



CITY PLANNING COMMISSION

September 28, 2005/Calendar No. 7

C 050503 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 852-856 Myrtle Avenue (Block 1755, Lot 20) 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 development of a six-story building, tentatively known as Myrtle Avenue Apartments, with approximately 33 residential units for low income persons, to be developed under the New York State Housing Trust Fund Program, Community District 3, Borough of Brooklyn.

Approval of three separate matters is required:

1. The designation of 852-856 Myrtle Avenue (Block 1755, Lot 20), Borough of Brooklyn, Community District 3, 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 to be selected by HPD.

The application was submitted by the Department of Housing Preservation and Development (HPD) on June 8, 2005.

Approval of this application would facilitate construction of a six-story building, tentatively known as Myrtle Avenue Apartments, with approximately 33 residential units for low income persons, to be developed under the New York State Housing Trust Fund Program, Community District 3, Borough of Brooklyn.

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

The Disposition Area consists of underutilized vacant land which 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 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

HPD seeks approval of an Urban Development Action Area designation and project approval, and disposition of city-owned property to facilitate the development of low-income rental housing under the New York State's Housing Trust Fund Program, located in Community District 3, Bedford-Stuyvesant, Brooklyn.

The project site consists of Lot 20, a city-owned vacant lot, on Block 1755 located on Myrtle Avenue between Marcy and Tompkins Avenues in a R6 zoning district. The disposition of this 11,850 square foot lot would facilitate the development of one, six-story elevator building with approximately 33 rental units.

The remainder of Block 1755 contains newly constructed three-story homes, several churches, two- and three-story homes, gas station, local commercial uses including grocery stores, privately-owned vacant lots, and other city-owned vacant lots. The surrounding area contains NYCHA apartment buildings, a junior high school, an elementary school, two- and three-story homes, local commercial uses, community facilities, greenthumb gardens, and vacant lots.

The project would provide a total of 33 low-income rental units. One-third of the units would be set aside for formerly homeless families, and the remaining units would be affordable to families earning approximately 60% of the Area Median Income with about 50% of these units being set aside for residents of Community District 3. There would be about 2000 square feet of landscaped open space at the rear of the building, a community room, program/office space, a

tenant storage area, and laundry facilities. Eight parking spaces would be provided in the rear of the building. Social services would be provided on-site in the program/office by the project sponsor. The project sponsor will also refer tenants to off-site services in the surrounding area as needed.

This site is serviced by the Myrtle-Willoughby stop on the “G” subway line and by the 54 bus on Myrtle Avenue, the 43 bus on Tompkins Avenue, the 44 bus on Nostrand Avenue, and the 38 bus on DeKalb Avenue.

ENVIRONMENTAL REVIEW

This application (C 050503 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 Environmental Quality Review (CEQR) Rules for Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Department of Housing Preservation and Development.

This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 050503 HAK) was certified as complete by the Department of City Planning on June 20, 2005 and was duly referred to Community Board 3 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 3 held a public hearing on this application (C 050503 HAK) on September 12, 2005, and on that date, by a vote of 30 in favor with 0 opposed and 0 abstentions, adopted a resolution recommending approval of the application. However, the vote was taken after the Community Board review period, and therefore, the vote is non-complying.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on September 13, 2005.

City Planning Commission Public Hearing

On August 25, 2005 (Calendar No. 3), the City Planning Commission scheduled September 14, 2005, for a public hearing on this application (C 050503 HAK). The hearing was duly held on September 14, 2005 (Calendar No. 20). There was one speaker in favor of the application and none in opposition.

The developer described the project and the benefits of the new housing for low-income residents.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the UDAAP area designation and project approval, and the disposition of city-owned property is appropriate.

The application would facilitate the development of a six-story building with approximately 33 residential units for low-income persons developed under the New York State Housing Trust Fund. Approval of this application would facilitate the return of these lots to private ownership and would provide much-needed affordable housing for the community.

Disposition would make possible the return of this property to productive use and the elimination of its blighting influence on the neighborhood. It would 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.

RESOLUTION

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of 852-856 Myrtle Avenue (Block 1755, Lot 20), 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 852-856 Myrtle Avenue (Block 1755, Lot 20), as an Urban Development Action Area;
- 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 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 policy is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law

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 852-856 Myrtle Avenue (Block 1755, Lot 20), to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 050503 HAK), duly adopted by the City Planning Commission on September 28, 2005 (Calendar No. 7), 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
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL,
LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS,
DOLLY WILLIAMS, Commissioners