



CITY PLANNING COMMISSION

March 12, 2008/Calendar No. 27

C080134 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 790, 792, 794, 796, 788, and 788A Lafayette Avenue (Block 1792, Lots 20-25) and 123 Van Buren Street (Block 1792, Lot 61) 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 790, 792, 794, and 796 Lafayette Avenue (Block 1792, Lots 22-25), and 123 Van Buren Street (Block 1792, Lot 61) to a developer selected by HPD;

to facilitate development of a three-story residential building, tentatively known as Lafayette Avenue, with approximately 23 residential units, to be developed under the Department of Housing Preservation and Development's Cornerstone Program, Borough of Brooklyn, Community District 3.

Approval of three separate matters is required:

1. the designation of property located at 790, 792, 794, 796, 788, and 788A Lafayette Avenue (Block 1792, Lots 20-25) and 123 Van Buren Street (Block 1792, Lot 61) as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such property; and
3. the disposition of 790, 792, 794, and 796 Lafayette Avenue (Block 1792, Lots 22-25), and 123 Van Buren Street (Block 1792, Lot 61) to a developer to be selected by HPD.

The application for the Urban Development Action Area designation, project approval, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on October 23, 2007.

Approval of this application would facilitate the development of a three-story residential building, tentatively known as Lafayette Avenue, with approximately 23 residential units in the Bedford-Stuyvesant neighborhood of Brooklyn's Community District 3.

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 (HPD) is seeking an Urban Development Action Area designation, project approval and disposition of city-owned land to facilitate the development of a residential, building at 788-796 Lafayette Avenue and 123 Van Buren Street in the Bedford – Stuyvesant neighborhood of Brooklyn's Community District 3.

The 15,300 square foot site is located in an R5 district on the south side of Lafayette Avenue between Throop Avenue and Marcus Garvey Boulevard. The site consists of five city-owned lots (Block 1792, Lots 22, 23, 24, 25, 61) and two privately-owned lots (Block 1792, Lots 20 and 21). All lots (Block 1792, Lots 20-25 and 61) are subject to the Urban Development Action Area designation; however, only the city owned lots (Block 1792, Lots 22-25 and 61) are subject to disposition.

The Lafayette Avenue project would consist of one three-story building with 23 units and would be developed under HPD's Cornerstone program. Of the units, eight would be one-bedroom units and 15 would be two-bedroom units. The project would also have 3,340 square feet of landscaped outdoor recreation space in the rear of the building. Recreational and green space

with low shrub plantings and pavers are intended to be provided on the building's roof. The building would have a 20-space accessory, underground parking garage. A curb cut on Lafayette Avenue would provide both access and egress to the parking garage.

The site is surrounded by a mix of one-and two-family homes, and three-and four-story multi-family buildings. A public elementary school is located directly across the street, on the north side of Lafayette Avenue and local retail can be found along the adjacent north/south avenues. This area is served by the G train, which stops at the Bedford/Nostrand station located four blocks from the site, and by several bus lines serving the area along Marcus Garvey Blvd, Throop Avenue, and Lafayette Avenue.

ENVIRONMENTAL REVIEW

This application was determined to be a Type II action which requires no further environmental review on March 16, 2007.

UNIFORM LAND USE REVIEW

This application (C 080134 HAK) was certified as complete by the Department of City Planning on December 3, 2007 and was duly referred to Community Board 3 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 3 held a public hearing on this application (C 080134 HAK) on January 7, 2008, and on that date, by a vote of 34 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 February 15, 2008, subject to the following condition:

That the City Planning Commission and City Council approve this UDAAP designation and disposition of property on the condition that efforts be made to have these units be "affordable forever" through state-of-the-art resale provisions.

City Planning Commission Public Hearing

On February 13, 2008 (Calendar No. 9), the City Planning Commission scheduled February 27, 2008, for a public hearing on this application (C 080134 HAK). The hearing was duly held on February 27, 2008 (Calendar No. 29).

There were two speakers in favor of the project and none in opposition.

The speakers in favor of the project were a representative of the project sponsor and the architect for the project. The representative of the project sponsor described the proposed project and that it would provide sorely-needed affordable housing to this community. A representative of HPD appeared in favor of the application.

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

CONSIDERATION

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

The application would facilitate the development of a three-story residential building with approximately 23 residential units. Approval of this application would provide much-needed affordable housing opportunities for low-income and moderate-income households in the community.

Disposition would allow for the return of this property to a productive use and the elimination of its blighting influence on the neighborhood. It would also enable these city-owned properties to be developed with a use that would serve the needs of Community District 3 and the City of New York. The Commission, therefore, believes that the proposed Urban Development Action Area designation and project (UDAAP) and the disposition of city-owned property are appropriate.

Regarding the recommendation of the Borough President, the Commission notes that the Department of Housing Preservation and Development (HPD) has stated in a letter, dated March 6, 2008, that they will provide these units as part of the Cornerstone home ownership program, and that a 15 year lien will be placed on the property to ensure that the units remain affordable.

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 790, 792, 794, 796, 788, and 788A Lafayette Avenue (Block 1792, Lots 20-25) and 123 Van Buren Street (Block 1792, Lot 61) 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 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 788, 788A, 790, 792, 794 and 796 Lafayette Avenue (Block 1792, Lots 20, 21, 22, 23, 24 and 25) and 123 Van Buren Street (Block 1792, Lot 61) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such property;

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 policy is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act.

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 790, 792, 794 and 796 Lafayette Avenue (Block 1792, Lots 22, 23, 24 and 25), and 123 Van Buren Street (Block 1792, Lot 61), Borough of Brooklyn, Community District 3, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080134 HAK).

The above resolution (C 080134 HAK), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 27), 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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JOHN MEROLO, KAREN A. PHILLIPS, Commissioners.