



CITY PLANNING COMMISSION

November 15, 2006/Calendar No. 10

C 060527 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 1515, 1519-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9,11, and 12) 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 the development of a 2-story commercial building, tentatively known as Anchor Broadway Site 2, to be developed under the Department of Housing Preservation and Development's ANCHOR program, Community District 4, Borough of Brooklyn.

Approval of three separate matters is required:

1. The designation of property located at 1515, 1519-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9,11, and 12) 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 7, 2006.

Approval of this application would facilitate construction of new retail development, tentatively known as Anchor Site 2, under the Department of Housing Preservation and Development's ANCHOR (Alliance for Neighborhood Commerce, Homeownership and Revitalization) Program, Community District 4, Borough of Brooklyn.

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

The Project Area consists of underutilized vacant property 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 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

HPD seeks approval of an Urban Development Action Area designation and project, and disposition of city-owned property to facilitate the development of new retail under HPD's ANCHOR program, located in Community District 4, Bushwick, Brooklyn.

Anchor Broadway Site 2, is located at 1515-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9, 11, and 12), and consists of ten city-owned vacant lots located on Broadway between Jefferson Avenue and Hancock Street. The disposition of the subject lots would facilitate the construction of a new, two-story retail building, providing approximately 23,000 square feet of commercial floor area on an 18,000 square foot site, with 53 parking spaces, 11 surface spaces and the remainder in a cellar garage, accessed from Jefferson Avenue.

The project site is on Block 3387 and encompasses all the lots fronting on Broadway except Lot 8, a privately owned parcel occupied by a vacant four-story residential building with vacant ground floor commercial space. The easterly side of the site abuts two-story row housing on Jefferson Avenue and three-story row housing on Hancock Street. Block 3387 is in an R6 zoning district with a C1-3 commercial overlay on Broadway. The block is primarily composed of two- and three story row houses and vacant land. The westerly end of the block is in the Broadway commercial corridor, which provides local and regional retail, and mass transit via the J and Z elevated trains. To the east and west of Broadway, this neighborhood is characterized primarily by low and medium density residential buildings and a few vacant lots.

The Q24 bus runs along Broadway and Atlantic Avenue, and the B7 bus runs from the Halsey Street Station of the J and Z lines to Flatbush Avenue.

ENVIRONMENTAL REVIEW

This application (C 060527 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 designated CEQR number is 06HPD001K. 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 February 16, 2006.

UNIFORM LAND USE REVIEW

This application (C 060527 HAK) was certified as complete by the Department of City Planning on July 10, 2006 and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 060527 HAK) on September 13, 2006, and on that date, by a vote of 34 in favor with 0 opposed and 0 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 October 11, 2006, with the following comment:

The Borough President believes that through this development, there is an opportunity to enhance the safety and security for pedestrians through high visibility measures, along

this section of Broadway. The Borough President urges that HPD incorporate into its Land Disposition Agreement transparency requirements consistent with ZR: 101-12 concerning fenestration and roll down gates and to incorporate mounted lighting on the facade of the property, as well as within the interior display, where lighting is used as a means of promoting a safer and more secure environment.

The Borough President strongly encourages the developers to use this opportunity to lease to a supermarket at this location. Given the large retail space potential of the site, this can be a very welcomed use that will create many benefits for the community.

City Planning Commission Public Hearing

On October 11, 2006 (Calendar No. 2), the City Planning Commission scheduled October 25, 2006, for a public hearing on this application (C 060527 HAK). The hearing was duly held on October 25, 2006 (Calendar No. 10). There were two speakers in favor of the application and none in opposition.

The developer described the project and clarified that the fencing of surface parking would be by metal picket fencing on Broadway and Jefferson Avenue. He also stated his intention to comply with the Borough President's request relating to building transparency. A representative from HPD also appeared in favor.

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 much needed retail development along Broadway, a major commercial strip for Central Brooklyn. Approval of this application would facilitate the return of these lots to private ownership and would provide necessary goods and services for the community.

The Commission concurs with the Borough President's recommendation to enhance the safety and security for pedestrians through high visibility measures, along this section of Broadway. In

a letter to DCP, dated November 3, 2006, HPD agreed to incorporate transparency requirements into its Land Disposition Agreement (LDA) with the developer. The requirements would be consistent with Section 101-12 of the Zoning Resolution concerning fenestration and roll down gates, the LDA will also require lighting mounted on the property façade and interior display area.

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 16 and the City of New York.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of 1515-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9, 11, and 12), 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 1515-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9, 11, 12), 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 1515-1531 Broadway and 1032-1034 Jefferson Avenue (Block 3387, Lots 1-7, 9, 11, 12), to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 060527 HAK), duly adopted by the City Planning Commission on November 15, 2006/Calendar No. 10, 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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CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**