



CITY PLANNING COMMISSION

September 9, 2009 / Calendar No. 13

C 090447 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 228 Riverdale Avenue (Block 3603, Lot 25) 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 seven-story building, tentatively known as Riverway Apartments, with approximately 115 residential units, commercial and community facility space, to be developed under the Department of Housing Preservation and Development Supportive Housing Program, Community District 16, Borough of Brooklyn

Approval of three separate matters is required:

1. the designation of property located at 228 Riverdale Avenue (Block 3603, Lot 25), 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 090447 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 May 20, 2009.

Approval of this application would facilitate the development of a mixed-use building with 115 affordable residential units for the elderly under HPD's Supportive Housing Program, community facility and commercial space.

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 Department of Housing Preservation and Development is seeking an Urban Development Action Area designation and project approval for a site located at 228 Riverdale Avenue (Block 3603, Lot 25) in the Brownsville neighborhood of Brooklyn, Community District 16.

The development site consists of one City-owned vacant lot (Block 3603, Lot 25) with 20,923 square feet of lot area and occupies the entire southern side of Riverdale Avenue between, Rockaway and Thatford avenues. The site is zoned R6/C2-3 and M1-1 and formerly contained a green thumb garden. On the same block along Rockaway Avenue are one-story commercial buildings including a laundry and dry cleaner, a beauty salon, warehouses and a church. On the corner of Rockaway Avenue and Newport Street is an active green thumb garden.

The proposed project would consist of a seven-story, 84,874 square-foot, approximately 63 feet tall, mixed-use elevator building developed under the Quality Housing Program. The proposed building would consist of 114 one-bedroom units and one two-bedroom unit for the superintendent, 7,118 square feet of community facility space, and 2,097 square feet of ground floor retail space.

The residential entrance of the U-shaped building would be located on Riverdale Avenue. The residential units would be reserved for seniors aged 62 years and older, with 20 percent of the units set aside as permanent housing for homeless seniors, and the remaining 80 percent rented to low-income seniors. There would be 18 parking spaces and a 1,800 square foot garden, both located in the rear, as well as a 1,400 square foot roof top terrace on the seventh floor. Both open spaces would provide sitting areas, barbeque equipment, and an area for resident gardening. Other amenities would include a laundry room, a community room and 24 hour security in the building.

The community facility space would have a separate entrance on Rockaway Avenue and would serve the residents of the building as well as community residents. 1,540 square feet of the community facility space would be located on the ground floor and 5,578 in the cellar. The

commercial space would also be located on Rockaway Avenue and the sponsor anticipates local retail businesses occupying space.

The area is generally low and medium density residential with several public housing developments and generally zoned R6. To the west of the project site, on Riverdale and Rockaway Avenues, in an R6/C2-3 zoning district, are the 54-unit Riverrock Apartments, an affordable housing project developed under HPD's Mixed Income Rental Program. To the northwest on Rockaway Avenue, is the nearly-completed The Rockaway developed under HPD's Cornerstone program, and Dona Rosita II a 61-unit HPD project for persons living with HIV/AIDS. Also to the northwest is Marcus Garvey Village, a three-story, 468 unit, publicly-subsidized housing development. To the north of the project site on Riverdale Avenue is a three-story Verizon Building, a one-story commercial building, the NYCHA Tilden Houses and Riverstone Housing. To the east, on Thatford Avenue is PS 41 and one- and two-family attached homes developed under the Nehemiah Housing Program. To the south are Newport Gardens, a three-story, 128-unit housing development, and low-rise attached one and two-family residential buildings in an R6 district.

The project site is close to public transportation, with the No. 3 subway line Rockaway Avenue Station one block to the north on Livonia Avenue and the B60 bus stops on Rockaway Avenue next to the project site.

ENVIRONMENTAL REVIEW

This application (C 090447 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 09HPD031K. 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 June 9, 2009.

UNIFORM LAND USE REVIEW

This application (C 090447 HAK) was certified as complete by the Department of City Planning on June 15, 2009, and was duly referred to Brooklyn Community Board 16 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 16 held a public hearing on this application on June 23, 2009, and on that date, by a vote of 29 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 July 13, 2009.

City Planning Commission Public Hearing

On July 22, 2009 (Calendar No. 5), the City Planning Commission scheduled August 5, 2009, for a public hearing on this application (C 090447 HAK). The hearing was duly held on August 5, 2009 (Calendar No. 19). There were four speakers in favor and none in opposition.

The speakers in favor of the project included two representatives of the developer, the architect, and the co-sponsor. The representatives for the developer described the project and stated that the units would be for people ages 62 and older not earning more than 60 percent of the Area Median Income. In addition, no resident would have to pay more than 30 percent of their income in rent as part of the Section 8 program. . The architect described the project's open space and the community facility and commercial spaces. The co-sponsor, a local church, pointed out that the proposed community facility would help expanding their community programs and would anchor the project in the community.

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

CONSIDERATION

The Commission believes that the application (C 090447 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 housing for the elderly in Brownsville. The new building would contain 115 dwelling units that would provide residences for low-income and formerly homeless elderly residents. Accessory community facility space would serve building and area residents. The proposed retail space at the corner of Riverdale and Rockaway Avenues would be compatible with other retail uses along Rockaway Avenue and would activate the corner.

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 16 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 228 Riverdale Avenue (Block 3603, Lot 25), 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 228 Riverdale Avenue (Block 3603, Lot 25) 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 228 Riverdale Avenue (Block 3603, Lot 25), Community District 16, Borough of Brooklyn, to a developer selected by HPD, is approved.

The above resolution, (C 090447 HAK) duly adopted by the City Planning Commission on September 9, 2009, (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, *FAICP, Chair*
KENNETH J. KNUCKLES, *Esq., Vice Chairman*
ANGELA M. BATTAGLIA, RAYANN BESSER,
IRWIN G. CANTOR, P.E., BETTY Y. CHEN,
MARIA M. DEL TORO, RICHARD W. EADDY,
NATHAN LEVENTHAL, KAREN A. PHILLIPS, *Commissioners*

ANNA HAYES LEVIN, *Commissioner, Abstaining*