



CITY PLANNING COMMISSION

March 12, 2008/Calendar No. 19

C 080185 HUK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the 8th amendment to the Marcus Garvey Urban Renewal Plan for the Marcus Garvey Urban Renewal Area, Borough of Brooklyn, Community District 16.

The application for the proposed amendment to the Marcus Garvey Urban Renewal Plan was filed by the Department of Housing Preservation and Development (HPD) on December 19, 2007. The proposed amendment to the Plan would; divide Site 4 into Site 4A for the proposed project and 4B for the existing 73rd police precinct, change the land use designation of Site 4A from Public/Semi-Public to Residential, conform the Plan to current HPD language, terminology and methodology for urban renewal plans, and update the timetable for the implementation of the Plan. The requested action, in conjunction with the related actions, would facilitate the development of 168 units of low- and moderate-income housing in two seven-story buildings under HPD's Cornerstone Program within the Marcus Garvey Urban Renewal Area, in the Brownsville neighborhood of Community District 16, Brooklyn.

RELATED ACTIONS

In addition to the proposed amendment to the Marcus Garvey Urban Renewal Plan, which is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. **C 080186 ZMK:** Zoning Map Amendment from C4-3 and R6/C2-3, to R7A;
and
2. **C 080187 HAK:** Urban Development Action Area designation and project approval, and disposition of city-owned property.

BACKGROUND

The Department of Housing Preservation and Development (HPD) is seeking approval of an amendment to the Marcus Garvey Urban Renewal Plan, an amendment to the Zoning Map to change from a C4-3 and R6/C2-3 district to an R7A district and an Urban Development Action Area Project (UDAAP) designation and project approval, and disposition of city-owned property to facilitate the Bristol Street Cornerstone development of 168 units of low- and moderate-income housing in two seven-story buildings in the Brownsville neighborhood of Community District 16, Brooklyn.

Area and Project Description

The 21,600 square-foot project site is located on a portion of Block 3497 lot 2, and is bounded on the north and south by East New York and Pitkin Avenues and by Hopkinson Avenue, also known as Thomas Boyland Avenue, to the west and Bristol Street to the east. The site is part of Site 4 of the Marcus Garvey Urban Renewal Plan and is currently zoned C4-3 and R6/C2-3.

The proposed urban renewal plan amendment, zoning map amendment and UDAAP designation and project approval actions would facilitate the construction of the Bristol Street Cornerstone development, two seven-story contextual buildings with 168 residential rental units targeted to low- and moderate-income families under HPD's Cornerstone Program. The Cornerstone Program is an HPD multi-family new construction initiative designed to facilitate the construction of mixed-income housing on city-owned land. Approximately 5,000 square feet of outdoor open space would be provided in a common rear yard, shared by the residents of both buildings. The project would provide 25 accessory parking spaces, to be placed at-grade, and new street trees that would enhance and improve the surrounding streetscape.

The surrounding neighborhood is zoned R6, R6/C2-3 and C4-3 and is primarily characterized by local and regional commercial services, community facilities and low- to mid-rise residential buildings. Directly to the west of the site is the Brownsville Multi-Service Center, a community health center and directly to the east of the site is the 120-bed Crossroads Juvenile Detention

Facility. The 73rd police precinct and its accessory garage are adjacent to the site to the north and the Pitkin Avenue regional retail corridor is to the south of the site. Nearby residential buildings of three to five stories are found south of Pitkin Avenue. Higher density residences are located three blocks east of the site in the seven and 13-story NYCHA Howard Houses, and the six and 14-story NYCHA Marcus Garvey (Group A) apartment buildings two blocks to the west.

Requested Actions

Urban Renewal Plan Amendment (C 080185 HUK)

HPD seeks approval of an amendment to the Marcus Garvey Urban Renewal Plan (C 080185 HUK). The proposed housing would be located on a portion of Site 4 of the Urban Renewal Plan, which is currently designated for public/semi-public use and contains the 73rd police precinct station house, an accessory parking facility and a closed municipal parking lot. The proposed amendment would divide Site 4 into Site 4A and Site 4B. The proposal would maintain the land use designation of public/semi-public on Site 4B to reflect the continued operation of the police precinct, and designate Site 4A as Residential to facilitate the proposed affordable housing project. The proposed amendment would also update the Marcus Garvey Urban Renewal Plan development time line and language to conform to the most current HPD language, terminology and methodology for urban renewal plans.

Zoning Map Amendment (C 080186 ZMK)

HPD also seeks approval of a zoning map amendment to rezone part of Block 3497 lot 2 of from C4-3 and R6/C2-3 to R7A (C 080186 ZMK).

The site is currently zoned C4-3 and R6/C2-3. The existing R6 district permits tower construction with no height limit. Residential uses are permitted to a Floor Area Ratio (FAR) of 2.43 and community facility uses are permitted to an FAR of 4.8. The optional Quality Housing program permits 2.2 FAR on narrow streets and 3.0 FAR on wide streets for residential uses with building heights limited to 55 feet and 70 feet, respectively. Off-street parking is required for 70 percent of dwelling units (50 percent for Quality Housing buildings).

The existing C2-3 overlay allows commercial retail and service uses in Use Groups 5 through 9 and 14 and permits 2.0 FAR of commercial uses in an R6 district. One parking space per 400 square feet of general retail space is required and commercial uses are limited to the first floor when residences are located above. The C4-3 district allows general commercial uses in Use Groups 5 and 6, 8 through 10 and 12. C4-3 permits commercial buildings up to an FAR of 3.4, residential buildings up to a maximum FAR of 2.43, and community facilities up to a maximum FAR of 4.8 and has no height limits.

The proposed R7A district is a contextual district which allows residential and community facility uses up to an FAR of 4.0, requires streetwalls to line up with adjacent buildings, has a maximum base height of 65 feet and a maximum building height of 80 feet and requires the Quality Housing Program. The proposed rezoning would permit an intended FAR of 4.0, which is not permitted under existing zoning while promoting development that would be consistent with the existing neighborhood context. No commercial uses are proposed within the building.

Proposed UDAAP and Disposition of City-owned Property (C 080187 HAK)

Additionally, HPD seeks approval of an Urban Development Action Area Project (UDAAP) designation and project, and disposition of city-owned property (C 080187 HAK). The project site comprises part of one city-owned lot (Block 3497, part of Lot 2), which is subject to the proposed UDAAP and related disposition action. The site is currently developed as a municipal parking lot but has been closed for years due to lack of use.

ENVIRONMENTAL REVIEW

This application (C 080185 HUK), in conjunction with the applications for the related actions (C 080186 ZMK and C 080187 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 08HPD004K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 20, 2007.

UNIFORM LAND USE REVIEW

This application (C 080185 HUK), in conjunction with the applications for the related actions (C 080186 ZMK and C 080187 HAK), was certified as complete by the Department of City Planning on December 3, 2007 and was duly referred to Community Board 16 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 16 held a public hearing on this application on December 18, 2007, and on that date, by a vote of 18 to 0 with 6 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 January 29, 2008.

City Planning Commission Public Hearing

On February 13, 2008, (Calendar No. 1), the City Planning Commission scheduled February 27, 2008, for a public hearing on this application (C 080185 HUK) in conjunction with the related applications (C 080186 ZMK and C 080187 HAK). The hearing was duly held on February 27, 2007 (Calendar No. 21), in conjunction with the public hearings on the applications for the related actions. There was one speaker in favor and no speakers in opposition.

The intended developer spoke in favor of the project, describing general characteristics of the buildings, the addition of needed affordable housing and the inclusion of environmentally friendly features in the building.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed amendment to the Marcus Garvey Urban Renewal Plan, amendment to the zoning map and UDAAP designation, project approval and disposition of city-owned property, are appropriate.

The proposed actions would facilitate the development of the Bristol Street Project, two new seven-story, residential buildings with 168 units of housing affordable to low- and moderate-income residents.

In addition to the requested urban renewal action, HPD seeks approval of a zoning map amendment to rezone Block 3497, part of lot 2 from C4-3 and R6/C2-3 to R7A (C 080186 ZMK), the approval of an Urban Development Action Area designation and project, and related disposition of city-owned property (C 080187 HAK).

The project site is located on Block 3497, part of lot 2, which is bounded on the north and south by East New York and Pitkin Avenues and by Hopkinson Avenue, also known as Thomas Boyland Avenue, to the west and Bristol Street to the east. Located in the Marcus Garvey Urban Renewal Area, the site is currently part of one city-owned, urban renewal site (Site 4), and totals approximately 21,600 square feet. Upon completion, the proposed project would provide 168 rental units and 25 parking spaces to serve low- and moderate-income families.

The proposed amendment to the Marcus Garvey Urban Renewal Plan would divide Site 4 into Site 4A, for the proposed project, and Site 4B, for the existing police precinct north of the

proposed project. The proposal would maintain the land use designation of public/semi-public on Site 4B to facilitate continued operation of the 73rd police precinct, and designate Site 4A for residential use only to facilitate the proposed project. The proposed amendment would also update the Marcus Garvey Urban Renewal Plan to conform to the most current HPD language, terminology and methodology.

The proposed rezoning of Block 3497, part of Lot 2, which includes the subject project site, from C4-3 and R6/C2-3 to a contextual R7A district would increase the maximum permitted residential FAR from 2.43 to 4.0, reduce the maximum community facility FAR from 4.8 to 4.0, and limit building height to 80 feet from no height limit under the current regulations. The proposed contextual zoning district would ensure that new development would be in context with existing development in the surrounding area and would permit the intended FAR of 4.0.

Approval of an Urban Development Action Area designation and project, and disposition of city-owned property (C 080187 HAK) would facilitate the conveyance of this under-utilized city-owned property to a developer to be designated by HPD for sorely-needed affordable housing.

The Commission believes the Bristol Street development will facilitate new affordable housing and return under-utilized parking lot to productive reuse. The Commission, therefore, believes that the proposed amendment to the Marcus Garvey Urban Renewal Plan, the amendment to the zoning map and UDAAP designation, project approval and disposition of city-owned property, is appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission finds that the proposed 8th Marcus Garvey Amended Urban Renewal Plan for the Marcus Garvey Urban Renewal Area is an appropriate plan for the area involved.

The City Planning Commission certifies that the 8th Amended Urban Renewal Plan for the Marcus Garvey Urban Renewal Area complies with provisions of Section 502, Article 15 of the General Municipal Law of New York State, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives.

The Commission further certifies that the 8th Amended Urban Renewal Plan for the Marcus Garvey Urban Renewal Area is in conformity with the findings and designation of the Marcus Garvey Urban Renewal Area as adopted by the City Planning Commission on May 2, 1990. The Commission certifies its unqualified approval of the 8th Amended Urban Renewal Plan for the Marcus Garvey Urban Renewal Area, pursuant to Section 505, Article 15 of the General Municipal Law of New York State; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, the Uniform Land Use Review Procedure, and Section 505, Article 15 of the General Municipal Law of New York State, and after due consideration of the appropriateness of this action, that the proposed 8th Amended Urban Renewal Plan for the Marcus Garvey Urban Renewal Area, Community District 16, Borough of Brooklyn, submitted by the Department of Housing, Preservation and Development on November 21, 2007 is approved.

The above resolution (C 080185 HUK), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 19), 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

ANGELA BATTAGLIA

IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO III, BETTY Y.CHEN, MARIA M. DEL TORO

RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,

JOHN MEROLO, KAREN PHILLIPS Commissioners