

November 2, 2015 / Calendar No. 7

C 150339 PPK

IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of two (2) city-owned properties located on Block 3186, Lot 144 and Block 3438, Lot 63, Borough of Brooklyn, Community District 4, pursuant to zoning.

This application for the disposition of two (2) City-owned properties within Brooklyn Community District 4, was filed by the NYC Department of Citywide Administrative Services (DCAS) on April 16, 2015.

BACKGROUND

The Department of Citywide Administrative Services (DCAS) is seeking to dispose of two properties (Block 3186, Lot 144 and Block 3438, Lot 63) located in Brooklyn, Community District 4, pursuant to zoning. There are no development plans for either property.

Site 1 (Block 3186, Lot 144) is a flag-shaped lot, approximately 1,135 square feet in area, located on the west side of Starr Street, between Knickerbocker and Wilson Avenues. It was originally part of an adjacent lot (Block 3186, Lot 44) and had been developed with a two-story structure. In 1971, Lot 44 was subdivided into two lots: the current Lot 144, which is located at the back of the property and accessed by a 4-foot by 65-foot alley, and Lot 44, which is located at the front of the property on Starr Street. The City acquired Lot 144 in 1986 through in-rem tax foreclosure and in 1996, the Department of Housing Preservation and Development demolished the structure on the property. In 2013, DCAS entered into a short-term lease with the owners of Lot 44 to allow them to use the site as a rear yard.

Site 1 is located in an R6 zoning district. The surrounding area is generally developed with two-to three-story multi-family walk-ups. There are one-to three-story commercial and mixed-use buildings along Knickerbocker and Wilson Avenues. Site 1 is half a block south of Maria Hernandez Park and .2 miles southwest of Public School 123. The site is 0.4 miles northwest of the closest subway station, the Central Avenue stop on the M line, and is also served by the B60 bus which runs along Wilson Avenue.

Site 2 (Block 3438, Lot 63) is a vacant interior lot, about 16 feet wide and 100 feet deep and approximately 1,667 square feet in area. It is on the west side of Moffat Street between Broadway and Bushwick avenues. The City acquired it on June 6, 1979 through in-rem tax foreclosure. The property was fenced and has remained vacant since. Three properties adjacent to Site 2 had been the subject of previous disposition actions by the City Planning Commission: Block 3438, Lot 6 was approved for disposition (C880075 PPK) in 1987, Block 3438, Lot 1 (C890021 PPK) was approved in 1988, and Block 3438, Lot 2 (C920309 PPK) was approved in 1992.

Site 2 is located in an R6 zoning district with a C1-3 commercial overlay. The surrounding area is generally developed with one-to three-story multi-family and community facility buildings. On Broadway and Bushwick Avenue, the adjacent corridors, there are one- to three-story commercial, community facility, and mixed-use buildings.

There are numerous community facilities in the immediately surrounding area, including the Moffat

Gardens Assisted Living facility, the Department of Human Resources Administration's Bushwick Multi-Service Center, and the New York City Fire Department's Engine 233 and Ladder 176 station. Thomas S. Boyland Park is 4 blocks east of the site. Site 2 is 300 feet from the nearest subway station, the Chauncey Street stop on the J and Z lines, and is also served by the B60, B20, and Q24 bus lines.

ENVIRONMENTAL REVIEW

This application (C 150339 PPK) 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 Citywide Administrative Services (DCAS). On April 15, 2015 this application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 150339 PPK) was certified as complete by the Department of City Planning on June 15, 2015 and was duly referred to Community Board 4 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 Review

Community Board 4 held a public hearing on this application (C 150339 PPK) on June 17, 2015

and by a vote of 23 opposed and 4 abstaining adopted a resolution recommending disapproval of the application for the following reasons:

- 1) That the DCAS disposition of the property at 93a Starr Street (Block 3186, Lot 144) if assembled with adjacent sites for development could lead to residential displacement.
- 2) That the DCAS disposition of the property at 9 Moffatt Street (Block 3438, Lot 63) could lead to the displacement of community gardeners.

Borough President Recommendation

The Borough President held a public hearing on this application (C 150339 PPK) on July 1, 2015 and issued a recommendation approving the application with the following conditions:

1. That the Department of Citywide Administrative Services incorporates the following in either the Regulatory Agreement or Land Disposition Agreement:

Site 1: Prioritize the disposition of 93a Starr Street to the owner of Lot 44 through the Sail Away program, and otherwise impose restrictions to prevent the risk of potential residential displacement, should disposition occur to other adjacent lots;

Site 2: The disposition of 9 Moffat Street shall preclude development without assemblage with adjacent properties, with the preferred disposition to the owner of the adjacent vacant land, as a means to provide the opportunity for creation of housing and mixed uses along Broadway, pursuant to a contextual upzoning of the Broadway transit corridor.
2. That the Department of City Planning undertake, in consultation with Community Boards 1, 4, and 16 and their local elected officials, a zoning study to determine whether to further extend the C4-4L district along the Broadway corridor, from Williamsburg Bridge Plaza to Broadway Junction in Community Districts 1, 4, and 16.

City Planning Commission Public Hearing

On September 22, 2015 (Calendar No.18), the City Planning Commission scheduled October 7, 2015, for a public hearing on this application (C 150339 PPK). The hearing was duly held October 7, 2015 (Calendar No. 19). There was one speaker.

A representative from the Department of Citywide Administrative Services (DCAS) spoke in support of the unrestricted disposition of the two City-owned properties. He testified that the property at 93a Starr Street (Site 1) would likely be offered for sale to one or more of the adjacent property owners through the City's Sail Away program for undevelopable lots. He also stated that 9 Moffat Street (Site 2) would potentially be sold at a NYC public auction for which there is currently no date. He also testified that that 9 Moffat Street could not be sold through Sail Away as it is considered developable as per the NYC Zoning Resolution.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for the disposition of two City-owned properties is appropriate.

The Commission believes that the small vacant interior lots located at 93a Starr Street (Site 1) and 9 Moffat Street (Site 2) in Bushwick are appropriate for disposition. The Commission agrees with DCAS' assessment that Site 1 should be sold through the Sail Away program which allows for properties that can't be independently developed to be offered for sale to adjacent property owners.

The Commission also agrees with DCAS' assessment that Site 2 should potentially be sold at a NYC Public Auction due to its developable status per the Zoning Resolution's "Special Provisions for Existing Small Lots" (ZR Section 23-33).

The Commission acknowledges the Community Board's concerns that residential displacement could result due to the disposition of Site 1. In a letter to the City Planning Commission dated October 28, 2015, DCAS reported that it reached out to HPD to offer them Site 1, and that HPD did not express interest in the site due to its small size and isolation from other City owned lots. The Commission agrees with DCAS's assessment that this small lot, with limited street access, is not developable, and that its future use would most likely be as open space for one of its adjoining neighbors.

The Commission also acknowledges the Community Board's concerns regarding displacement of community gardens due to the disposition of Site 2. In a letter to the City Planning Commission dated October 28, 2015, DCAS stated that, earlier this year, it discovered an unauthorized private garden on Site 2. DCAS also stated in that letter that it has since secured the property to cease the gardening activity and the property remains gated. They have also reached out to the Department of Parks and Recreation and Green Thumb to offer them the site for use as a garden which could be used by the entire community. Green Thumb is currently reviewing the site, but has not asked DCAS to surrender the lot.

The Commission acknowledges Borough President's condition that Site 1 be disposed of through the Sail Away Program to the owner of the adjacent Lot 44. DCAS plans to dispose of the site through Sail Away and will reach out to the adjacent owners to notify them of the sale. The Commission also

acknowledges the Borough President's recommendation that Site 2 be disposed of to the owners of the adjacent vacant lots. Site 2 abuts four vacant privately-held parcels. Since it is capable of being developed, Site 2 is not eligible for direct sale to an adjacent owner through the Sail Away program. DCAS therefore plan to notify the adjacent owners of a possible sale at a NYC Public Auction. The Commission also acknowledges the Borough President's condition that DCP conduct a zoning study of northern side of the Broadway corridor, but notes that this request is beyond the scope of this application.

The Commission therefore believes that the unrestricted disposition of property at 93a Starr Street (Block 3186, Lot 44) and 9 Moffat Street (Block 3438, Lot 63) in Bushwick, pursuant to zoning, are appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission, pursuant to Sections 197-c of the New York City Charter that, based on the environmental determination and the consideration described in this report, the application submitted the NYC Department of Citywide Administrative Services (DCAS), for the disposition of two (2) city-owned properties located on Block 3186, Lot 144 and Block 3438, Lot 63, Borough of Brooklyn, Community District 4, pursuant to zoning, is approved.

The above resolution (C 150339 PPK), duly adopted by the City Planning Commission November 2, 2015 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough

President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, *Chairman*

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

RAYANN BESSER, IRWIN G. CANTOR, *P.E.*, ALFRED C. CERULLO, III,

MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, *Commissioners*



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #:	Project Name:
CEQR Number:	Borough(s):
	Community District Number(s):

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1.

Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
2.

Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES ☐ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote:		Location:	
RECOMMENDATION ☐ Approve ☐ Approve With Modifications/Conditions ☐ Disapprove ☐ Disapprove With Modifications/Conditions <u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u> Voting # In Favor: # Against: # Abstaining: Total members appointed to the board:			
Name of CB/BB officer completing this form		Title	Date

THE CITY OF
NEW YORK



Community Board No. 4
1420 Bushwick Avenue, Suite 370
Brooklyn, NY 11207-1422

Telephone: 718-628-8400
Fax: 718-628-8619
Email: bk04@cb.nyc.gov
Website: www.nyc.gov/brooklyncb4

Julie Dent- Chairperson
Nadine Whitted - District Manager

BUSHWICK

ELECTED OFFICIALS

Hon. Eric Adams
Borough President
Hon. Antonio Reynoso
34th Council District
Hon. Rafael Espinal
37th Council District

OFFICERS

MARTHA BROWN
1st Vice Chairperson
VICTORIA
FERNANDEZ
2nd Vice Chairperson
CIRILO NUNEZ
Recording Secretary
ELISEO RUIZ
Financial Secretary
GLADYS PUGLLA
Treasurer
VIRGIE JONES
Correspondence
Secretary
ROBERT CAMACHO
Parliamentarian

September 23, 2015

RE: ULURP APPLICATION
C-150339 PPK.

To All Concerned:

At the Wednesday, September 16, 2015 meeting of Community Board #4 the board voted not to dispose the two properties contained in this application through the ULURP process. At public hearing held on Wednesday, June 17, 2015 many questions were asked concerning how and for what purpose these properties would be sold and of course to whom.

After learning that the first site: Block 3186 Lot 144 was too small for development DCAS –in the final analysis would sell through the SALE Program to an adjacent owner. The possibility of the owner selling the newly acquired property along with the previously owned property for development purposes became glaring reality for the board; particularly in the wake of elevated rents and the diminishing number of affordable rental units.

The second site. Block 3438 Lot 63 is currently use for gardening as was reported at the meeting. Inasmuch as this particular garden could use a great amount of help, the board recognizes the importance that gardens plays in the community, Therefore to dispose of this property for another purpose other than gardening is not in order at this time.

It is for these reasons that Community Board #4 sought not to have these properties disposed through the ULURP process. Should have additional concerns with respect to this, please contact me at the board's office.

Respectfully,

Nadine Whitted

Nadine Whitted
District Manager



E-mail/ Fax transmittal

TO: Community District 4 Distribution	FROM: Borough President Eric L. Adams
DATE: September 23, 2015	CONTACT: Olga Chernomorets – Land Use Coordinator Phone: 718-802-3751 E-Mail: ochernomorets@brooklynbp.nyc.gov
ULURP Recommendation: DISPOSITION OF CITY-OWNED PROPERTY – 150339 PPK	NO. Pages, Including Cover: 6

Attached is the recommendation report for ULURP application 150339 PPK.
If you have any questions, please contact Olga Chernomorets at 718-802-3751.

Distribution

NAME	TITLE	OFFICE	E-MAIL
Carl Weisbrod	City Planning Commission Chair	212-720-3356	ygruel@planning.nyc.gov
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Paul Costa	Department of Citywide Administrative Services	212-386-0620	pcosta@dcas.nyc.gov
Richard Bearak	Director – Land Use	718-802-4057	rbearak@brooklynbp.nyc.gov

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
CalendarOffice@planning.nyc.gov



INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: DISPOSITION OF CITY-OWNED PROPERTY – 150339 PPK

The Department of Citywide Administrative Services (DCAS) is seeking disposition approval for two City-owned properties in the Bushwick neighborhood of Brooklyn in Community Board 4. DCAS intends to dispose of the two vacant properties pursuant to Section 384 of the New York City Charter.

COMMUNITY DISTRICT NO. 4

BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE
☐ DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BOROUGH PRESIDENT

September 23, 2015

DATE

RECOMMENDATION FOR THE DISPOSITION OF CITY-OWNED PROPERTY – 150339 PPK

The Department of Citywide Administrative Services (DCAS) is seeking disposition approval for two City-owned properties in the Bushwick neighborhood of Brooklyn in Community Board 4. DCAS intends to dispose of the two properties pursuant to Section 384 of the New York City Charter. There are currently no plans associated with these properties but the disposition approval would allow DCAS to dispose of the properties to selected developers in the future.

On July 1st, 2015, the Borough President held a public hearing. There were no speakers for this application.

In response to the Borough President's concerns regarding the potential for the acquisition to lead to displacement, and whether limitations could be incorporated in order to prevent a scenario resulting in displacement, the DCAS representative stated that there is a program known as Sail Away. Sail Away is a piece of State authorized legislation which allows DCAS to dispose of properties, undevelopable on their own to adjacent property owners. This program is expected to be renewed by the State. Given the lot size and odd configuration of 93A Starr Street, it would not be considered as developable on its own. The owner of the lot in front has voiced interest in obtaining this site through the use of Sale Away. Through this program, DCAS is required to inform all adjacent property owners of the option to purchase this property but it is up to the discretion of the agency to select the appropriate owner.

In response to the Borough President's interest in the extent of the outreach to the adjacent property owner, to acquire 9 Moffat Street, the representative stated that no outreach has been done. At this point no one has expressed interest in leasing or acquiring this site and it is the policy of DCAS not to proactively engage in outreach to adjacent owners unless there is a specific program in place. However, if the ULURP approval is received for the disposition of the lots, in the future it could be included in a public auction, at which point DCAS, in accordance with the City Charter, would notify all adjacent property owners. If the owner of the adjacent lots was to find out about the disposition and become interested in obtaining the lot, they are welcome to reach out to DCAS for further details and acquisition inquiries.

The standard way of disposition of City-owned property is through public auction. At this time there is no public auction scheduled for these properties but the representative stated that DCAS reviews the portfolios of every property that goes up for auction in order to evaluate and ensure the property is disposed of accordingly.

Consideration

CB 4 disapproved the application, 23 against and four abstaining, without conditions.

93A Starr Street, located between Knickerbocker and Wilson avenues, is a vacant flag lot of approximately 1,135 sf located within an R6 residential zoning district. It was originally part of 93 Starr Street, though in 1971, a portion of was reapportioned creating a 4' by 65' easement along the western side yard of 93 Starr Street to allow egress and ingress for the 875 sf portion of the rear structure of the current 93A Starr Street lot. The City acquired 93A Starr Street in 1986 through the in-rem tax foreclosure process and remains the owner since. In 1996 the Department of Housing Preservation and Development demolished the existing small structure and the lot has remained vacant since. DCAS entered into a short-term lease with the owners of 93 Starr Street to allow access to 93A Starr Street.

The lot in front of this property contains a commercial use, with no residential units. It has a short-term lease with DCAS for 93A Starr Street. The other surrounding properties are primarily residentially developed consisting of two- to three-story family walk-up buildings.

9 Moffat Street, located between Broadway and Bushwick Avenue, is a vacant interior lot of approximately 1,667 sf located within an R6 residential zoning district with a C1-3 overlay. The lot was originally acquired by the City in 1979 through the in-rem tax foreclosure process and has remained fenced and vacant since. To its Bushwick Avenue side it is adjacent to three-story residential buildings and vacant land to its Broadway side.

It is the Borough President's policy to support land use actions that are compatible with surrounding land uses and would benefit the neighborhood, making city-owned property available for private development opportunities which in turn enhance the City's community revitalization efforts. The proposed land use actions would facilitate the disposition of two vacant lots in a manner consistent with the City Charter. While there are currently no plans associated with the disposition of these properties, the disposition approval would provide DCAS with flexibility to dispose of these properties for development in the future. This disposition is only part of the process to enable the site to no longer be owned by the City and facilitate an opportunity for the site to be transferred to another agency or entity at a future time. The eventual development of these sites facilitates opportunities to improve and benefit their surrounding neighborhoods.

The Borough President supports making city-owned land available for private development to realize the needs of the surrounding community. The disposition sites consist of underutilized vacant property that has impaired the sound development of the surrounding community. The disposition and ultimate development of these sites would promote health and safety, as well as encourage sound growth and development.

Though the Borough President supports disposition of the properties, he has concerns for the potential to trigger residential displacement at 93A Starr Street and for underdevelopment at 9 Moffat Street. In addition, he continues to believe there is a need to contextually upzone the Broadway corridor in support of the Mayor's affordable housing initiative.

Disposition of 93A Starr Street

In accordance with R6 zoning, whichever adjacent property owner acquires 93A Starr Street, the acquisition provides an opportunity for increasing the allowable floor area. Such additional floor area might compel a property owner or subsequent investor, to deem the property is more valuable as a development site as opposed to retaining the existing development. Given Bushwick's thriving real estate climate, the Borough President is concerned there is risk for potential residential displacement if the property at 93A Starr Street is acquired by an adjacent property containing residential development. This situation ultimately results in displacement of current long term residents.

The Borough President has concerns that the disposition of 93A Starr Street to adjacent residentially occupied properties would result in an increased risk for residential displacement. This would not be the case if the property were disposed to the commercially developed lot, in front of this site, as there is no potential for residential displacement.

In order to minimize the risk of residential displacement, the Borough President believes that DCAS should prioritize the disposition of 93A Starr Street to the owner of the commercially

developed lot in front through the Sail Away program and to otherwise impose restrictions intended to prevent the risk of potential residential displacement.

Disposition of 9 Moffat Street

On its own, this property is a substandard zoning lot and does not provide much opportunity for sound development. Adjacent to the property, there is a cluster of three privately-owned, vacant lots, including some with frontage along Broadway. Due to the size of the lot at 9 Moffat Street, its development makes more sense as a property merged with larger holdings. Should the city lot be consolidated as part of a larger assemblage fronting Broadway, it would provide an opportunity for development of much needed affordable housing and mixed-uses along Broadway.

The Borough President believes that DCAS should include restrictions on the disposition of this property to preclude development that does not eliminate the tax lot's substandard zoning lot status. The Borough President also believes that disposition preference should be given to the owner of the adjacent vacant land as a means to provide opportunity for creation of housing and mixed uses along Broadway, pursuant to a contextual upzoning of the Broadway transit corridor.

The Broadway Corridor

The Borough President supports the Mayor's goal to achieve 200,000 affordable housing units over the next decade. The Borough President is committed to addressing the borough's affordable housing crisis through creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites. Among numerous strategies and approaches, the Borough President is committed to advancing his affordable housing policy through his role in the Uniform Land Use Review Procedure (ULURP).

He believes that the Broadway transit corridor is an appropriate place to consider amending the zoning to permit residential density. The CD 3 section of Broadway had previously seen its residential zoning increased by approximately 50 percent. The Borough President believes that such zoning might be just as appropriate for section of Broadway in CDs 1, 4 and 16, extending from the Brooklyn-Queens Expressway to Broadway Junction. The Department of City Planning (DCP) should investigate the possibility of such a rezoning in consultation with CBs 1, 4 and 16 and Local Elected Officials.

Recommendation

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the land use action requested according to the following conditions:

That the Department of Citywide Administrative Services incorporates the following in either the Regulatory Agreement or Land Disposition Agreement:

1. Prioritize the disposition of 93A Starr Street to the owner of the lot in front through its Sail Away program, and otherwise impose restrictions to prevent the risk of potential residential displacement, should disposition occur to other adjacent lots;

2. The disposition of 9 Moffat Street shall preclude development that does not eliminate the tax lot's substandard zoning lot status, with the preferred disposition to the owner of the adjacent vacant land, as a means to provide the opportunity for creation of housing and mixed uses along Broadway, pursuant to a contextual upzoning of the Broadway transit corridor.

And that the City Council has such stipulations incorporated into the Regulatory Agreement and/or Land Disposition Agreement prior to granting its approval.

Be it further resolved that:

1. The Department of City Planning undertakes, in Consultation with CBs 1, 4 and 16 and its Local Elected Officials, a zoning study to determine whether to further extend the C4-4L district along the Broadway corridor, from Williamsburg Bridge Plaza to Broadway Junction in Community Districts 1, 4 and 16.



**Citywide Administrative
Services**

Stacey Cumberbatch
Commissioner

Ricardo E. Morales
Deputy Commissioner
Asset Management

**1 Centre Street
20th Floor
New York, NY 10007**

212 386 6368 tel
nyc.gov/dcas

City Planning Commission
Department of City Planning
22 Reade Street
New York, New York 10007

October 28, 2015

Re: C 150339 PPK
Block 3483, Lot 63
Block 3186, Lot 144
Borough of Brooklyn

Dear Commissioners:

At the Public Hearing on October 7, 2015 the City Planning Commission had questions about the Department of Citywide Administrative Services' (DCAS) application requesting disposition of two City-owned properties located at 9 Moffat Street (Block 3438, Lot 63) and 93a Starr Street (Block 3186, Lot 4) in Brooklyn Community Board 4. This letter is intended to address these questions about the lots.

What was DCAS' outreach to City agencies?

At the June 17, 2015 Community Board 4 (CB) public hearing on this ULURP application, the CB had concerns regarding the development of Lot 63 with other adjacent vacant lots and expressed a desire to see it used as a community garden. The CB also had concerns over the displacement of the residents at the property adjacent to 93a Starr Street.

In response to the CB's concerns, on June 23, 2015, DCAS sent emails to both the Department of Housing Preservation and Development (HPD) and the Department of Parks and Recreation (DPR), notifying both agencies that the two lots were City-owned and asked if either agency had interest in the lots.

HPD responded that both lots were too small as a viable housing site. The DPR GreenThumb program expressed interest in Lot 63 and is currently reviewing it as a potential community garden. At this time, GreenThumb has not responded.

What is the current condition at 9 Moffat Street?

On October 27, 2015, DCAS inspected 9 Moffat Street and found small plantings on the lot, which appear to be for a personal use. This is an unauthorized use of the lot. The user is unknown but appears to be the adjacent owner. DCAS has not authorized any use of the lot and has not been contacted requesting use of the lot. DCAS has locked the property and is in the process of identifying the user to determine next steps.

Please let me know if you have additional questions. Thank you for the opportunity to respond to the concerns expressed by the Commission.

Sincerely,

Randal Fong
Assistant Commissioner

C: Jacquelyn Harris
Winston Von Engel
Sarit Platkin