



CITY PLANNING COMMISSION

March 22, 2006 / Calendar No. 13

C 060177 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 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84) p/o Site 3 within the Atlantic Terminal Urban Renewal Area, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area;
- 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 the development of a ten-story building, tentatively known as Atlantic Terrace, with approximately 80 residential units above ground floor retail to be developed under HPD's Cornerstone Program, Borough of Brooklyn, Community District 2.

Approval of two separate matters is required:

- 1) The designation of property located at 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84) p/o Site 3 within the Atlantic Terminal Urban Renewal Area, as an Urban Development Action Area; and
- 2) An Urban Development Action Area Project for such area; and
- 3) The disposition of such lots to a developer to be selected by HPD.

The application for the proposed Urban Development Action Area designation and project, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on October 6, 2005. The requested actions, in conjunction with the related action, would facilitate the development of a mixed-use residential building with ground-floor retail under HPD's Cornerstone Program.

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

The UDAAP Area consists of eight underutilized vacant properties that tend 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 UDAAP 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. The City-owned properties within the UDAAP Area will be sold to a sponsor determined by the Department of Housing Preservation and Development.

RELATED ACTION

In addition to the proposed UDAAP designation, project approval and disposition of city-owned property, which is the subject of this report (C 060177 HAK), implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 060176 ZMK: Zoning change from a C6-1 District to a C6-2 District

BACKGROUND

The Department of Housing Preservation and Development (HPD) seeks approval of a zoning map amendment, an Urban Development Action Area designation and project, and related disposition of city-owned property to facilitate the development of approximately 80 mixed-income cooperative or condominium units with ground-floor retail under HPD's Cornerstone Program. The project site is located in Fort Greene, Brooklyn, Community District 2.

The rezoning area fronts on Atlantic Avenue between South Oxford Street and South Portland

Avenue and includes eleven lots, eight of which are city-owned, vacant lots (Block 2004, Lots 1,2, 78, 79, 80, 81, 82 and 84) which comprise the 15,138 square-foot proposed development site, and portions of three privately-owned lots (Block 2004 part of lots 101, 131 and 131) containing 3-story, multiple-dwelling apartment buildings. The proposed development site is part of Site 3 of the Atlantic Terminal Urban Renewal Plan. The proposed uses are consistent with the Urban Renewal Plan's commercial use designation which allows commercial and residential uses pursuant to zoning.

It is proposed to develop the site with a ten-story elevator building with 80 apartments. It would also contain approximately 11,950 square feet of ground-floor retail space and provide 3,000 square feet of outdoor open space for the residents on the second-story. The proposal would also provide an 87-space, below-grade, attended accessory garage. The parking garage entrance would be located on South Portland Avenue and the proposed residential entrance would be on South Oxford Street.

New home-ownership housing was recently developed by HPD on 19 lots adjacent and north of the project along both South Portland Avenue and Cumberland Street under HPD's Partnership New Homes Program. The remaining properties on the block are predominantly residential. West of the site is the Atlantic Center shopping mall and east of the site is a mix of residential and retail buildings along Atlantic Avenue. Opposite the project area on Atlantic Avenue are a number of lots containing the Atlantic Rail Yards and related buildings. These properties are intended to be developed to a mixed-use event arena, office building, hotel, retail and residential project.

Zoning Map Amendment (C 060176 ZMK)

In addition to the proposed UDAAP designation and plan and city-owned property disposition action, in order to maximize affordable housing units on the project site, the applicant seeks approval of a zoning map amendment to rezone the site and three privately owned lots from C6-1 to C6-2.

The existing C6-1 zoning allows a variety of commercial uses up to 6.0 FAR and residential uses with a maximum FAR of 3.44. The proposed C6-2 zoning has the same commercial FAR and a maximum residential FAR of 6.02 (up to 7.2 utilizing the Quality Housing program). The proposed building would have an FAR of 6.6 and would be constructed according to the Quality Housing program. The zoning districts surrounding the project include a C6-4 zone to the west, a R7-2 zone to the north and East and a M1-1 zone to the south.

Immediately west of the rezoning area across South Portland Avenue is the Special Downtown Brooklyn District which was established in 2001 to encourage development in Downtown Brooklyn. Atlantic Avenue continues to the west of the project area and is a major retail corridor. The area is well served by transportation as the site is one block from the B,Q,2,3,4 and 5 subway lines, and the Long Island Railroad.

ENVIRONMENTAL REVIEW

This application (C 060177 HAK), in conjunction with the application for the related action (C 060176 ZMK), 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 designated CEQR number is 05HPD018K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 1, 2005.

UNIFORM LAND USE REVIEW

This application (C 060177 HAK), in conjunction with the application for the related action (C 060176 ZMK), was certified as complete by the Department of City Planning on November 14, 2005 and was duly referred to Community Board Two and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board Two held a public hearing on this application on December 21, 2005, and on January 11, 2006, by a vote of 33 to 0 with 3 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on January 30, 2005.

City Planning Commission Public Hearing

On February 8, 2006 (Calendar No. 5), the City Planning Commission scheduled February 22, 2006, for a public hearing on this application (C 060177 HAK). The hearing was duly held on February 22, 2006 (Calendar No. 31), in conjunction with the public hearing on the application for the related action (C 060176 ZMK). There were three speakers in favor of this application and none in opposition.

A representative from HPD spoke in favor and stated that the proposed project would provide greatly-needed affordable housing as well as ground floor retail. The project's developer and architect presented the project in detail and described the proposed design.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed Urban Development Action Area designation and project (UDAAP), disposition of city-owned property, and zoning map amendment are appropriate. The proposed actions would facilitate the development of a mixed-use residential building with approximately 80 mixed-income units above ground-floor retail.

The Commission believes that the project will continue the redevelopment initiatives in the area and will complement efforts to improve the adjacent Downtown Brooklyn neighborhood. The commission believes this project would strengthen the Atlantic Avenue retail corridor and notes that the area is well served by transportation as the site is near the IRT subway line, the BMT subway line, and the Long Island Railroad.

The Commission notes that the proposed project will develop vacant city-owned land thereby eliminating a blighting influence on the neighborhood. The Commission also believes that the project will address the need for affordable housing and contribute to the revitalization of the area.

The Commission further believes that the proposed zoning map amendment (C 060176 ZMK) to replace a C6-1 zoning designation with C6-2 is appropriate. West of the proposed zoning area is the Atlantic Center shopping mall which is zoned C6-4, a 10 FAR district, and east of the site is a mix of residential and retail buildings along Atlantic Avenue, a major thoroughfare of the borough. The proposed C6-2 zoning would allow a variety of commercial uses of up to 6.0 FAR and residential use of up to 6.02 FAR (up to 7.2 utilizing the Quality Housing program). The Commission notes the proposed rezoning would provide the additional floor area that would enable the applicant to develop affordable housing units in the project.

RESOLUTION

The City Planning Commission finds that the proposed disposition of city-owned property located at 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84) p/o Site 3 within the Atlantic Terminal Urban Renewal Area

conforms to the objectives and provisions of the Atlantic Terminal Urban Renewal Plan (C 040175 HUK), approved on June 28, 2004,

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 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84), 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 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84) p/o Site 3 within the Atlantic Terminal Urban Renewal Area, 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 policy is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law

BE IT FURTHER RESOLVED, by 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 within the Atlantic Terminal Urban Renewal Area at 207 and 209 South Portland Ave., 206 and 208, 214 and 216 South Oxford St. (Block 2004, Lots 1, 2, 78-82 and 84), to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 060177 HAK), duly adopted by the City Planning Commission on March 22, 2006 (Calendar No. 13), 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, AICP, **Chair**
KENNETH J. KNUCKLES, Esq., **Vice Chairman**
IRWIN G. CANTOR, P.E. ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,
RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN
MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, **Commissioners**