



IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), 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 fifth amendment to the East New York I Urban Renewal Plan for the East New York I Urban Renewal Area, Borough of Brooklyn, Community District 5.

This application for an Urban Renewal Plan (URP) amendment (C 220102 HUK) was filed by the New York City Department of Housing Preservation and Development (HPD) on September 9, 2021. Approval of this application would facilitate the development of a new three-story, approximately 3,400-square-foot residential building with approximately four affordable dwelling units at 303 Hinsdale Street (Block 3767, Lot 5) in the East New York neighborhood of Brooklyn Community District 5.

BACKGROUND

HPD is proposing an amendment to the East New York I URP to facilitate the development of a new three-story, approximately 3,400-square-foot residential building with approximately four affordable dwelling units at 303 Hinsdale Street in the East New York neighborhood of Brooklyn Community District 5.

The development site, coterminous with the project area, is comprised of Block 3767, Lot 5, a 2,000-square-foot interior lot with 20 feet of frontage along the east side of Hinsdale Street between Sutter Avenue to the north and Blake Avenue to the south. The site is also designated as Site 122 in the East New York I URP, and is currently vacant and inaccessible to the public.

The East New York I URP was approved by the City Planning Commission (CPC) and Board of Estimate (BOE) in 1986 (C 860236 HUK) and is in effect through March 6, 2026. Since adoption, the URP has been amended four times: in 1992 (C 910119 HUK), 1995 (C 940120 HUK), 2013 (C 130375 HUK), and 2019 (C 190039 HUK).

The development site (Urban Renewal Site No. 122) was added to the URP along with a group of similarly small, scattered sites that were intended for residential use as part of the Second Amended URP, approved in 1995 (C 940120 HUK). This amendment allowed for the acquisition of 45 sites. Thirty-two of these sites, including the development site, were designated for the use of residential new construction, as indicated in the CPC report and City Council resolution. The URP was amended for a third time in 2013 (C 130375 HUK), along with related approvals to facilitate the development of a multi-building mixed-use affordable housing development along Livonia Avenue.

In conformance with a new URP format, modifications to the URP included converting the graphic land use plan to an Appendix A table. With this update, the development site was erroneously assigned with an open space use in Appendix A, although no action to change the land use was proposed. The ‘open space’ use designation remained in the current Fourth Amended URP (C 190039 HUK), though the development site was intended to be used for residential development rather than open space, as evidenced by HPD’s inclusion of the site in a Request for Qualifications (RFQ) issued on December 12, 2014 for affordable housing development projects on public sites available for disposition. This RFQ was issued in accordance with the Mayor’s *Housing New York: A Five Borough, Ten Year Plan*, committed to the preservation and construction of 200,000 units of affordable housing by 2024. This plan was updated in 2017 to the Mayor’s *Housing New York 2.0* plan, which set a target of 300,000 units constructed or preserved by 2026.

The development site is one of the 10 sites included in HPD’s New Penn Development project, which would facilitate a total of approximately 73 affordable housing units. The development site is one of seven sites in the New Penn Development project that would have four or fewer units. HPD received City Council approval of an Urban Development Action Area Project (UDAAP) for these seven sites on April 29, 2021 (Reso. No. 1622). The CPC approved the designation of a UDAAP and disposition of property for the three other New Penn Development sites on March 17, 2021 (C 210109 HAK).

The surrounding area includes a wide mix of uses, including residential, manufacturing uses, open space and outdoor recreation uses, parking facilities, and vacant land.

The area immediately surrounding the development site is primarily residential, with various building types including low-rise one- and two-family homes, higher density two- to four-story multi-family walk-up buildings, and elevator buildings with heights ranging from five to six stories. Residential buildings along Sutter Avenue contain ground-floor commercial uses such as grocery stores, delis, hardware stores, laundromats, and salons.

Public facility and institutional uses surrounding the development site include Public School (PS) 328, Hyde Leadership Charter School, Jennes Council Junior School, and NYPD Police Service Area 2 on Sutter Avenue, one block north of the development site. Religious institutional uses include El Shaddai Healing & Deliverance Tabernacle of Faith at the corner of Williams and Sutter avenues, northeast of the development site.

Open space in the area includes a New York City Housing Authority-owned play area located on the same block immediately northeast of the development site and accessed from Williams Avenue. The playground at PS 328 is located one block east of the development site. The Success Community Garden, a 40,000-square-foot GreenThumb garden, is located within a one-quarter mile of the development site. Additional playgrounds and gardens are located within one-half mile of the development site, including the Lion's Pride Playground, an 0.86-acre public park that will be undergoing an approximately 4-million-dollar overhaul that will include a new basketball court, adult fitness equipment, a spray shower, new playground equipment, seating, and game tables.

The East New York Industrial Business Zone (IBZ) is located north of Sutter Avenue and east of Snediker Avenue. The IBZ is home to more than 250 businesses, offering zoning protections and business services assistance for industrial, manufacturing, and other high-intensity uses. Businesses in the area including an auto body shop, a food distribution center, and a ConEd facility.

Neighboring blocks comprise a mix of uses; residential, industrial, and manufacturing uses, open space and outdoor recreation uses, parking facilities, and vacant land.

The development site is well served by public transportation. The Sutter Avenue L subway station is located two blocks to the west, and the Pennsylvania Avenue 3/4 subway station is located approximately five blocks southeast of the development site. Local bus services within the area include the B20 and B83 that travel along Pennsylvania Avenue and the B14 that travels along Sutter Avenue, providing service between the Crown Heights-Utica Avenue 3/4 subway stop and the Postal Facility in Spring Creek.

The development site is located within an R6 zoning district and with frontage along Hinsdale Street, a narrow street that is 60 feet in width. R6 zoning districts allow a maximum floor area ratio (FAR) of 2.43 under height factor zoning regulations, or 2.2 FAR under Quality Housing regulations for residential uses. Under Quality Housing regulations, the maximum building height allowed is 55 feet, with a maximum street wall height of 45 feet before a 15-foot setback on narrow streets. C1-4 and C2-3 overlays are mapped along Sutter and Blake avenues in the surrounding area, which allow a maximum FAR of 2.0 for commercial uses serving local needs, though commercial use is limited to the ground floor and below if the building includes residential uses above. R6A and R7D are mid-density contextual residential zoning districts allowing residential uses with FARs ranging from 3.6 to 5.6 and community facility uses with FARs ranging from 3.0 to 4.2. A C4-3 medium-density commercial zoning district allows a broader range of multistory commercial uses up to an FAR of 3.4. An M1-4 light industrial zoning district is also mapped in the surrounding area, which allows heavy commercial and light industrial uses at up to 2.0 FAR.

The proposed development consists of a new, three-story residential building with approximately four affordable rental units. The proposed development would be built to Quality Housing regulations to a height of 30 feet and have an FAR of approximately 1.7. It would contain approximately 3,400 square feet of residential floor area. The proposed building would set back six feet from the lot line to match the street walls of the adjacent low-rise residential buildings on both sides of the development site. The setback would also facilitate landscaping at the front of

the building, which would serve as a buffer between the street and the proposed ground-floor residence. The proposed development would include a landscaped rear yard.

To facilitate the proposed development, HPD proposes a fifth amendment to the East New York I URP to change the land use designation for Site 122, which is coterminous with the development site, from open space use to residential use. The proposed amendment would allow for a development that is consistent with current zoning regulations.

ENVIRONMENTAL REVIEW

This application (C 220102 HUK) 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 lead agency is HPD. The designated CEQR number is 19HPD131K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on September 15, 2021.

UNIFORM LAND USE REVIEW

This application (C 220102 HUK) was certified as complete by the Department of City Planning on September 20, 2021 and was duly referred to Brooklyn Community Board 5 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Brooklyn Community Board 5 did not submit a recommendation for this application(C 220102 HUK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 220102 HUK) on November 1, 2021, and on December 21, 2021, issued a recommendation to approve the application with the following modifications:

“That in lieu of changing Site 122 from open space to residential use, the East New York I Urban Renewal Plan (ENY I URP) for the East New York I Urban Renewal Area (ENY I URP) be changed to residential use with the added stipulation that residential use be required to be permanently affordable.

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) memorialize the following requirements in its Land Disposition Agreement (LDA) or Regulatory Agreement with Rajoy Management Inc. and PM Architecture PC:
 - a. A mechanism to ensure that the proposed development would remain affordable in perpetuity
 - b. Utilization of a local affordable housing non-profit to assist with affordable housing lottery outreach and readiness efforts
 - c. Incorporation of resiliency and sustainability measures such as blue/green/white roof finishes, passive house construction principles, and solar panels
 - d. A demonstration of commitment to coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of street trees with enlarged tree pits as part of the Builders Pavement Plan (BPP), in consultation with Brooklyn Community Board 5 (CB 5) and local elected officials”

City Planning Commission Public Hearing

On December 15, 2021 (Calendar No. 8), the City Planning Commission scheduled January 5, 2022 for a public hearing on this application (C 220102 HUK). The hearing was duly held on January 5, 2022 (Calendar No. 19). One speaker testified in favor of the application and none in opposition.

A representative of HPD discussed the project area, context, and the requested action. She highlighted the residential character of the area immediately surrounding the development site and discussed the parks, playgrounds, and open spaces within one-half mile of the development site.

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

CONSIDERATION

The Commission believes that the proposed amendment to the East New York I URP is appropriate. This action will facilitate the development of a new three-story, approximately 3,400-square-foot residential building with four affordable apartments on a vacant underutilized lot.

The proposed amendment to the East New York I URP will change the land use designation of the development site (Urban Renewal Site No. 122) from open space to residential use. The site is a single 2,000-square-foot mid-block interior lot on a residential street characterized by low-scale one- and two-family homes. Since the site was added to the East New York I URP in 1995, the site has remained vacant and inaccessible. There are numerous public parks, playgrounds, and gardens within one-half mile, including the Success Community Garden and Lion's Pride Playground, the latter of which is undergoing renovations. No significant impacts to open space access were found in the environmental review of the proposed development. The Commission believes that the proposed development is appropriate for the location and the URP should be updated.

The Commission notes the importance of facilitating the creation of affordable housing on underutilized or vacant land, which supports with the Mayor's *Housing New York 2.0* plan to construct or preserve 300,000 by 2026.

The Commission recognizes the Borough President's recommendations regarding a requirement for permanent affordability as part of the land use designation in the URP and for HPD to include terms in its land disposition agreement with the developer around permanent affordability, utilizing a local affordable housing non-profit for lottery outreach and support, incorporating sustainable building elements, and enlarging street tree pits, but notes these recommendations are out of ULURP scope and not within the Commission's land use review purview. However, the Commission encourages HPD and the developer to work together to address the borough president's concerns, to the extent practicable.

RESOLUTION

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

RESOLVED, that the City Planning Commission finds that the Fifth Amendment to the East New York I Urban Renewal Plan for the East New York I Urban Renewal Area is an appropriate plan for the area involved; and The City Planning Commission certifies that the fifth amendment to the East New York I Urban Renewal Plan for the East New York I 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; and

The Commission further certifies that the Fifth Amendment to the East New York I Urban Renewal Plan for the East New York I Urban Renewal Area, is in conformity with the findings and designation of the East New York I Urban Renewal Area as adopted by the City Planning Commission on (January 6, 1986). The Commission certifies its unqualified approval for the Fifth Amendment to the East New York I Urban Renewal Plan for the East New York I 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 Fifth Amendment to the East New York I Urban Renewal Plan for the East New York I Urban Renewal Area, Borough of Brooklyn, Community District 5, submitted by the Department of Housing Preservation and Development on September 9, 2021, is approved.

KENNETH J. KNUCKLES, Esq., *Vice-Chairman*
DAVID BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO
MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

**THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**

**FIFTH AMENDED
URBAN RENEWAL PLAN**

**EAST NEW YORK I
URBAN RENEWAL AREA**

**Brooklyn
Community District No. 5**

September 2021

HISTORY OF PRIOR APPROVALS

Prior to the initial date of approval of this Urban Renewal Plan by the Board of Estimate, as shown below, this project was a portion of the former Central Brooklyn Urban Renewal (Community Development) Project for which the "History of Prior Approvals" is set forth on the following pages.

Original

City Planning Commission: January 6, 1986 (C 860236 HUK)
Board of Estimate: March 6, 1986 (Cal. No. 8-A)

First Amendment

City Planning Commission: March 11, 1992 (C 910119 HUK)
City Council: April 28, 1992 (Reso. No. 533)
Mayor: October 29, 1992

Second Amendment

City Planning Commission: November 16, 1994 (C 940120 HUK)
City Council: January 4, 1995 (Reso. No. 753)
Mayor: January 9, 1995

Third Amendment

City Planning Commission: September 11, 2013 (C 130375 HUK)
City Council: October 30, 2013 (Reso. No. 2015)
Mayor: November 4, 2013

Fourth Amendment

City Planning Commission: January 9, 2019 (C 190039 HUK)
City Council: February 28, 2019 (Reso. No. 774)
Mayor: March 18, 2019

Fifth Amendment

City Planning Commission: ____, 2022 ()
City Council: ____, 2022 ()
Mayor: ____, 2022

CENTRAL BROOKLYN URBAN RENEWAL (COMMUNITY DEVELOPMENT) PLAN
History of Prior Approvals

Urban renewal plans for three areas within the Central Brooklyn Urban Renewal Area, including East New York (I), were separately approved before being consolidated into the overall Central Brooklyn Urban Renewal Area, which came into existence on December 19, 1968.

Original

City Planning Commission: November 20, 1968 (CP-20511)
Board of Estimate: December 19, 1968 (Cal. No. 9)

First Amendment

City Planning Commission: April 30, 1969 (CP-20714)
Board of Estimate: August 21, 1969 (Cal. No. 7)

Second Amendment

City Planning Commission: August 18, 1969 (CP-20825)
Board of Estimate: September 18, 1969 (Cal. No. 14)

Third Amendment

City Planning Commission: March 4, 1970 (CP-21075)
Board of Estimate: April 16, 1970 (Cal. No. 8)

Fourth Amendment

City Planning Commission: October 14, 1970 (CP-21330)
Board of Estimate: December 17, 1970 (Cal. No. 16)

Fifth Amendment

City Planning Commission: November 18, 1970 (CP-21335)
Board of Estimate: January 14, 1971 (Cal. No. 11)

Sixth Amendment

City Planning Commission: September 22, 1979 (CP-21739)
Board of Estimate: January 13, 1972 (Cal. No. 1)

Seventh Amendment

City Planning Commission: June 14, 1972 (CP-21981)
Board of Estimate: August 17, 1972 (Cal. No. 5)

Eighth Amendment

City Planning Commission: August 7, 1974 (CP-22699)
Board of Estimate: October 10, 1974 (Cal. No. 6)

Minor Change

Approved by the City Planning Commission: December 3, 1973 (H)73-69

CENTRAL BROOKLYN URBAN RENEWAL (COMMUNITY DEVELOPMENT) PLAN
History of Prior Approvals
(continued)

Ninth Amendment

City Planning Commission: September 9, 1974 (CP-22782)

Board of Estimate: October 24, 1974 (Cal. No. 5)

Tenth Amendment

City Planning Commission: July 23, 1975 (CP-22926)

Board of Estimate: October 2, 1975 (Cal. No. 17)

Eleventh Amendment

City Planning Commission: July 2, 1975 (CP-23014)

Board of Estimate: November 3, 1975 (Cal. No. 10)

Twelfth Amendment

City Planning Commission: June 18, 1975 (CP-22959)

Board of Estimate: March 18, 1975 (Cal. No. 10A)

Minor Change

Approved by the City Planning Commission: August 22, 1977 (C77037HCK)

Minor Change

Approved by the City Planning Commission: October 26, 1977 (C770439HCK)

Thirteenth Amendment

City Planning Commission: June 4, 1980 (C790722HUK)

Board of Estimate: August 21, 1980 (Cal. No. 25)

Minor Change

Approved by the City Planning Commission: August 18, 1980 (N800527HCK)

Fourteenth Amendment

City Planning Commission: February 2, 1981 (C800784HUK)

Board of Estimate: September 10, 1981 (Cal. No. 19)

Fifteenth Amendment

City Planning Commission: June 1, 1983 (C830971HUK)

Board of Estimate: June 30, 1983 (Cal. No. 32)

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EXHIBITS

- A: PROPERTIES ACQUIRED AND TO BE ACQUIRED
- B: PROJECT BOUNDARY DESCRIPTION

MAPS

- 1: PROJECT BOUNDARY MAP, DATED AUGUST 2021
- 2: LAND USE MAP, DATED AUGUST 2021

A: URBAN RENEWAL AREA

1. LEGAL AUTHORITY

The City of New York ("City") has designated the East New York I Urban Renewal Area ("Area") as an urban renewal area pursuant to §504 of Article 15 ("Urban Renewal Law") of the General Municipal Law. The Department of Housing Preservation and Development ("HPD") represents the City in carrying out the provisions of the Urban Renewal Law pursuant to §502(5) of the Urban Renewal Law and §1802(6)(e) of the Charter.

2. AREA

The properties indicated on Map 1 and listed in Exhibit A ("Acquisition Parcels") have been or will be acquired by the City for redevelopment pursuant to this Third Amended East New York I Urban Renewal Plan ("Plan"). These Acquisition Parcels comprise the entire Area and, as such, are the only properties to be redeveloped pursuant to this Plan.

3. BOUNDARY

The Area is located in Community District No. 5 in the borough of Brooklyn and is generally bounded by (i) Sutter Avenue, Atlantic Avenue, and Pitkin Avenue on the north, (ii) Pennsylvania Avenue and Montauk Avenue on the east, (iii) Linden Boulevard and New Lots Avenue on the south, and (iv) Van Sinderen Avenue and Sheffield Avenue on the west. The perimeter described in Exhibit B and shown on Map 1 ("Project Boundary") encompasses all of the Acquisition Parcels which comprise the Area, but may also encompass other properties which are not part of the Area. The Acquisition Parcels, and not the Project Boundary, define the Area.

4. OTHER PROPERTIES

Any properties located within the Project Boundary which are not listed in Exhibit A ("Exempt Parcels") will not be acquired by the City for redevelopment pursuant to this Plan. Notwithstanding the fact that they are located within the Project Boundary, Exempt Parcels are not part of the Area and are not subject to the controls of this Plan, even if they are or become City-owned.

5. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to the Urban Renewal Law. The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity:

- a. Abandoned, vacant, substandard, underutilized, and/or obsolete buildings and structures characterized by physical deterioration, high levels of code violations, defective construction, outmoded design, lack of proper sanitary facilities, and/or inadequate fire or safety protection.
- b. Abandoned, vacant, underutilized, substandard, and/or insanitary, lots.
- c. Hazardous or detrimental industrial uses.

- d. Poorly or improperly designed street patterns and intersections.
- e. Lack of suitable off street parking.
- f. Unsuitable topography, subsoil, or other physical conditions.

B: URBAN RENEWAL PLAN

1. LEGAL AUTHORITY

The City has established this Plan for the redevelopment of the Area pursuant to §505 of the Urban Renewal Law.

2. STATEMENT OF COMPLIANCE

In accordance with §502(7) of the Urban Renewal Law, this Plan states the following information:

a. Proposed Land Uses

See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures

See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights

None.

d. Proposed Methods Or Techniques Of Urban Renewal

See Section D.

e. Proposed Public, Semi-Public, Private, Or Community Facilities Or Utilities

See Section C.

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan

See Section E.

g. Proposed Program Of Code Enforcement

Properties will be required to comply with applicable United States ("Federal"), State of New York ("State"), and City laws, codes, ordinances, and regulations (collectively, "Laws").

h. Proposed Time Schedule For Effectuation Of Plan

<u>Project Activity</u>	<u>Estimated Commencement Date</u>	<u>Estimated Completion Date</u>
Land Acquisition	April 1969	April 1996
Relocation of Site Occupants	July 1969	May 1997
Demolition and Site Clearance	June 1971	August 1995
Site Preparation (Including Installation of Site Improvements)	August 1971	March 2026
Land Disposition	August 1971	March 2026
Project Completion		March 2028

3. OBJECTIVES

This Plan seeks to:

- a. Redevelop the Area in a comprehensive manner, removing blight and maximizing appropriate land use.
- b. Remove or rehabilitate substandard and insanitary structures.
- c. Remove impediments to land assemblage and orderly development.
- d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area.
- e. Provide new housing of high quality and/or rehabilitated housing of upgraded quality.
- f. Provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking.
- g. Provide a stable environment within the Area which will not be a blighting influence on surrounding neighborhoods.

4. DESIGN OBJECTIVES

It is the intent of this Plan that, to the extent deemed feasible by HPD, (i) the Area should be developed in a manner compatible with or beneficial to the surrounding community, (ii) the project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern, and (iii) in areas with exceptionally strong or uniform street character, the new construction should reinforce the existing urban pattern.

C: CONTROLS ON REDEVELOPMENT

1. ZONING

The controls of this Plan will be concurrent with, and will not preempt or supersede, the controls of the Zoning Resolution of the City, as amended ("Zoning Resolution"). The controls of the Zoning Resolution will apply to all Acquisition Parcels at all times to the extent permitted by Law. The controls of this Plan will commence to apply to any Acquisition Parcel upon acquisition by the City or at such later date as may be specified in this Plan. Thereafter, if there is any conflict between the controls imposed by the Zoning Resolution and the controls imposed by this Plan, the more restrictive of the two will govern.

2. PROPOSED USES

Map 2 indicates the permitted use of each Acquisition Parcel following disposition by the City to a redeveloper. Each use indicated in Map 2 will have the meaning set forth in this Section C.2.

a. Residential

Residential and other uses will be permitted in accordance with the Zoning Resolution.

b. Commercial

Commercial and other uses will be permitted in accordance with the Zoning Resolution.

c. Public and Semi-Public

Public and semi-public uses (such as community facilities, police and fire stations, and government office buildings) and other uses will be permitted in accordance with the Zoning Resolution.

d. Open Space

Open space and recreational uses will be permitted in accordance with the Zoning Resolution.

3. SUPPLEMENTARY CONTROLS

a. Building Bulk

Building bulk requirements will be as required by the Zoning Resolution.

b. Parking

Parking requirements will be as required by the Zoning Resolution.

c. Utilities

(1) Any existing overhead telecommunications, electrical, and cable network lines in the Area will be removed and relocated underground and all new or additional telecommunications, electrical, and cable network lines will be placed underground, unless HPD determines that such placement underground is either unnecessary or infeasible.

(2) Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply, sanitary sewers, and storm sewers will be provided in accordance with the requirements of the City's Department of Environmental Protection.

d. Easements

Easements, if any, will be provided as shown on Map 2.

D: PROPOSED METHODS AND TECHNIQUES OF URBAN RENEWAL

1. ACQUISITION

a. Method Of Acquisition

Acquisition Parcels may be acquired by any means permitted by applicable Laws. Regardless of the method of acquisition, every Acquisition Parcel acquired by the City will be subject to the controls of, and developed in accordance with, this Plan.

b. Properties Acquired or to be Acquired

The Acquisition Parcels have been or will be acquired by the City. The Acquisition Parcels, if any, that the City acquired with Federal assistance are identified in Exhibit A. All other Acquisition Parcels have been or are intended to be acquired with City funds, without Federal assistance.

2. RELOCATION

There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment. HPD will relocate

residential and commercial site occupants, if any, in compliance with all applicable Federal, State, and City Laws. No relocation is anticipated.

3. **DEMOLITION AND/OR REHABILITATION**

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation. Properties designated for rehabilitation are indicated in Exhibit A.

4. **LAND DISPOSITION**

Properties acquired will be disposed of for redevelopment in accordance with this Plan.

E: RELATED ACTIONS

1. **ZONING MAP AMENDMENTS**

The zoning of the Area will be as set forth in the Zoning Resolution. Zoning Map Amendments may be necessary in order to implement this Plan, but any proposed amendments set forth in this Section E.1 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. However, no Zoning Map Amendments are proposed at this time.

2. **STREET MODIFICATIONS**

It may be necessary to map, demap, or modify streets within and/or adjacent to the Area in order to implement this Plan, but any proposed street modifications set forth in this Section E.2 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. However, no street modifications are proposed at this time.

F: REDEVELOPER OBLIGATIONS

1. **RECORDABLE AGREEMENTS**

The instruments by which the City disposes of any Acquisition Parcel or part thereof to a redeveloper will be recorded in the Office of the City Register and will contain covenants running with the land which (i) incorporate this Plan by reference, (ii) require compliance with the terms and restrictions set forth in this Plan, and (iii) require compliance with Section F.4. An amendment to this Plan which becomes effective after the date of disposition of an Acquisition Parcel to a redeveloper will not apply to the real property comprising such Acquisition Parcel unless, following the effective date of such amendment, the City and the owner of such real property execute a written agreement, approved as to form by the Corporation Counsel, providing that such amendment shall thereafter apply to such real property.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified as permitted uses in this Plan and to comply with all other terms and restrictions set forth in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to expeditiously apply for all required governmental approvals and to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

Each redeveloper, its successors and assigns of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument which restricts the sale, lease, or occupancy of such land or any part thereof upon the basis of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability, and (ii) will comply with all applicable Federal, State, and City laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

5. DESIGN REVIEW

HPD may require any redeveloper to (i) submit site plans, landscape plans, architectural drawings, outline specifications, schedules of materials and finishes, and/or final working drawings, in sufficient detail to permit determination of compliance with the controls of this Plan, for HPD approval prior to commencement of construction, and (ii) submit any material change to such documents thereafter proposed for HPD approval prior to commencement of construction of such change.

6. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. COOPERATION WITH HPD

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project.

8. COOPERATION WITH OTHER CITY AGENCIES

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. CERTIFICATE OF COMPLETION

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

G: MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to §505 of the Urban Renewal Law and §197-c and §197-d of the Charter and may amend the designation of the Area at any time pursuant to §504 of the Urban Renewal Law.

2. MINOR CHANGES

HPD, with the concurrence of the City Planning Commission ("CPC"), may authorize minor changes of the terms of these restrictions which conform with the intent and purpose of this Plan.

3. MERGERS AND SUBDIVISIONS

The development sites in the Area may be merged and/or subdivided where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of the subdivided development site, if any, is marketable and developable in accordance with this Plan and with all applicable Federal, State, and City Laws. The merger and/or subdivision of a development site will not require review or approval by CPC, but HPD will file the Plan, as modified to indicate such merger and/or subdivision, with the Department of City Planning for information purposes.

H: DURATION OF PLAN

This Plan will remain in effect for a period of forty (40) years from the date of the original approval of this Plan, until March 6, 2026, except as provided in Section G.

EXHIBIT A

PROPERTIES ACQUIRED AND TO BE ACQUIRED

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
1	3783	p/o 1 (formerly lots 39, 42, 45, 47)	p/o former Lot 1 aka p/o Condo #4314	Residential
2	3767	27, 32 (formerly lots 27-31, 33, 35)	27, 32	Residential
3	3767	36 (formerly lots 37-42, 44-48)	36	Residential
4	3784	p/o 1 (formerly lots 29-44)	p/o 1	Residential
5	3784	6, 106, 117, 127 (formerly lot 6)	6, 106-117, *127	Residential
5A	3784	p/o 1 (formerly lots 45, 47)	p/o 1	Residential
6	3784	p/o 1 (formerly lots 1, 50-56)	p/o 1	Residential
7	3785	p/o 15 (formerly lots 16-28, 30-32, 34-36, 38, 40, 41)	p/o 15	Residential
8	3785	p/o 1 (formerly lots 6-11, 13)	p/o 1	Residential
9	3785	p/o 15 (formerly lots 42-51 on Block 3785 and lots 6, 8, 11, 13, 15, 17 on Block 3786)	p/o 15	Residential
10	3785	p/o 1 (formerly lots 1-5, 52-54, 154, 55-57)	p/o 1	Residential
11	3785	p/o 15 (formerly lots 19, 21, 23-27 on Block 3786)	p/o 15	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
12	3785	p/o 15 (formerly lots 28-31, 34-44 on Block 3786)	p/o 15	Residential
13	3785	75 (formerly lots 1, 45, 47, 50, 52-57 on Block 3786)	75	Residential
14-R	3802	38 (formerly lots 38, 40, 42, 44, 46)	38	Residential
15	3768	18 (formerly lots 18, 21, 24, 26)	18	Residential
16	3769	p/o 1 (formerly lots 6-11, 13, 15, 17, 19, 21, 24, 25, 26)	p/o 1	Residential
17	3769	30 (formerly lots 31-46)	30	Residential
18	3769	p/o 1 (formerly lots 1, 4, 5, 48-56)	p/o 1	Residential
19	3803	121-132 (formerly lots 18, 21-30, 128, 130)	121-132	Residential
20-R	3803	p/o 11 (formerly lots 11, 13, 16)	p/o 11	Residential
21	3803	*6	6	Residential
22A	3819	121, 130 (formerly lot 17)	Former Lot 121, aka Condo# 3755	Residential
22B	3819	101-106, 131-152 (formerly lots 1, 7, 32, 36, 39, 42, 44, 49, 54)	101-106, 131-152	Residential
22C	3819	115-120 (formerly lot 17)	115-120	Residential
24	3770	p/o 1 (formerly lots 5-21)	p/o 1	Residential
25	3770	22 (formerly lots 23-32, 34, 36-51)	22	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
25A	3770	p/o 1 (formerly lots 1, 52-59, 61, 62)	p/o 1	Residential
26	3787	p/o 1 (formerly lots 19-29, 122, 123)	p/o 1	Residential
27	3787	5 (formerly lots 5-18)	5	Residential
28	3787	p/o 1 (formerly lots 1, 4, 30-50, 55)	p/o 1	Residential
29	3772	*6	*6	Public and Semi-Public
30	3754	13 (formerly lots 13, 20-28, 124)	13	Public and Semi-Public
32	3737	1 (formerly lots 1-11, 14, 23-25, 27-32, 34, 35, 38)	1	Residential
33	3724	29 (formerly lots 29-36)	29	Residential
34	3725	1 (formerly lots 1-3, 23, 25, 26, 28-32, 35)	1	Residential
35	3993	1 (formerly lots 1-3, 24-26, 28, 29, 31-35)	1	Residential
36	4009	1, 101-109 (formerly lots 1, 3, 6, 9)	1, 101-109	Residential
39-R	3803	1 (formerly lots 1, 4)	1	Residential
40-R	3803	p/o 11 (formerly lots 31-44)	p/o 11	Residential
41	3738	p/o 15 (formerly lots 15-20, 22, 25-29)	15	Public and Semi-Public

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
42	3738	*30, *8900 (formerly lot 38 and the bed of New Jersey Avenue between Pitkin Avenue and Belmont Avenue)	*30, *8900	Open Space
42	3739	1*, *29 (formerly lots *1, *3, *29-34)	*1, *29	Open Space
44	3704	*35	*35	Open Space
45	3756	123, 125-135, 137 (formerly lots 23, 24, 26, 28-31, 34, 35)	123, 125-135, 137	Residential
46	3757	1, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75-84 (formerly lots 1-18, 21, 22, 28)	1, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75-84	Residential
50A	3772	129-133, 34 (formerly lots 29-34)	129-133, 34	Residential
50B	3772	40-42, 143-148 (formerly lots 40, 43-48)	40-42, 143-148	Residential
51	3773	1, 56, 101-109, 128-145, 46, 148-151 (formerly lots 1-5, 7-10, 12, 28-41, 43-45, 48-52, 56)	1, *56, 101-109, 128-145, 46, 148-151	Residential
52	3774	1, 101-114, 138, 141-150 (formerly lots 1-5, 7-15, 38, 43-52)	1, 101-114, *138, 141-150	Residential
53	3775	1, 101-124, 24, 125-134, 150 (formerly lots 1, 4, 8, 10, 12, 14, 16-21, 23-24, 28-29, 32-37, 51-52)	1, 101-124, *24, 125-134, *150	Residential
54A	3789	100-105 (formerly lots 1-6)	100-105	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
54B	3789	*35 (formerly lots 35-38)	*35	Residential
55	3825	21, 27	21	Residential
56	4010	32, 132-138 (formerly lots 32-34, 36, 38, 39)	32, 132-138	Residential
57	4011	1, 101-114, 130-139, 225-239 (formerly lots 1-8, 10-19, 21-25, 125, 26-37)	1, 101-114, 130-139, 225-239	Residential
58A	4026	10, 111-115 (formerly lots 10-14)	10, 111-115	Residential
58B	4026	2, 120-137 (formerly lots 2, 3, 20-22, 24-26, 28-31, 34-35)	2, 120-137	Residential
59A	4030	10, 111-112, 114-120 (formerly lots 10-17), *19, *20	10, 111-112, 114-120, *19, *20	Residential
59B	4031	20, 120-127 (formerly lots 20, 22, 24, 25, 27, 28)	20, 120-127	Residential
59C	4032	17, 117-119, 122, 123 (formerly lots 17-22)	17, 117-119, 122, 123	Residential
60A	4042	8, 109-124, 126 (formerly lots 8-12, 14-16, 18, 23, 24)	8, 109-124, 126	Residential
60B	4042	32, 132-134, 137-143 (formerly lots 32-39, 135, 136)	32, 132-134, 137-143	Residential
61A	4045	120, 121, 122 (formerly lots 20-22)	120, 121, 122	Residential
61B	4045	125, 127-135, 137 (formerly lots 25-28, 30-34)	125, 127-135, 137	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
61C	4045	1, 6, 106-111, 138-140 143-151 (formerly lots 1-12, 38, 39, 43-47)	1, 6, 106-111, 138-140, 143-151	Residential
62	4046	1, 6, 107-117, 121, 126-136, 138-146 (formerly lots 1-3, 106, 6-15, 21-32, 39-40, 42-43)	1, 6, 107-117, *121, 126-136, 138-146	Residential
63	4047	1, 22-24, 62-82, 100-113, 115, 152-159 (formerly lots 5-10, 15-18, 20, 22-32, 35, 40-45, 47-52, 54-56, 58-61)	1, 22-24, 62-82, 100-113, 115, 152-159	Residential
64A	4048	16-18, 20, 122-125, 28, 32 (formerly lots 16, 21-26, 28-30, 32, 33)	16-20, 29-31 121-125	Residential
64B	4048	41, 141-145, 49, 51, 53, 60-67, 70 (formerly lots 1-10, 41-48)	41, 141-145, 49, 51, 53, 60-67, 70	Residential
65A	4058	*18, 95-100 (formerly lots 12, 14, 16-*18)	18, 95-100	Residential
65B	4058	60-70, 75-82, 84 (formerly lots 1-7, 30-34, 134, 35-39, 45)	60-70, 75-82, 84	Residential
65C-R	4058	128, 29 (formerly lots 28, 29)	128, 29	Residential
66	4059	100-101, 103-121, 123-132, 135-155 (formerly lots 1-12, 102, 18, 20, 23-34, 36-40, 42-46)	100, 101, 103-121, 123-132, 135-155	Residential
67A	4060	*16 (formerly lots 16, 17)	16, 17	Residential
67B	4060	20, 121-125 (formerly lots 20, 21, 24)	20, 121-125	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
67C	4060	1, 3-8, 109-114, 116, 126-132, 134, 135 (formerly lots 1-4, 104, 5-8, 26-32, 34, 35, 43, 47)	1, 3-8, 109-114, 116, 126-132, 134, 135	Residential
67D	4060	37, 39, 40 (formerly lots 38, 40)	37, 39, 40	Residential
68A	4061	17, *18, 120-129 (formerly lots 17-20, 22-24, 26-34)	17, *18, 120-129	Residential
68B	4061	39, 40 (formerly lots 38-40)	39, 40	Residential
69A	4062	21, 121-129, 30 (formerly lots 22-26, 28, 29, 31-34)	21, 121-129, 30, 31	Residential
69B	4062	11, 111-114, 140-142 (formerly lots 11-13, 15, 16, 39, 41, 42)	11, 111-114, 140-142	Residential
69C	4062	1, 3, 104-107 (formerly lots 1, 2, 4-7)	1, 3, 104-107	Residential
70A	4063	20, 85, 87-93, 95, 97-102 (formerly lots 20, 21, 25-33, 35-41)	20, 85, 87-93, 95, 97-102	Residential
70B	4063	49, 50, *52, 55 (formerly lots 49, 50, 52-56)	49, 50, *52, 55	Residential
71	4064	13, 114-116, 123-128, 29-31, 131-136, 138 (formerly lots 13, 14, 16, 17, 23-28, 32-37)	13, 114-116, 123-128, 29-31, 131-136, 138	Residential
72	4075	12, 13, 114, 15-17, 121-128, 130, 131, 133-138, 140 (formerly lots 111, 12, 14, 18, 22-24, 26-39, 129, 132, 42, 43)	12, 13, 114, 15-17, 121-128, 130, 131, 133-138, *140	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
73	4076	101-104, 106-109, 111-114, 116, 118-125, 25, 135, 137-150 (formerly lots 5-18, 105, 110, 115, 117, 19, 20, 25, 28-38, 131, 132, 133)	101-104, 106-109, 111-114, 116, 118-125, *25, 135, 137-150	Residential
74A	4077	18, 118-121 (formerly lots 18-22)	18, 118-121	Residential
74B	4077	112, 41-43 (formerly lots 12, 42)	112, 41-43	Residential
75	4089	1-4, *13, *21, *22 (formerly lots 1-4, 13-23)	1-4, *13, *21, *22	Residential
76	4091	16 (formerly lots 22, 24)	Former Lot 16 aka Condo #3044	Residential
77	4017	1, 101-109, 132-141 (formerly lots 1, 3, 6, 8, 32, 33, 36, 38-40)	1, 101-109, 132-141	Residential
78	4021	1, 101, 136, 140 (formerly lots 1-3, 36-41)	1, 101, 136, 140	Residential
79	4022	1-8, 109-121, 123-143 (formerly lots 1, 9-13, 15, 17-23, 26-30)	1-8, 109-121, 123-143	Residential
80	4033	9, 110-116, 118, 119 (formerly lots 9-13, 15-19)	9, 110-116, 118, 119	Residential
81	4034	*29 (formerly lots 29-38, 40, 43)	*29	Residential
82	4035	2-4, 105-110, 113, 13, 115, 117-119, 121-126, 136-140	2-4, 105-110, 13, 117-119, 121-126, 136-140	Residential
83A	4036	105-112, 28, 130-134 (formerly lots 5, 7-11, 28-30, 129, 32, 33)	105-112, 28, 130-134	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
83B	4036	1, *135 (formerly lots 1, 35-39)	*1, *135	Residential
84	4037	5, 105-107, 14, 114, 214, 19, 119-126 (formerly lots 5-7, 14, 16-19, 22-25, 125)	5, 105-107, 14, 114, 214, 19, 119-126	Residential
85	4038	1, 101-116, 127-137 (formerly lots 1-11, 13, 28-31, 33, 34, 36-40, 45)	1, 101-116, 127-137	Residential
86	4049	1, 106-121, 20, 24, 25, 28, 29, 131-146, 47, 72, 74-80 (formerly lots 1, 5-25, 28, 29, 130, 31-47, 148, 49-59)	1, 106-125, 25, 28, 29, 131-146, 47, 72, 74-80	Residential
87A	4050	1, 100, 102, 104, 149-158, 160, 39, 139-145 (formerly lots 1-4, 27-35, 132, 38, 40-44)	1, 100, 102, 104, 149-158, 160, 39, 139-145	Residential
87B	4050	13-15, *25 (formerly lots 12-14, 25)	13-15, 25	Residential
87C	4050	*22 (formerly lots 22, 23)	*22	Residential
88A	4051	8, 108, 110-116, 32, 146, 148-160, 162 (formerly lots 8-14, 109, 133, 134, 33-43)	8, 108, 110-116, 32, 146, 148-160, 162	Residential
88B-R	4051	4	4	Residential
89	4052	1, 104-112, 132-148 (formerly lots 1-6, 8-11, 33, 36-43, 46)	1, 104-112, 132-148	Residential
90	4053	4, 104-107, 136-137, 139-145 (formerly lots 4-6, 36-38, 138, 39, 41-44)	4, 104-107, 136-137, 139-145	Residential
91	4054	56-64, 67 (formerly lots 46-51, 53-55)	56-64, 67	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
92	4055	55-63, 65 (formerly lots 46, 48-54)	55-63, 65	Residential
92A	4055	3 (formerly lots 3, 4)	3	Residential
93	4065	25-28 (formerly lots 24-30)	25-28	Residential
94	4066	14, 114-121 (formerly lots 14-20)	14, 114-121	Residential
95	4067	*8, 132-148 (formerly lots 8, 32-38, 40, 42-44, 46, 48, 49)	8, 132-148	Residential
96	4083	4, 105, 106, 125-133, 140, 142-146 (formerly lots 4-6, 12-27)	4, 105, 106, 125-133, 140, 142, 143, 144, 145, *146	Residential
101A	3766	p/o 1 (formerly lots 1-23, 25, 26, 28-30, 33-38, 40, 50-53)	p/o 1	Residential
101B	3766	p/o Lot 1, (formerly lots 1-23, 25, 26, 28-30, 33-38, 40, 50-53) Lot 49 (formerly lots 43, 45, 47, 49)	p/o 1, 49	Residential
102	3765	130-145 (formerly lots 127, 28-30, 129, 132, 134, 136, 32-40)	130-145	Residential
103A	3771	6 (formerly lots 17-20, 22-27, 30, 32)	Former Lot 6 aka Condo# 2155	Residential
103A	3771	101-108 (formerly lots 6, 8, 10-15)	101-108	Residential
103B	3771	47-51 (formerly lots 46-51)	47-51	Residential
104	3782	120, 130, 140 (formerly lots 19, 22, 25, 29-38, 41)	120, 130, 140	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
105A	3783	p/o 1 (formerly lots 6-10, 14-29, 31, 33-38)	p/o former Lot 1 aka p/o Condo# 4314	Residential
105B	3783	p/o 1 (formerly lots 1, 49, 52, 55, 58)	p/o former Lot 1 aka p/o Condo# 4314	Residential
106	3800	100-110, 117-121, 123-129, 131-145 (formerly lots 5, 7, 9, 10, 22, 27-31, 130, 34, 36-42)	100-107, 117-121, 123-129, 131-145	Residential
106A	3800	1 (formerly lots 1-4, 46-52)	1	Residential
107	3802	*1 (formerly lots 1, 3, 6, 8, 11, 48, 54)	*1	Open Space
108	3818	1, 101-121 (formerly lots 1, 3-9, 11, 13-15, 17-20)	1, 101-121	Residential
108A	3818	122 (formerly lots 21-32)	Former Lot 122, aka Condo #4614	Residential
109	3820	101-122 (formerly lots 1-3, 5-20)	101-122	Residential
109A	3820	123 (formerly lots 21, 24, 27, 30, 31, 131)	Former Lot 123, aka Condo #3755	Residential
110A-R	3822	6, 106 (formerly lots 5, 6)	6, 106	Residential
110B	3822	104, 105 (formerly lot 4)	104, 105	Residential
110C	3822	101-103 (formerly lots 1-3)	101-103	Residential
111A	3801	5, 105-123 (formerly lots 11, 14, 17, 19, 22)	5, 105-123	Residential
111B	3801	*1, *3, *47, *49	*1, *3, *47, *49	Public and Semi-Public
111C	3801	124-147 (formerly lots 8, 25, 28, 30, 32, 34, 37, 39, 42)	124-147	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
112	3834	23, 123-125, 127-129 (formerly lots 23-28, 126)	23, 123-125, 127-129	Residential
113A	3804	112-130 (formerly lots 16, 19, 21-29)	112-131	Residential
113B	3804	101-111, 131-138 (formerly lots 1, 3, 6, 10, 13, 33, 38, 46, 50)	101-111, 132-138	Residential
113C	3804	1	Former Lot 1 aka Condo# 3755, 2	Residential
114	3836	101-105, 146-150 (formerly lots 1, 46)	101-105, 146-150	Residential
115A	3817	104-109, 111-115, 11, 12, 118-121, 126-131 (formerly lots 2-12, 110, 14, 15, 26-29)	104-109, 111-115, 11, 12, 118-121, 126-131	Residential
115B	3817	132-144 (formerly lots 31-35, 37, 40)	132-144	Residential
115C	3817	1, 100-102 (formerly lots 1, 46, 47)	1, 100, 101, 102, 103	Residential
115D	3817	16, 116, 17, 117, 18, 19, 20, 21, 22, 23, 24	Former Lot 20 aka Condo #4614	Residential
116	3837	101-105 (formerly lot 1)	101-105	Residential
117-R	3818	33, 35, 37, 39, 41, 43, 46, 49, 52 (formerly lots 35-37, 39, 41, 43, 46, 49, 50)	33, 35, 37, 39, 41, 43, 46, 49, 52	Residential
118A	3851	111-116 (formerly lots 10-15, 42)	111-116	Residential
118B	3851	10	10	Residential
118C	3851	15	15	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
119	3852	1, 116-138 (formerly lots 1, 15-23, 26-37)	1, 116-138	Residential
120	3853	109-113 (formerly lots 9-13)	109-113	Residential
A	3790	1	1	Residential
B	3790	*4, *49	*4, *49	Residential
C-R	3790	11	11	Residential
D-R	3790	16	16	Residential
E	3791	*25, *26, 27, *28	*25, 27, *28	Residential
F-R	3792	1	1	Residential
G	3809	*27	*27	Residential
H-R	3825	12, 13	12, 13	Residential
J-R	3826	48	48	Residential
K-R	3840	35 (formerly lots 33-35)	35	Residential
L-R	3841	7	7	Residential
M	3841	*32	32	Residential
N-R	3841	41	41	Residential
P-R	3842	24	24	Residential
121	3765	120-124 (formerly lots 18-20, 22)	120-124	Residential
122	3767	*5	*5	Residential
123	3767	*10, *11, *12, *13	10, 11, 12, 13	Residential
124	3799	35, 135-140 (formerly lots 35-39)	35, 135-140	Residential
125	3799	45 (formerly lots 45-51)	Former Lot 45 aka Condo #4649	Commercial

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
126	3800	109-116 (formerly lot 13)	108-116	Residential
127	3805	1, 6	Former Lot 1 aka Condo# 3755	Residential
128	3805	110-122 (formerly lots 9-11, 14-17, 19, 20, 22)	110-122	Residential
129	3805	23, 24	*23, *24	Open Space
131	3821	136-142 (formerly lots 36, 38, 39, 41-43)	136-142	Residential
132	3833	*43, *44, *47	*43, *44, *47	Residential
133	3834	138-145 (formerly lots 38-43, 142)	138-145	Residential
134-R	3838	39, 40	39, 40	Residential
135	3850	1 (Lot 1 merged into Lot 5)	p/o Former Lot 5, aka p/o Condo #4356	Residential
136	3850	144-147 (formerly lots 44, 45, 46, 47, 48)	144-147	Residential
137-R	3850	33	33	Residential
138	3851	23-26, 127-140 (formerly lots 1, 23-39)	23-26, 127-140	Residential
139	3852	8, 110-115 (formerly lots 9, 10, 12-14)	8, 110-115	Residential
140	3853	121-128 (formerly lots 1, 21-29)	1, 121-128	Residential
141	3854	*1, *2, *3, *4, *5, *7, *8, *9, *10, *11 *12, *13	*1, *2, *3, *4, *5, *7, *8, *9, *10, *11, *12, *13	Open Space
142	3865	24, 25, 26, 27, 128, 129 (formerly lots 24-29)	Former Lot 24, aka Condo #4356	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
143A	3865	35, 130-134 (formerly p/o lot 28, p/o lot 29, lots 30-43)	35, 130-134	Residential
143B	3865	44, 136-142 (formerly lots 36-44)	44, 136-142	Residential
143C	3865	*46, *47, 49, 150, 151 (formerly lots 46, 47, 49-52)	46, 47, 49, 150, 151	Residential
144A	3866	110-126, 143-159 (formerly lots 3-11, 13, 15-18, 43, 46-52, 54-56, 58-61)	110-126, 143-159	Residential
144B	3866	130-139 (formerly lots 20-22, 24-34)	130-139	Residential
145	3866	*41	41	Residential
146	3866	*68	68	Residential
147A	3867	8-10, 111-151, 153-160 (formerly lots 8-13, 15-25, 27-30, 32-46, 48-51, 53-60)	8-10, 111-160	Residential
147B	3867	162-164 (formerly lots 62-64)	162-164	Residential
148	3867	1, 78, 172, 173, 74, 174, 175 (formerly lots 1, 72, 74, 78)	1, 78, 172, 173, 74, 174, 175	Residential
149	4294	110-133, 134, 135 (formerly lots 1, 2, 4, 5, 7, 9-11, 13, 18, 20, 53-56, 58-60, 62-73)	110-133, 134, 135	Residential
150A	4294	138-140, 101-109 (formerly lots 31, 32, 35-38, 40, 42, 43)	138-140, 101-109	Residential

EXHIBIT A (continued)

<u>Site</u>	<u>Block</u>	<u>Old Tax Lot(s)</u>	<u>New Tax Lot(s)</u>	<u>Land Use</u>
150B	4294	136, 137 (formerly lots 27-29)	136, 137	Residential
151A	4295	126-132 (formerly lots 1-10, 77)	126-132	Residential
151B	4295	71, *72, 73, 123-125 (formerly lots 67-73)	71, 72, 73, 123-125	Residential
152	4295	*54, *55, 63 (formerly lots 23-25, 54-63)	*54, *55, 63	Residential
153	4295	101-111 (formerly lots 40-49)	101-111	Residential
154-R	4296	1	1	Residential
155-R	4296	4	4	Residential
156	4296	101-122 (formerly lots 44-46, 48-51, 53, 55-59, 61, 63, 64)	101-122	Residential
157-R	4297	*1, 2	*1, 2	Residential
158	4318	100-114 (formerly lots 1, 12-14, 16)	100-114	Residential
159	4319	101-121 (formerly lots 1-10, 42, 54-57, 59)	101-121	Residential

All mapped and/or built streets within the Project Boundary

KEY TO EXHIBIT A NOTATIONS

R Property designated for rehabilitation

* City-owned property

EXHIBIT B

PROJECT BOUNDARY DESCRIPTION

Lying within the Borough of Brooklyn, Kings County in The City of New York, New York.

BEGINNING at the intersection of the northerly line of Linden Boulevard and the westerly line of Van Sinderen Avenue;

Thence northerly, along the westerly line of Van Sinderen Avenue to its intersection with the northerly line of Sutter Avenue;

Thence easterly, along the northerly line of Sutter Avenue to its intersection with the westerly line of Sheffield Avenue;

Thence northerly, along the westerly line of Sheffield Avenue to its intersection with the northerly line of Atlantic Avenue;

Thence easterly, along the northerly line of Atlantic Avenue to its intersection with the easterly line of Barbey Street;

Thence southerly, along the easterly line of Barbey Street to its intersection with the northerly line of Pitkin Avenue;

Thence easterly, along the northerly line of Pitkin Avenue to its intersection with the easterly line of Montauk Avenue;

Thence southerly, along the easterly line of Montauk Avenue to its intersection with the southerly line of New Lots Avenue;

Thence southwesterly, along the southerly line of New Lots Avenue to Pennsylvania Avenue;

Thence southerly, along the easterly line of Pennsylvania Avenue to its intersection with the northerly line of Linden Boulevard;

Thence southwesterly, along the northerly line of Linden Boulevard until its intersection with Alabama Avenue;

Thence northwesterly, along the northerly line of Linden Boulevard to the point or place of beginning.

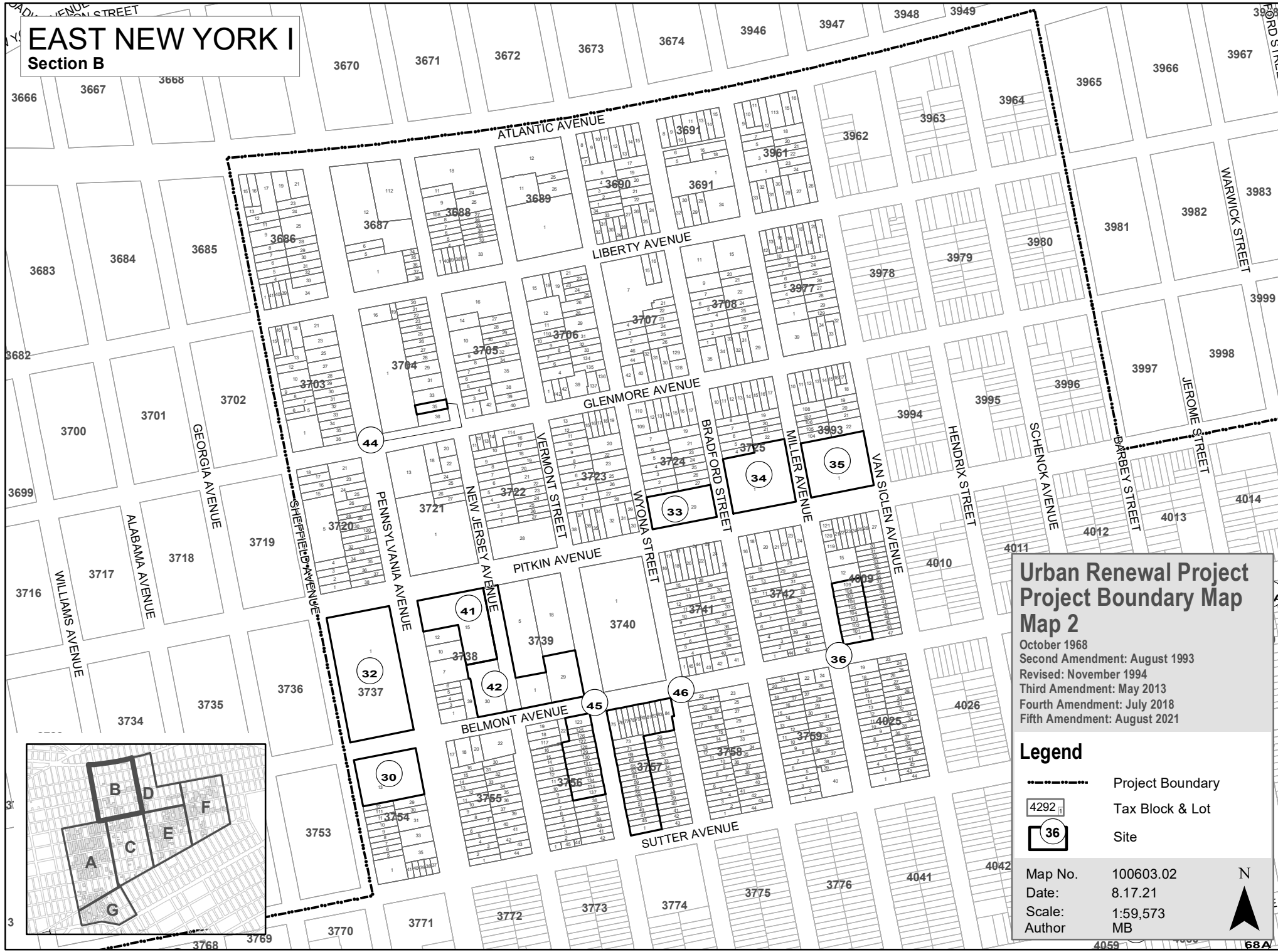
EAST NEW YORK I

Section A



EAST NEW YORK I

Section B



**Urban Renewal Project
Project Boundary Map
Map 2**

October 1968
 Second Amendment: August 1993
 Revised: November 1994
 Third Amendment: May 2013
 Fourth Amendment: July 2018
 Fifth Amendment: August 2021

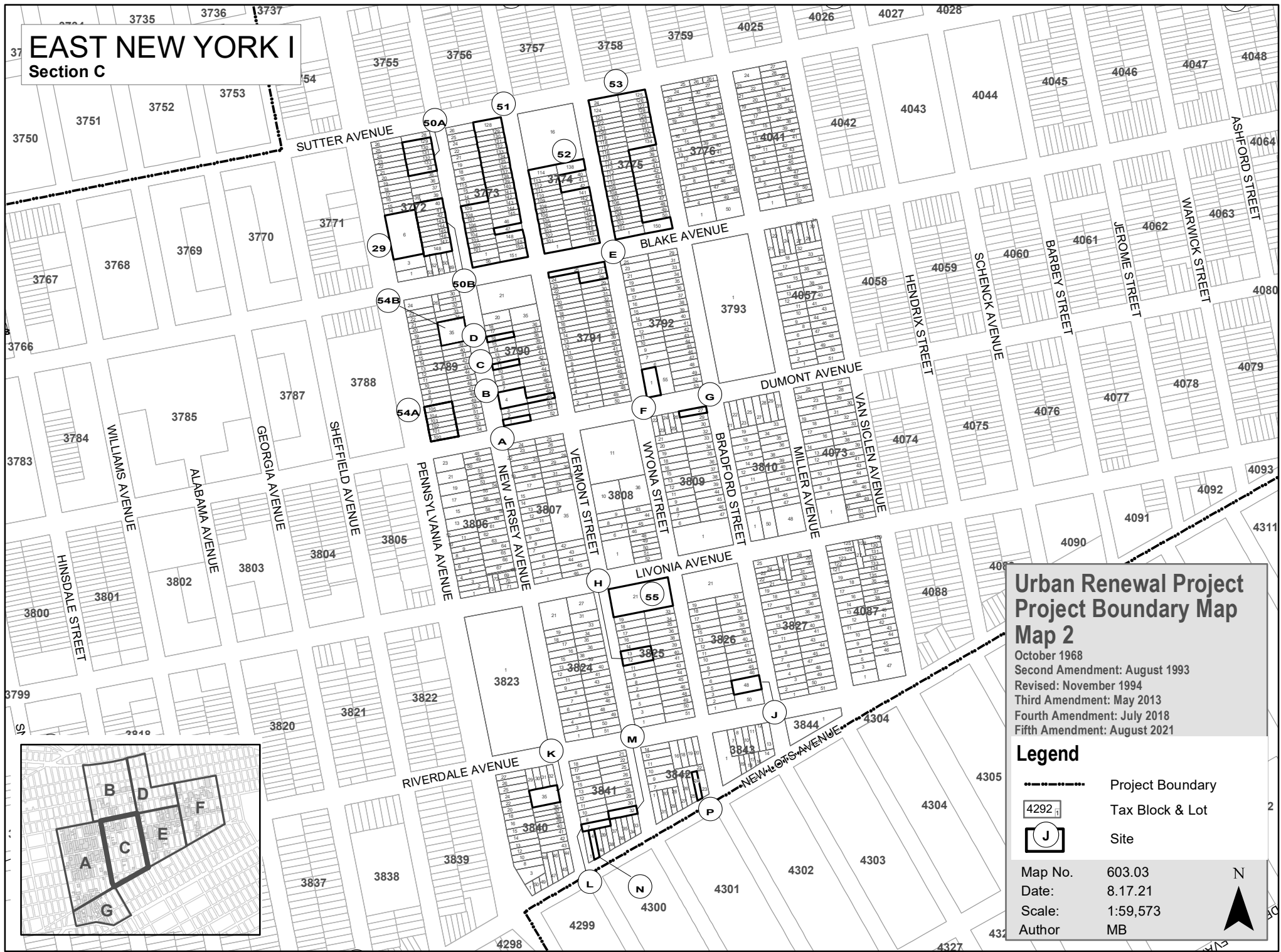
Legend

- Project Boundary
- Tax Block & Lot
- Site

Map No. 100603.02
 Date: 8.17.21
 Scale: 1:59,573
 Author: MB

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EAST NEW YORK I Section C



Urban Renewal Project Project Boundary Map Map 2

October 1968
Second Amendment: August 1993
Revised: November 1994
Third Amendment: May 2013
Fourth Amendment: July 2018
Fifth Amendment: August 2021

Legend

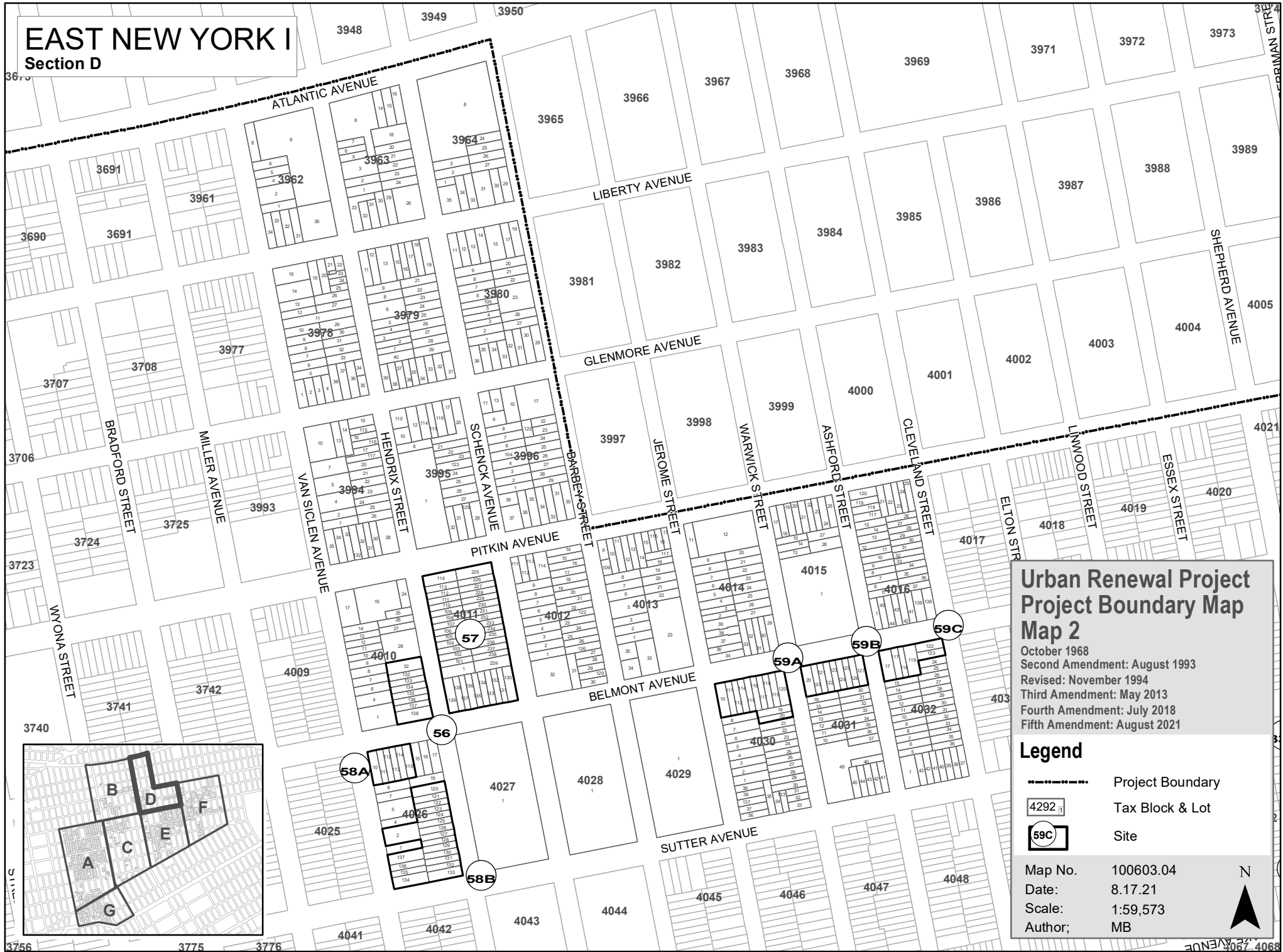
- Project Boundary
- 4292 Tax Block & Lot
- J Site

Map No. 603.03
Date: 8.17.21
Scale: 1:59,573
Author MB



EAST NEW YORK I

Section D



Urban Renewal Project Project Boundary Map Map 2

October 1968
Second Amendment: August 1993
Revised: November 1994
Third Amendment: May 2013
Fourth Amendment: July 2018
Fifth Amendment: August 2021

Legend

- Project Boundary
- 4292 i Tax Block & Lot
- 59C Site

Map No. 100603.04
Date: 8.17.21
Scale: 1:59,573
Author: MB

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EAST NEW YORK I

Section E



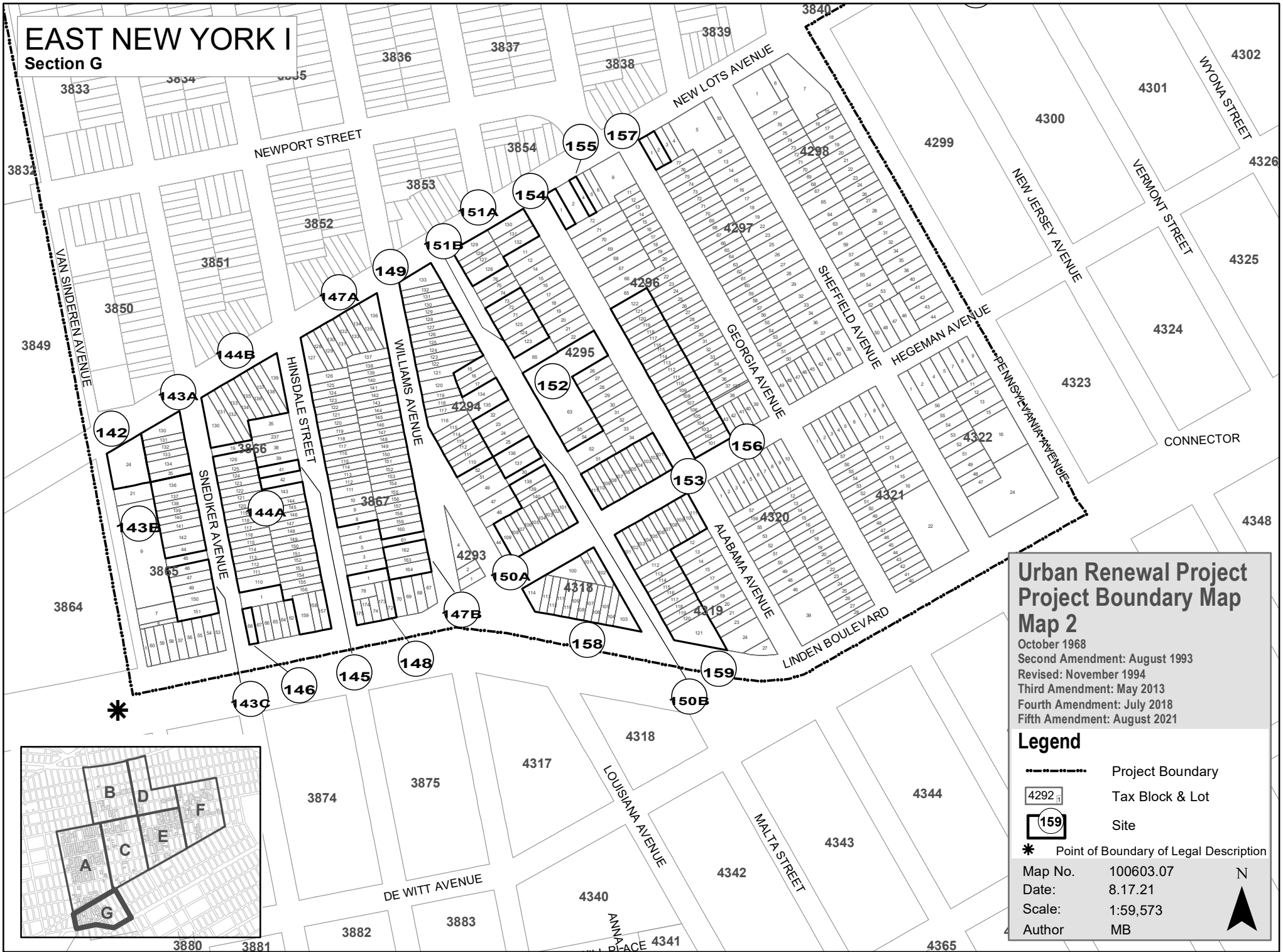
EAST NEW YORK I

Section F

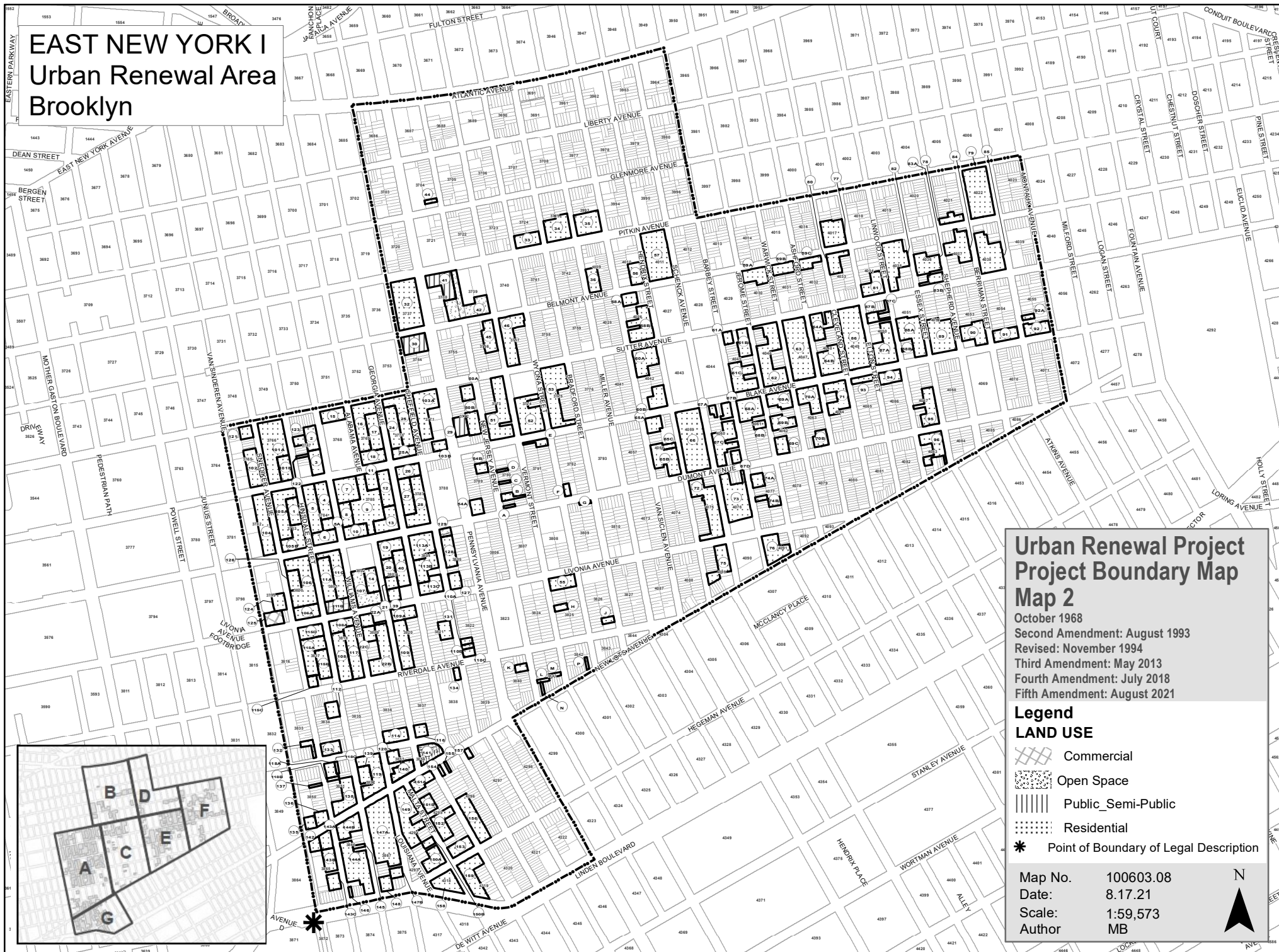


EAST NEW YORK I

Section G



EAST NEW YORK I Urban Renewal Area Brooklyn



FACT SHEET
EAST NEW YORK I URBAN RENEWAL PLAN
FIFTH AMENDMENT

September, 2021

REASON FOR AMENDMENT:

A fifth amendment to the East New York I Urban Renewal Plan (“Plan”) is proposed to change the land use designation of Site 122 (Block 3767, Lot 5) from Open Space land use to Residential land use.

The proposed fifth amendment to the Plan would facilitate the development of one new three-story building providing approximately four units of affordable rental housing. The proposed building will include a mix of studios, one-bedroom, and two-bedroom units.

Site 122 is part of the larger New Penn Development project, which will facilitate the development of approximately ten new construction buildings on ten sites with approximately 73 rental units affordable to residents earning between 30-50% Area Median Income (“AMI”).

SPECIFIC CHANGES:

- (1) Map 2 has been modified to reflect a land use change for Site 122 (Block 3767, Lot 5) from Open Space land use to Residential land use.
- (2) Exhibit A has been modified to reflect a land use change for Site 122 (Block 3767, Lot 5) from Open Space land use to Residential land use.
- (3) Exhibit A and/or corresponding maps have been updated to reflect corrections to labelling and representations of the following Sites: 5, 54B, 60A, 60B, 61C, 106, 113A, 113B, 115C, 126, 140, 144A, and 148.
- (4) Blocks and lots have been reviewed and updated to reflect any tax lot changes since the prior amendment of the Plan.

FOR INFORMATION ONLY
NOT PART OF THE URBAN RENEWAL PLAN
NOT PART OF ULURP APPLICATION



BOROUGH PRESIDENT RECOMMENDATION

Project Name: ENY I URP 5th Amendment	
Applicant: HPD - NYC Dept of Housing Preservation & Development	Applicant's Administrator: Lin Hua Zeng
Application # 220102HUK	Borough: Brooklyn
CEQR Number: 19HPD131K	Validated Community Districts: K05

Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), 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 fifth amendment to the East New York I Urban Renewal Plan for the East New York I Urban Renewal Area, Borough of Brooklyn, Community District 5.

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Favorable

Please attach any further explanation of the recommendation on additional sheets as necessary

CONSIDERATION: Favorable

Recommendation submitted by	BK BP	Date: 12/21/2021 4:52 PM
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Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, NY 10271

CalendarOffice@planning.nyc.gov

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

ENY I URP 5TH AMENDMENT – 220102 HUK

The New York City Department of Housing Preservation and Development (HPD) submitted an application, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 1970c of the New York City Charter, for the fifth amendment to the East New York I Urban Renewal Plan (ENY I URP) for the East New York I Urban Renewal Area (ENY I URA) to permit residential uses on a vacant, City-owned lot known as Site 122. The requested action would facilitate a new three-story building with four affordable units at 303 Hinsdale Street in Brooklyn Community District 5 (CD 5).

BROOKLYN COMMUNITY DISTRICT NO. 5

BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE
☐ DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

December 20, 2021

DATE

RECOMMENDATION FOR: ENY I URP 5TH AMENDMENT – 220102 HUK

The New York City Department of Housing Preservation and Development (HPD) submitted an application, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 1970c of the New York City Charter, for the fifth amendment to the East New York I Urban Renewal Plan (ENY I URP) for the East New York I Urban Renewal Area (ENY I URA) to permit residential uses on a vacant, City-owned lot known as Site 122. The requested action would facilitate a new three-story building with four affordable units at 303 Hinsdale Street in Brooklyn Community District 5 (CD 5).

On November 1, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on this Uniform Land Use Review Procedure (ULURP) application. There were no speakers on the item.

In response to Borough President Adams' inquiry as to what extent HPD would be able to accommodate Brooklyn Community Board 5 (CB 5)'s requests for deeper affordability and rear space for a second egress, HPD clarified that while the four-unit building was originally planned with one studio at 40 percent of Area Median Income (AMI), two one-bedroom units at 60 percent AMI, and one two-bedroom unit at 80 percent AMI, the development team is seeking to eliminate the 80 percent AMI tier. The developer also noted that a second stair would reduce the available floor area for living space but clarified that the rear yard would be accessible to the upper units via the cellar.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective households based on household size, the anticipated rents based on the number of bedrooms, and the distribution of units by bedroom size, HPD stated the revised unit mix would consist of one studio at 40 percent AMI, one one-bedroom unit at 60 percent AMI, one two-bedroom unit at 60 percent AMI, and another two-bedroom unit at 40 percent AMI.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process to ensure the highest level of participation from CD 5 residents, and whether the marketing strategy would include a financial literacy campaign to qualify area residents for the lottery, the developer stated intent to partner with a community-based housing non-profit.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, blue/green/white roof covering, solar roof or façade panels, New York City Department of Environmental (DEP) rain gardens, and/or wind turbines, the developer clarified that 303 Hinsdale Street would be a passive house building and would explore the possibility of a rain garden integrated with an intended tree pit.

Consideration

CB 5 has not yet taken a position on this application.

The proposed actions would affect a vacant City-owned lot on the east side of Hinsdale Street, between Blake and Sutter avenues. 303 Hinsdale Street has a lot area of approximately 2,000 square feet (sq. ft.). The underlying R6 zoning district permits a maximum building height of 55 feet on narrow streets. The site is included in the ENY I URP restricted to open space and recreational uses. HPD is seeking an amendment to enable residential development and construct a three-story building with four affordable rental units.

303 Hinsdale Street is part of HPD's proposed New Penn Development, a Neighborhood Construction Program (NCP) project involving ten City-owned scattered sites in East New York. In all, the development would yield 73 units at 306 Pennsylvania Avenue, 392 Wyona Street, and 467 Vermont

Street/426 Wyona Street, 303 Hinsdale Street, 429 Newport Street, 461 New Jersey Avenue, 792 Rockaway Avenue, 791 Saratoga Avenue, 510 Vermont Street, and 392 and 432 Wyona Street. With the exception of 306 Pennsylvania Avenue, the properties would be developed as three to four story buildings.

It should be noted that only the first three properties were subject to ULURP. Borough President Adams held a public hearing on application 210109 HAK on January 25, 2021 and issued a conditional approval. The City Council subsequently approved the disposition of 306 Pennsylvania Avenue, 392 Wyona Street, and 467 Vermont Street/426 Wyona Street to the selected co-developers Rajoy Management Inc. and PM Architecture PC. The redevelopment of these sites would result in 46 affordable rental apartments. The remaining seven sites, which would contain four or fewer units, were approved for Urban Development Action Area Project (UDAAP) designation.

As represented, 303 Hinsdale Street would be built to a floor area ratio (FAR) of 1.7 and a height of 30 feet. It would contain approximately 3,410 sq. ft. of residential floor area, with four units of varying sizes. The building would be set back six feet to align with the adjacent two and a half-story homes.

The surrounding context includes a mix of residential, commercial, and community facility uses. The primary housing type is low-rise one- and two-family homes, with multi-family walkups and elevator apartment buildings of up to six stories. Directly across the street is 515 Blake Avenue, a homeless shelter operated by HELP USA. North and west of the site are extensive M1-1 and M1-4 districts coterminous with the East New York Industrial Business Zone (IBZ). Ground-floor commercial uses are found along Blake and Sutter avenues, which are mapped with C1-3 and C2-3 overlays. Institutional uses in the area include charter and public schools, houses of worship, and municipal buildings.

303 Hinsdale Street is easily accessible by public transportation. The 14th Street – Canarsie Local L train Sutter Avenue station is located two blocks to the west, while the Seventh Avenue Express 2/3 and the Lexington Avenue Express 4 trains are available at Pennsylvania Avenue station five blocks southeast of the site. The B14 bus makes stops along Sutter Avenue, while the B20 and B83 buses traverse Pennsylvania Avenue.

Brooklyn is one of the fastest growing boroughs in the New York metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing Brooklyn's affordable housing crisis through creation and preservation of housing units for very low- to middle-income households.

Moreover, in CD 5 and across New York City, there is a pressing need for affordable and stable housing among elderly adults, homeless households, low-income families, and other populations. Increasing the supply of affordable apartments for a range of incomes and household types in mixed-use buildings is a critical strategy for promoting a sustainable neighborhood and city.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed development would be consistent with Mayor Bill de Blasio's goal of achieving 300,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," as modified in 2017. It is Borough President Adams' policy to support the development of affordable housing and seek for such housing to remain "affordable forever," wherever feasible.

Borough President Adams supports actions to enable 303 Hinsdale Street based on the expectation of 100 percent affordable residential floor area. The requested amendment, when combined with HPD financing, would help ensure that the project's affordability is maintained beyond the regulatory term. Such development is consistent with Borough President Adams' policy to advocate for permanently affordable residential development on City-owned land.

As this application is pursuant to HPD's New Penn Development, it provides an opportunity to reiterate Borough President Adams' recommendations for that application, namely: a mechanism to ensure permanent affordability, the involvement of a local affordable housing non-profit, and integration of resilient and sustainable features, including DEP rain gardens.

Guaranteeing a Deeply Affordable Housing Development and Retaining Permanent Affordability for All Units

Borough President Adams is concerned about the ongoing loss of low- and moderate-income housing in Brooklyn and across New York City. He recognizes that 100 percent affordable developments that target low- and moderate-income households are greatly needed in CD 5. Moreover, where new developments can be realized on City-owned sites, Borough President Adams believes that disposition of public land should result in permanently affordable housing. To realize such public purpose, he seeks to memorialize what has been represented to the community and ensure the provision of an income-restricted building with rents accessible to local residents.

Where HPD has designated for-profit companies to develop affordable housing with substantial City financing, the duration of such affordable housing is often driven by financial considerations. Standard regulatory agreements used by government agencies typically involve 30- to 60-year terms, which may be extended for a duration of 15 years, with further renewals possible. However, property owners are under no obligation to seek such extensions. Without such obligation to retain housing affordability, those units would no longer be an affordable housing resource once tenants move out after the regulatory agreements expire.

Borough President Adams believes that there are effective ways to preserve such housing as permanently affordable. One way is to prioritize the involvement of non-profit, affordable housing developers, which typically have a core mission to advocate for, preserve, and provide affordable housing process, including directing substantial financing to such organizations. New York City has multiple non-profit entities, with a successful record of developing and managing affordable housing, as well as fulfilling agreements with City agencies. This strategy has helped to ensure that non-Mandatory Inclusionary Housing (MIH) units developed with public funds remain affordable for the lifetime of the non-profit entity's operation. This proposed rezoning has not been represented to include such a development partner.

HPD structures financing to require a balloon payment at the end of the regulatory term to induce developers to refinance with the City, with the obligation to extend the affordability term. Borough President Adams believes that adding a mandate to the regulatory agreement that would obligate the developer/owner to secure such refinancing based on the availability of public funds when the initial mortgage term expires, which would essentially guarantee extended affordability.

An additional measure for consideration might be participation by a community land trust (CLT) as a deed-restricted mechanism. CLTs are non-profit stewardship entities that maintain community ownership of real estate assets. They are governed by boards that contain a diverse array of stakeholders, including community development organizations, elected officials, and local residents. The developer would turn over the land to a CLT and lease it back from the CLT, which would retain ownership. The resulting ground lease appears to be a mechanism to maintain affordability for future income-eligible tenants. In a deed-restricted housing program, restrictions are recorded with the property's deed.

CLT participation is viewed as an effective tool to reduce land speculation and preserve affordability in communities. In 2017, the City Administration solicited proposals from interested stewardship groups, while the City Council passed legislation authorizing and codifying CLTs. There are currently more than a dozen CLTs in various stages of development across the city, with at least two located in Brooklyn, including the East New York CLT. Borough President Adams believes that CLTs provide a viable means to safeguard HPD's substantial investments in affordable housing throughout the borough.

Specific regulatory measures, when implemented, can ensure that units remain as affordable housing options for the city's residents. Borough President Adams believes that residential floor area financed with public subsidies should remain permanently affordable, and that the City should use legal mechanisms to maximize its investments in housing development.

For 303 Hinsdale Street, it is important to use the requested amendment to ensure that these units are insulated from variable economic enticements and remain an affordable housing resource in CD 5. As an urban renewal site, this property provides one additional enforceable mechanism that could be utilized to ensure permanent affordability. The ENY I URP obligates developers to comply with recordable agreements that run with the land until the expiration date of the URP. The request to modify ENY 1 URP Site 122 from open space to residential use provides such an opportunity. In lieu of merely changing the site's designation to residential, Borough President Adams believes that its use should also be restricted to permanently affordable housing.

Therefore, Borough President Adams believes it is appropriate for the City Planning Commission (CPC) and/or City Council to stipulate that the fifth amended plan for the ENY I URP be modified to change Site 122 from open space to residential use with the added requirement that any housing development be permanently affordable. HPD should further notate such obligation in its Land Use Disposition Agreement (LDA) for 303 Hinsdale Street with Rajoy Management Inc. and PM Architecture PC.

Maximizing Community Participation in the Affordable Housing

HPD designates administering non-profits that are responsible for ensuring that affordable housing complies with the regulatory agreement that governs the development's affordable housing plan. Tasks include verifying a prospective tenant household's qualifying income and approving the rents of such affordable units. The administering non-profit is responsible for submitting an affidavit to HPD attesting that the initial lease-up of the units is consistent with the income requirements and following up with annual affidavits to ensure compliance.

It is Borough President Adams' policy for housing non-profits to play a role in maximizing community participation in local affordable housing opportunities. He recognizes that this section of CD 5 is served by several non-profits with a record of marketing affordable housing units and promoting lottery readiness through education. These include East Brooklyn Congregations (EBC), the local development Corporation of East New York (LDCENY), and the Mutual Housing Association of New York (MHANY), among others. In this case, the affordable housing organization(s) selected for the larger New Penn Development project would likely also market the four units at 303 Hinsdale Street.

Therefore, consistent with his recommendations for the New Penn Development ULURP sites, Borough President Adams believes that Rajoy Management Inc. and PM Architecture PC should utilize a local affordable housing non-profit as the administering agent for 303 Hinsdale Street, selected in consultation with CB 5 and local elected officials.

Advancing Sustainable Energy and Resilient Stormwater Management

It is Borough President Adams' policy to advocate for environmentally sustainable development that integrates blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. Such measures tend to increase energy efficiency and reduce a building's carbon footprint.

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require newly constructed buildings as well as those undergoing renovation (with some exceptions) to incorporate a green roof and/or solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate, which Borough President Adams believes developers should exceed by integrating blue roofs with green roof systems. Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings, and those in proximity to the waterfront, micro wind turbines can provide effective sustainable energy generation. Finally, passive house construction achieves energy efficiency while promoting locally based construction and procurement.

In Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021, he outlined policies to rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated investments in renewable energy and battery storage to move beyond reliance on natural gas and dirty "peaker plants" disproportionately sited in communities of color. He believes that grid-connected rooftop batteries should be a standard consideration for commercial buildings. Between existing flat roofs upgrades and new developments, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams believes it is appropriate for Rajoy Management Inc. and PM Architecture PC to engage the Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA) regarding government grants and programs that might offset costs associated with enhancing building resiliency and sustainability. For example, the City's Green Roof Tax Abatement (GRTA) provides a rebate of \$5.23 per sq. ft. of green roof space, and \$15 for buildings in priority districts, which include Brooklyn CD 5. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the applicant to contact his office for further coordination on this matter.

As part of his resiliency policy, Borough President Adams seeks to advance stormwater management best practices including permeable pavers and/or rain gardens that promote DEP's green infrastructure agenda. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a comprehensive green infrastructure strategy. Where it is not advisable to remove street trees, it's possible to integrate stormwater retention measures into existing tree pits, with additional plantings to increase infiltration and make the site more pleasant for its users. In addition, blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would help divert stormwater from the 26th Ward Wastewater Treatment Plant.

The required Builders Pavement Plan (BPP) for 303 Hinsdale Street provides an opportunity to install DEP rain gardens in front of the site. The ZR requirement to plant street trees provides shade on excessively hot days, helps combat the urban heat island effect, and provides other aesthetic, air quality, and enhanced stormwater retention benefits. Rain gardens would require a maintenance commitment and attention from the landlord, such as cleaning out debris that can clog the inlet/outlet and prevent water collection, watering during dry and hot periods, and weeding to ensure proper water absorption. It is also necessary to conduct regular inspections to prevent soil erosion.

Therefore, consistent with his recommendations for the New Penn Development ULURP sites, Borough President Adams believes that Rajoy Management Inc. and PM Architecture PC should consult with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks

and Recreation (NYC Parks) about the feasibility of a rain garden in the public right-of-way at 303 Hinsdale Street. Any implementation should involve advance consultation with CB 5 and local elected officials.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application subject to further modification that, in lieu of changing Site 122 from open space to residential use, the East New York I Urban Renewal Plan (ENY I URP) for the East New York I Urban Renewal Area (ENY 1 URP) be changed to residential use with the added stipulation that residential use be required to be permanently affordable.

Be it Further Resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) memorialize the following requirements in its Land Disposition Agreement (LDA) or Regulatory Agreement with Rajoy Management Inc. and PM Architecture PC:
 - a. A mechanism to ensure that the proposed development would remain affordable in perpetuity
 - b. Utilization of a local affordable housing non-profit to assist with affordable housing lottery outreach and readiness efforts
 - c. Incorporation of resiliency and sustainability measures such as blue/green/white roof finishes, passive house construction principles, and solar panels
 - d. A demonstration of commitment to coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of street trees with enlarged tree pits as part of the Builders Pavement Plan (BPP), in consultation with Brooklyn Community Board 5 (CB 5) and local elected officials