



IN THE MATTER OF an application submitted by the New York City Department of Parks and Recreation and the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 151 Fountain Avenue (Block 4191, Lot 6) for use as a community garden, Borough of Brooklyn, Community District 5.

This application for the site selection and acquisition of property was filed by the New York City Department of Parks and Recreation (DPR) and the New York City Department of Citywide Administrative Services (DCAS) on May 14, 2019. The proposed site selection and acquisition of property located at 151 Fountain Avenue (Block 4191, Lot 6) would facilitate the expansion and preservation of the Green Gems Community Garden (“Garden”), in the East New York neighborhood of Brooklyn, Community District 5.

BACKGROUND

Established in 1994, the Garden encompasses 13 lots (Block 4191, Lots 1, 2, 3, 4, 5, 7, 8, 45, 46, 47, 48 and 106), totaling 19,900 square feet, at the northeast corner of Fountain and Glenmore avenues. DPR and DCAS are proposing to add a 2,500-square-foot lot at 151 Fountain Avenue (Block 4191, Lot 6), located immediately adjacent to the Garden, on the east side of Fountain Avenue between Glenmore Avenue and Liberty avenues. The project site (Lot 6) is a vacant privately-owned lot that was converted into a passive open space as part of the Garden. DPR intends formally to add the site as an expansion of the Garden.

The site is located in the Cypress Hills neighborhood of Brooklyn Community District 5. The site is located within an R5B zoning district, a contextual zoning district that allows both detached and semi-detached residential buildings, often characterized by three-story rowhouses. The area surrounding the project site is predominately developed with one- and two-family homes and some multi-family dwellings up to three stories in height. Buildings on the northern and southern ends of the block, at Liberty and Pitkin avenues, are located within an R6A zoning district with a C2-4 commercial overlay. R6A zoning districts are medium-density residential districts, but Liberty Avenue is predominately developed with one- and two-story commercial

buildings with retail space on the first floor, consistent with C2-4 zoning district regulations.

There are several public facilities within a half-mile of the project area, including City Line Park, located on Fountain and Atlantic avenues, and Sperandeo Brothers Playground, located on Liberty Avenue and Cleveland Street. Other facilities within the area include schools, day care facilities, a public library, supportive housing, soup kitchens, health centers, and a post office.

The project area is well-served by public transportation. The Euclid Avenue subway station, serviced by the A/C train lines, is located three blocks southeast of the Garden. Several bus lines serve the area, including the Q7, Q8, B13, and B14 buses.

Upon the acquisition of the project site, DPR will formally add the site to the Garden.

ENVIRONMENTAL REVIEW

This application (C 190452 PCK), 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 DPR. This application was determined to be a Type II action, which requires no further environmental review.

UNIFORM LAND USE REVIEW PROCEDURE

This application (C 190452 PCK) was certified as complete by the Department of City Planning on May 20, 2019, and was duly referred to 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 hold a public hearing on this application (C 190452 PCK) and did not submit a recommendation.

Borough President Recommendation

The Borough President of Brooklyn held a public hearing on the application (C 190452 PCK) on July 2, 2019, and on August 29, 2019, issued a recommendation approving this application.

City Planning Commission Public Hearing

On August 28, 2019 (Calendar No. 5), the City Planning Commission scheduled September 11, 2019 for a public hearing on this application (C 190452 PCK). The hearing was duly held on September 11, 2019 (Calendar No. 26). One speaker testified in favor of the application and one in opposition.

A representative of DPR appeared in favor to describe the community garden and the intended expansion.

A Rockaways resident spoke in opposition.

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

CONSIDERATION

The Commission believes that the application (C 190452 PCK) for the site selection and acquisition of property to be incorporated in Green Gems Community Garden for park use is appropriate.

The proposed action will allow DPR to convert a vacant, underutilized property into a passive open space and community garden for neighborhood residents, ensuring the expansion and preservation of the Garden.

RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and consideration described in this report, the application submitted by the New York City Department of Parks and Recreation (DPR) and the New York City Department of Administrative Services (DCAS), for the site selection and acquisition of property located at 151 Fountain Avenue (Block 4191, Lot 6) for use as a community garden, Borough of Brooklyn, Community District 5, is approved.

The above resolution (C 190452 PCK), duly adopted by the City Planning Commission on October 16, 2019 (Calendar No.1), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKES, ESQ., *Vice Chairman*

DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ, JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

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 #: GREEN GEMS GARDEN ADDITION – 190452 PCK

An application submitted by the New York City Department of Parks and Recreation (NYC Parks) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of a property located at 151 Fountain Avenue. Such action would facilitate the expansion of the Green Gems Garden, an existing community garden, which abuts the proposed acquisition site.

COMMUNITY DISTRICT NO. 5

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

August 29, 2019

DATE

RECOMMENDATION FOR: GREEN GEMS GARDEN ADDITION – 190452 PCK

An application was submitted by the New York City Department of Parks and Recreation (NYC Parks) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of a property located at 151 Fountain Avenue. Such action would facilitate the expansion of the Green Gems Garden, an existing community garden, which abuts the proposed acquisition site.

On July 2, 2019, Brooklyn Borough President Eric L. Adams held a public hearing on this acquisition request. There were no speakers on the item.

In response to Borough President Adams' inquiry as to what improvements are required to combine the lot with the existing community garden, and whether the garden has a direct water source, the NYC Parks representative stated that the lot is incorporated into the full garden, which is permitted to use hydrant water by the New York City Department of Environmental Protection (DEP). Such access is facilitated by Green Thumb.

Consideration

Brooklyn Community Board 5 (CB 5) has not yet taken a position on this application.

The Green Gems Garden covers 13 tax lots on the southwest corner of a block bounded by Crystal Street, as well as Fountain, Glenmore, and Liberty avenues in Cypress Hills (Block 4191, lots 1, 2, 3-8, 45-48, and 106). NYC Parks owns 12 of the 13 lots, which were assigned to the agency as part of a 2002 Settlement Agreement with the New York State Attorney General to preserve 500 community gardens. With the exception of lot 6 (151 Fountain Avenue), the properties are all currently licensed through the agency's Green Thumb program. Licensing requirements stipulate that the community garden must be open to the public for at least 20 hours per week, allow residents to join on a first come, first serve basis, and provide information and signage on the garden's fence.

The aforementioned assemblage, together with the lot to be acquired, has been used as a community garden since 1994. At the time, the City was not aware that lot 6 was in private ownership. According to NYC Parks, Council Member Rafael Espinal Jr. has already allocated funding for the selection and acquisition of this site.

The Green Gems Garden has a total lot area of 22,400 sq. ft., with 125 feet of frontage on Fountain Avenue. Green Gems Garden contains 15 fruit trees and 24 raised planting beds, of which six are used by a local high school. It is also home to 28 chickens and rabbits. The garden provides environmental education programs, which focus on horticulture, sustainability, and wellness. The property proposed for acquisition, 151 Fountain Avenue, is 25 feet wide, with a lot area of 2,500 sq. ft. It has been vacant for some time, and currently provides passive open space that functions as an extended section of the garden.

The Green Gems Garden is located within an R5B district, established by the 2016 East New York rezoning, which mapped various contextual districts in parts of Cypress Hills, East New York, and Ocean Hill. The surrounding area includes residential buildings of one to three stories, and several parks and playgrounds within a mile radius of the garden.

Brooklyn Community District 5 (CD 5) has a relatively low open space ratio of 1.3 acres per 1,000 residents, compared to that of New York City as a whole, which was 2.83 per 1,000 residents in 2015. Borough President Adams supports initiatives that serve to increase the amount of open space officially available to residents of CD 5. He recognizes that the proposed actions would ensure the

continued operation of the Green Gems Garden as a contiguous green space. Therefore, he is supportive of NYC Parks' efforts to acquire 151 Fountain Avenue as part of the community garden, which would secure this local amenity in perpetuity.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.