



CITY PLANNING COMMISSION

March 4, 2009/Calendar No.8

C 090142 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 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; 1562, 1564, and 1566 Fulton Street (Block 1699, Lots 8-10); 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area; and 43 Albany Street (Block 1699, Lot 6), 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 property located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; and 1568, 1570, 1572, 1574 and 1576 Fulton Street (Block 1699, Lots 11-15); Site 17B of the Fulton Park Urban Renewal Area; to a developer selected by HPD;

to facilitate development of a mixed-use building, tentatively known as the Bradford, with approximately 96 units and commercial space, Borough of Brooklyn, Community District 3.

Approval of three separate matters is required:

1. The designation of properties located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; 1562, 1564, and 1566 Fulton Street (Block 1699, Lots 8-10); 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area; and 43 Albany Street (Block 1699, Lot 6), as an Urban Development Action Area;
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 for the 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 October 9, 2008.

Approval of this application would facilitate the construction of a 9-story building, tentatively known as the Bradford, with approximately 96 residential units of affordable housing.

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 New York City Department of Housing Preservation and Development is seeking UDAAP designation, project approval and disposition of city owned properties to develop the Bradford, an affordable housing development at 43 Albany Avenue, aka 1560-1576 Fulton Street in the Bedford Stuyvesant neighborhood in Brooklyn, Community District 3.

The site is located at the south east corner of Fulton Street and Albany Avenue and is comprised of six (6) City-owned properties (Block 1699, Lots 7, 11, 12, 13, 14, and 15) and four (4) privately-owned properties (block 1699, Lots 6, 8, 9, and 10). The six City-owned properties would be disposed while all ten (10) properties would be subject to UDAAP designation and

project approval.

The site has a lot area of 20,000 square feet of which 66% is in city-ownership. The entire site, except lot 7 is occupied by three to four story vacant buildings which will be demolished to make room for the proposed development. The city owned portion of the project site is located within the Fulton Park Urban Renewal Area, identified as Site 17A (Block 1699, Lot 7), and Site 17B (Block 1699, Lots 11, 12, 13, 14, and 15). The remaining lots 6, 8, 9, and 10 are not part of an urban renewal site.

The Bradford housing development would be developed under the Quality Housing Program. The proposed residential building would be 9-stories, with a total floor area of 111,978 square feet (5.59 FAR) consisting of 96 dwelling units with a mix of studios, one- and two-bedroom condominium units. In addition there would be 9,772 square feet of ground floor commercial space fronting on Fulton Street. The project would also provide a 32 space, below-grade parking garage, which will be accessed through a ramp located on Albany Avenue.

The project would have approximately 4,930 square feet of outdoor recreation space for the residents' use at the rear of the site on the first floor terrace. Nine street trees would be provided along Fulton Street and Albany Avenue as required by zoning.

The project site was rezoned in 2007 to an R7D/C2-4 district by the City Planning Commission and the City Council as part of the Bedford Stuyvesant rezoning. The zoning district allows residential development to a floor area ratio of 5.6 with Inclusionary Housing bonuses. The street

wall height in R7D district is 60 to 85 feet with a maximum building height of 100 feet.

The Bradford will take advantage of Inclusionary Housing bonuses in R7D district which permits a maximum floor area ratio of 5.6. The project would contain 102,206 square feet of residential floor area. The required affordable housing floor area under the Inclusionary Housing regulations would be 14,565 square feet. The required Inclusionary Housing is being provided in a proposed development tentatively known as the Garvey which would be located 140 feet east of Bradford at 1598-1604 Fulton Avenue, to be built by the same developer and which is being considered concurrently by the Commission (C 090141 HAK).

The surrounding area is zoned R6A, R6B and R6 and is developed with predominantly residential uses with ground floor commercial spaces and some scattered vacant land. The two blocks directly north of the site across Fulton Street, are developed with commercial and residential buildings including the New York City Housing Authority's Chauncey Houses. In addition, the Interfaith Medical Center is located directly south of the site on Atlantic Avenue. Harmony Park, a 1.56 acre public park is located to southeast of the site. The Kingston-Throop Avenues station on the C subway line is approximately one block east of the site. The area is also served by several bus lines including the B15, B25 and B43 lines.

ENVIRONMENTAL REVIEW

This application (C 090142 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 09HPD015K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on October 22, 2008.

UNIFORM LAND USE REVIEW

This application (C 090142 HAK) was certified as complete by the Department of City Planning on October 27, 2008, and was duly referred to Brooklyn 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 on December 1, 2008 and on that date, by a vote of 39 in favor, 0 opposed, and 0 abstentions adopted a resolution recommending approval of this application with the following condition:

Community Board requests that the name of this project should reflect the community.

Borough President Recommendation

This application was considered by the Brooklyn Borough President who, on January 15, 2009, issued a recommendation approving the application.

City Planning Commission Public Hearing

On February 4, 2009 (Calendar No. 2), the City Planning Commission scheduled February 18, 2009 for a public hearing on this application (C 090142 HAK). The hearing was duly held on February 18, 2009 (Calendar No. 28). There were two speakers representing the sponsors of the project.

There were three speakers in favor of the application and no speakers in opposition. A representative of HPD was present in support of the application. The architect described the proposed project to the Commission and the current condition of the site. The sponsors of the Bradford housing development stated their willingness to work with the community to change the name of the development as recommended by the Community Board 3.

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

CONSIDERATION

The Commission believes that the approval of this application for UDAAP designation, Project Approval and disposition of city-owned property located at 1560 Fulton Street to facilitate the development of affordable housing, tentatively known as the Bradford, is appropriate.

The proposed project will consist of a nine-story building with approximately 96 residential units of affordable housing. In addition the project would have 9,772 square feet of ground floor commercial space fronting on Fulton Street. The project would also provide 32 accessory parking spaces in a below-grade parking garage which will be accessed through a ramp located

on Albany Avenue.

The Commission notes that the Bedford Stuyvesant rezoning (C070447 ZMK) approved in 2007, amended the zoning text to allow Inclusionary Housing Program applicable in R7D districts mapped along Fulton Street, which enabled the Bradford residential development to provide required affordable housing off their site at the Garvey site.

The Commission notes that in response to the Community Board's recommendation the sponsors of the Bradford stated at the Commission's public hearing that they would reconsider the name of the project.

The Commission notes that the approval of the UDAAP for the development site would facilitate the development of 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 in the Bedford Stuyvesant area.

RESOLUTION

The City Planning Commission finds that the proposed disposition of city-owned property at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area, and 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area, conforms to the objectives and provisions of the 2nd Amended Fulton Park Urban Renewal Plan (C 030299 HUK), approved on November 6, 2003.

RESOLVED, that the City Planning Commission finds that the actions described herein will

have no significant impact on the environment;

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; 1562, 1564, and 1566 Fulton Street (Block 1699, Lots 8-10); 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area; and 43 Albany Street (Block 1699, Lot 6), in Community District 3, Borough of Brooklyn, 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 properties located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; 1562, 1564, and 1566 Fulton Street (Block 1699, Lots 8-10); 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area; and 43 Albany Street (Block 1699, Lot 6) 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 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 the 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 properties located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area, and 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area, in Community District 3, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 090142 HAK).

The above resolution (C 090142 HAK), duly adopted by the City Planning Commission on March 4, 2009 (Calendar No. 8), 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, IRWIN G. CANTOR, P.E. ANGELA R.CAVALUZZI, AIA,

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KAREN A. PHILLIPS, Commissioners