



CITY PLANNING COMMISSION

April 1, 2009 / Calendar No. 11

C 090227 HAK

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); an 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 924, 926, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26, 27, 29, and 30); an 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), to a developer selected by HPD;

to facilitate development of a three-story building, tentatively known as Liberty/Fountain Apartments, with approximately residential 43 units, Community District 5, Borough of Brooklyn.

Approval of three separate matters is required:

1. the designation of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); an 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 924, 926, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26, 27, 29, and 30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), to a developer selected by HPD.

The application (C 090227 HAK) for an Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on December 1, 2008.

Approval of this application would facilitate the development of 43 affordable residential units.

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

The project area consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these

substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

The Department of Housing Preservation and Development is seeking an Urban Development Action Area designation and project approval for a site located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); an 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), and disposition of fifteen city-owned lots located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 924, 926, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26, 27, 29, and 30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35) in the East New York neighborhood of Brooklyn, Community District 5.

The development site is comprised of fifteen City-owned vacant lots and two privately-owned vacant lots which are subject to UDAAP designation and project approval only. The development site is located on the south side of Liberty Avenue between Fountain Avenue and Crystal Street in the East New York neighborhood of Brooklyn's Community District 5. The total lot area is 30,000 square feet, of which the City-owned lots account for 25,900 square feet. The site is zoned R5 with a C2-3 commercial overlay mapped up to a depth of 150 feet along Liberty Avenue. The remainder of the block consists of vacant lots and two to three-story residential buildings.

The new three-story building would include 43 residential units with a mix of studio, one-, two-, and three-bedroom rental units for low-income residents. Fifteen of the 43 units in the project would be set aside for households earning no more than 30% of AMI. 27 units would be reserved for households earning less than 60% AMI, and there would be one superintendent unit. Seven units would be permanent special needs housing units for adults with developmental disabilities. On-site services would be provided by a non-profit organization, with office space located in the cellar of the building. These services would run the gamut from basic life skills

(assistance with bill-paying, food shopping/preparation, transportation, coordination with medical services, etc.) to organized leisure activities. The social services staff would also check in with these tenants on a regular basis to assure the wellbeing of the residents. In addition, 17,412 square feet of open space with an active and passive recreation area and 18 off-street parking spaces would be provided for residents in the rear of the building. The parking would be accessed from Crystal Street. In addition, 13 street trees would be provided along Crystal Street, Liberty and Fountain Avenues.

Uses in the blocks surrounding the site are predominantly low-density residential with one, two, and multi-family buildings in a R5 zoning district. Some commercial activity is found to the east along Liberty Avenue in R5/C1-2 and R5/C2-2 zoning districts and two blocks to the south on Pitkin Avenue, zoned R5/C2-3. Limited industrial activity is located to the north along Atlantic Avenue in a M1-1 zoning district. In addition, City Line Park, a 6.63 acre public park, is located one block to the north on Atlantic and Fountain Avenues. Also to the north is the East New York High School of Transit Technology on Fountain Avenue and Wells Street. Two elementary schools, P.S. 456 and P.S. 159, are also in close proximity.

The Euclid Avenue station on the A/C subway line is four blocks southeast of the site. The area is also served by several bus lines including the B12 operating along Liberty Avenue, the B13 running along Euclid Avenue, and the Q24 on Atlantic Avenue.

ENVIRONMENTAL REVIEW

This application (C 090227 HAK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR Number is 09HPD023K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential impact of the proposed action, a Negative Declaration was issued on November 24, 2008.

UNIFORM LAND USE REVIEW

This application (C 090227 HAK) was certified as complete by the Department of City Planning on December 15, 2009, 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

Community Board 5 stated in a letter dated February 6, 2009, that this application (C 090227 HAK) was approved by the Community Board 5 Land Use Committee.

Borough President Recommendation

This application was considered by the Brooklyn Borough President who issued a recommendation approving the application on March 11, 2009.

City Planning Commission Public Hearing

On March 4, 2009 (Calendar No. 2), the City Planning Commission scheduled March 18, 2009, for a public hearing on this application (C 090227 HAK). The hearing was duly held on March 18, 2009 (Calendar No. 17). There were three speakers in favor and none in opposition.

The speakers in favor of the project included the developer, a representative from HPD and a labor union representative. The developer described that the project would provide housing opportunities for New Yorkers earning between 30 and 60 percent of the Area Median Income. Seven studio apartments for adults with developmental disabilities with on-site services would be provided as part of this project. He highlighted that the building would be energy efficient according to standards established by the New York State Energy Research and Development Authority (NYSERDA). The HPD representative also appeared in favor. The union representative submitted testimony regarding the benefits of unionized employment.

There were no other speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that the application (C 090227 HAK) for UDAAP designation, project approval and the disposition of city-owned property is appropriate.

This application would facilitate the development of a site which has been lying vacant for many years with much-needed new affordable housing in East New York. The new building would contain 43 dwelling units that would provide residences for low-income residents and seven units of supportive housing for the developmentally disabled.

The transformation of this vacant site to productive use would eliminate its blighting influence on the neighborhood and would enable this city-owned property to be reactivated with uses that serve the needs of Brooklyn's Community District 5 and the City of New York. The Commission therefore finds that the proposed Urban Development Action Area (UDAAP) designation and project approval and related disposition of City-owned property are appropriate.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); an 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, BE IT FURTHER RESOLVED, that the City Planning Commission after due consideration of the appropriateness of the actions, certifies its unqualified approval of the

following matters pursuant to the Urban Development Action Area Act;

- a. the designation of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35) as an Urban Development Action Area; and
- b. an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives if any, to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The project is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law; and

BE IT FURTHER RESOLVED, the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 924, 926, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26, 27, 29, and 30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), Community District 5, Borough of Brooklyn, to a developer selected by HPD, is approved.

The above resolution, (C 090227 HAK) duly adopted by the City Planning Commission on April 1, 2009, (Calendar No. 11) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
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