



CITY PLANNING COMMISSION

December 17, 2003/Calendar No. 16

C 040016 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 227 Marcy Avenue / 248-268 Division Avenue (Block 2195, Lots 1 and 14), 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 selected by HPD;

to facilitate the rehabilitation of an existing school building pursuant to the Community Works Program, Borough of Brooklyn, in Community District 1.

Approval of three separate matters is required:

1. The designation of property generally located at 227 Marcy Avenue/248-268 Division Avenue (Block 2195, Lots 1 and 14), in the Borough of Brooklyn as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of such property to a developer selected by the Department of Housing Preservation and Development (HPD).

The application for the disposition was submitted by the Department of Housing Preservation and Development on July 9, 2003.

Approval of this application would facilitate the rehabilitation of an existing school building known as the Beth Rachel Girls School.

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

The Disposition Area consists of an underutilized building that tends to impair or arrest the sound development of the surrounding community, with or without tangible 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 Disposition 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 seeks approval of an Urban Development Action Area designation, project approval, and disposition of city-owned property located at 227 Marcy Avenue/248-268 Division Avenue (Block 2195, Lots 1 and 14), in Community District 1, Brooklyn. The approval of this UDAAP application would facilitate the rehabilitation and disposition of a four-story school building for a community facility use to a developer to be selected by HPD.

The subject property, formally known as Eastern District High School, is just east of the Brooklyn Queens Expressway, and is bounded by Marcy Avenue, Rodney Street, Division Avenue and Keap Street. The property includes a 105,500 square foot, four-story school building, a 4,800 square foot one-story auditorium and outdoor recreational space. The school is

located in an R6 residential district and is in an area of three- to four-story attached residential buildings.

The school building is presently occupied by the private Beth Rachel Girls School, operating under a lease agreement with the city for the past 25 years. There are 3,000 students enrolled in the school, which offers a full curriculum from grades 1 through 8 with a staff of 250. The property is currently occupied subject to the conditions of a long-term lease expiring on July 8, 2005, by the Department of Citywide Administrative Services.

The school building requires repairs, including upgrading of mechanical, electrical and plumbing systems and the repair and painting of exterior and interior spaces. The purchasers will be required to secure funding to complete the necessary rehabilitation work and maintain the existing educational facility.

The school building would be disposed through HPD's Community Works Program under which not-for-profit organizations purchase and conserve the buildings that they already occupy under lease agreements with the city. The program also requires that the property would be maintained as a community facility. HPD will not provide any construction loans or operating funds for the subject property.

ENVIRONMENTAL REVIEW

This application (C 040016 HAK) was reviewed pursuant to the New York State Environmental

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

The application was determined to be a Type II action which require no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 040016 HAK) was certified as complete by the Department of City Planning on August 11, 2003 and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on September 10, 2003, and on October 15, 2003, by a vote of 38 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on November 6, 2003, approving the application.

City Planning Commission Public Hearing

On November 5, 2003 (Calendar No. 1), the Commission scheduled November 19, 2003, for a public hearing on this application (C 040016 HAK). The hearing was duly held on November 19, 2003 (Calendar No. 4).

There were no speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval, and the disposition of city-owned property located at 227 Marcy Avenue/264-268 Division Avenue (Block 2195, Lots 1 and 14), in Community District 1, Brooklyn, is appropriate.

The application would facilitate the rehabilitation of a severely dilapidated school building which houses a private girls school. The school is located in an R6 residential district and has operated at this location for 25 years under a long term lease, which expires on July 8, 2005. The school employs a staff of 250 people and has an enrollment of 3,000 students.

The disposition of this property would enable the purchasers to secure funding for the necessary repairs. The rehabilitation work would include an upgrade of electrical, plumbing and mechanical systems, and masonry work. The property would be disposed to a not-for-profit organization pursuant to HPD's Community Works Program, which requires that the subject

property be repaired and maintained as a community facility.

The Commission believes that the disposition of the subject property would help the rehabilitation of the school building and end a blighting influence in the neighborhood. The Commission therefore believes that the proposed project is appropriate.

RESOLUTION

WHEREAS the Department of Housing Preservation and Development has recommended the designation of city-owned property generally located at 227 Marcy Avenue / 248-268 Division Avenue (Block 2195, Lots 1 and 14), 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 action, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) the designation of 227 Marcy Avenue/248-268 Division Avenue (Block 2195, Lots 1 and 14), 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 to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act 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 the Urban Development Action Area Act; and 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 227 Marcy Avenue/248-268 Division Avenue (Block 2195, Lots 1 and 14) Community District 1, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development is approved.

The above resolution (C 040016 HAK), duly adopted by the City Planning Commission on December 17, 2003 (Calendar No. 16), 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
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RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI,
JOHN MEROLO, DOLLY WILLIAMS, Commissioners