

CITY PLANNING COMMISSION

August 19, 2020 / Calendar No. 9

C 200106 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 1559-1563 Prospect Place (Block 1363, Lots 90, 91, 92) as an Urban Development Action Area; and
 - b) Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate an affordable housing development containing approximately 44 units, Borough of Brooklyn, Community District 8.

Approval of three separate matters is required:

1. The designation of property located at 1559-1563 Prospect Place (Block 1363, Lots 90, 91, 92) as an Urban Development Action Area (UDAA); and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property to a developer to be selected by HPD.

This application for an UDAA designation, project approval and disposition of City-owned property (C 200106 HAK) was filed by HPD on September 13, 2019. Approval of this application would facilitate the development of a new eight-story building containing approximately 44 units of affordable housing, 16 of which would be Affordable Independent Residences for Seniors (AIRS) units at 1559-1563 Prospect Place in the Weeksville neighborhood of Brooklyn, Community District 8.

HPD states in its application that:

“The Project Area (Block 1363, Lots 90, 91, and 92) consists of underutilized land 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 Development is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.”

BACKGROUND

HPD is seeking UDAA designation, project approval, and disposition of City-owned property to facilitate the development of a residential building with 44 units in the Weeksville neighborhood of Brooklyn.

The project site is a vacant, 8,342-square-foot, City-owned parcel located at 1559-1563 Prospect Place (Block 1363, Lots 90, 91, 92). The project site is comprised of three interior tax lots located on Prospect Place between Ralph Avenue to the east and Buffalo Avenue to the west. The lots were acquired by the City in the mid-1980s, though they were never developed and have remained vacant and under City ownership since then.

The surrounding area is characterized primarily by low- and medium-density residential buildings, with a mix of two- to three-story rowhouses and four-story apartment buildings. Immediately adjacent to the project site are two four-story apartment buildings. The surrounding area also includes local commercial establishments, generally concentrated along Ralph and Buffalo Avenues, east and west of the project site, respectively, institutional and public facility uses, houses of worship, and parking facilities.

The area surrounding the project site is well-served by public transit. The Ralph Avenue subway station provides access to the C train and is located half of a mile northeast, while the Utica Avenue subway station is slightly over half of a mile southwest, with access to the 2, 3, and 4 lines. Local bus service includes the B15, B45, B47, and B65, which connect the surrounding area residents to Bedford Stuyvesant, Woodhull Hospital, JFK airport, Downtown Brooklyn, and Kings Plaza.

The project site is located within an R6 zoning district. R6 districts are non-contextual, medium-density residential zoning districts that allow residential and community facility uses. Using the height factor option, residential developments have a maximum floor area ratio (FAR) of 2.43 and no fixed height limit with height controlled by a sky exposure plane. Using the Quality Housing option, residential developments have a maximum FAR of 2.2 on narrow streets and 3.0 on wide streets. Developments containing AIRS have a maximum FAR of 3.9. Height is limited to a maximum of 55 feet on narrow streets and 75 feet on wide streets for quality housing developments. Community facility uses are allowed to a maximum FAR of 4.8. Parking is required for 50% of units under the Quality Housing option or 70% of units under the height factor option.

HPD proposes to develop a new eight-story building containing 44 units of affordable housing, approximately 26 of which would be AIRS units on the site, with an additional number of units set aside for formerly-homeless households. The proposed development is expected to contain a mix of studio, one-, and two-bedroom rental units including one superintendent's unit, approximately 3,500 square feet of outdoor recreational and garden space, a community room on the ground floor, 12 spaces for bicycle storage in the cellar, and a laundry room with access to an outdoor balcony on the seventh floor. Units would be designed to be fully accessible and, in senior units, include bathroom grab bars. The project includes an emergency power generator that would address special concerns for seniors and amenities would be designed to encourage social interactions and opportunities for residents.

The building would be developed under Quality Housing regulations and would have a total residential floor area of approximately 32,000 square feet (3.81 FAR). The building would have a base height of 60 feet, followed by a setback of 16 feet, ultimately rising to a maximum building height of 80 feet. This development would be a part of HPD's Neighborhood Construction Program (NCP), which funds the new construction of infill affordable rental housing and selects sponsors through a Request for Qualifications process to purchase City-

owned sites. No off-street parking would be provided, as income-restricted units do not require parking within the Transit Zone.

ENVIRONMENTAL REVIEW

This application (C 200106 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 19HPD119K. The lead agency is HPD.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on October 10, 2019.

UNIFORM LAND USE REVIEW

In response to the COVID-19 pandemic, the Mayor issued Emergency Executive Order No. 100 on March 16, 2020 that suspended certain time requirements relating to the ULURP and other land use processes as of March 12, 2020. The suspension included portions of sections 195, 197-c and 197-d of the New York City Charter, as well as sections of the Administrative Code and the Rules of the City of New York, pertaining to time limitations. The City Planning Commission (CPC) ceased meeting immediately after issuance of the Executive Order until August 3, 2020, when the regular schedule of meetings was resumed. The ULURP time requirements suspended by Emergency Executive Order No. 100 are expected to begin running by September 14, 2020.

This application (C 200106 HAK) was certified as complete by the Department of City Planning on October 28, 2019 and duly referred to Brooklyn Community Board 8 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 202(b).

Community Board Public Hearing

Brooklyn Community Board 3 held a public hearing on this application (C 200106 HAK) on December 12, 2019 and by a vote of 32 in favor, none opposed, and one abstaining, adopted a resolution recommending approval of the application.

Borough President Recommendation

The application (C 200106 HAK) was considered by the Brooklyn Borough President, who held a public hearing on December 10, 2019 and issued a recommendation to approve the application on February 2, 2020. The Borough President further recommended that the housing remains permanently affordable in order to minimize the loss of affordable housing across the borough, that the developer retain a Brooklyn-based contractor and subcontractor, especially those who are designated Locally Based Enterprises consistent with Section 6-108.1 of the City's Administrative Code, and Minority and/or Women-owned Business Enterprises that meet or exceed standards per Local Law 1, and that the developers incorporate resilient and sustainable energy and stormwater practices in the project design.

City Planning Commission Public Hearing

On February 5, 2020 (Calendar No. 1), the CPC scheduled February 19, 2020 for a public hearing on this application (C 200106 HAK). The hearing was duly held on February 19, 2020 (Calendar No. 23). A team of four people spoke in favor of the application and one person spoke in opposition.

A representative from HPD described the surrounding land uses and context and spoke to HPD's overall housing strategy. Two representatives from the development team described Settlement Fund's background and experience with developing affordable housing, including for seniors, across the city, and described the unit mix and Area Median Income ranges for the proposed building. The architect described the building's design principles and building amenities. A resident of the Rockaways spoke in opposition of the application.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application (C 200106 HAK) for UDAA designation, project approval, and the disposition of City-owned property is appropriate.

The proposed actions will facilitate the redevelopment of these long-vacant, City-owned lots with a new residential building providing a total of 44 permanently-affordable residential units. The building will provide much-needed affordable and supportive housing in the Weeksville neighborhood for low-income seniors and people in formerly-homeless households with a wide range of affordability levels that respond to the needs of the neighborhood. The Commission recognizes the applicant team's intention to construct the building using environmentally-friendly methods, incorporating Enterprise Green Communities standards and providing an emergency power generator, and appreciates the thoughtful design that addresses the needs of seniors, disabled, and formerly homeless residents through the provision of grab bars and amenities for residents that encourage socialization.

Regarding the Borough President's recommendations that HPD and its partners target outreach to seniors and local residents, provide even more deeply affordable housing options, and include more resiliency features in the building, the Commission notes that these recommendations are outside the scope of this application. However, the Commission encourages the applicant to consider these recommendations and continue to work with local stakeholders and IMPACCT Brooklyn in order to lease the affordable units.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located along Prospect Place between Buffalo and St Marks Avenues (Block 1363, Lots 90, 91, 92) in Community District 3, Borough of Brooklyn, as an Urban Development Action Area;

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 1559-1563 Prospect Place (Block 1363, Lots 90, 91, and 92) in the Borough of Brooklyn as an Urban Development Action Area;
- b) An Urban Development Action Area Project for such area; and

BE IT FURTHER RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in the report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at 1559-1563 Prospect Place between Buffalo and St Marks Avenues (Block 1363, Lots 90, 91, and 92) in Community District 8, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 200106 HAK), duly adopted by the City Planning Commission on August 19, 2020 (Calendar No. 9), 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 BURNEY, **ALLEN P. CAPPELLI**, *Esq.*, **ALFRED C. CERULLO, III**,
MICHELLE R. DE LA UZ, **JOSEPH I. DOUEK**, **RICHARD W. EADDY**, **HOPE**
KNIGHT, **ANNA HAYES LEVIN**, **ORLANDO MARÍN**, **LARISA ORTIZ**, **RAJ**
RAMPERSHAD, *Commissioners*

Application #: **C 200106 HAK**

Project Name: **1559-1563 Prospect Place**

CEQR Number:
19HPD119K

Borough(s): **Brooklyn**
Community District Number(s): **8**

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

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

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 1559-1563 Prospect Place (Block 1363, Lots 90, 91 and 92) as an Urban Development Action Area; and

b) as an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of an eight-story building containing approximately 44 affordable housing units, Borough of Brooklyn, Community District 8.

Applicant(s): Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Jocelyn Torio NYC Housing Preservation & Development 100 Gold Street New York, NY 10038
Recommendation submitted by: Brooklyn CB 8		
Date of public hearing: 12/5/2019	Location: 727 Classon Ave, 11238	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
Date of Vote: 12/12/2019	Location: 121 New York Ave, 11216	
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting # In Favor: 32 # Against: 0 # Abstaining: 0 Total members appointed to the board: 43 1 Recusal		
Name of CB/BB officer completing this form Julia Neale	Title Comm. Coord.	Date 12/13/2019



Email/Fax Transmittal

TO: Brooklyn Community District 8 Distribution	FROM: Brooklyn Borough President Eric Adams
DATE: February 6, 2020	CONTACT: Inna Guzenfeld – Land Use Coordinator Phone: (718) 802-3754 Email: inna.guzenfeld@brooklynbp.nyc.gov
ULURP Recommendation: 1559-1563 PROSPECT PLACE, WEEKSVILLE NCP UDAAP – 200106 HAK	NO. Pages, Including Cover: 8

Attached is the recommendation report for ULURP application 200106 HAK. If you have any questions, please contact Inna Guzenfeld at (718) 802-3754.

Distribution

NAME	TITLE	OFFICE	EMAIL
Marisa Lago	Chair, City Planning Commission (CPC)	(212) 720-3356	ygruel@planning.nyc.gov
Corey Johnson	Speaker, City Council	(212) 564-7557	speakerjohnson@council.nyc.gov
Winston Von Engel	Director, Brooklyn, New York City Department of City Planning (DCP)	(718) 780-8280	wvoneng@planning.nyc.gov
Alex Sommer	Deputy Director, Brooklyn, DCP	(718) 780-8271	asommer@planning.nyc.gov
James Merani	Director, Land Use Review, DCP	(212) 720-3356	jmerani@planning.nyc.gov
Raju Mann	Director, Land Use Division, City Council	(212) 788-7207	rmann@council.nyc.gov
Amy Levitan	Land Use Division, City Council	(212) 788-7207	alevitan@council.nyc.gov
Alicka Ampry-Samuel	Council Member, District 41	(718) 953-3097	district41@council.nyc.gov
Ethel Tyus	Chair, Brooklyn Community Board 8 (CB 8)	(718) 467-5574	brooklyncb8@gmail.com
Michelle George	District Manager, CB 8	(718) 467-5574	brooklyncb8@gmail.com
Lin Zeng	Director of Brooklyn Planning, New York City Department of Housing Preservation and Development (HPD)	(212) 863-5327	zengl@hpd.nyc.gov
Richard Bearak	Director, Land Use, BBPO	(718) 802-4057	rbearak@brooklynbp.nyc.gov

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 #: 1559-1563 PROSPECT PLACE, WEEKSVILLE NCP UDAAP – 200106 HAK

An application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State, to designate three properties at 1559-1563 Prospect Place as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP), and, pursuant to Section 197-c of the New York City Charter, for the disposition of this site to a developer selected by HPD. Such actions would facilitate the development of an eight-story building with approximately 44 affordable housing units, with a percentage reserved for the formerly homeless, in Brooklyn Community District 8 (CD 8).

COMMUNITY DISTRICT NO. 8

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

February 6, 2020

DATE

RECOMMENDATION FOR: 1559-1563 PROSPECT PLACE, WEEKSVILLE NCP UDAAP – 200106 HAK

The New York City Department of Housing Preservation and Development (HPD) submitted an application, pursuant to Article 16 of the General Municipal Law of New York State, to designate three properties at 1559-1563 Prospect Place as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP), and, pursuant to Section 197-c of the New York City Charter, for the disposition of this site to a developer selected by HPD. Such actions would facilitate the development of an eight-story building with approximately 44 affordable housing units, with a percentage reserved for the formerly homeless, in Brooklyn Community District 8 (CD 8).

On December 10, 2019, Brooklyn Borough President Eric Adams held a public hearing on these zoning map and text amendments. There were no speakers on the item.

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, a representative of the Settlement Housing Fund (the selected co-developer, with The Beechwood Organization) stated that the project would include 26 Affordable Independent Residences for Seniors (AIRS) units. The bedroom mix would consist of 22 studios, eight one-bedroom units, and 15 two-bedroom apartments. Rents for the formerly homeless units would be targeted to households at 30 percent Area Median Income (AMI). Qualifying incomes for the AIRS units would range from \$19,000 to \$32,000, with monthly rents ranging from \$377 to \$683 per month. Eligible households applying for the family units would earn between \$48,000 and \$78,000, with rents ranging from \$1,070 to \$1,623.

In response to Borough President Adams' inquiry as to how long these units are required to be rented at affordable rates, the Settlement Housing Fund representative stated that 1559-1563 Prospect Place would be subject to a 40-year regulatory agreement. The representative emphasized that as an affordable housing non-profit, Settlement Housing Fund would work to maintain long-term affordability of these units.

In response to Borough President Adams' inquiry as to what marketing strategies would be used in the tenant selection process in order to ensure the highest level of participation from CD 8, and whether such marketing strategy would include a financial literacy campaign to assist area residents in becoming lottery-eligible, the Settlement Housing Fund representative stated that the non-profit has direct connections and an established presence in the community. The organization has been an administering agent for both its own developments and outside projects, and has successfully achieved community preference targets in the past. For 1559-1563 Prospect Place, Settlement Housing Fund would work closely with the community board, local partners, and elected officials, thereby ensuring participation from CD 8. While the organization provides one-on-one counseling for applicants, the representative expressed interest in a financial literacy campaign as part of its marketing strategy.

In response to Borough President Adams' inquiry regarding the incorporation of passive house design, blue, green, or white roof coverings, and New York City Department of Environmental Protection (DEP) rain gardens, the Settlement Housing Fund representative stated intent to exceed Enterprise Green Communities Criteria (EGCC) on the project, and to consider solar panels as part of the building's design. The developer installed a DEP rain garden on separate project, but deemed soil permeability unsuitable for a rain garden on this site.

Consideration

Brooklyn Community Board 8 (CB 8) approved this application on December 12, 2019.

The proposed land use actions would affect three tax lots on the southwest side of a block bounded by Buffalo Avenue, Prospect Place, and Ralph and St. Marks avenues. Together, the properties comprise approximately 8,340 square feet (sq. ft.) of vacant, City-owned land, with frontage on Prospect Place. The parcel is zoned R6, with a maximum residential floor area ratio (FAR) of 2.2, according to Quality Housing regulations. However, the site may be developed up to 3.90 FAR, with a height limit of 85 feet, with the inclusion of AIRS units.

The requested UDAAP designation and disposition action would result in a 3.81 FAR building with a maximum height of 80 feet. It would also provide approximately 3,450 sq. ft. of outdoor recreation space, and 12 spaces for bicycle storage. The AIRS units, which comprise nearly 60 percent of the development, would be fully accessible according to HPD's 2016 Design Guidelines for Multifamily New Construction & Senior Housing. The selected co-developers, Settlement Housing Fund and The Beechwood Organization, build and manage affordable housing across New York City and on Long Island.

The surrounding context for 1559-1563 Prospect Place consists primarily of two- to three-family homes and four-story apartment buildings. The New York City Public Housing Authority (NYCHA) Kingsborough Houses, a complex of six 16-story buildings, with more than 1,100 units is located two blocks north on Bergen Street.

There are several significant community facility uses on the adjacent blocks, including the Weeksville Heritage Center, the office of CB 8, and the Brooklyn Center for Rehabilitation and Health Care, as well as schools and houses of worship. Settlement Housing Fund manages two properties in the vicinity: St. John's Place Family Center, a transitional housing facility with child care programs and social services, and Prospect Plaza, a development of 37 prefabricated homes built for former NYCHA residents.

1559-1563 Prospect Place is accessible via public transportation. The B15, B45, and B65 buses utilize the Buffalo Avenue/Prospect Place stop around the corner from the site. The B47 bus travels along Ralph Avenue and stops on the east side of the block. The Eighth Avenue Express A and Eighth Avenue Local C trains make two stops seven blocks north of the site, at Ralph and Utica avenues. There is also a Utica Avenue station seven blocks south of the site, served by the Seventh Avenue Express 2 and 3 trains, and the Lexington Avenue Express 4 train.

Brooklyn is one of the fastest growing communities 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 the displacement of longtime residents who can no longer afford to live in their own neighborhoods. In Weeksville, and across New York City, there is a pressing need for permanently affordable housing, particularly for elderly adults, homeless households, and low-income families. Borough President Adams is committed to addressing the ongoing affordable housing crisis through the creation and preservation of units for Brooklynites of various incomes and household types.

Borough President Adams is particularly concerned about the lack of affordable housing for older New Yorkers, who are a rapidly growing segment of the city's population, with 300,000 seniors residing in Brooklyn alone. In its 2016 "Zoning for Quality and Affordability" (ZQA) study, the New York City Department of City Planning (DCP) found that there were 60 applicants for every apartment in HPD's senior housing developments. LiveOn NY estimates there are 200,000 New Yorkers aged 62 and older on the City's affordable housing waiting lists, with an average wait of seven years.

A significant number of elderly households have negligible income and are at risk for displacement. As the federal government moves away from funding affordable housing for seniors, too few apartments that seniors would be able to afford are being built, leaving tremendous demand for age-based low-cost housing. As a result, many elderly households are experiencing increased rent burdens and exhausting their life savings to keep up with day-to-day living costs. Helping area seniors secure affordable housing and remain in their communities is one of Borough President Adams' top policy objectives. He seeks for the City to advance more projects, such as this proposal, that prioritize permanently affordable units for older New Yorkers across Brooklyn.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The proposed land use actions would be consistent with Mayor 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," through the development of affordable and supportive housing for the city's most vulnerable residents.

In areas where new developments can be realized on City-owned sites, Borough President Adams supports the disposition of such sites for affordable housing development. Borough President Adams also seeks for such housing to remain permanently affordable in order to minimize the loss of affordable housing across the borough. Where HPD has designated for-profit companies to develop affordable housing, the duration of such affordable housing is often driven by financial considerations. Standard regulatory agreements used by government agencies typically span 30 or 50 years. When such regulatory agreements expire, and tenants move out, the apartments cease to operate as an affordable housing resource.

It is Borough President Adams' policy to advocate for mission-driven non-profits to play a role in affordable housing development. Such organizations are equipped to maximize community participation in affordable housing opportunities, and serve as non-profit administering agents for affordable housing lotteries. The disposition of the 1559-1563 Prospect Place to Settlement Housing Fund would help ensure that all 44 units remain affordable beyond the 40-year regulatory agreement, as it is their mission to ensure that the development remains affordable in perpetuity.

As the administering non-profit, Settlement Housing Fund would be responsible for ensuring that affordable housing units comply with its regulatory agreement with HPD that governs a project's affordable housing plan. This involves verifying a prospective tenant household's qualifying income and approving the rents of affordable housing units. The administering non-profit is also responsible for submitting an affidavit to HPD attesting that the initial lease-up of the affordable housing units is consistent with the income requirements, and for following up with annual affidavits to ensure compliance.

Settlement Housing Fund participates in HPD's Housing Ambassadors Program, which trains local community groups to provide free technical assistance and financial counseling to residents who wish to apply for affordable housing. Housing Ambassadors and other locally-based non-profits have proven track records of successfully marketing affordable housing units, as well as promoting affordable housing lottery readiness through educational initiatives. It is expected that these partners would implement such an outreach process as part of their marketing strategy for 1559-1563 Prospect Place.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2015," double-digit unemployment remains a pervasive reality for several of

Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis.

Additionally, promoting Brooklyn-based businesses, including those that qualify as locally-based enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs), is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those who are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

As funding for 1559-1563 Prospect Place includes financing for which HPD contributes no less than \$2 million, Settlement Housing Fund would be required to participate in HPD's MWBE Building Opportunity Initiative's Build Up program, and meet the State's additional labor participation requirements. Borough President Adams believes that, based on the Build Up program and State requirements, there would be reasonable opportunities to address demonstrated disparities in LBE/MWBE participation in the affordable housing development process. Development projects that receive HPD subsidies are required to spend at least one-quarter of HPD-supported costs on certified MWBEs during the course of design and construction. Developers may adopt a goal higher than the minimum.

Through HPD's initiative, Borough President Adams believes that the project developer should continue the emphasis to retain Brooklyn-based contractors and subcontractors, especially those who are designated LBEs, consistent with Section 6-108.1 of the City's Administrative Code, and LBE and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation).

Borough President Adams supports the proposed development. He calls on the co-developers, Settlement Housing Fund and The Beechwood Organization, to incorporate resilient and sustainable energy and stormwater practices in the project design.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

It is Borough President Adams' sustainable energy policy to promote opportunities that utilize blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, the New York State Energy Research and Development Authority (NYSERDA), and/or the New York Power Authority (NYPA) at each project site. Such modifications tend to increase energy efficiency and reduce a development's carbon footprint. This UDAAP application offers opportunities to integrate resiliency and sustainability measures such as blue/green/white roof finishes, passive house construction principles, and solar panels across the seven NIHOP sites.

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as existing roofs undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems, and expand the City's highly reflective (white) roof mandate. It should be noted that HPD projects will not be required to comply with the laws for the first five years. This exemption period will allow the agency to study the feasibility of incorporating green roofs into affordable housing developments.

Borough President Adams believes that development on City-owned land should strive for high standards in resiliency and sustainability. Therefore, it is appropriate for the developers to engage

the Mayor's Office of Sustainability, NYSERDA, and/or NYPA, to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by \$4.50 per square foot of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with the aforementioned agencies and further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. 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 more comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, there would be opportunities for street tree pit enhancements, which would increase stormwater infiltration and provide additional plantings. In addition, blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would help divert stormwater from the City's water pollution control plants.

The required Builders Pavement Plan for the proposed development provides an opportunity to incorporate DEP rain gardens at 1559-1563 Prospect Place. The New York City Zoning Resolution (ZR)'s requirement to plant street trees results in the provision of shade on days of excessive heat, as well as other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment from the landlord or managing entity. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption. However, the implementation of rain gardens could help advance DEP green water/stormwater strategies, enhancing the operation of the Newtown Creek Wastewater Treatment Plant during wet weather. Such rain gardens have the added benefit of serving as a streetscape improvement.

Borough President Adams recognizes that on-site water retention can be achieved in a multitude of ways and commends the developers for giving consideration to the inclusion of green infrastructure in the project. He believes that Settlement Housing Fund and The Beechwood Organization should further consult with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) for consideration regarding the three required street trees being with a DEP rain garden as part of a Builders Pavement Plan. Where the agencies have interest in implementing an enhancement, consultation should be initiated with CB 8 and local elected officials prior to agreeing to take action.

Borough President Adams believes that HPD should codify, in its Land Disposition Agreement (LDA) or Regulatory Agreement with Settlement Housing Fund and The Beechwood Organization, the extent to which such resiliency and sustainability strategies (including green roofs with photovoltaic systems, passive house construction principles, and water-retention measures involving the proposed street tree plantings) would be integrated into the proposed development. He also calls on the developers to coordinate with DEP, DOT, and NYC Parks to explore the feasibility of planting the three required street trees with a DEP rain garden as part of the Builders Pavement Plan, in consultation with CB 8 and local elected officials.

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.

Be it Further Resolved:

That the New York City Department of Housing Preservation and Development (HPD) codify in its Land Disposition Agreement (LDA) or Regulatory Agreement with Settlement Housing Fund and The Beechwood Organization, the extent that the developers would Incorporate additional resiliency and sustainability measures such as incorporating a New York City Department of Environmental Protection (DEP) rain garden, blue/green/white roof treatment, passive house construction principles, and solar panels in the development.