



## **CITY PLANNING COMMISSION**

May 12, 2010/Calendar No. 8

C 100155 HAK

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**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 277, 275 and 273 Kosciuszko Street (Block 1781, Lots 60-62) 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 six-story building, tentatively known as Providence House II, with approximately 45 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program, Borough of Brooklyn, Community District 3.

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Approval of three separate matters is required:

1. The designation of property located at 277, 275, and 273 Kosciuszko Street (Block 1781, Lots 60-62) 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 the New York City Department of Housing Preservation and Development.

The application for the Urban Development Action Area designation, project approval, and disposition of city-owned property was filed by the Department of Housing Preservation and Development on November 17, 2009.

Approval of this application would facilitate construction of a six-story building containing approximately 45 dwelling units for low-income single adult women, including chronically homeless single women, and chronically homeless families, or families at risk of becoming chronically homeless. The building will house residents with either a serious and persistent

mental illness (SPMI) or with a mentally ill and chemically addicted (MICA) diagnosis, both conditions impairing their ability to live independently.

The proposed project is tentatively known as Providence House II.

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 (UDAAP) pursuant to Article 16 of the General Municipal Law.

## **RELATED ACTIONS**

In addition to the UDAAP designation, project approval and disposition of city-owned property which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 100156 ZSK	Special permit pursuant to Section 74-902 to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio) to apply to a proposed 6-story community facility with sleeping accommodations.
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## **BACKGROUND**

The Department of Housing Preservation and Development (HPD) is seeking Urban Development Action Area designation, approval as an Urban Development Action Area Project, disposition of City-owned property at 277, 275, and 273 Kosciuszko Street (Block 1781, Lots 60-62) and the approval of a special permit to facilitate construction of a 6-story, 45-unit building in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3. The proposed building would have a total floor area of 26,502 square feet and a height of 58 feet.

The project site is 7,300 square feet in area, entirely contained within an R6 zoning district and is currently vacant. The proposed building would be built to a total FAR 3.63 and would have 1,200 square feet of common space on the first floor, and approximately 2,800 square feet of outdoor recreational space. The project would be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

The surrounding blocks are residential in character, consisting of one and two-family homes and multi-family walk-up buildings that are primarily 3- and 4-stories in height. Community facilities are scattered throughout the general area: a house of worship is located one block to the west, and several schools, including the George H. Murray Christian Academy, a K-8 private school, and two public elementary schools, P.S. 304 and P.S. 25, are located within close proximity to the project site. Herbert Von King Park, a 7.9 acre public park, is located one block to the southwest. Ground floor commercial uses exist two blocks to the northwest along Tompkins and Dekalb avenues. Additionally a plumbing and heating supply company is located just to the north along Dekalb Avenue. The area is served by public transportation via the G train at the Bedford-Nostrand Avenue Station, located three blocks to the southwest. Additionally, the B43 and the B38 busses operate in the vicinity.

The proposed development is classified under zoning as a Community Facility with Sleeping Accommodations (Use Group 3) and would provide housing for low-income single adult women, including chronically homeless single women, and chronically homeless families, or families at risk of becoming chronically homeless. The building will house residents with either a serious and persistent mental illness (SPMI) or with a mentally ill and chemically addicted (MICA) diagnosis, both conditions impairing their ability to live independently.

In order to facilitate the proposed project, HPD is requesting Urban Development Action Area designation, project approval, the disposition of city-owned property, and a special permit pursuant to ZR Section 74-902 to allow an increase in FAR for a Use Group 3 community facility with sleeping accommodations in an R6 zoning district. ZR Section 24-11 allows certain community facilities within R6 zoning districts to be built on an as-of-right basis at an FAR of 4.8. However, ZR Section 24-111(b) restricts community facilities with sleeping

accommodations in an R6 zoning district to 2.43 FAR. The special permit, pursuant to ZR Section 74-902, allows the FAR to be increased to 4.8 for community facilities with sleeping accommodations. The proposed facility would have a total floor area of approximately 26,502 square feet, which would amount to a total FAR of approximately 3.63.

In order to grant the Special Permit, the Commission must make findings relating to access to light and air to the adjoining properties or public streets; the adequacy of the streets providing access to the facility to handle the traffic generated by it; and the provision of adequate supporting services.

### **ENVIRONMENTAL REVIEW**

This application (C100155HAK), in conjunction with the related application (C100156ZSK) 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 10HPD003K. 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 November 10, 2009.

### **UNIFORM LAND USE REVIEW**

This application (C100155HAK), in conjunction with the related application (C100156ZSK), was certified as complete by the Department of City Planning on January 4, 2010, 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 February 17, 2010, and on that date, by a vote of 31 to 6, with 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

That the building's height should be lowered without reducing the number of units; that the project should facilitate job opportunities and contracts for community residents; and assurance that the proposed building's common space would be available for use by the community.

### **Borough President Recommendation**

This application (C100155HAK) was considered by the Brooklyn Borough President who issued a recommendation on April 1, 2010, approving the application.

### **City Planning Commission Public Hearing**

On April 14, 2010 (Calendar No. 3), the City Planning Commission scheduled April 28, 2010 for a public hearing on this application (C100155HAK). The hearing was duly held on April 28, 2010 (Calendar No. 28), in conjunction with the public hearing on the related application (C100156ZSK).

Three speakers spoke in favor of the application. Speakers included the sponsor's representative, the architect, and a representative from HPD. The sponsor's representative provided background information on the project and the architect highlighted the design features of the building. The representative from HPD also appeared in favor.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the approval of this application for an Urban Development Action Area designation, project approval and disposition of city-owned property (C100155HAK), along with the related Special Permit (C100156ZSK), is appropriate.

The proposed project will consist of a 6-story building with 45 dwelling units of affordable housing. The project would have 1,200 square feet of community facility space and would be developed under the Housing Preservation and Development's Supportive Housing Loan Program.

The Commission notes that approval of the UDAAP designation, project approval, and disposition would facilitate the development of City-owned vacant land. Furthermore, the Commission also believes that the project will address the need for affordable, supportive housing in Brooklyn.

The Commission believes that the related special permit application (C100156ZSK) to exceed the maximum FAR of 2.43 is warranted. The special permit application, pursuant to ZR Sec. 74-902, would modify ZR Sec. 24-111(b), to allow a maximum FAR of 4.8 for a Use Group 3 community facility with sleeping accommodations. The proposed FAR of the development is 3.63. The additional floor area pursuant to the special permit facilitates more affordable housing units than what is achievable as-of-right.

The Commission believes that the distribution of bulk of the proposed development will not unduly obstruct the access of light and air to adjoining properties or public access. The proposed development would provide a rear yard of 34'10", which is greater than the required 30', thus offering a greater amount of open space. Furthermore, because the proposed development faces south, there would be no significant shadow effect on adjacent streets and properties.

The Commission believes that the proposed development would not require any significant additions to the supporting services of the neighborhood. The proposed development would provide 45 rental units for low-income, single adult women including chronically homeless single women, and chronically homeless families, or families at risk of becoming homeless. The building will house residents with either a serious and persistent mental illness (SPMI) or with a mentally ill and chemically addicted (MICA) diagnosis, both conditions impairing their ability to live independently. The development would have support staff located on site, including a Program Director, Clinical Supervisor, two Case Managers, and a Case Aide. On-site services would focus on developing job skills, maintaining employment, and obtaining wage growth. Additional services would be provided for tenants with mental health conditions and chemical addictions. All needed services would be provided on-site and no external supportive services would be required.

The Commission believes that the streets providing access to the proposed development are adequate to handle any traffic generated by the proposed development. Most residents and staff would not own vehicles and will travel to the site by public transportation.

The Commission acknowledges Community Board 3's conditions regarding the building's height, their request that the project facilitate job opportunities and contracts for community residents, and for assurance that the proposed building's common space should be available for use by the community. The Commission notes that buildings along the block vary in height from one- and two-family homes across the street that are predominantly three-stories in height to adjacent multi-family buildings that are four stories in height. The proposed building would be 6-stories in height, but only ten feet taller than adjacent buildings. The Commission also acknowledges that taller six-story buildings can be found one block to the north along Dekalb Avenue and one block to the southeast along Throop Avenue. The Commission believes that the proposed building's height of 58' is therefore appropriate. Further, in response to Community Board 3's concerns, the project sponsor stated in a letter dated March 22, 2010 that by replacing the brick parapet with a metal pipe railing set 5'0" from the building's edge, the parapet could be lowered by 2' to 2'6". In addition, the intended sponsor will "endeavor to find Brooklyn contractors familiar with these types of projects and will include in our BID package a request for the general contractor to use local trades persons and subcontractors wherever possible, and that Providence House is committed to welcoming the local block association and other community groups to use of the community spaces envisions for the project."

The Commission further acknowledges a letter from the intended sponsor to the Borough President dated March 22, 2010, stating that "Providence House is committed to welcoming the local block association and other community groups to use the community spaces envisioned for the project...and that Providence House intends to establish a Community Advisory Board."

## **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 277, 275, and 273 Kosciuszko Street (Block 1781, Lots 60-62) 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 area;

**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 matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located at 277, 275, and 273 Kosciuszko Street (Block 1781, Lots 60-62) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; 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 277, 275, and 273 Kosciuszko Street (Block 1781, Lots 60-62) to a developer to be selected by the Department of Housing Preservation and Development, is approved (C100155HAK).

The above resolution (C100155HAK), duly adopted by the City Planning Commission on May 12, 2010 (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**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,**  
**SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners**



# Community/Borough Board Recommendation

SO ✓

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

Application # **C100155HAK**  
CBQR # **10HPD003K**  
Community District No. 03 Borough: Brooklyn  
Project Name: **Providence House II**

**INSTRUCTIONS**  
1. Complete this form and return one copy dated to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed above, one copy to the Borough President, and one copy to the Borough Board, when applicable.

**Docket Description:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 5) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 277, 275 and 273 Kosciusko Street (Block 1781, Lots 60-62) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 6) 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 six-story building, tentatively known as Providence House II, with approximately 45 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

**Related Applications:**

**Applicant(s):**  
NYC Dept. of Housing Preservation & Development  
100 Gold Street  
New York, NY 10038

**Applicant's Representative:**  
Jack Hammer  
NYC Dept. of Housing Preservation and Development  
100 Gold Street  
New York, NY 10038

Community Board No. 03 Borough: **Brooklyn**

Borough Board of Brooklyn

Date of public hearing: 2/17/10

Location: 670 Lafayette Avenue, Bklyn, NY 11216

Was a quorum present? YES  NO

*A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Vote adopting recommendation taken: YES

Location: 1368 Fulton Street, Bklyn NY 11216

**RECOMMENDATION**

- Approve
- Disapprove

- Approve With Modifications/Conditions
- Disapprove With Modifications/Conditions

**Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)**

PLEASE SEE ATTACHED

**Voting**

In Favor: 31 Against: 6 Abstaining:

Total members appointed to the board:

Henry L. Butler  
Community/Borough Board Officer

\_\_\_\_\_  
Chairperson  
Title

March 8, 2010

v.012006w

Date

# Community/Borough Board Recommendation

CITY PLANNING COMMISSION  
 2 Reade Street, New York, NY 10007  
 AX # (212) 720-3356

Application # **C 100156 ZSK**  
 CEQR # **10HPD003K**  
 Community District No. 03 Borough: Brooklyn  
 Community District No. \_\_\_ Borough: \_\_\_  
 Project Name: **Providence House II**

**INSTRUCTIONS**

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

**Project Description:**

**THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 4-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a proposed 6-story non-profit institution with sleeping accommodations, on property located at 273-277 Kosciusko Street (Block 1781, Lots 60, 61, & 62), in an R6 District, Borough of Brooklyn, Community District 3.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**Applicant(s):**

**Applicant's Representative:**

Department of Housing Preservation & Development  
 100 Gold Street  
 New York, NY 10038

Jack Hammer  
 Department of Housing Preservation & Development  
 100 Gold Street  
 New York, NY 10038

Community Board No. 3 Borough: Brooklyn

Borough Board Brooklyn

Date of public hearing: 2/17/10

Location: 670 Lafayette Avenue, Bklyn 11216

Was a quorum present? YES  NO

*A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Vote adopting recommendation taken: YES

Location: 1368 Fulton Street, Brooklyn, NY 11216

**RECOMMENDATION**

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

**Explanation of Recommendation-Modification/Conditions** (Attach additional sheets if necessary)

PLEASE SEE ATTACHED

**Voting**

In Favor: 31 Against: 6 Abstaining: \_\_\_\_\_ Total members appointed to the board: 49

Henry L. Fuller  
 Community/Borough Board Officer

\_\_\_\_\_  
 Chairperson  
 Title

March 8, 2010

v.012006w

Date

\* Indicates application was certified by the CPC pursuant to Section 197-C(c) of the City Charter.

## Recommendations for ULURP Application #C100155HAK/C100156ZSK

1. Lower the building height without reducing the number of units. The building surrounding the project site are mainly 2 story and 3 story brownstones. The proposed building of 6 stories would be out of character for the block. The Board is recommending that the floor height be reduced by a minimum amount to reduce the overall affect of the height of the building. This would make the building less imposing on the adjoining buildings.
2. Provide opportunity for jobs and contracts for community residents. The 197a plan for Community Board #3 states that economic development is a priority for the sustainability of community. At each of the Board meetings the need for jobs and minority contracts is a running theme from the attendees, as is the concern that the community is saturated with supportive housing. While there is a need for supportive housing the opportunity for jobs and contracts during the construction phase and beyond would be a benefit to the community.
3. Assurance the community space would be available to the Community. The community should benefit from projects that receive public support. The residents that share the block with the supportive housing project should have the opportunity to share the community space in the building.

### Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

#### INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.

2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: 100155 HAK - 100156 ZSK

Providence House II

In the matter applications submitted by the Department of Housing Preservation and Development pursuant to: a) Article 16 of the General Municipal Law of New York State for the designation of property located at 277, 275, 273 Kosciusko Street as an Urban Development Action Area; and an Urban Development Action Area Project for such area and 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; and, b) Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 to facilitate development of a six-story non-profit institution with sleeping arrangements, tentatively known as Providence House II, with approximately 45 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

COMMUNITY DISTRICT NO. 3

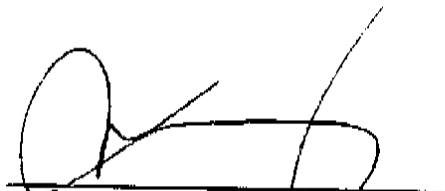
BOROUGH OF BROOKLYN

#### RECOMMENDATION

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

Recommendation report on following page

  
BOROUGH PRESIDENT

April 1, 2010  
DATE

**RECOMMENDATION FOR THE PROPOSED  
ZONING MAP CHANGE FOR COMMERCIAL DEVELOPMENT  
100155 HAK – 100156 ZSK**

**PUBLIC HEARING**

On March 11, 2010 the borough president held a public hearing on this matter.

**CONSIDERATION**

The borough president supports projects that increase the supply of affordable housing options for Brooklyn residents. There is a great demand for affordable housing stock in Brooklyn, especially among the low-income family population. Along with this demand, the borough president believes that there is a need for supportive housing options for individuals that are circumstantially homeless, as well as coming out from transitional housing programs.

This project will include supportive permanent housing opportunities for those now residing in transitional facilities. It will provide on-site supportive and referral services to assist residents of the building with disabilities and other special needs, to integrate into the community. It has been clearly demonstrated that the most cost effective means to address the formerly homeless needs is to provide permanent, supportive housing.

Many in the community are concerned that the residents of the supportive units would compromise the quality-of-life in the community. The borough president believes that it is essential to establish a Community Advisory Board (CAB) that is aware of this concern and would remain in place for the duration of the operation of this facility. The CAB should play a role in being briefed on the progress of construction, renting of apartments, and being apprised of ongoing operations. The borough president believes that given the community's concerns, it would be appropriate for the developer to begin to work with CAB members regarding the membership and duties of the CAB. The borough president also believes that the common area within the development serves as an appropriate space to be used by block associations and local community organizations. The borough president believed that a commitment needed to be in writing.

Pursuant to a letter to the borough president dated March 22, 2010, the designated sponsor has committed to creating a CAB and having it established by June 2010. The sponsor has also written a letter to the area block association to offer the use of this space. The borough president is pleased with this prompt action.

**RECOMMENDATION**

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the requested UDAAP designation and disposition of city-owned land.