



CITY PLANNING COMMISSION

February 16, 2011/Calendar No. 11

C 110095 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 properties located at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35.), and 354/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), 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 three, four-story buildings and one, five-story building with a total of approximately 59 dwelling units to be developed under the Department of Housing Preservation and Development's Low Income Rental Program.

Approval of three separate matters is required:

1. The designation of property located at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35.), and 354/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), 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 the New York City Department of Housing Preservation and Development.

The application for the Urban Development Action Area designation, project approval, and disposition of city-owned property was filed by the Department of Housing Preservation and Development on September 28, 2010.

Approval of this application would facilitate construction of a three 4-story residential buildings and one 5-story mixed-use building containing a total of 59 dwelling units and approximately 6,000 square feet of ground-floor retail and community facility space.

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

The project area consists of underutilized vacant 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 Department of Housing Preservation and Development (HPD) is seeking an Urban Development Action Area Designation, project approval, and disposition of city-owned land to redevelop eight vacant city-owned lots into affordable housing through HPD's Low Income Rental Program. The lots are located in the Williamsburg section of Brooklyn, Community District 1. The City committed to redeveloping these properties for affordable housing during negotiations over the 2005 Greenpoint-Williamsburg Rezoning.

The eight city-owned lots comprise four distinct parcels, totaling 22,043 square feet in area. All of these parcels are currently vacant with no improvements. The project sponsor proposes to develop these sites with three 4-story residential buildings and one 5-story mixed-use building with commercial and community facility uses on the ground floor. Together, the buildings would have a total floor area of 51,073 square feet, and would contain a total of 59 dwelling units including 5 studio, 35 one-bedroom, 16 two-bedroom, and 3 three-bedroom apartments. All of these apartments would be designated as permanently affordable. The buildings will each provide a laundry room, tenant storage space, and indoor and outdoor recreation space with the exception of one building that will not include indoor recreation space.

The four parcels are in two locations 7 blocks apart. Three of the parcels are on Maujer and Ten Eyck Streets between Union Avenue and Lorimer Street, which is in central Williamsburg, three blocks east of the Brooklyn-Queens Expressway. The parcels and surrounding area are zoned R6B, with the nearby commercial streets of Union Avenue and Grand Street zoned R7A/C2-4 and C4-4A, respectively. The nearby area is occupied by 2- to 4-story residential buildings with mixed-use and commercial buildings on Grand Street and Union Avenue. The landmarked Williamsburg Houses is one block to the east. The nearest large park is McCarren Park, located approximately 0.6 miles to the north, and several smaller parks and playgrounds, including the ½-acre Ten Eyck Plaza, are nearby. The nearest subway station is the Metropolitan Ave./Lorimer St. stop on the L and G lines. Also, the B48, B60, Q54, and Q59 buses all stop

within walking distance of the parcel.

The fourth parcel is at the intersection of Bedford Avenue and South 4th Street in the Southside section of Williamsburg, four blocks west of the Brooklyn-Queens Expressway and one block north of the Williamsburg Bridge. The parcel is zoned R6/C2-3. Zoning to the north is R6, with commercial overlays on Bedford Avenue, and Grand, Roebling, and Havemeyer Streets. Blocks immediately south of the parcel are zoned MX8: M1-2/R6. The surrounding area is occupied by 2- to 4-story attached rowhouses, and 5- to 6-story attached apartment buildings. Some industrial buildings are located on blocks to the south. The nearest large park is also McCarren Park, approximately 0.75 miles to the northeast, though several smaller parks and playgrounds are located closer to the parcel. The nearest subway station is the Marcy Av. station on the J and M subway lines, four blocks to the southwest. The B39, B44, B60, and Q59 buses all stop within walking distance of the parcel.

Parcel 1: 37-39 Maujer Street

This parcel consists of Lots 42 and 43 on Block 2785. The parcel measures 50 feet by 90-100 feet and totals 4,750 square feet in area. It is part of Site No. 1 of the Maujer Street Urban Renewal Plan, which was approved in 2000. Site No. 1 was designated for residential or community facility uses. Properties adjacent to, or across the street from, the parcel include 3- and 4-story residential buildings, one of which has a social club on the first floor. The project sponsor proposes to build a 4-story 40-ft tall residential building with 1 studio and 13 one-bedroom apartments. The building will provide an indoor recreation room, laundry and tenant storage areas, and a rear yard that is accessible to all tenants.

Parcel 2: 33 Ten Eyck Street

This parcel consists of Lot 37 on Block 2791. The parcel measures 75 feet by 100 feet and totals 7,500 square feet in area. It is part of Site No. 3 in the Maujer Street Urban Renewal Plan, which is designated for residential or community facility development. Properties adjacent to, or across the street from, the parcel include 3- and 4-story residential buildings and the Ten Eyck Plaza open space. The project sponsor proposes to build a 4-story 40-ft tall residential building with 1 studio, 9 one-bedroom, 7 two-bedroom, and 1 three-bedroom apartments. The building will

provide an indoor recreation room, laundry and tenant storage areas, and a rear yard that is accessible to all tenants.

Parcel 3: 37 Ten Eyck Street

This parcel consists of Lot 35 on Block 2791. The parcel measures 25 feet by 100 feet and totals 2,500 square feet in area. It is part of Site No. 5 of the Maujer Street Urban Renewal Plan, which is designated for residential or community facility development. Properties adjacent to, or across the street from the parcel include 3- and 4-story residential buildings and the Ten Eyck Plaza open space. The project sponsor proposes to build a 4-story 40-foot tall residential building with 7 one-bedroom apartments. The building will provide an indoor recreation room, laundry and tenant storage areas, and a rear yard that is accessible to all tenants.

Parcel 4: 354-358 Bedford Avenue/121 South 4th Street

This parcel consists of Lots 23, 24, 25, and 28 on Block 2430. The parcel totals 7,293 square feet in an L-shaped configuration that wraps around, but does not include the actual corner lot. The parcel has 61 feet of frontage along Bedford Avenue and 24 feet of frontage along South 4th Street. Properties adjacent to, and across the street from, the parcel include residential and mixed-use buildings between 3 and 6 stories tall. The project sponsor proposes to build a 5-story 51-ft tall mixed-use building with 3 studio, 6 one-bedroom, 9 two-bedroom, and 2 three-bedroom apartments. On the ground floor, 5,755 square feet of commercial space, laid out in two retail bays, would front on Bedford Avenue, and 422 square feet of community facility space would front on South 4th Street. The community facility space is to be rented out to an independent tenant that has not yet been selected. The residential entrance would also be on South 4th Street. The building will include laundry, storage areas, and rooftop recreation areas accessible to all tenants.

ENVIRONMENTAL REVIEW

This application (C 110095 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

designated CEQR number is 10HPD0012K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential impact of the proposed action, a Negative Declaration was issued on August 9, 2010.

UNIFORM LAND USE REVIEW

This application (C 110095 HAK) was certified as complete by the Department of City Planning on October 12, 2010, and was duly referred to Brooklyn Community Board 1 and the 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 1 held a public hearing on this application on November 9, 2010, and on December 7, 2010, by a vote of 31 in favor and 0 against with 0 abstentions, adopted a resolution recommending disapproval of the application with conditions. The Community Board's conditions were as follows.

- 1. Reduce the resident income thresholds, as proposed, with the additional funding, including a minimum of 20% of the units affordable to residents earning 40% of AMI.*
- 2. Commit the funds to achieve these levels of affordability.*
- 3. At Bedford Avenue, relocate the AC unit out of the rear yard where it will be disruptive to the residents.*
- 4. At 33 Ten Eyck, modify the layouts of the two end apartments so that each living room is at the street and each bedroom is recessed.*

Borough President Recommendation

This application (C 110095 HAK) was considered by the Brooklyn Borough President who issued a recommendation on January 7, 2011, approving the application with the following conditions:

1. *That the permanent affordability status be memorialized in the Land Disposition Agreement between the Department of Housing Preservation and Development and the designated developer;*
2. *That additional income tiers be established to include up to 40% and 50% AMI;*
3. *That priority for ground floor units be given to households with at least one member who is at least age 55 or disabled;*
4. *That one or more locally-based nonprofit affordable housing providers play a role in marketing the housing and tenant selection screening (lottery).*

City Planning Commission Public Hearing

On January 5, 2010 (Calendar No. 8), the City Planning Commission scheduled January 26, 2010 for a public hearing on this application (C 110095 HAK). The hearing was duly held on January 26, 2010 (Calendar No. 21).

Three speakers spoke in favor of the application. Speakers included representatives of the project sponsor and architect, and HPD. Representatives of the sponsor and architect provided background on the sponsor's past work and on the project under review as part of this application. The sponsor's representative stated that, in response to Community Board 1's recommendation, they were working with HPD to add dwelling units affordable to those making 40% of area median income. The representative of HPD noted, in response to a question regarding the Borough President's recommendation, that permanent affordability would be specified in the regulatory agreement, which is referenced in the Land Disposition Agreement.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the approval of this application for an Urban Development Action Area designation, project approval and disposition of city-owned property, is appropriate.

The proposed project will consist of three 4-story residential buildings and one 5-story mixed use buildings with a total of 59 units of affordable housing and 5,755 square feet of ground floor

retail and 422 square feet of community facility space.

In response to Community Board One's and Borough President's conditions that the project include units affordable to families with lower incomes than those specified in the RFP, the Commission notes that HPD has stated they are pursuing the provision of additional low income units and the project sponsor testified that they hoped to provide units affordable to those making 40% of the area median income. The Commission also notes the efforts made by the project sponsor and HPD to respond to the design-related concerns of Community Board 1. Additionally, in response to the Borough President's condition that permanent affordability for the residential units be required, the Commission notes that HPD has stated this requirement will be included in binding agreements between itself and the project sponsor.

The Commission notes that the approval of the UDAAP for the development site would facilitate the development of vacant City-owned property and that the project will address the need for affordable housing in the Williamsburg neighborhood.

RESOLUTION

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35.), and 354/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), 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 area;

THEREFORE, be it **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located at 37/39 Maujer Street (Block 2785, Lots 42 a and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block

2791, Lot 35.), and 354/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and

BE IT FURTHER RESOLVED, that the City Planning Commission finds that the proposed disposition of city owned property located at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35) conforms to the objectives and provisions of the Maujer Street Urban Renewal Plan (C 970372 HDK, approved on June 28, 2000)

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 at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35.), and 354/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 110095 HAK).

The above resolution (C 110095 HAK), duly adopted by the City Planning Commission on March 2, 2011 (Calendar No. 11), 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,
IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
BETTY Y. CHEN, RICHARD W. EADDY, ANNA HAYES LEVIN,
SHIRLEY A. MCRAE, KAREN A. PHILLIPS Commissioners

MARIA M. DEL TORO, Commissioner, Recused

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C110095HAK
CEQR # 10HPD012K
Community District No. 01 Borough: Brooklyn
Project Name: **Maujer/Ten Eyck/Bedford**

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

Docket Description:

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:
 - c. the designation of properties located at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35.), and 356/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), as an Urban Development Action Area; and
 - d. 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 four, four-story buildings with a total of approximately 59 dwelling units.

Related Applications:

Applicant(s):

NYC Dept. of Housing Preservation & Development
100 Gold Street
New York, NY 10038

Applicant's Representative:

Jack Hammer
NYC Dept. of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Community Board No. 01 Borough: Brooklyn

Borough Board of _____

11-9-2010

211 AINSLIE STREET

Date of public hearing: _____

Location: _____ BROOKLYN, NY 11211

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: 12-7-2010

Location: 211 AINSLIE STREET
BROOKLYN, NY 11211

RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Please see attached report

Voting

In Favor: 31

Against: 0

Abstaining: 0

Total members appointed to the board: 48

CHAIRMAN

Community/Borough Board Officer

Title

12/8/2010

v.012006w

Date

*The
City
of
New York*



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, N.Y. 11211-2429

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.cb1brooklyn.org

HON. MARTY MARKOWITZ
BROOKLYN BOROUGH PRESIDENT



RABBI JOSEPH WEBER
FIRST VICE-CHAIRMAN

HEATHER ROSLUND
SECOND VICE-CHAIRPERSON

DEL TEAGUE
THIRD VICE-CHAIRPERSON

KAREN LEADER
FINANCIAL SECRETARY

ISRAEL ROSARIO
RECORDING SECRETARY

PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

CHRISTOPHER H. OLECHOWSKI
CHAIRMAN

GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. DIANA REYNA
COUNCILMEMBER, 34th CD

December 7, 2010

Land Use, ULURP and Landmarks Committee Report

TO: Chairman Christopher H. Olechowski
CB #1 Board Members

FROM: Heather Roslund, Committee Chair

RE: Committee Report

Meeting date: Tuesday, November 23rd, 2010

Attending: Heather Roslund, Chair, Gina Barros, Ward Dennis, Jaye Fox, Del Teague, Jose Leon, Abraham Perlstein, Robert Solano, Yehuda Turner, Maria Viera, Simon Weiser

1. NYC DEPARTMENT OF CITY PLANNING –

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 for:

a. the designation of properties located at 37/39 Maujer Street (Block 2785, Lots 42 and 43), 33 Ten Eyck Street (Block 2791, Lot 37), 37 Ten Eyck Street (Block 2791, Lot 35) and 356/358 Bedford Avenue (Block 2340, Lots 23, 24, 25 and 28), as and 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 four, four-story buildings with a total of approximately 59 dwelling units.

Yuco, the designated developer, presented the four proposed 4 and 5 story building designs in renderings, elevation, site and floor plan, and typical apartment layouts, as well as building amenities, construction type, facade treatments, etc. They also showed photos of the existing site conditions.

They stated that all buildings will be built under the Quality Housing Program, with elevators, laundry facilities and tenant recreation space, either indoors or out.

In response to an earlier presentation to CB#1, they have revised the buildings to accommodate a greater number of larger units; however this yields a lesser number of total units.

HPD stated that, per the RFP, the targeted income ranges eligible for each development varies by building, but is a mixture of 60%, 80% and 100% of AMI. However, they are pursuing additional funding to lower the level of affordability more than required by the parameters of the FRP. This would reduce qualified resident income thresholds across all buildings and possibly even provide some units affordable to families with incomes as low as 40% AMI.

The discussion began with several design concerns, particularly at Bedford Avenue and 33 Ten Eyck Street, and then focused on the incompatibility of the proposed levels of affordability with real incomes of community residents.

The committee asked HPD what the AMI of CB#1 is and HPD did not have an answer. The committee then asked how HPD can state that the units they are providing serve the residents of the community if they do not know what type of income levels are found here. HPD responded that the programs are based on NYC area AMI, not locally.

It was pointed out that Northside Piers, with units affordable to residents earning 60% AMI has a long waiting list for units, while the Edge, where the units are affordable to residents earning 80% AMI has almost no tenants at all. One could then deduce that for CB#1, additional units at 60% AMI are required and not at the higher thresholds.

After further discussion along these lines, the committee agreed upon the following:

Whereas HPD has responded to the concerns of CB#1 in terms of type and size of the units, and the general design of the buildings are sufficient with a few exceptions, and

Whereas providing affordable housing is a primary goal of this community, and

Whereas it is clear that the levels of affordability proposed do not meet the needs of the community but the potentially lower levels would,

We therefore deny the application with the following recommended modifications:

- **Reduce the resident income thresholds as proposed with the additional funding, including a minimum of 20% of the units affordable to residents earning 40% AMI.**
- **Commit the funds to achieve these levels of affordability.**
- **At Bedford Avenue, relocate the HVAC unit out of the rear yard where it will be disruptive to the residents.**

- At 33 Ten Eyck Street, modify the layouts of the two end apartments so that each Living Room is at the street and each Bedroom is recessed.

9 In favor, 1 against, 1 abstention

**2. NYC BOARD OF STANDARDS AND APPEALS – SPECIAL PERMIT (CAL. # 181-10-BZ)
143 Roebling Street (aka 143/155 Roebling Street, 314/330 Metropolitan Avenue and 1/19 Hope Street – corner of Roebling Street, Metropolitan Avenue and Hope Street) Block 2368, Lot 1**

Application for a special permit for a waiver of on-lot and near-to-lot parking spaces in connection with alteration work upon existing residential floor area to establish 90 residential apartments at 143 Roebling Street

Applicant – Patrick W. Jones, P.C.

This is an as-of-right conversion of a complex of existing loft buildings from manufacturing to residential. The applicant is proposing 90 dwelling units. The Zoning resolution requires that parking be provided for 50% of the units, or 45 parking spaces. The Zoning Resolution further stipulates per section 73-46 "Waiver of Requirements for Conversions", that:

In R6 or R7-1 Districts, in C1 or C2 Districts mapped within R6 or R7-1 Districts, or in C4-2 or C4-3 Districts, where the number of accessory off-street parking spaces required for additional *dwelling units* created by conversions exceeds the number of spaces which may be waived as of right under provisions of Sections 25-262, 36-363 or 36-364, the Board of Standards and Appeals may waive all or part of the required spaces, provided that the Board finds that there is neither a practical possibility of providing such spaces:

(a) on the same *zoning lot* because of insufficient *open space* and the prohibitive cost of structural changes necessary to provide the required spaces within the *building*; nor

(b) on a site located within 1,200 feet of the nearest boundary of the *zoning lot* because all sites within such radius are occupied by substantial improvements.

This item was reviewed last month and the Board voted to deny the application with recommended modifications. Subsequently, the applicant has identified 4 parking lots within an 800 foot radius of the development with a combined capacity of approximately 70 parking spaces. Of these 4 lots, only one has a valid DCA license. This lot has a capacity of 6 spaces with an unknown number of spaces available.

The applicant will only commit to securing a lease at a lot with a valid DCA license, which can be acquired upon reasonable terms and be for a term of multiple years.

After a brief review of last month's resolution and the newly presented information, the committee agreed upon the following:

Whereas the applicant responded to the Board's concerns promptly and professionally, and

Whereas we continue to agree that parking would be difficult if not impossible to provide within the building and therefore the applicant meets condition (a) of section 73-46 of the Zoning resolution, and

Whereas we do not support the accommodation of the parking within the building, and

Whereas the Board of Standards and Appeals may waive all or part of the required spaces, and

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

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 #: 110095 HAK

Maujer/Ten Eyck/Bedford

In the matter an application submitted by the Department of Housing Preservation and Development pursuant to: a) Article 16 of the General Municipal Law of New York State for the designation of properties located at 37/39 Maujer Street, 33 Ten Eyck Street, and 356/358 Bedford Avenue as an Urban Development Action Area; and an Urban Development Action Area Project for such area and, b) 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 4 four-story buildings with approximately 59 units.

COMMUNITY DISTRICT NO. 1

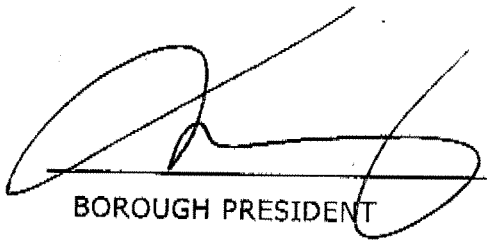
BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

Recommendation report on following pages


BOROUGH PRESIDENT

January 7, 2011

DATE

RECOMMENDATION FOR THE PROPOSED DISPOSITION OF LAND AND DESIGNATION AS AN URBAN DEVELOPMENT ACTION AREA 110095 HAK

This application by the Department of Housing Preservation and Development (HPD) seeks to designate a number of properties as an Urban Development Action Area and to dispose of these properties to a selected developer in order to facilitate the development of approximately 59 residential units. On December 1, 2010 the borough president held a public hearing for the Maujer/Ten Eyck/Bedford land disposition proposal.

CONSIDERATION

Community Board 1 disapproved the application with the following modifications: to reduce the resident income thresholds through additional funding (including committed funds from the applicant); to provide at least 20% of the units to residents earning 40 percent area median income (AMI); and, to modify the layout of the apartments.

The borough president supports proposals that provide an increase to the supply of housing for Brooklyn residents, especially when the result yields more affordable housing. He is concerned that too many of the borough's residents leave because they can no longer afford to live in Brooklyn. In light of this, the borough president believes that it is appropriate to require new developments to include permanent affordable housing units. For city-owned lots, it is generally the policy of the borough president to seek at least 50 percent of the generated units to be affordable.

The borough president is pleased that the application is assuming that the city-owned sites would be developed entirely as affordable housing. Creating and maintaining affordable housing continues to be a challenge in New York City. The trend of losing affordable units to the lure of privatization has resulted in an increased demand for such housing. The borough president believes that without actively trying to meet this demand, the city will consist of those who are either poor or very affluent.

The borough president appreciates that HPD is once again extending its 50 percent local preference to those who had been displaced from the community. The borough president was the first to go on record calling for such a consideration in his 2005 recommendation regarding the rezoning of the Williamsburg and Greenpoint waterfront neighborhoods. This is an important step in providing an opportunity for long-time area residents to benefit from the proposed affordable housing. In order to make this project more affordable to those with lower household incomes, the designated developer had proposed reducing the maximum AMI to have all units not exceed 60 percent of AMI, rather than as initially proposed with some units at 80 percent and 100 percent AMI.

PERMANENT AFFORDABILITY

When new affordable units are created, it is always a concern of the borough president regarding the number of years they can be kept affordable. In areas where new developments can be realized on city-owned sites, it should be a policy of the City to minimize the loss of affordable housing. Measures need to be put in place in order to ensure that these residences can remain as affordable options for the city's residents. The borough president believes that as the City goes about disposing of its land to developers, that such units should be affordable forever.

The borough president understands that it is HPD's intention to memorialize, through a land disposition agreement (LDA) and possibly other mechanisms, that development on these sites be required to be 100 percent affordable and remain permanently affordable. He believes that the LDA is an example of an appropriate mechanism to ensure this and that such affordable housing remains affordable in perpetuity. He calls on HPD to memorialize this agreement as a condition of disposition.

ADDITIONAL INCOME TIERS

The borough president appreciates the designated developer's interest in making the project more affordable, though such an approach of having all the units at one AMI tier would actually limit the number of households that could qualify for these units. Alternatively, the borough president believes the best approach to maximize affordability is to increase the number of tiers by establishing tiers at 40 percent and 50 percent AMI to go along with the initial tiers of 60, 80 and 100 percent. Doing so would increase the number of households that could apply for these units. The borough president believes the developer should be obligated to establish such income tiers.

SENIOR/PEOPLE WITH DISABILITIES HOUSING

The borough president supports projects that increase the supply of affordable housing for the growing number of elderly residents of Brooklyn. Unfortunately, many seniors continue to live in substandard accommodations and/or are forced to spend an excessive amount of their income on their housing. The inadequacy of decent housing options needs to be addressed through the production of quality housing. Such housing can also benefit those who are disabled. Therefore, it is the borough president's policy that ground floor units of affordable housing developments be prioritized for tenancy by households that include those with at least one person age 55 or older or for households containing a member that is disabled. This development should play a role as part of a strategy to increase the supply of decent affordable housing for the elderly. The borough president believes that HPD should include such objectives in its LDA with the designated developer.

COMMUNITY PREFERENCE

The borough president believes that in order to best attain community objectives for local preference, participation by one or more locally based housing organization in the outreach and tenant screening process should occur. He encourages the designated developer to coordinate with at least one community-based entity in the marketing and tenant screening process.

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 proposed land disposition conditionally based on the following:

- a) That the permanent affordability status be memorialized in the Land Disposition Agreement between the Department of Housing Preservation and Development and the designated developer;
- b) That additional income tiers be established to include up to 40% and 50% AMI;

- c) That priority for ground floor units be given to households with at least one member who is at least age 55 or disabled;
- d) That one or more locally-based nonprofit affordable housing providers play a role in marketing the housing and tenant selection screening (lottery).