three blocks east at Barbey Street. Another 158-unit NYCHA project, Fiorentino Plaza, is located north of the project site at Pitkin Avenue. To the west of the project site are P.S. 149 and J.H.S. 292.

The project site is two blocks south of the Van Siclen Avenue subway station which is served by the A and C trains and three blocks north of the Van Siclen Avenue subway station on the 3 train. The B14 bus runs half a block south of the project site on Sutter Avenue. Shopping in the area is available along Pitkin Avenue.

## **ENVIRONMENTAL REVIEW**

This application (C 100014 HAK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Department of Housing Preservation and Development.

This application was determined to be a Type II action which requires no further environmental review.

### **UNIFORM LAND USE REVIEW**

This application (C 100014 HAK) was certified as complete by the Department of City Planning on July 20, 2009, and was duly referred to Brooklyn Community Board 5 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 5 held a public hearing on this application on June 24, 2009, and on that date, by a vote of 26 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Brooklyn Borough President who issued a recommendation approving the application on September 10, 2009.

### **City Planning Commission Public Hearing**

On September 9, 2009 (Calendar No. 2), the City Planning Commission scheduled September 23, 2009, for a public hearing on this application (C 100014 HAK). The hearing was duly held on September 23, 2009 (Calendar No. 11). There were three speakers in favor and none in opposition.

The speakers in favor of the project included a representative of the project sponsor and two project architects. The representative for the sponsor highlighted that the project would create affordable homeownership opportunities for people earning between 69 and 80 percent AMI, and that the energy efficiency measures and other green features would significantly lower operating costs for prospective owners as well as providing them with a healthy environment.

The two project architects also appeared in favor.

There were no other speakers on the application and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the application (C 100014 HAK) for UDAAP designation, project approval and the disposition of city-owned property is appropriate.

This application would facilitate the development of a site which has been underutilized for many years with much-needed new affordable homeownership opportunities in East New York. The new building would contain 8 dwelling units that would provide residences for low-income families.

The transformation of this vacant site to productive use would eliminate its blighting influence on the neighborhood and would enable this city-owned property to be reactivated with uses that serve the needs of Brooklyn's Community District 5 and the City of New York. The Commission therefore finds that the proposed Urban Development Action Area (UDAAP) designation and project approval and related disposition of City-owned property are appropriate.

### **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at 371 Van Siclen Avenue (Block 4026, Lot 2), as an Urban Development Action Area; and

**WHEREAS**, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

**THEREFORE, BE IT FURTHER RESOLVED**, that the City Planning Commission after due

consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act;

- a. the designation of property located at 371 Van Siclen Avenue (Block 4026, Lot 2) as an Urban Development Action Area; and
- b. an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives if any, to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The project is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 371 Van Siclen Avenue (Block 4026, Lot 2), Community District 5, Borough of Brooklyn, to a developer selected by HPD, is approved.

The above resolution, (C 100014 HAK) duly adopted by the City Planning Commission on October 21, 2009, (Calendar No. 7) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN**, *FAICP, Chair*

**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*

**ANGELA M. BATTAGLIA**, **RAYANN BESSER**,

**ALFRED C. CERULLO, III**, **BETTY Y. CHEN**,

**MARIA M. DEL TORO**, **RICHARD W. EADDY**,

**NATHAN LEVENTHAL**, **ANNA HAYES LEVIN**,

**SHIRLEY A. MCRAE**, **KAREN A. PHILLIPS**, *Commissioners*